

AGENDA
MANDAN CITY COMMISSION
FEBRUARY 19, 2013
ED "BOSH" FROEHLICH MEETING ROOM,
MANDAN CITY HALL
5:00 P.M. (SPECIAL TIME)
www.cityofmandan.com

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- A. ROLL CALL:
1. Roll call of all City Commissioners and Department Heads.
- B. APPROVAL OF AGENDA:
- C. PUBLIC COMMUNICATIONS:
- D. MINUTES:
1. Consider approval of the following minutes:
 - i. January 29, 2013 – Special Board Meeting (w/Morton Co.)
 - ii. February 5, 2013 – Regular Board Meeting
 - iii. February 12, 2013 – Special Board Meeting
- E. PUBLIC HEARING:
1. Public Hearing to Consider Property Tax Incentives for New or Expanding Businesses for Diamond Bend Apartments, LLC.
- F. BIDS:
1. Consider award of bid for Water and Sewer Improvement District No. 60, Project 2012-21(34th Avenue SE & Genoa Court SE). See Resolution No. 1.
 2. Consider awarding bid for 2013 Utility Backhoe to RDO Equipment Co. of Bismarck.
 3. Consider awarding bid for 2013 Utility Pickup to Kupper Chevrolet, Mandan.
- G. CONSENT AGENDA:
1. Consider approval of monthly bills.
 2. Consider approval of games of chance for Ducks Unlimited at Best Western Seven Seas on March 20, 2013.
 3. Consider annual leave payout for Planning & Engineering administrative assistant Nancy Moser.
 4. Consider the following abatements/exemptions:
 - i. Assessment Value Removed:
 - a. Diversity Homes – 4006 Bayport Pl. SE
 - b. Diversity Homes – 4120A Bayport Pl. SE
 - ii. Disabled Veteran Exemption:
 - a. Edward Lech
 - iii. Homestead Credit Exemptions:

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- a. Darlene Berger
- b. Kathleen Mosbrucker
- c. Raymond Vetter
- d. Betty Wolfe
- iv. Street Appraisal:
 - a. Snezana Kaufmann
 - b. Perry Kupfer
 - c. L. Vollmer

H. OLD BUSINESS:

I. NEW BUSINESS:

- 1. Receive Bismarck-Mandan Development Association reports:
 - i. 2013 Mandan Work Plan
 - ii. 2012 Business Retention and Expansion Program
 - iii. 2012 Annual Report
- 2. Introduction of new employees:
 - i. Matthew Saylor, Engineering Technician, Engineering and Planning Department.
 - ii. Nicholas Hinze, Police Officer, Mandan Police Department
 - iii. Carolyn Reisenauer, Inspections/Assessing Tech, Building Inspections Department.
- 3. Consider agreements for the sale and development of Collins and Main parcels with Dakota Commercial Development.
- 4. Update on Development of Former Junior High.

J. RESOLUTIONS AND ORDINANCES

- 1. Consider Resolution Approving Contract and Contractor's Bond for Water and Sewer Improvement District No. 60, Project 2012-21(34th Avenue SE and Genoa Court SE).

K. OTHER BUSINESS:

L. FUTURE MEETING DATES FOR BOARD OF CITY COMMISSIONERS:

- 1. March 5, 2013
- 2. March 19, 2013
- 3. April 2, 2013

M. ADJOURN

Public Communication

A scheduled time for public participation has been placed on the agenda at Mandan City Commission meetings. The Board desires to hear the viewpoints of citizens throughout the City. Individuals wishing to address the Board are encouraged to make arrangements with the Board President or the City Administrator prior to the meeting. Comments should be made to the Board and not to individuals in the audience and be related to City operations and programs.

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The Board will not hear personal complaints against any person connected with the City. If a citizen would like to add a topic to the agenda, arrangements must be made in advance with the City Administrator or Board President. The Board reserves the right to eliminate or restrict the time allowed for public participation. The Board requests that comments are limited to three (3) minutes or less. Groups of individuals addressing a common concern are asked to designate a spokesperson.

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The Mandan City Commission met in Special Session at 5:30 p.m. on January 29, 2013 in the basement at the Morton County Courthouse, 210 2nd Ave NW, Mandan, ND. Commissioners present were Van Beek, Tibke, and Braun. City Department Heads present were City Administrator Neubauer and Police Chief Bullinger. In attendance for the Morton County Commission were Commissioners Strinden, Zachmeier, Schulz, Leingang, Boehm and Morton County Auditor Rhone.

NEW BUSINESS:

Discussion on Jail. Discussions took place on the option of constructing a joint detention facility with Burleigh County and also the option of adding on to the existing Morton County Law Enforcement Center.

The County may be able to purchase the apartment building located adjacent to the LEC on the south side which would allow for a larger expansion of the jail.

The City of Mandan requested that the County provide them with more concrete estimates of the two options discussed.

The Sheriff will be asked to get costs from Kimme & Associates on what it would cost to provide costs for both options.

ADJOURN

There being no further actions to come before the Mandan City Board and the Morton County Commission, Morton County Commissioner Boehm moved and Morton County Commissioner Schulz seconded to adjourn at 7:10 p.m. The motion received unanimous approval of the Board members present and the meeting adjourned.

James Neubauer,
City Administrator

Arlyn Van Beek
President, Board of City
Commissioners

The Mandan City Commission met in regular session at 5:30 p.m. on February 5, 2013 in the Ed “Bosh” Froehlich Room at City Hall, Mandan, North Dakota. Commissioners present were Van Beek, Tibke, Rohr, and Frank. Department Heads present were: Finance Director Welch, Police Chief Bullinger, City Attorney Brown, City Administrator Neubauer, Director of Public Works Wright, Fire Chief Nardello, Business Development and Communications Director Huber, Engineering Project Manager Kim Fettig, and City Assessor Barta. Absent: Commissioner Braun.

B. APPROVAL OF AGENDA: Commissioner Rohr motioned to approve the Agenda as presented. Commissioner Tibke seconded the motion. The motion received unanimous approval of the members present.

C. PUBLIC COMMUNICATIONS:

1. Mark Payne, Shorestone Development (apartment building developers) came forward to speak. He stated that over the last year he has built 150 apartment units and received the 2-year tax exemption on those 150 units. He stated that he is here to comment on what that tax exemption has provided for him. It entices him to come to Mandan because neither Bismarck nor Fargo offers any incentives like that. Through the tax exemption process granted by Mandan City Commission, it gave him breathing room and took the pressure off him during that whole first two-year rental period. He commented that the City of Mandan is not losing anything by granting those tax exemptions, but rather delaying the tax process. Those lots could be setting empty with no tax being collected on them. As a contractor he stated that building in Mandan is more positive than building in Bismarck because of this incentive program.

D. MINUTES:

1. *Consider approval of the following minutes from the Board of City Commission meetings held on January 8, 2013 and January 15, 2013 regular meetings.* Commissioner Tibke moved to approve the minutes of the January 8, 2013 and January 15, 2013 regular meetings. Commissioner Frank seconded the motion. The motion received unanimous approval of the members present. The motion passed.

E. PUBLIC HEARING:

1. *Public Hearing to consider a 5-Year tax exemption (Tier 2) for VisTec Industrial Services, Inc. (See New Business No. 1).* City Assessor Barta reviewed with the Board a recommendation from the Mandan Growth Fund Committee regarding an application for a property tax exemption for a new business, Vis-Tec Industrial Services, Inc. Location is 2001 Third Street Southeast, Suite B. There was no opposition received. Vis-Tec applied for a Tier 2 exemption of 100% years 1-2; 75% year 3; 50% year 4 and 25% year 5. They estimate 24-25 employees will be hired by 2017 or year 5. The property located at Suite B is what they will be receiving the exemption on.

Mayor Van Beek announced this is a public hearing and asked for comments. A second announcement was made to come forward to speak. Hearing none, this portion of the public hearing was closed.

F. BIDS:

1. *Consider award of bid for Skid Steer Loader for WTP.* Duane Friesz, Water Treatment Plant Superintendent, reviewed with the Board a request to consider the bid for Skid Steer Loader. Four bids were received with the lowest bid submitted by Bobcat of Mandan in the amount of \$35,424.88. The budget balance is \$35,000 in the WTP capital outlay budget. The balance of \$424.88 will be covered by the 2012 budget.

Commissioner Frank moved to approve the bid for the Skid Steer Loader for WTP to the low bidder Bobcat of Mandan in the amount of \$35,424.88. Commissioner Tibke seconded the motion. The motion received unanimous approval of the members present. The motion passed.

G. CONSENT AGENDA:

1. *Removed for Discussion: Consider proclaiming May 18, 2013 as National Kids to Parks Day in the City of Mandan.*

2. *Consider confirmation of special assessments for Street Improvement District #159, Street Improvement District #153-Area A, Street Improvement District #158, and Water & Sewer Improvement District #55.* The Board approved the confirmation of special assessments for Street Improvement District #159, Street Improvement District #153-Area A, Street Improvement District #158, and Water & Sewer Improvement District #55.

3. *Consider out of state travel authorization for Waste Water Treatment Plant Superintendent.* The Board approved of out of state travel authorization for Waste Water Treatment Plant Superintendent.

4. *Consider for approval the final plat of Plainview Heights 14th Addition.* The Board approved the final plat of Plainview Heights 14th Addition.

5. *Consider for approval the final plat of School District 6th Addition.* The Board approved of the final plat of School District 6th Addition. The Board approved the final plat of School District 6th Addition.

6. *Consider entering into an Engineering agreement with AE2S for 2013 Phase II Optimization Improvements.* The Board approved of entering into an Engineering agreement with AE2S for 2013 Phase II Optimization Improvements.

7. *Consider stock redemption agreement Grizella Corporation.* The Board approved the stock redemption agreement Grizella Corporation.

8. *Consider the following exemptions/abatements:*

i. *2-year Exemptions:*

- a) *Eric Stenson*
- b) *Ivan Graf*
- c) *Charles Marohl*
- d) *Desri Neether*

ii. *Homestead Credit Exemptions:*

- a) *Jacob Hertz*
- b) *Margaret Schmidt*
- c) *Russell Metz*

iii. *Disabled Veteran Exemption Abatements:*

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- a) *Bruce Armstrong*
 - b) *Gabe Hoggarth*
 - c) *Duane Wilhelm*
 - iv. *Wheelchair Exemption Abatement:*
 - a) *Francis Herauf*
 - v. *Reduction in Structure Value:*
 - a) *Dallas Quamme*

The Board approved of the Exemption Abatements as listed.

9. *Consider approval of Special Sunday openings for Mandan Eagles.* The Board approved of the Special Sunday openings for Mandan Eagles.

Commissioner Tibke moved to approve the Consent Agenda as presented. Commissioner Rohr seconded the motion. Commissioner Frank requested removal of Consent Agenda No. 1 for discussion. Commissioner Tibke Amended the motion to approve Consent Agenda items No. 2 through 9 as presented. Commissioner Rohr seconded the Amended Motion. The motion received unanimous approval of the members present. The motion passed.

Commissioner Frank addressed Consent Agenda No. 1: *Consider proclaiming May 18, 2013 as National Kids to Parks Day in the City of Mandan.* She stated that since she has been on the City Commission she has wanted to recommend that Proclamations be read to the public. Mayor Van Beek read the Proclamation as presented.

Commissioner Frank moved to approve proclaiming May 18, 2013 as National Kids to Parks Day in the City of Mandan. Commissioner Rohr seconded the motion. The motion received unanimous approval of the members present. The motion passed.

H. OLD BUSINESS:

1. *Consider “Public Communications” statement.* City Administrator Neubauer stated that since “Approval of the Agenda” was added at the beginning of the meeting he recommended that if an agenda item is tabled or removed, that there be a motion to support that action. Neubauer reviewed the notice statement that will be placed on each printed agenda. Commissioner Rohr questioned what would happen if there is an agenda item that someone comes forward to comment on, or wishes to make a statement on? Shouldn’t we encourage them to remain at the meeting until that agenda item is discussed in order to allow any further input on the matter? Commissioner Frank stated that shifting the order of the Agenda to accommodate a particular agenda item has been an option utilized in these Board meetings in order to allow someone in the audience further opportunity to comment if needed. She indicated that she is in favor of the public coming to meetings to share concerns whether or not the topic is on the agenda. It was recommended that the draft copy strike the sentence: “Comments must address topics that are on the agenda”.

Commissioner Frank moved to approve a Public Communications policy striking the sentence “Comments must address topics that are on the agenda”. Commissioner Rohr

seconded the motion. Mayor Van Beek stated that there will be no personal attacks on commissioners or employees through this process. He suggested that if there is a topic which is felt to be uncomfortable in discussing at the meeting, that item can be given to a department head to research before giving a response to the person who submitted the topic.

Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Frank: Yes; Commissioner Braun: Absent; Commissioner Van Beek: Yes. The motion passed.

I. NEW BUSINESS:

1. *Consider Growth Fund Committee recommendation on property tax exemption application by VisTec Industrial Services, 2001 Third St SE, Suite B.* Business Development and Communications Director Huber stated that the Mandan Growth Fund Committee met on January 28, 2013, and reviewed this request. They recommended approval of this exemption request under the Tier 2 of 100% years 1-2; 75% year 3; 50% year 4 and 25% year 5. The primary basis was the creation of jobs and the quality of jobs which is measured by employing 24 people within 5 years. There will also be seasonable employment. The value of the building addition is estimated at \$545,000. Roger Dougherty of Vis-Tec Industrial Services was present to answer any questions regarding the application.

Mayor Van Beek inquired if there were any questions.

Roger Dougherty came forward to speak and commented that he worked for CETA in Mandan for over 29 years. CETA pulled the company and moved it to Canada. Dougherty stated that he then developed VisTec Industrial Services in order to offer jobs to the people who have worked in Mandan over the last several years.

Commissioner Rohr commented that this is the first request for a tax exemption since the policy was revised for tax exemption requests.

Commissioner Rohr moved to approve the request for property tax exemption application by VisTec Industrial Services, 2001 Third St SE, Suite B request under the Tier 2 of 100% years 1-2; 75% year 3; 50% year 4 and 25% year 5. Commissioner Tibke seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Frank: Yes; Commissioner Braun: Absent; Commissioner Van Beek: Yes. The motion passed.

2. ~~Consider multi family housing policy.~~ Removed from Agenda.

3. *Discussion related to terms on various committees.* City Administrator Neubauer stated that at the last Board meeting there was discussion regarding the length of terms of members on committees. He stated that there are 65 members on 10 committees within the City and years of service range from 1 to 34 years. The breakdown of those years of service is as follows: 0-5 years = 31 members; 6-10 years = 26 members; 10- plus years

= 8 members. The numbers show a good mix of youth and experience. He indicated that discussions are still occurring with the committees. He gave an example of the Library Board of Trustees, (which may be recommended to the Mandan Growth Fund): appointments would be for a 2 term limit in which they can serve 2 consecutive terms, take a year or a term off and then could be reappointed. If there are no applications for a position then the City Commission could appoint an individual to additional term beyond the two consecutive terms if they wish to remain on the committee or board.

Commissioner Frank suggested Administrator Neubauer work with all committees to adopt a similar rotation to that plan used by the Mandan Library Board of Trustees.

4. *Consider participation in cost sharing housing study.* City Administrator Neubauer reviewed with members a request from Morton County Housing Authority to contribute to the cost share on housing study. He stated that there have been several occasions when either he or Development Director Huber had inquiries as to what housing studies are available. Rick Horn, Director of Morton County Housing Authority was available to answer questions. The total cost is \$16,000 and the request is to have the City of Mandan contribute $\frac{1}{4}$ of the cost of \$4,000, Morton County \$4,000 and the balance of \$8,000 to be paid by Morton County Housing Authority.

Rick Horn stated that funds for the Housing Authority are received from the HUD program. He indicated that the study results will help determine what the housing need is. He mentioned that everyone is struggling with trying to determine what affordable housing is. He said they are seeking guidance as to whether there should be senior housing, family housing or multi-family housing. The study is expected to be completed by mid-summer or sooner. The results of the study will be shared with the County and the City Commissioners and used by the Housing Authority to assist with determining housing needs.

Commissioner Tibke moved to approve the participation in cost sharing housing study by the City of Mandan to determine affordable housing in Morton County. Commissioner Frank seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Frank: Yes; Commissioner Braun: Absent; Commissioner Van Beek: Yes. The motion passed.

5. *Consider sponsoring safe routes to school grant application.* City Administrator Neubauer reviewed with members a request from the Mandan School District to make application to the ND DOT for Safe Routes to School grant which has to be made by the City. He stated that with the construction of a new elementary school in northwest Mandan opening in the fall of 2014 they are looking at crossing signals, sidewalks and enhancements at 37th Avenue Northwest and Old Red Trail. The program is designed to encourage children to walk or ride bike rather than getting a ride from parents, etc. There is no cost to the City of Mandan to apply or participate in this program. This grant would assist with the costs of the crossing signals in that location.

Commissioner Tibke moved to approve that the City of Mandan submit a SRTS Grant application in conjunction with the Mandan Public School District. Commissioner Frank

seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Frank: Yes; Commissioner Braun: Absent; Commissioner Van Beek: Yes. The motion passed.

J. RESOLUTIONS & ORDINANCES:

1. *Consider second consideration and final passage of Ordinance 1141, An ordinance annexing certain adjoining lands to the City of Mandan, North Dakota, and extending the corporate boundaries thereof (tract of land being a part of S2-T138N-R81W).* Commissioner Tibke moved to approve the second consideration and final passage of Ordinance 1141, An ordinance annexing certain adjoining lands to the City of Mandan, North Dakota, and extending the corporate boundaries thereof (tract of land being a part of S2-T138N-R81W). Commissioner Rohr seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Frank: Yes; Commissioner Braun: Absent; Commissioner Van Beek: Yes. The motion passed.

2. *Consider second consideration and final passage of Ordinance 1142, An ordinance annexing certain adjoining lands to the City of Mandan, North Dakota, and extending the corporate boundaries thereof (tract of land being a part of S3-T138N-R81W).* Commissioner Tibke moved to approve the second consideration and final passage of Ordinance 1142, An ordinance annexing certain adjoining lands to the City of Mandan, North Dakota, and extending the corporate boundaries thereof (tract of land being a part of S3-T138N-R81W). Commissioner Frank seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Frank: Yes; Commissioner Braun: Absent; Commissioner Van Beek: Yes. The motion passed.

3. *Consider second consideration and final passage of Ordinance 1140, An Ordinance to Amend and Re-enact Section 12-02-04.1 (2) of the Mandan Code of Ordinances Relating to Winery or Brewery License.* Commissioner Frank moved to approve the second consideration and final passage of Ordinance 1140, An Ordinance to Amend and Re-enact Section 12-02-04.1 (2) of the Mandan Code of Ordinances Relating to Winery or Brewery License. Commissioner Rohr seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Frank: Yes; Commissioner Braun: Absent; Commissioner Van Beek: Yes. The motion passed.

4. *Consider for approval the Resolution amending fees and charges administered by the Public Works Department.* Jeff Wright, Director of Public Works, reviewed with members a resolution to amend the fees and charges by the Public Works Department. He explained that the City took over the Weed Control Program last year and found that the costs assessed did not cover the fees incurred because many of the lots needed more work done than anticipated; therefore driving up the cost to maintain the lots. Wright proposed that there be a minimum fee of \$50 for lot cleanup and an additional \$50 for mowing the lot if those services are needed. One other request to the resolution has to do with the hydrant water meter hook up fee of \$40 which falls in line with the current practice of the City of Bismarck. The last issue would be the curb stop repair and replacement. Consideration is being given at winter and summer repairs at an hourly rate for equipment and staff with a maximum price for each service provided. Local

contractors will be submitting bids for these services. The costs and services being proposed are in line with what other cities assess.

Commissioner Frank suggested that further discussion be ensued regarding necessary repairs that need to be addressed throughout the city with regard to curb stops or sidewalks, etc. and that guidelines be established as to being proactive or reactive to these situations.

Commissioner Frank moved to approve the Resolution amending fees and charges administered by the Public Works Department as presented. Commissioner Rohr seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Frank: Yes; Commissioner Braun: Absent; Commissioner Van Beek: Yes. The motion passed.

K. OTHER BUSINESS:

1. *Consider North Dakota Department of Transportation's Alternatives Program (TAP's) Application.* City Administrator Neubauer stated that this matter was brought to the City's attention as this grant opportunity was made known to staff and at the request of the Mandan Heritage Foundation. Under the TAP's Program it was deemed that the Beanery Building and the Mandan Depot may qualify. The project would include painting, window replacement, and damaged wood replacement on the exterior of the building. The preliminary repairs estimate for this project is \$283,000. The program is a cost share program wherein 80% of the project would be funded through this grant, (if successful), and 20% is funded locally. He stated that items not eligible for reimbursement are the planning and engineering costs or any environmental impact may not be eligible for federal aid. Roughly, \$56,600 would be the 20% local costs for the city's share plus hiring an architect to draw up plans and specifications for an estimated cost of approximately \$40,000 bringing the total local match up to about \$100,000.

Public bids would go out and the project would have to be completed within a timeframe of March 2014. The Mandan Heritage Organization, the Mandan Progress Organization, and the Ft. Abraham Lincoln Foundation all support this project. If the Board passes this request, the request will be forwarded to the Metropolitan Planning Organization and then to the Department of Transportation for scoring and ranking to determine funding for the project. The Visitor's Committee fund would be responsible for this project and they are funded through the Restaurant/Hotel tax and funds can only be used on things that will bring visitors to the community.

Commissioner Frank moved to approve submitting the North Dakota Department of Transportation's Alternatives Program (TAP's) Application for the project as presented. Commissioner Tibke seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Frank: Yes; Commissioner Braun: Absent; Commissioner Van Beek: Yes. The motion passed.

There being no further actions to come before the Board of City Commissioners, Commissioner Tibke moved to adjourn the meeting at 6:39 p.m. Commissioner Frank

seconded the motion. The motion received unanimous approval of the members present.
The motion passed.

James Neubauer,
City Administrator

Arlyn Van Beek,
President, Board of City
Commissioners

The Mandan City Commission met in Special Session at 5:00 p.m. on February 12, 2013 in the Dykshoorn Conference Room at City Hall, 205 2nd Ave NW, Mandan, ND. Commissioners present were Van Beek, Tibke, Rohr, Frank and Braun. City Department Heads present were City Administrator Neubauer and Business Development and Communications Huber and Assessing/Building Official Barta. Also in attendance was Les Kern.

NEW BUSINESS:

1. Housing property tax exemption policy

Discussions took place regarding the multi-unit and single family home property tax exemptions. Currently a newly constructed single family home is eligible to receive the first \$75,000 in value exempt from property taxes for two years. Multifamily structures 24 units and above are eligible to receive a two year 100% exemption. The exemption for multifamily units was to encourage higher density housing that was felt to be lacking in the community.

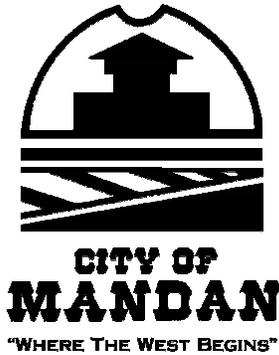
The Board discussed the pros and cons of providing such exemptions and determined further research and discussion was warranted. Another working session will be scheduled in the near future.

ADJOURN

There being no further actions to come before the Board Commissioner Frank moved and Commissioner Braun seconded to adjourn at 6:04 p.m. The motion received unanimous approval of the Board members present and the meeting adjourned.

James Neubauer,
City Administrator

Arlyn Van Beek
President, Board of City
Commissioners



Board of City Commissioners

Agenda Documentation

MEETING DATE: February 19, 2013
PREPARATION DATE: February 4, 2013
SUBMITTING DEPARTMENT: Assessing Dept.
DEPARTMENT DIRECTOR: Richard Barta
PRESENTER: Richard Barta
SUBJECT: Property Tax Incentives for New or Expanding
Businesses for Diamond Bend Apartments, LLC

STATEMENT/PURPOSE: To consider a 100% two year tax exemption for a new apartment building pursuant to North Dakota Century Code 40-57.1.

BACKGROUND/ALTERNATIVES: Diamond Bend Apartments, LLC is asking for an exemption for the construction of a new apartment building. The Notice to Competitors was published in the January 25th and February 1st of the Mandan News and no competitors have submitted a written protest. Notices were also sent via email to Morton County, Mandan School District and Mandan Park District on February 14, 2013.

SHORT DESCRIPTION OF PROJECT: Diamond Bend Apartments, LLC is proposing a three-story apartment building with 78 units with 116,964 square feet of apartment living area; (54) 2-bedroom, (12) 3-bedroom, and (12) 1-bedroom). The underground parking area will have 38,988 square feet.

OF JOBS TO BE CREATED: N/A

This parcel is also known as Parcel # 10110 at 4300 21st St SE on Lot 5B of Block 1, Lakewood Commercial Park 3rd Addition .

ATTACHMENTS: Application

FISCAL IMPACT: \$118,200 per year for a two-year total of \$236,400.

STAFF IMPACT: N/A

LEGAL REVIEW: N/A

Board of City Commissioners

Agenda Documentation

Meeting Date: February 19, 2013

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RECOMMENDATION: Approval of a Property Tax Incentive for New or Expanding Businesses for Diamond Bend Apartments, LLC with a 100% exemption for the two years will be determined by the Mandan City Commission.

SUGGESTED MOTION: A motion to approve a Property Tax Incentive for New or Expanding Businesses for Diamond Bend Apartments, LLC for a 100% exemption for the two years to be determined by the Mandan City Commission.

**Application For Property Tax Incentives For
 New or Expanding Businesses**

Pursuant to N.D.C.C. Chapter 40-57.1

Project Operator's Application To Mandan
City or County

File with the City Auditor for a project located within a city; County Auditor for locations outside of city limits.

A representative of each affected school district and township is included as a non-voting member in the negotiations and deliberation of this application.

This application is a public record

Identification Of Project Operator

1. Name of project operator	<u>Diamond Bend Apts LLC</u>		
2. Address of project	<u>5th of Lot 5 Bk 1 Lakewood Commercial Park 3rd Aip</u>		
	<u>4300 21st St</u>	City <u>Mandan</u>	County <u>Morton</u>
3. Mailing address of project operator	<u>4654 - Amber Valley Parkway</u>		
	City <u>Fargo</u>	State <u>N. Dak</u>	Zip <u>58104</u>
4. Type of ownership of project	<input type="checkbox"/> Partnership <input type="checkbox"/> Subchapter S corporation <input type="checkbox"/> Individual proprietorship <input type="checkbox"/> Corporation <input type="checkbox"/> Cooperative <input checked="" type="checkbox"/> Limited liability company		
5. Federal Identification No. or Social Security No.	_____		
6. North Dakota Sales and Use Tax Permit No.	_____		
7. If a corporation, specify the state and date of incorporation	_____		
8. Name and title of individual to contact	<u>Mark Payne</u>		
Mailing address	<u>4654 Amber Valley Parkway</u>		
City, State, Zip	<u>Fargo</u>	<u>N. Dak</u>	<u>58104</u> Phone No. _____

Project Operator's Application For Tax Incentives

9. Indicate the tax incentives applied for and terms. Be specific.	<input checked="" type="checkbox"/> Property Tax Exemption <u>2</u> Number of years <u>16.7%</u> Percent of exemption		<input type="checkbox"/> Payments In Lieu of Taxes _____ Beginning year _____ Ending year _____ Amount of annual payments (attach schedule if payments will vary)
10. Which of the following would better describe the project for which this application is being made:	<input checked="" type="checkbox"/> New business project		<input type="checkbox"/> Expansion of an existing business project

Board of City Commissioners

Agenda Documentation

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Description of Project Property

11. Legal description of project real property <u>5th of LOT 5 BLK 1 LAKEWOOD COMMERCIAL PARK</u> <u>3rd ADDITION</u>	
12. Will the project property be owned or leased by the project operator? <input checked="" type="checkbox"/> Owned <input type="checkbox"/> Leased If the answer to 12 is leased, will the benefit of any incentive granted accrue to the project operator? <input type="checkbox"/> Yes <input type="checkbox"/> No If the property will be leased, attach a copy of the lease or other agreement establishing the project operator's benefits.	
13. Will the project be located in a new structure or an existing facility? <input checked="" type="checkbox"/> New construction <input type="checkbox"/> Existing facility If existing facility, when was it constructed? _____ If new construction, complete the following: a. Estimated date of commencement of construction of the project covered by this application <u>May 2013</u> b. Description of project to be constructed including size, type and quality of construction <u>3000 SQ FT UNIT APARTMENT</u> <u>116,964 FT² OF APARTMENT LIVING AREA</u> <u>WITH 38,988 FT² PARKING 78 UNITS</u> c. Projected number of construction employees during the project construction _____	
14. Approximate date of commencement of operations for this project <u>December 2013</u>	
15. Estimated market value of the property used for this project: a. Land \$ <u>250,000</u> b. Existing buildings and structures for which an exemption is claimed \$ _____ c. Newly constructed buildings and structures when completed \$ <u>6,000,000</u> d. Total \$ <u>6,250,000</u> e. Machinery and equipment \$ _____	16. Estimate taxable valuation of the property eligible for exemption by multiplying the market values by 5 percent: a. Land (not eligible)  b. Eligible existing buildings and structures \$ <u>300,000</u> c. Newly constructed buildings and structures when completed \$ <u>300,000</u> d. Total taxable valuation of property eligible for exemption (Add lines b and c) <u>394</u> \$ <u>300,000</u> e. Enter the consolidated mill rate for the appropriate taxing district <u>0.394</u> 10.200 f. Annual amount of the tax exemption (Line d multiplied by line e) \$ <u>118,200</u>

Description of Project Business

Note: "project" means a newly established business or the expansion portion of an existing business. Do not include any established part of an existing business.

17. Type of business to be engaged in: Ag processing Manufacturing Retailing
 Wholesaling Warehousing Services

18. Describe in detail the activities to be engaged in by the project operator, including a description of any products to be manufactured, produced, assembled or stored (attach additional sheets if necessary).

(94) - 2 AD, (12) 3-AD (12) 1-AD = 78 units

19. Indicate the type of machinery and equipment that will be installed

N/A

20. Projected annual revenue, expense, and net income of the project for each year for the first five years.

Year	1	2	3	4	5
Annual revenue	450,000	650,000	850,000	880,000	925,000
Annual expense	600,000	625,000	650,000	675,000	675,000
Net income	(250,000)	25,000	200,000	205,000	250,000

21. Projected annual average number of persons to be employed by the project at the project location for each year for the first five years and the estimated annual payroll.

Year	1	2	3	4	5
No. of Employees (1)					
(2)					
Estimated payroll (1)					
(2)					

(1) - full time
 (2) - part time

Previous Business Activity

22. Is the project operator succeeding someone else in this or a similar business? Yes No
23. Has the project operator conducted this business at this or any other location either in or outside of the state?
 Yes No
24. Has the project operator or any officers of the project received any prior property tax incentives? Yes No
- If the answer to 22, 23, or 24 is yes, give details including locations, dates, and name of former business (attach additional sheets if necessary).

Board of City Commissioners

Agenda Documentation

Meeting Date: February 19, 2013

Subject: Property Tax Incentives for New or Expanding Businesses for Diamond Bend Apartments, LLC

Page 6 of 6

Business Competition

25. Is any similar business being conducted by other operators in the municipality? Yes No

If YES, give name and location of competing business or businesses

Diamond @ Lakewood Next Door

Property Tax Liability Disclosure Statement

26. Does the project operator own real property in North Dakota which has delinquent property tax levied against it? Yes No

27. Does the project operator own a greater than 50% interest in a business that has delinquent property tax levied against any of its North Dakota real property? Yes No

If the answer to 26 or 27 is Yes, list and explain

Use Only When Reapplying

28. The project operator is reapplying for property tax incentives for the following reason(s):

- To present additional facts or circumstances which were not presented at the time of the original application
- To request continuation of the present property tax incentives because the project has:
 - moved to a new location
 - had a change in project operation or additional capital investment of more than twenty percent
 - had a change in project operators
- To request an additional annual exemption for the year of _____ on structures owned by a governmental entity and leased to the project operator. (See N.D.C.C. § 40-57.1-04.1)

Notice to Competitors of Hearing

Prior to the hearing, the applicant must present to the governing body of the county or city a copy of the affidavit of publication giving notice to competitors unless the municipality has otherwise determined there are no competitors.

I, Mark Payne, do hereby certify that the answers to the above questions and all of the information contained in this application, including attachments hereto, are true and correct to the best of my knowledge and belief and that no relevant fact pertaining to the ownership or operation of the project has been omitted.

Mark Payne President 1-17-2013

Signature Title Date

In compliance with the Federal Privacy Act of 1974, Public Law 93-579, the disclosure of the individual's social security number on this form is mandatory pursuant to North Dakota Century Code §§ 40-57.1-03 and 40-57.1-07. An individual's social security number is used as an identification number by the Office of State Tax Commissioner for file control purposes and record keeping.

Certification of Governing Body (To be completed by the Auditor of the City or County)

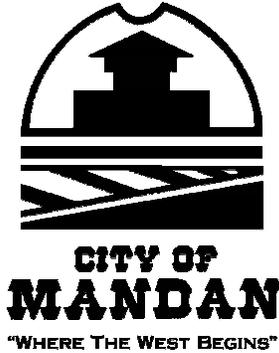
The municipality shall, after granting any property tax incentives, certify the findings to the State Tax Commissioner and Director of Tax Equalization by submitting a copy of the project operator's application with the attachments. The governing body, on the ____ day of _____, 20____, granted the following:

Property Tax Exemption **Payments in lieu of taxes**

____ Number of years ____ Beginning year ____ Ending year

____ Percent of exemption ____ Amount of annual payments (Attach schedule if payments will vary)

Auditor



BID NO. 1

Board of City Commissioners

Agenda Documentation

MEETING DATE: February 19, 2013
PREPARATION DATE: February 11, 2013
SUBMITTING DEPARTMENT: Engineering & Planning
DEPARTMENT DIRECTOR: Kim Fettig, Project Manager
PRESENTER: Kim Fettig, Project Manager
SUBJECT: Consider award of bid for Water & Sewer Improvement District No. 60, Project 2012-21(34th Ave SE and Genoa Court SE).

STATEMENT/PURPOSE: This is a review and possible award of bid for Water & Sewer Improvement District No. 60, Project 2012-21 (34th Avenue SE and Genoa Court SE).

BACKGROUND/ALTERNATIVES: Bids were received on February 8th, 2013 for the project and Cofell's Plumbing & Heating Inc. was the low bidder. The bid amount was \$272,600.00. The Engineer's estimate was \$421,276.00.

ATTACHMENTS: Letter to Recommend
Bid Tabulation
Opinion of Probable Cost
District Map
Resolution to Award Bid

FISCAL IMPACT: The Project will be paid for by special assessments from the benefiting properties within the District.

STAFF IMPACT: Minimal

LEGAL REVIEW: These documents have been forwarded to the City Attorney for his review.

RECOMMENDATION: I would recommend awarding the project.

Board of City Commissioners

Agenda Documentation

Meeting Date: February 19, 2013

Subject: Award of Bid for Water & Sewer Improvement District 60, Project 2012-21
(34th Avenue SE and Genoa Court SE)

Page 2 of 8

SUGGESTED MOTION: I move to award the bid to Cofell's Plumbing & Heating, Inc. as the low bidder of Water and Sewer Project 2012-21 District 60 (34th Avenue SE and Genoa Court SE) in the amount of \$272,600.00.

Board of City Commissioners

Agenda Documentation

Meeting Date: February 19, 2013

Subject: Award of Bid for Water & Sewer Improvement District 60, Project 2012-21
(34th Avenue SE and Genoa Court SE)

Page 3 of 8



February 8, 2013

James Neubauer
City Administrator
City of Mandan
205 2nd Avenue NW
Mandan, ND 58554

Re: 34th Ave SE & Genoa Court SE Water & Sanitary Sewer Improvement District No. 60
Project #2012-21 Bid Results

Dear James:

Bids on the above referenced project were opened on February 8, 2013. A total of six bids were received with zero bids being rejected. The bids were checked for mathematical accuracy and one discrepancy was found. A complete tabulation of all bids received is attached.

Upon review of the bids, we have found Cofell's Plumbing & Heating, Inc. to be the low bidder for the contract for Water & Sanitary Sewer Improvements at a bid price of \$272,600.00, which was approximately 35% under the engineer's estimate of \$421,276.00, used in creation of the district and within range of acceptable project costs when compared to the engineer's estimate. Based on this information, we recommend award to Cofell's Plumbing & Heating, Inc., but will hold on any further correspondence with bidders until the City Commission officially awards the project.

We are returning all bid bonds and original bid forms to you for filing. We will prepare a Notice of Award (to Cofell's Plumbing & Heating, Inc.) immediately following the Commission's decision to award this project.

Please contact me at 701-355-8731 with any questions.

Sincerely,

Kadrmas, Lee & Jackson, Inc.

A handwritten signature in black ink, appearing to read 'B. White', is written over the printed name of Benjamin D. White.

Benjamin D. White, PE/LS
Project Manager

Enclosure(s): Summary of Bids, Tabulation of Bids
Project #: 1412125

DETAILED TABULATION OF BIDS

34th Avenue SE & Genoa Court SE
Water & Sanitary Sewer Improvement District No. 60
1412125



Item No.	Description	Unit	Quantity	Engineer's Opinion		Cordill's Plumbing & Heating		Basarab's Excavating		Force Enterprises		Wagner Construction	
				Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
1	Mobilization	LS	1	\$ 15,000.00	\$ 15,000.00	\$ 9,135.00	\$ 9,135.00	\$ 7,020.00	\$ 7,020.00	\$ 5,020.00	\$ 5,020.00	\$ 5,000.00	\$ 5,000.00
2	Contract Bond	LS	1	\$ 6,000.00	\$ 6,000.00	\$ 2,495.00	\$ 2,495.00	\$ 5,000.00	\$ 5,000.00	\$ 17,000.00	\$ 17,000.00	\$ 2,500.00	\$ 2,500.00
3	Cleaning and Grubbing	LS	1	\$ 15,000.00	\$ 15,000.00	\$ 500.00	\$ 500.00	\$ 11,000.00	\$ 11,000.00	\$ 24,000.00	\$ 24,000.00	\$ 4,000.00	\$ 4,000.00
4	Subcut Gravel	TON	460	\$ 32.00	\$ 14,720.00	\$ 5.00	\$ 2,300.00	\$ 35.00	\$ 16,100.00	\$ 0.01	\$ 4.60	\$ 25.00	\$ 11,500.00
5	8" PVC Sanitary Sewer	LF	2,189	\$ 75.00	\$ 164,175.00	\$ 90.00	\$ 197,010.00	\$ 48.00	\$ 105,072.00	\$ 70.00	\$ 153,230.00	\$ 52.00	\$ 113,828.00
6	Telephone Sewer Main	LF	1,975	\$ 3.00	\$ 5,925.00	\$ 1.00	\$ 1,975.00	\$ 3.00	\$ 5,925.00	\$ 1.50	\$ 2,962.50	\$ 1.50	\$ 2,962.50
7	6" PVC Water Main	LF	88	\$ 40.00	\$ 3,520.00	\$ 30.00	\$ 2,640.00	\$ 34.00	\$ 2,992.00	\$ 29.00	\$ 2,552.00	\$ 45.00	\$ 3,960.00
8	8" PVC Water Main	LF	2,151	\$ 30.00	\$ 64,530.00	\$ 30.00	\$ 64,530.00	\$ 29.00	\$ 62,379.00	\$ 30.50	\$ 65,605.50	\$ 45.00	\$ 96,795.00
9	6" Gate Valve & Box	EA	7	\$ 1,200.00	\$ 8,400.00	\$ 800.00	\$ 5,600.00	\$ 1,300.00	\$ 9,100.00	\$ 1,050.00	\$ 7,350.00	\$ 1,000.00	\$ 7,000.00
10	8" Gate Valve & Box	EA	5	\$ 1,400.00	\$ 7,000.00	\$ 1,000.00	\$ 5,000.00	\$ 1,600.00	\$ 8,000.00	\$ 1,450.00	\$ 7,250.00	\$ 1,600.00	\$ 8,000.00
11	6" Hydrant	EA	7	\$ 3,500.00	\$ 24,500.00	\$ 4,500.00	\$ 31,500.00	\$ 3,700.00	\$ 25,900.00	\$ 5,400.00	\$ 37,800.00	\$ 4,000.00	\$ 28,000.00
12	Concrete Manhole W/Monolithic Base	EA	11	\$ 4,000.00	\$ 44,000.00	\$ 3,350.00	\$ 36,850.00	\$ 3,600.00	\$ 39,600.00	\$ 3,400.00	\$ 37,400.00	\$ 4,500.00	\$ 49,500.00
13	4" Sewer Service Pipe	LF	1,010	\$ 20.00	\$ 20,200.00	\$ 20.00	\$ 20,200.00	\$ 24.00	\$ 24,240.00	\$ 25.00	\$ 25,250.00	\$ 26.00	\$ 26,260.00
14	4" Sewer Pipe Bend	EA	54	\$ 50.00	\$ 2,700.00	\$ 30.00	\$ 1,620.00	\$ 12.00	\$ 648.00	\$ 0.01	\$ 0.54	\$ 40.00	\$ 2,160.00
15	1" Water Service Line	LF	827	\$ 18.00	\$ 14,886.00	\$ 20.00	\$ 16,540.00	\$ 20.00	\$ 16,540.00	\$ 20.00	\$ 16,540.00	\$ 35.00	\$ 28,945.00
16	1" Water Service Connection	EA	27	\$ 200.00	\$ 5,400.00	\$ 100.00	\$ 2,700.00	\$ 140.00	\$ 3,780.00	\$ 240.00	\$ 6,480.00	\$ 125.00	\$ 3,375.00
17	1" Curb Stop & Box	EA	27	\$ 160.00	\$ 4,320.00	\$ 150.00	\$ 4,050.00	\$ 160.00	\$ 4,320.00	\$ 180.00	\$ 4,860.00	\$ 200.00	\$ 5,400.00
18	Traffic Control	LS	1	\$ 1,000.00	\$ 1,000.00	\$ 395.00	\$ 395.00	\$ 1,000.00	\$ 1,000.00	\$ -	\$ -	\$ 2,500.00	\$ 2,500.00
19	TOTAL OF ALL CONSTRUCTION				\$ 421,276.00		\$ 272,600.00		\$ 346,596.00		\$ 403,285.14		\$ 413,265.50

Board of City Commissioners

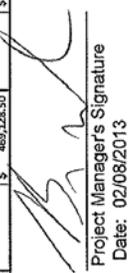
Agenda Documentation

Meeting Date: February 19, 2013

Subject: Award of Bid for Water & Sewer Improvement District 60, Project 2012-21
(34th Avenue SE and Genoa Court SE)

Item No.	Description	Unit	Quantity	Engineer's Opinion		Marked Excavating		Kvamstad Construction	
				Unit Price	Total	Unit Price	Total	Unit Price	Total
1	Mobilization	LS	1	\$ 15,000.00	\$ 15,000.00	\$ 18,500.00	\$ 18,500.00	\$ 40,000.00	\$ 40,000.00
2	Contract Bond	LS	1	\$ 6,000.00	\$ 6,000.00	\$ 7,500.00	\$ 7,500.00	\$ 5,000.00	\$ 5,000.00
3	Cleaning and Grubbing	LS	1	\$ 15,000.00	\$ 15,000.00	\$ 19,000.00	\$ 19,000.00	\$ 2,000.00	\$ 2,000.00
4	Subcut Gravel	TON	460	\$ 32.00	\$ 14,720.00	\$ 34.00	\$ 15,640.00	\$ 18.00	\$ 8,280.00
5	8" PVC Sanitary Sewer	LF	2,189	\$ 75.00	\$ 164,175.00	\$ 78.00	\$ 170,742.00	\$ 85.00	\$ 186,055.00
6	Telephone Sewer Main	LF	1,975	\$ 3.00	\$ 5,925.00	\$ 2.50	\$ 4,937.50	\$ 1.00	\$ 1,975.00
7	8" PVC Water Main	LF	88	\$ 40.00	\$ 3,520.00	\$ 45.00	\$ 3,960.00	\$ 32.00	\$ 2,816.00
8	8" PVC Water Main	LF	2,154	\$ 30.00	\$ 64,500.00	\$ 35.00	\$ 75,395.00	\$ 38.00	\$ 81,738.00
9	8" Gate Valve & Box	EA	7	\$ 1,400.00	\$ 9,800.00	\$ 1,400.00	\$ 9,800.00	\$ 1,400.00	\$ 9,800.00
10	8" Gate Valve & Box	EA	7	\$ 1,400.00	\$ 9,800.00	\$ 1,600.00	\$ 11,200.00	\$ 1,400.00	\$ 9,800.00
11	8" Hydrant	EA	7	\$ 3,900.00	\$ 27,300.00	\$ 3,600.00	\$ 25,200.00	\$ 3,850.00	\$ 26,950.00
12	Concrete Manhole/Woodhoop Bore	EA	7	\$ 4,000.00	\$ 28,000.00	\$ 4,500.00	\$ 31,500.00	\$ 3,950.00	\$ 27,650.00
13	4" Sewer Service Pipe	LF	1,010	\$ 20.00	\$ 20,200.00	\$ 25.00	\$ 25,250.00	\$ 26.00	\$ 26,260.00
14	4" Sewer Service Pipe	LF	54	\$ 50.00	\$ 2,700.00	\$ 30.00	\$ 1,620.00	\$ 110.00	\$ 5,940.00
15	1" Water Service Line	LF	837	\$ 18.00	\$ 15,066.00	\$ 22.00	\$ 18,414.00	\$ 30.00	\$ 25,110.00
16	1" Water Service Connection	EA	27	\$ 200.00	\$ 5,400.00	\$ 160.00	\$ 4,320.00	\$ 250.00	\$ 6,750.00
17	1" Curb Stop & Box	EA	27	\$ 150.00	\$ 4,050.00	\$ 200.00	\$ 5,400.00	\$ 300.00	\$ 8,100.00
18	Traffic Control	LS	1	\$ 2,000.00	\$ 2,000.00	\$ 2,500.00	\$ 2,500.00	\$ 1,100.00	\$ 1,100.00
TOTAL OF ALL CONSTRUCTION					\$ 423,275.00		\$ 469,128.50		\$ 484,584.00

True Tabulations Of Bids Received on 02/08/2013
There were 6 Bids Received and 0 Bids Rejected


Project Manager's Signature
Date: 02/08/2013

	<p>Engineer's Opinion of Cost 1/10/2013</p> <p>34th and Genoa Water & Sewer Improvement District No. 60 1412125</p>
---	---

Item No.	Description	Unit	Quantity	Engineer's Opinion	
				Unit Price	Total
1	Mobilization	LS	1	\$ 15,000.00	\$ 15,000.00
2	Contract Bond	LS	1	\$ 6,000.00	\$ 6,000.00
3	Clearing and Grubbing	LS	1	\$ 15,000.00	\$ 15,000.00
4	Standard Curb and Gutter	LF	20	\$ 30.00	\$ 600.00
5	Subcut Gravel	TON	460	\$ 32.00	\$ 14,720.00
6	8" PVC Sanitary Sewer	LF	2,189	\$ 75.00	\$ 164,175.00
7	Televise Sewer Main	LF	1,975	\$ 3.00	\$ 5,925.00
8	6" PVC Water Main	LF	88	\$ 40.00	\$ 3,520.00
9	8" PVC Water Main	LF	2,151	\$ 30.00	\$ 64,530.00
10	6" Gate Valve and Box	EA	7	\$ 1,200.00	\$ 8,400.00
11	8" Gate Valve and Box	EA	5	\$ 1,400.00	\$ 7,000.00
12	6" Hydrant	EA	7	\$ 3,500.00	\$ 24,500.00
13	Concrete Manhole W/Monolithic Base	EA	11	\$ 4,000.00	\$ 44,000.00
14	4" Sewer Service Pipe	LF	1,010	\$ 20.00	\$ 20,200.00
15	4" Sewer Pipe Bend	EA	54	\$ 50.00	\$ 2,700.00
16	1" Water Service Line	LF	827	\$ 18.00	\$ 14,886.00
17	1" Water Service Connection	EA	27	\$ 200.00	\$ 5,400.00
18	1" Curb Stop and Box	EA	27	\$ 160.00	\$ 4,320.00
19	Traffic Control	LS	1	\$ 1,000.00	\$ 1,000.00

Labor and Materials Estimate	\$ 421,876.00
Contingency (10%)	\$ 42,187.60
Design, Surveying, & Construction Observation (25%)	\$ 105,469.00
Estimated Total Cost	\$ 569,532.60

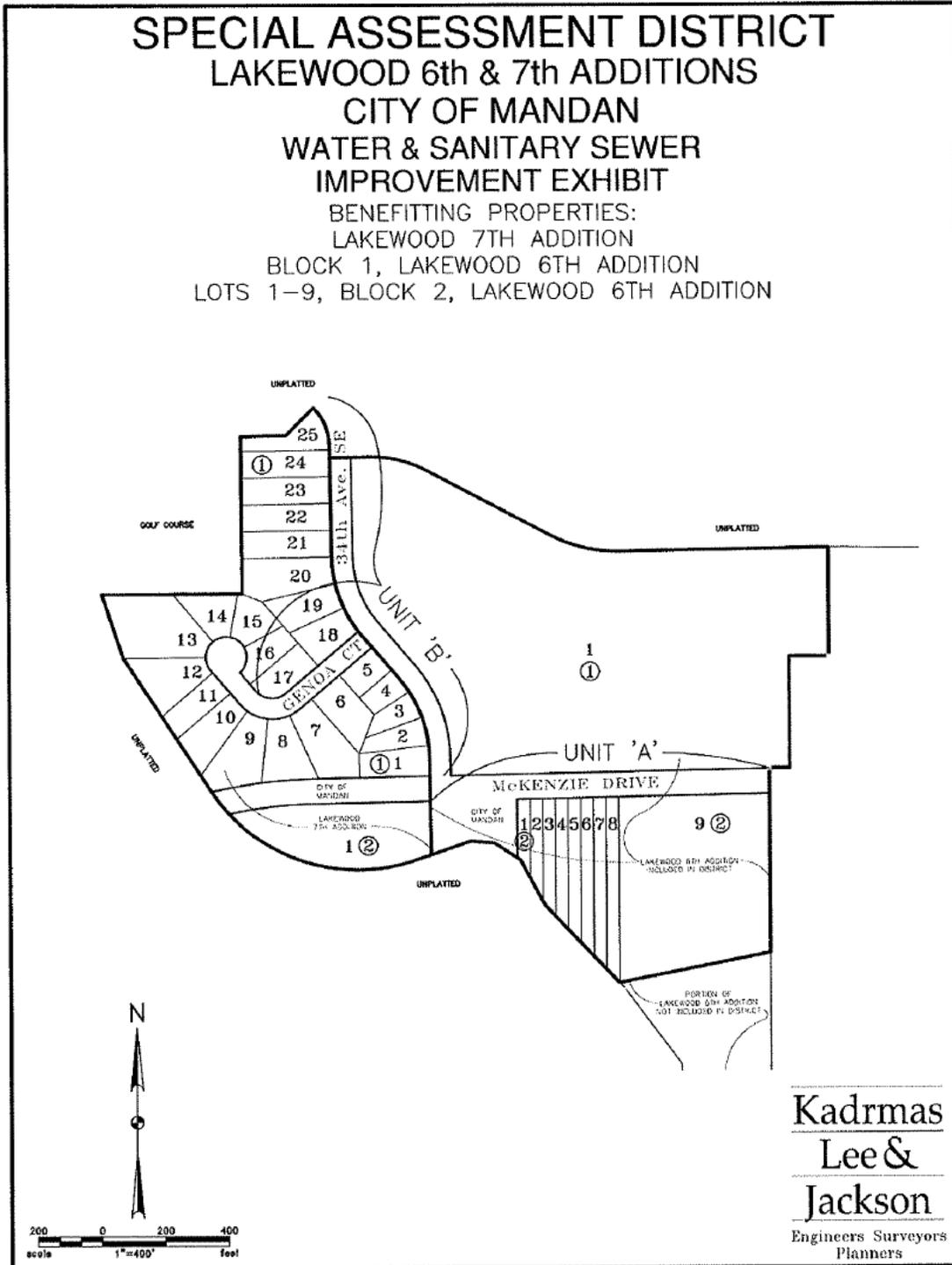
Board of City Commissioners

Agenda Documentation

Meeting Date: February 19, 2013

Subject: Award of Bid for Water & Sewer Improvement District 60, Project 2012-21
(34th Avenue SE and Genoa Court SE)

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Board of City Commissioners

Agenda Documentation

Meeting Date: February 19, 2013

Subject: Award of Bid for Water & Sewer Improvement District 60, Project 2012-21
(34th Avenue SE and Genoa Court SE)

Page 8 of 8

RESOLUTION
APPROVING CONTRACT AND CONTRACTOR'S BOND FOR

WATER & SEWER IMPROVEMENT DISTRICT NO. 60

(Project No. 2012-21)(34th Avenue SE & Genoa Court SE)

BE IT RESOLVED by the governing body of the City of Mandan, North Dakota (the "City"), as follows:

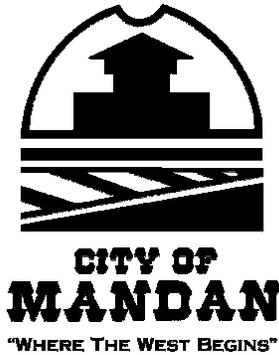
1. It is hereby found and determined that this Board has heretofore caused Notice for Advertisement for Bids to be made for an improvement Water & Sewer Improvement District No. 60 of said City, and has duly and publicly opened and considered said bids received pursuant to said Notice.
2. Said improvement is hereby ordered to be constructed in accordance with the plans and specifications therefore as heretofore adopted by this Board pursuant to a resolution duly adopted by this Board.
3. It is hereby found and determined that the lowest responsible bidder for various categories of the work, material and skill required for said improvement is Cofell's Plumbing & Heating Inc. whose bid provides for the construction of said improvement at a total estimated base price of \$272,600.00.
4. The President of the Board of City Commissioners of the City of Mandan and City Auditor are hereby authorized and directed to make and enter into a contract with said bidder on the part of the City, in the form prescribed by Sections 40-22-35 and 40-22-35, N.D.C.C. as amended, provided that said bidder shall within ten (10) days from this date execute said contract and a construction bond conditioned in accordance with the provisions of Sections 40-22-30 and 40-22-32 of said Code.

Dated this 19th day of February, 2013

Arlyn Van Beek, President of the
Board of City Commissioners

Attest:

James Neubauer,
City Administrator



Board of City Commissioners

Agenda Documentation

MEETING DATE: February 19, 2013
PREPARATION DATE: February 14, 2013
SUBMITTING DEPARTMENT: Public Works
DEPARTMENT DIRECTOR: Jeff Wright
PRESENTER: Jeff Wright, Public Works Director
SUBJECT: Consider awarding bid for 2013 Utility Backhoe to RDO Equipment Co. of Bismarck.

STATEMENT/PURPOSE: Consider awarding bid for the Utility Backhoe and hydraulic breaker attachment to the low bidder, RDO Equipment Co. of Bismarck, for \$72,800.

BACKGROUND/ALTERNATIVES: On February 6, 2013 bids were opened for the replacement of the 2002 JD 410G Backhoe; 3 bids were received, Titan Machinery with a net bid of \$81,821, Butler Machinery with a net bid of \$105,320, and RDO Equipment with a net bid of \$72,800. These bids include the hydraulic breaker and trade in for the 2002 backhoe.

In 2002, the City purchased the backhoe and breaker for just under \$57,000 which included a trade in; with this bid we received \$41,000 trade for an 11 year old machine, that's only \$16,000 total cost or about \$1,450 per year of operation, which is very reasonable. The issue we have with the machine is; in the past 4 years we have put \$11,680 into repairs, of which \$4,456 was just last year, not so reasonable. Trade in high maintenance machine for a low maintenance machine that has a 5 year/3,000hr warranty.

ATTACHMENTS: Bid Tab

FISCAL IMPACT: 2013 budgeted amount was \$73,950.

STAFF IMPACT: N/A

LEGAL REVIEW: N/A

RECOMMENDATION: I recommend awarding bid for the Utility Backhoe and hydraulic breaker attachment to the low bidder, RDO Equipment Co. of Bismarck.

SUGGESTED MOTION: Move to award the bid for the Utility Backhoe and hydraulic breaker attachment to the low bidder, RDO Equipment Co. of Bismarck.

Board of City Commissioners

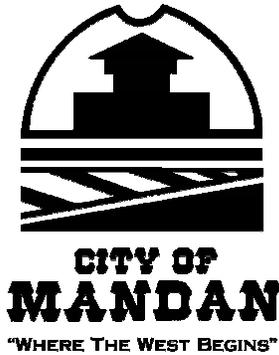
Agenda Documentation

Meeting Date: February 19, 2013

Subject: Consider awarding bid for 2013 Utility Backhoe to RDO Equipment Co. of Bismarck.

Page 2 of 2

BID TAB				Opened February 6, 2013
2013 Backhoe/Loader				
Company	RDO Equip. Co.	Titan Machinery	Butler Machinery	
Manufacturer	John Deere 410K	Case 590 Super N	Cat 430 F	
Meet Specifications	yes	yes	yes	
Bid Price - Backhoe	\$98,950.00	\$97,750.00	\$118,960.00	
Plus Hydraulic Breaker	\$14,850.00	\$16,071.00	\$18,360.00	
Less Trade-In 2002 JD 410G	(\$41,000.00)	(\$32,000.00)	(\$32,000.00)	
Total Bid Price	\$72,800.00	\$81,821.00	\$105,320.00	
Warranty	5 Year/3000 Hours	5 Year/3000 Hours	5 Year/3000 Hours	
Delivery	90 days	90 days	90 days	
It appears that RDO Equipment Co. is the appearant low bidder.				
Jeff Wright, Public Works Director 14-Feb-13				



Board of City Commissioners

Agenda Documentation

MEETING DATE: February 19, 2013
PREPARATION DATE: February 14, 2013
SUBMITTING DEPARTMENT: Public Works
DEPARTMENT DIRECTOR: Jeff Wright
PRESENTER: Jeff Wright, Public Works Director
SUBJECT: Consider awarding bid for 2013 Utility Pickup to Kupper Chevrolet, Mandan

STATEMENT/PURPOSE: Consider awarding bid for the Utility pickup to Kupper Chevrolet, Mandan, for \$19,322.

BACKGROUND/ALTERNATIVES: On February 6, 2013 bids were opened for a 2013 Utility pickup to replace the 2008 GMC; 3 bids were received, Schwan Buick, GMC, Cadillac with a net bid of \$31,116, Bill Barth Ford with a net bid of \$21,206, and Kupper Chevrolet with a net bid of \$19,322. These bids include the trade in of a 2005 Tahoe.

The Tahoe has over 150,000 miles, has some engine issues and was replaced with an Expedition from the Police Department; we received \$6,500 in trade. The 2008 GMC ¾ ton pickup will be moved over to the Street Department to be used for an additional 5 years or until it goes over the 150,000 miles. This has been a common practice and helps add years of service to these vehicles that accumulate high miles in the first 5 years of service.

ATTACHMENTS: Bid Tab

FISCAL IMPACT: 2013 budgeted amount was \$27,500.

STAFF IMPACT: N/A

LEGAL REVIEW: N/A

RECOMMENDATION: I recommend awarding bid for the Utility pickup to Kupper Chevrolet, Mandan, for \$19,322.

SUGGESTED MOTION: Move to award bid for the Utility pickup to Kupper Chevrolet, Mandan, for \$19,322.

Board of City Commissioners

Agenda Documentation

Meeting Date: February 19, 2013

Subject: Consider awarding bid for 2013 Utility Pickup to Kupper Chevrolet, Mandan.

Page 2 of 2

BID TAB				Bid Opening Feb. 6, 2013
2013 3/4 Ton Pickup				3/4 Ton Utility Pickup
Company	Kupper	Schwan	Bill Barth	
Manufacturer	Silverado 2500 HD	K-2500 HD	F250 Super Duty	
4 Wheel Drive	4x4	4x4	4x4	
Engine	6.0 L Gas	6.0 L Gas	6.2L Gas	
Cab	Crew Cab	Crew Cab	Crew Cab	
Transmission	Automatic	Automatic	Automatic	
GVWR	9,500 lbs	9,200 lbs	10,000 lbs	
Warranty	3yr/36,000 mi	3yr/36,000 mi	3yr/36,000 mi	
Total Bid - 3/4 Ton Pickup	\$25,822.00	\$32,116.00	\$26,206.00	
Trade-in - 2005 Tahoe	(\$6,500.00)	(\$1,000.00)	(\$5,000.00)	
TOTAL COST	<u>\$19,322.00</u>	\$31,116.00	\$21,206.00	
I recommend we purchase the 3/4 Ton Utility Truck from Kupper of Mandan.				
Jeff Wright, Public Works Director 14-Feb-13				



LOCAL PERMIT OR CHARITY LOCAL PERMIT
 NORTH DAKOTA OFFICE OF ATTORNEY GENERAL
 LICENSING SECTION
 SFN 17926 (10/2012)

Consent No. 2

Type: Local Permit * Charity Local Permit

Permit Number
2013-10

Name of Organization Ducks Unlimited		Date(s) Authorized (Read instruction 2)	
Contact Person Landon Feil	Business Phone Number (701) 391-7722	3/20/2013 Beginning	to 3/20/2013 Ending
Mailing Address 333 North 4th Street	City Bismarck	State ND	Zip Code 58502-0000
Site Name Best Western Seven Seas	Site Address 2611 Old Red Trail		
City Mandan	State ND	ZIP Code 58554-0000	County Morton
Check the Game(s) Authorized: * Poker, Twenty-one, and Paddlewheels may be Conducted only by a Charity Local Permit.			
<input type="checkbox"/> Bingo <input checked="" type="checkbox"/> Raffle <input type="checkbox"/> Calendar Raffle <input type="checkbox"/> Sports Pool <input type="checkbox"/> Poker* <input type="checkbox"/> Twenty-one* <input type="checkbox"/> Paddlewheels*			
Restriction:			
Requirement: For a "Charity Local Permit," the organization must file a "Report on a Charity Local Permit" with the city or county auditor <u>and</u> Office of Attorney General within 30 days of the event.			
Date 2/8/2013	Signature of: <input checked="" type="checkbox"/> City Auditor <input type="checkbox"/> County Auditor <i>Jay Gruebele</i>	Printed Name of City or County Auditor Jay Gruebele	Auditor Telephone Number (701) 667-3250

Please see the instructions on the backside of this form on how to complete the Permit.
 For a raffle or calendar raffle, read "Information Required to be Preprinted on a Standard Raffle Ticket" below.

cut along this line

INFORMATION REQUIRED TO BE PREPRINTED ON A STANDARD RAFFLE TICKET:

1. Name of organization;
2. Ticket number;
3. Price of the ticket, including any discounted price;
4. Prize, description of an optional prize selectable by a winning player, or option to convert a merchandise prize to a cash prize that is limited to the lesser of the value of the merchandise prize or four thousand dollars. However, if there is insufficient space on a ticket to list each minor prize that has a retail price not exceeding twenty dollars, an organization may state the total number of minor prizes and their total retail price;
5. For a licensed organization, print "office of attorney general" and license number. For an organization that has a permit, print the authorizing city or county and permit number;
6. A statement that a person is or is not required to be present at a drawing to win;
7. Date and time of the drawing or drawings and, if the winning player is to be announced later, date and time of that announcement. For a calendar raffle, if the drawings are on a same day of the week or month, print the day and time of the drawing;
8. Location and street address of the drawing;
9. If a merchandise prize requires a title transfer involving the department of transportation, a statement that a winning player is or is not liable for sales or use tax;
10. If a purchase of a ticket or winning prize is restricted to a person of minimum age, a statement that a person must be at least "___" years of age to buy a ticket, or win a prize;
11. A statement that a purchase of the ticket is not a charitable donation;
12. If a secondary prize is an unguaranteed cash or merchandise prize, a statement that the prize is not guaranteed to be won and odds of winning the prize based on numbers of chances; and
13. If a prize is live beef or dairy cattle, horse, bison, sheep or pig, a statement that the winning player may convert the prize to a cash prize that is limited to the lesser of the market value of the animal or four thousand dollars.



APPLICATION FOR A LOCAL PERMIT OR CHARITY LOCAL PERMIT
 OFFICE OF ATTORNEY GENERAL
 SFN 9338 (9-2009)

Application for: Local Permit * Charity Local Permit (one event per year)

Name of Non-profit Organization Ducks Unlimited		Date(s) of Activity 3/20/13 to 3/20/13	
Person Responsible for the Gaming Operation and the Disbursement of Net Income Landon Feil		Title Chairman	Business Phone Number (701) 391-7722
Business Address 333 N 4th St	City Bismarck	State ND	Zip Code 58502
Mailing Address (if different)	City	State	Zip Code
Name of Site Where Game(s) will be Conducted Best Western Seven Seas		Site Address 2611 Old Red Trail	
City Mandan	State ND	Zip Code 58594	County Morton
Check the Game(s) to be Conducted: * Poker, Twenty-one, and Paddlewheels may be Conducted only by a Charity Local Permit. <input type="checkbox"/> Bingo <input checked="" type="checkbox"/> Raffle <input type="checkbox"/> Calendar Raffle <input type="checkbox"/> Sports Pool <input type="checkbox"/> Poker * <input type="checkbox"/> Twenty-one * <input type="checkbox"/> Paddlewheels *			

DESCRIPTION AND RETAIL VALUE OF PRIZES TO BE AWARDED

Game Type	Description of Prize	Retail Value of Prize	Game Type	Description of Prize	Retail Value of Prize
Gun Raffle	Gun	\$700.00			
3 Gun Raffle	Guns	\$1,000.00			
Waterfowl Raffle	Gun and Gear	\$900.00			
Pheasant Raffle	Gun and Gear	\$700.00			
Big Game Raffle	Gun and Gear	\$700.00			
Memorial Raffle	Gun and Gear	\$700.00			
General Raffle	Guns and Gear	\$2,000.00			
Pick of litter Raffle	1 Auction Item	\$500.00			
Total:					(Limit \$12,000 per year) \$ 7,200.00

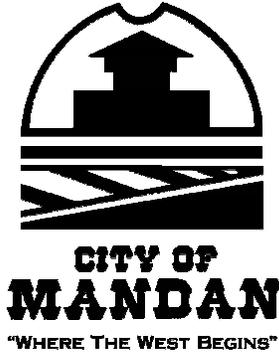
Intended uses of gaming proceeds: All proceeds go to Ducks Unlimited

Does the organization presently have a state gaming license? No Yes - If "Yes," the organization is not eligible for a local permit or charity local permit and should call the Office of Attorney General at 1-800-326-9240.

Has the organization received a charity local permit from this or another city or county for the fiscal year July 1 through June 30? No Yes - If "Yes," the organization does not qualify for a local permit or charity local permit.

Has the organization received a local permit from this or another city or county for the fiscal year July 1 through June 30? No Yes - If "Yes," indicate the total value of all prizes previously awarded: \$ _____. This amount is part of the total prize limit of \$12,000 per year.

Signature of Organization's Top Executive Official 	Date 1/24/13	Title Chairman, Mandan Chapter	Business Phone Number 701-391-7722
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Board of City Commissioners

Agenda Documentation

MEETING DATE: February 19, 2013
PREPARATION DATE: February 11, 2013
SUBMITTING DEPARTMENT: Engineering & Planning
DEPARTMENT DIRECTOR: Kim Fettig, Project Manager
PRESENTER: Kim Fettig, Project Manager
SUBJECT: Unused Annual Leave Payout

STATEMENT/PURPOSE: To consider allowing payout of unused annual leave in unusual circumstances.

BACKGROUND/ALTERNATIVES: Due to staffing changes/shortages in the Planning and Engineering office Nancy Moser has been unable to utilize leave in a manner in which she intended.

Her anniversary date is March 12th and Nancy has roughly 32 hours of time over and above the 120 that we are allowed to carry over that would be lost. Thus I am asking that she be allowed to be paid for any time that she has left over her 120 hour carryover limit on March 12, 2013.

ATTACHMENTS: n/a

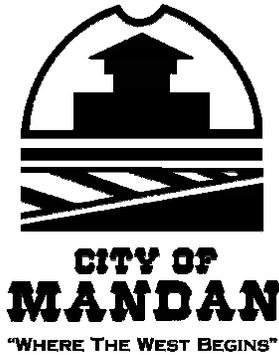
FISCAL IMPACT: n/a

STAFF IMPACT: n/a

LEGAL REVIEW:

RECOMMENDATION: I recommend that Ms. Nancy Moser be paid for any annual time she has over the 120 hours of annual leave carryover allowed on her anniversary date of March 12.

SUGGESTED MOTION: I move that Ms. Nancy Moser be paid for any annual time she has over the 120 hours of annual leave carryover allowed on her anniversary date of March 12.



Board of City Commissioners

Agenda Documentation

MEETING DATE: February 19, 2013
PREPARATION DATE: January 15, 2013
SUBMITTING DEPARTMENT: Assessing/Bldg Inspections
DEPARTMENT DIRECTOR: Richard L Barta
PRESENTER: Richard L Barta
SUBJECT: Assessment value taken off for Diversity Homes Inc.

STATEMENT/PURPOSE: To consider taking off value of this water assess lot due to the splitting of interests into other parcels. This is now assessed with parcels #10327 through #10332 of Lakewood Harbor 5th Addition & parcels #10615 through #10617 of Lakewood Harbor 6th Addition.

BACKGROUND/ALTERNATIVES: This parcel is also known as Parcel #10619 on Lot 5, Block 1, Lakewood Harbor 6th.

Reason for abatement: To remove any value from this lot due to it being assessed with parcels #10327 through #10332 of Lakewood Harbor 5th Addition & parcels #10615 through #10617 of Lakewood Harbor 6th Addition.. This lot served as a common area of access to the river and is now being assessed with other parcels.

ATTACHMENTS:

FISCAL IMPACT: Taxes abated from here will be transferred to individual lots or owners of the 1/9 interest.

STAFF IMPACT: N/A

LEGAL REVIEW: N/A

RECOMMENDATION: I recommend a motion to approve to remove value off of this lot due to it being a common area of access to other lots and is assessed with other parcels #10327 through #10332 of Lakewood Harbor 5th Addition & parcels #10615 through #10617 of Lakewood Harbor 6th Addition.

SUGGESTED MOTION: A motion to approve to remove value for this property in 2012 for Diversity Homes Inc. due to it being a common area to other parcels #10327 through #10332 of Lakewood Harbor 5th Addition & parcels #10615 through #10617 of Lakewood Harbor 6th Addition.

Application For Abatement And Settlement Of Taxes

North Dakota Century Code § 57-23-04

File with the County Auditor on or before November 1st of the year following the year in which the tax becomes delinquent.

State of North Dakota

County of Morton

Name DIVERSITY HOMES INC

Address 4006 BAYPORT PL SE

Legal Description of the property involved in this application

ASSESSED W/ PARCELS 10327 THRU 10332 OF LA

KEWOOD HARBOR 5TH ADD & PARCEL#10615 THRU

10617 OF LAKEWOOD HARBOR 6TH ADD.

Block: 1

LAKEWOOD HARBOR 6TH

Property ID Number

City 10619

County 65-6103360

Total true and full value of the property described above for the year 2013 is:

Land \$3,600
 Improvements \$0
 Total (1) \$3,600

Total true and full value of the property described above for the year 2013 should be:

Land \$0
 Improvements \$0
 Total (2) \$0

The difference of \$3,600 true and full value between (1) and (2) above is due to the following reason(s):

- 1. Agricultural property true and full value exceeds its agricultural value defined in N.D.C.C § 57-02-27.2
- 2. Residential or commercial property's true and full value exceeds the market value
- 3. Error in property description, entering the description, or extending the tax
- 4. Nonexisting improvement assessed
- 5. Complainant or property is exempt from taxation (Attach a copy of Application for Property Tax Exemption)
- 6. Duplicate assessment
- 7. Property improvement was damaged by fire, flood or tornado (see N.D.C.C. § 57-23-04(1)(g))
- 8. Error in noting payment of taxes, taxes erroneously paid
- 9. Property qualifies for Homestead Credit According to N.D.C.C. § 57-02-08.1 (Attach a copy of Homestead Credit Application)
- 10. Other (Explain) parcels in assess easement with values being transferred to individual parcels

The following facts relate to the market value of the residential or commercial property described above. For agricultural property, go to question #5.

1. Purchase price of property: \$ _____ Date of Purchase: _____
 Terms: Cash _____ Contract _____ Trade _____ Other (explain) _____
 Was there personal property involved in the purchase price? _____ Estimated value: \$ _____

2. Has the property been offered for sale on the open market? _____ If yes, how long? _____
 Asking price: \$ _____ Terms of sale: _____

3. The property was independently appraised: _____ Purpose of appraisal: _____
 _____ Market value estimate: \$ _____
 Appraisal was made by whom? _____

4. The applicant's estimate of market value of the property involved in this application is \$ _____

5. The estimated agricultural productive value of this property is excessive because of the following condition(s): _____

The Applicant asks that we abate value for this parcel.

By filing this application, I consent to an inspection of the above-described property by an authorized assessment official for the purpose of making an appraisal of the property. I understand the official will give me reasonable notification of the inspection. See N.D.C.C. § 57-23-05.1.

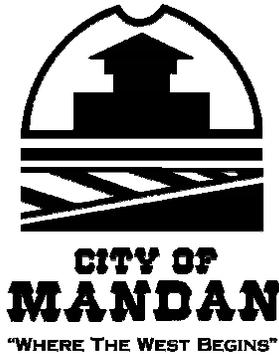
I declare under the penalties of N.D.C.C. § 12.1-11-02, which provides for a Class A misdemeanor for making a false statement in a government matter, that this application is, to the best of my knowledge and belief, a true and correct application.

Signature of Preparer (if other than applicant) _____

Date _____

Signature of Applicant 

Date 2-13-13



Board of City Commissioners

Agenda Documentation

MEETING DATE: February 19, 2013
PREPARATION DATE: January 15, 2013
SUBMITTING DEPARTMENT: Assessing/Bldg Inspections
DEPARTMENT DIRECTOR: Richard L Barta
PRESENTER: Richard L Barta
SUBJECT: Assessment value taken off for Diversity Homes, Inc.

STATEMENT/PURPOSE: To consider taking off value of this water assess lot due to the splitting of interests into other parcels. This is now assessed with parcels #10320 through #10326.

BACKGROUND/ALTERNATIVES: This parcel is also known as Parcel #10630 on Lot 16, Block 1, Lakewood Harbor 6th

Reason for abatement: To remove any value from this lot due to it being assessed with parcels #10320 through #10326. This lot served as a common area of access to the river and is now being assessed with other parcels.

ATTACHMENTS:

FISCAL IMPACT: Taxes abated from here will be transferred to individual lots or owners of the 1/7 interest.

STAFF IMPACT: N/A

LEGAL REVIEW: N/A

RECOMMENDATION: I recommend a motion to approve to remove value off of this lot due to it being a common area of access to other lots and is assessed with other parcels #10320 through #10326.

SUGGESTED MOTION: A motion to approve to remove value for this property in 2012 for Diversity Homes, Inc. due to it being a common area to other parcels #10320 through #10326 and is now assessed with those parcels.

Application For Abatement And Settlement Of Taxes

North Dakota Century Code § 57-23-04

File with the County Auditor on or before November 1st of the year following the year in which the tax becomes delinquent.

State of North Dakota

County of Morton

Name DIVERSITY HOMES INC

Address 4120A BAYPORT PL SE

Legal Description of the property involved in this application

ASSESSED W/ PARCELS 10320 THRU 10326

LOT 16 ACCES

Property ID Number

City 10630

County 65-6103525

S EASMENT

Block: 1

LAKEWOOD HARBOR 6TH

Total true and full value of the property described above for the year 2013 is:

Land \$3,600
 Improvements \$0
 Total (1) \$3,600

Total true and full value of the property described above for the year 2013 should be:

Land \$0
 Improvements \$0
 Total (2) \$0

The difference of \$3,600 true and full value between (1) and (2) above is due to the following reason(s):

- 1. Agricultural property true and full value exceeds its agricultural value defined in N.D.C.C § 57-02-27.2
- 2. Residential or commercial property's true and full value exceeds the market value
- 3. Error in property description, entering the description, or extending the tax
- 4. Nonexisting improvement assessed
- 5. Complainant or property is exempt from taxation (Attach a copy of Application for Property Tax Exemption)
- 6. Duplicate assessment
- 7. Property improvement was damaged by fire, flood or tornado (see N.D.C.C. § 57-23-04(1)(g))
- 8. Error in noting payment of taxes, taxes erroneously paid
- 9. Property qualifies for Homestead Credit According to N.D.C.C. § 57-02-08.1 (Attach a copy of Homestead Credit Application)
- 10. Other (Explain) parcels in assess easement with values being transferred to individual parcels

The following facts relate to the market value of the residential or commercial property described above. For agricultural property, go to question #5.

- 1. Purchase price of property: \$ _____ Date of Purchase: _____
 Terms: Cash _____ Contract _____ Trade _____ Other (explain) _____
 Was there personal property involved in the purchase price? _____ Estimated value: \$ _____
- 2. Has the property been offered for sale on the open market? _____ If yes, how long? _____
 Asking price: \$ _____ Terms of sale: _____
- 3. The property was independently appraised: _____ Purpose of appraisal: _____
 _____ Market value estimate: \$ _____
 Appraisal was made by whom? _____
- 4. The applicant's estimate of market value of the property involved in this application is \$ _____
- 5. The estimated agricultural productive value of this property is excessive because of the following condition(s): _____

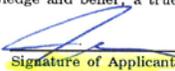
The Applicant asks that we abate value for this parcel.

By filing this application, I consent to an inspection of the above-described property by an authorized assessment official for the purpose of making an appraisal of the property. I understand the official will give me reasonable notification of the inspection. See N.D.C.C. § 57-23-05.1.

I declare under the penalties of N.D.C.C. § 12.1-11-02, which provides for a Class A misdemeanor for making a false statement in a government matter, that this application is, to the best of my knowledge and belief, a true and correct application.

Signature of Preparer (if other than applicant) _____

Date _____

 Signature of Applicant

2-13-13 Date

Recommendation of the Governing Body of the City or Township

Recommendation of the governing board of Mandan City Commissioners

On _____ the governing board of this municipality, after examination of this application and the facts, passed a resolution recommending to the Board of County Commissioners that the application be _____

Dated this _____ day of _____, _____ .

 City Auditor or Township Clerk

Action by the Board of County Commissioners

Application was _____ Approve/Rejected _____ by action of _____ County Board of Commissioners.

Based upon an examination of the facts and the provisions of North Dakota Century Code § 57-23-04, we approve this application. The taxable valuation is reduced from \$ _____ to \$ _____ and the taxes are reduced accordingly. The taxes, if paid, will be refunded to the extent of \$ _____. The Board accepts \$ _____ in full settlement of taxes for the tax year _____.

We reject this application for the following reason(s): _____

Dated _____, _____ .

 County Auditor Chairperson

Certification of County Auditor

I certify that the Board of County Commissioners took the action stated above and the records of my office and the office of the County Treasurer show the following facts as to the assessment and the payment of taxes on the property described in this application.

Year	Taxable Value	Tax	Date Paid(if paid)	Payment Made Under Written Protest? yes / no

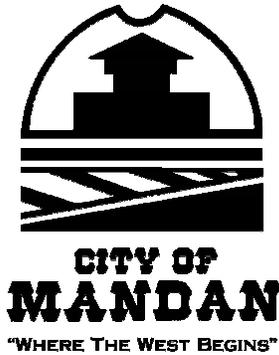
I further certify that the taxable valuation and the taxes ordered abated or refunded by the Board of Commissioners are as follows:

Year	Reduction in Taxable Valuation	Reduction in Taxes

_____ County Auditor Date

**Application For Abatement
 And Settlement Of Taxes**

Name of Applicant _____
 County Auditor's File No. _____
 Date Application Was Filed With The County Auditor _____



Board of City Commissioners

Agenda Documentation

MEETING DATE: February 19, 2013
PREPARATION DATE: February 7, 2013
SUBMITTING DEPARTMENT: Assessing Dept
DEPARTMENT DIRECTOR: Richard L Barta
PRESENTER: Richard L Barta
SUBJECT: Disabled Veteran Exemption for Edward Lech

STATEMENT/PURPOSE: To consider a 60% disabled veteran exemption for the year 2012.

BACKGROUND/ALTERNATIVES: Mr. Lech meets all criteria according to North Dakota Century Code 57-02-08 (20)(b) to receive a 60% disabled veteran exemption. Mr. Lech received a veteran compensation effective June 21, 2012; therefore, a pro-ration of a 60% veteran's exemption for six months of 2012. The North Dakota Century Code 57-02-08 (20)(b) states the veteran will receive exemption of whatever their percentage of veteran disability is of up to \$120,000 structure value. Mr. Lech would receive 60% of half of the 120,000 structure value, which would be a difference of \$36,000.

This property is also known as S ½ of Lot 14, Block 2, Marina Bay Re-Plat Blk 2 Addition at 2912 46th Ave SE on Parcel #8691BB.

ATTACHMENTS: Application.

FISCAL IMPACT: Approximately \$640 for the year 2012. Please note that this amount is reimbursed by the State and the City is not actually losing any revenue.

STAFF IMPACT: N/A

LEGAL REVIEW: N/A

RECOMMENDATION: Approval to receive a 60% disabled veteran exemption for the year 2012 prorated for 6 months.

SUGGESTED MOTION: I recommend a motion to approve the applications from Mr. Lech to receive a 60% disabled veteran exemption for the year 2012 prorated for 6 months by meeting all criteria according to North Dakota Century Code 57-02-08(20)(b).

Application for Property Tax Exemption

This application must be filed with the assessor every year by February 1st of the year for which the exemption is claimed, except as stated in note (7) below.

Property Numbers: 8691 BB 65- 3772427	Legal Description
Property Owner: LECH EDWARD F & LAJUANA	Lot: Block: 2
Property Address: 2912 46 AVE SE	S 1/2 LOT 14
Telephone Number:	MARINA BAY RE-PLAT BLK 2

Date property was acquired: 11/21/2008 Market value of property claimed exempt: \$ _____

Exemption Claimed Pursuant to One of the Following Section of the North Dakota Century Code:

1. N.D.C.C. § 57-02-08(7)(9), property used exclusively for public workshop or property belonging to a religious organization and used for religious purposes: Church Parsonage Other(attach explanation)

2. N.D.C.C. § 57-02-08(8), property owned by an institution of public charity and used for the charitable purposes for which it was organized: Public Hospital (1) Nursing Home (1) Other(attach explanation) (1)

3. N.D.C.C. § 57-02-08(11), property owned by nonprofit lodges, clubs, etc. and used for their meetings and ceremonies:
 a. If licensed to sell alcoholic beverages, describe each area of the building where these beverages are sold or consumed.

 b. If food is sold, describe each area of the building where the food is sold or consumed.

4. N.D.C.C. § 57-02-08(20), buildings owned and occupied as a homestead by one of the following:
 a. Paraplegic Disabled Veteran or Veteran awarded specially adapted housing (2)(4)(5)(6)(7)
 b. Disabled Veteran (50% or greater disability) (2)(4)(5)(7)
 c. Permanently and Totally Disabled Person Confined to a Wheelchair (2)

5. N.D.C.C. § 57-02-08(22), buildings owned and occupied as a home by a blind person or spouse. (2)

6. N.D.C.C. § 57-02-08(26), buildings owned and occupied as a homestead by a paraplegic disabled person (2)(3)

7. N.D.C.C. § 57-02-08(31), group homes owned by nonprofit corporations.

8. N.D.C.C. § 57-55-10, mobile home is exempt or the provisions of N.D.C.C. ch. 57-55 apply.

9. N.D.C.C. § _____ Subsection _____

For what purpose(s) was the property used during the 12-month period prior to the year for which this exemption is claimed? (Note: Be specific. If there were several types of use, indicate such usages by square foot areas of the building and floor location. If additional space is needed, attach another sheet.)

Is any income derived from the use of any portion of this property by other individuals or groups, whether considered as rent or reimbursement for expenses or services rendered? Yes No If Yes, give details.

(1) Provide a current copy of organizational documents supporting claim (e.g., articles of incorporation and by-laws, etc.) if claiming exemption for first time upon request.
 (2) Provide an affidavit or physician's certificate if claiming exemption for first time.
 (3) Provide an annual statement that previous year's income did not exceed the amount provided in N.D.C.C. § 57-02-08.1.
 (4) Provide a copy of the DD Form 214 showing veteran's honorable discharge from active military service if claiming exemption for first time.
 (5) Provide a certificate from the Department of Veterans Affairs certifying to the percentage of disability when claiming exemption for the first time, or if the veteran receives a change in the percentage of certified rated service-connected disability.
 (6) Provide evidence from the Department of Veterans Affairs showing award of specially adapted housing if claiming exemption for this status for first time.
 (7) Exemption is automatically renewed each following year, but the veteran or veteran's unmarried surviving spouse must refile if that person sells the property or no longer claims it as a primary place of residence, or if the veteran dies or receives a change in the percentage of the certified rated service-connected disability.

I(We) make application for real property tax exemption for the year 2012 on the property described above and, in compliance with North Dakota Century Code § 57-02-14.1, certify the information is accurate to the best of my(our) knowledge and belief.

Note: N.D.C.C. § 12.1-11-02 provides that making a false statement in a governmental matter is punishable as a Class A misdemeanor.

Edward F. Lech 2-7-13
 Applicant Date

Application is: Approved Disapproved
 Percentage approved(4.b) 60% pro-rated for 6 months
 \$ 36,000 exempted

[Signature] 2-7-13
 Assessor or Director of Tax Equalization Date

Application For Abatement And Settlement Of Taxes

North Dakota Century Code § 57-23-04

File with the County Auditor on or before November 1st of the year following the year in which the tax becomes delinquent.

State of North Dakota

County of Morton

Name LECH EDWARD F & LAJUANA

Address 2912 46 AVE SE

Legal Description of the property involved in this application
 S 1/2 LOT 14

Property ID Number

City 8691 BB

County 65-3772427

Block: 2

MARINA BAY RE-PLAT BLK 2

<p>Total true and full value of the property described above for the year 2012 is:</p> <table border="0"> <tr> <td>Land</td> <td align="right">\$17,100</td> </tr> <tr> <td>Improvements</td> <td align="right">\$164,300</td> </tr> <tr> <td>Total (1)</td> <td align="right">\$181,400</td> </tr> </table>	Land	\$17,100	Improvements	\$164,300	Total (1)	\$181,400	<p>Total true and full value of the property described above for the year 2012 should be:</p> <table border="0"> <tr> <td>Land</td> <td align="right">\$17,100</td> </tr> <tr> <td>Improvements</td> <td align="right">164,300</td> </tr> <tr> <td>Total (2)</td> <td align="right">181,400</td> </tr> </table>	Land	\$17,100	Improvements	164,300	Total (2)	181,400
Land	\$17,100												
Improvements	\$164,300												
Total (1)	\$181,400												
Land	\$17,100												
Improvements	164,300												
Total (2)	181,400												

The difference of _____ true and full value between (1) and (2) above is due to the following reason(s):

1. Agricultural property true and full value exceeds its agricultural value defined in N.D.C.C. § 57-02-27.2

2. Residential or commercial property's true and full value exceeds the market value

3. Error in property description, entering the description, or extending the tax

4. Nonexisting improvement assessed

5. Complainant or property is exempt from taxation (Attach a copy of Application for Property Tax Exemption)

6. Duplicate assessment

7. Property improvement was damaged by fire, flood or tornado (see N.D.C.C. § 57-23-04(1)(g))

8. Error in noting payment of taxes, taxes erroneously paid

9. Property qualifies for Homestead Credit According to N.D.C.C. § 57-02-08.1 (Attach a copy of Homestead Credit Application)

10. Other (Explain) NDCC 12.1-11-02 VETERANS EXEMPTION

The following facts relate to the market value of the residential or commercial property described above. For agricultural property, go to question #5.

1. Purchase price of property: \$ _____ Date of Purchase: _____
 Terms: Cash _____ Contract _____ Trade _____ Other (explain) _____

Was there personal property involved in the purchase price? _____ Estimated value: \$ _____

2. Has the property been offered for sale on the open market? _____ If yes, how long? _____
 Asking price: \$ _____ Terms of sale: _____

3. The property was independently appraised: _____ Purpose of appraisal: _____
 _____ Market value estimate: \$ _____
 Appraisal was made by whom? _____

4. The applicant's estimate of market value of the property involved in this application is \$ _____

5. The estimated agricultural productive value of this property is excessive because of the following condition(s): _____

The Applicant asks that **WE ABATE HIS TAXES DUE TO QUALIFICATION OF VETERANS**

EXEMPTION @ 60% FOR 2012. - Pro-rated for 6 months since Veterans Compensation became effective June 2012

By filing this application, I consent to an inspection of the above-described property by an authorized assessment official for the purpose of making an appraisal of the property. I understand the official will give me reasonable notification of the inspection. See N.D.C.C. § 57-23-05.1.

I declare under the penalties of N.D.C.C. § 12.1-11-02, which provides for a Class A misdemeanor for making a false statement in a government matter, that this application is, to the best of my knowledge and belief, a true and correct application.

Signature of Preparer (if other than applicant) _____ Date _____
 Signature of Applicant Edward F. Lech 2-7-13 Date _____

Recommendation of the Governing Body of the City or Township

Recommendation of the governing board of Mandan City Commissioners

On _____ the governing board of this municipality, after examination of this application and the facts, passed a resolution recommending to the Board of County Commissioners that the application be _____

Dated this _____ day of _____, _____

 City Auditor or Township Clerk

Action by the Board of County Commissioners

Application was _____ by action of _____ County Board of Commissioners.
Approve/Rejected

Based upon an examination of the facts and the provisions of North Dakota Century Code § 57-23-04, we approve this application. The taxable valuation is reduced from \$ _____ to \$ _____ and the taxes are reduced accordingly. The taxes, if paid, will be refunded to the extent of \$ _____. The Board accepts \$ _____ in full settlement of taxes for the tax year _____.

We reject this application for the following reason(s): _____

Dated _____, _____

 County Auditor Chairperson

Certification of County Auditor

I certify that the Board of County Commissioners took the action stated above and the records of my office and the office of the County Treasurer show the following facts as to the assessment and the payment of taxes on the property described in this application.

Year	Taxable Value	Tax	Date Paid(if paid)	Payment Made Under Written Protest? yes / no

I further certify that the taxable valuation and the taxes ordered abated or refunded by the Board of Commissioners are as follows:

Year	Reduction in Taxable Valuation	Reduction in Taxes

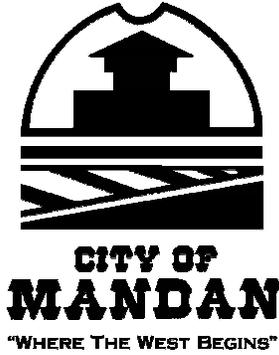
 County Auditor Date

Application For Abatement
 And Settlement Of Taxes

Name of Applicant _____

County Auditor's File No. _____

Date Application Was Filed
 With The County Auditor _____



Consent No. 4iiiia

Board of City Commissioners

Agenda Documentation

MEETING DATE: February 19, 2013
PREPARATION DATE: February 7, 2013
SUBMITTING DEPARTMENT: Assessing Dept
DEPARTMENT DIRECTOR: Richard L Barta
PRESENTER: Richard L Barta
SUBJECT: Homestead Credit Exemption for Darlene Berger

STATEMENT/PURPOSE: To consider a 100% Homestead Credit exemption for the year 2012 due to meeting all criteria.

BACKGROUND/ALTERNATIVES: Ms. Berger meets all qualifications according to the guidelines established by the State for a 100% exemption through the Homestead Credit program.

This parcel is also known as Lot 4 & S 10' Lot 3, Block 3, Ank 2nd Addition at 709 13th Ave NW on Parcel #147.

ATTACHMENTS: Application.

FISCAL IMPACT: Approximately \$1775. Please note that this amount is reimbursed by the State and the City is not actually losing any revenue.

STAFF IMPACT: N/A

LEGAL REVIEW: N/A

RECOMMENDATION: Approval of the requested 100% Homestead Credit exemption for the year 2012.

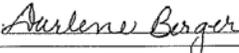
SUGGESTED MOTION: I recommend a motion to approve the request by Ms. Berger to receive a 100% Homestead Credit exemption for the year 2012 due to meeting all criteria according to the guidelines established through the State.

HOMESTEAD CREDIT APPLICATION FOR SENIOR CITIZENS & DISABLED PERSONS
 OFFICE OF STATE TAX COMMISSIONER
 24757 (5/2009)

For the Year of 2012

File application with the local assessor prior to February 1 of the year for which the credit is requested.

To: (Assessor)	Richard Barta
City or Twn:	City of Mandan
County:	Morton County

Applicant Information				City Seq No:	00147	
Name: BERGER DARLENE M				Date of Birth:	1938	
Address: 709 13 AVE NW				Phone No:	400-4557	
Legal Description of Applicant's Property: LOT 4 & S 10' LOT 3				County No:	65-147000	
Lot:	Block:	003	Addition:	0007	City:	MANDAN
1. Which of the following would best describe the type of ownership of the homestead property (check only one): A. Is recorded in your (and spouse's) name as owner <input checked="" type="checkbox"/> D. Is held under a life estate in property <input type="checkbox"/> B. Is being purchased by you under a contract for deed <input type="checkbox"/> E. Is held in a revocable trust <input type="checkbox"/> C. Is held in joint tenancy with one other than spouse <input type="checkbox"/>						
2. Is the above-described property exempt as a farm residence? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>						
3. Do you have assets in excess of \$75,000 including the value of any assets gifted or otherwise divested within the last three years, and excluding the unencumbered value of your homestead up to \$100,000? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>						
Complete Schedule A						
To Be Completed By The Assessor						
Application is: Approved <input checked="" type="checkbox"/> Denied <input type="checkbox"/> <u>100%</u> reduction allowed this applicant or a maximum of \$ _____						
Reason for Denial: _____						
Date: <u>2-7-13</u>	Signature of Assessor: 					
Schedule A						
The Following is an Accurate Account of Total Income for the Preceding Calendar Year <small>(See Attachment for an explanation of income from other sources.)</small>						
4. Applicant's and spouse's income from Social Security benefits (excluding Medicare):	\$					
5. Applicant's and spouse's income from salary and wages:	\$					
6. Applicant's and spouse's income from interest:	\$					
7. Applicant's and spouse's income from other sources:	\$					
8. Dependents' total income from all sources:	\$					
9. Total income from all sources (add lines 4, 5, 6, 7 and 8):	\$					
Medical expenses actually paid during the year and not paid for by insurance:						
Total amount of health and hospital insurance premiums (exclude Medicare):	\$					
Medicine and drugs:	\$					
Doctor, dentist and hospital costs:	\$					
Hearing aids, eyeglasses, dentures, etc.:	\$					
Transportation costs for medical care: .50 Cents Per Mile	\$					
Nursing home care costs and/or home nursing care costs:	\$					
10. Total medical expenses:	\$					
11. Income from all sources excluding medical expenses (line 9 less line 10):	\$					
Applicant Signature						
I declare that this application, including Schedule A, has been examined by me and to the best of my knowledge and belief is a true and correct application. I am willing to furnish proof of age, income, and assets if requested to do so by someone authorized to administer this assessment credit. I reside on the property described in this application and I hereby claim the Homestead Credit on this property as provided for in N.D.C.C. SS 57-02-08-1.						
Date: <u>2/7/13</u>	Signature of Applicant: 					

Application For Abatement And Settlement Of Taxes

North Dakota Century Code § 57-23-04

File with the County Auditor on or before November 1st of the year following the year in which the tax becomes delinquent.

State of North Dakota

County of Morton

Name BERGER DARLENE M

Address 709 13 AVE NW

Legal Description of the property involved in this application

LOT 4 & S 10' LOT 3

Property ID Number

City 147

County 65-147000

Block: 003

ANK 2ND

Total true and full value of the property described above for the year 2012 is:		Total true and full value of the property described above for the year 2012 should be:	
Land	\$13,800	Land	\$13,800
Improvements	\$132,100	Improvements	\$132,100
Total (1)	\$145,900	Total (2)	\$145,900

The difference of \$0 true and full value between (1) and (2) above is due to the following reason(s):

- 1. Agricultural property true and full value exceeds its agricultural value defined in N.D.C.C. § 57-02-27.2
- 2. Residential or commercial property's true and full value exceeds the market value
- 3. Error in property description, entering the description, or extending the tax
- 4. Nonexisting improvement assessed
- 5. Complainant or property is exempt from taxation (Attach a copy of Application for Property Tax Exemption)
- 6. Duplicate assessment
- 7. Property improvement was damaged by fire, flood or tornado (see N.D.C.C. § 57-23-04(1)(g))
- 8. Error in noting payment of taxes, taxes erroneously paid
- 9. Property qualifies for Homestead Credit According to N.D.C.C. § 57-02-08.1 (Attach a copy of Homestead Credit Application)
- 10. Other (Explain) NDCC 57-02-08 HOMESTEAD CREDIT

The following facts relate to the market value of the residential or commercial property described above. For agricultural property, go to question #5.

1. Purchase price of property: \$ _____ Date of Purchase: _____
 Terms: Cash _____ Contract _____ Trade _____ Other (explain) _____
 Was there personal property involved in the purchase price? _____ Estimated value: \$ _____

2. Has the property been offered for sale on the open market? _____ If yes, how long? _____
 Asking price: \$ _____ Terms of sale: _____

3. The property was independently appraised: _____ Purpose of appraisal: _____
 _____ Market value estimate: \$ _____
 Appraisal was made by whom? _____

4. The applicant's estimate of market value of the property involved in this application is \$ _____

5. The estimated agricultural productive value of this property is excessive because of the following condition(s): _____

The Applicant asks that WE ABATE HER TAXES DUE TO QUALIFICATION OF THE HOMESTEAD CREDIT @ 100%.

By filing this application, I consent to an inspection of the above-described property by an authorized assessment official for the purpose of making an appraisal of the property. I understand the official will give me reasonable notification of the inspection. See N.D.C.C. § 57-23-05.1.

I declare under the penalties of N.D.C.C. § 12.1-11-02, which provides for a Class A misdemeanor for making a false statement in a government matter, that this application is, to the best of my knowledge and belief, a true and correct application.

Signature of Preparer (if other than applicant) _____ Date _____
 Signature of Applicant Darlene Berger Date 2/7/13

Recommendation of the Governing Body of the City or Township

Recommendation of the governing board of Mandan City Commissioners

On _____ the governing board of this municipality, after examination of this application and the facts, passed a resolution recommending to the Board of County Commissioners that the application be _____

Dated this _____ day of _____, _____.

 City Auditor or Township Clerk

Action by the Board of County Commissioners

Application was _____ Approve/Rejected _____ by action of _____ County Board of Commissioners.

Based upon an examination of the facts and the provisions of North Dakota Century Code § 57-23-04, we approve this application. The taxable valuation is reduced from \$ _____ to \$ _____ and the taxes are reduced accordingly. The taxes, if paid, will be refunded to the extent of \$ _____. The Board accepts \$ _____ in full settlement of taxes for the tax year _____.

We reject this application for the following reason(s): _____

Dated _____, _____.

 County Auditor

 Chairperson

Certification of County Auditor

I certify that the Board of County Commissioners took the action stated above and the records of my office and the office of the County Treasurer show the following facts as to the assessment and the payment of taxes on the property described in this application.

Year	Taxable Value	Tax	Date Paid(if paid)	Payment Made Under Written Protest? yes / no

I further certify that the taxable valuation and the taxes ordered abated or refunded by the Board of Commissioners are as follows:

Year	Reduction in Taxable Valuation	Reduction in Taxes

 County Auditor

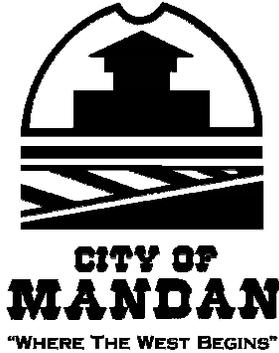
 Date

**Application For Abatement
 And Settlement Of Taxes**

Name of Applicant _____

County Auditor's File No. _____

Date Application Was Filed With The County Auditor _____



Consent No. 4iiiB

Board of City Commissioners

Agenda Documentation

MEETING DATE: February 19, 2013
PREPARATION DATE: February 13, 2013
SUBMITTING DEPARTMENT: Assessing Dept
DEPARTMENT DIRECTOR: Richard L Barta
PRESENTER: Richard L Barta
SUBJECT: Homestead Credit Exemption for Kathleen Mosbrucker

STATEMENT/PURPOSE: To consider a 20% Homestead Credit exemption for the year 2012 due to meeting all criteria.

BACKGROUND/ALTERNATIVES: Ms. Mosbrucker meets all qualifications according to the guidelines established by the State for a 20% exemption through the Homestead Credit program.

This parcel is also known as Lot 10, Block 1, Nicola's 1st Addition at 1217 8th Ave SE on Parcel #5015.

ATTACHMENTS: Application.

FISCAL IMPACT: Approximately \$270. Please note that this amount is reimbursed by the State and the City is not actually losing any revenue.

STAFF IMPACT: N/A

LEGAL REVIEW: N/A

RECOMMENDATION: Approval of the requested 20% Homestead Credit exemption for the year 2012.

SUGGESTED MOTION: I recommend a motion to approve the request by Ms. Mosbrucker to receive a 20% Homestead Credit exemption for the year 2012 due to meeting all criteria according to the guidelines established through the State.

HOMESTEAD CREDIT APPLICATION FOR SENIOR CITIZENS & DISABLED PERSONS
 OFFICE OF STATE TAX COMMISSIONER
 24757 (5/2009)

For the Year of 2012

File application with the local assessor prior to February 1 of the year for which the credit is requested.

To: (Assessor)	Richard Barta
City or Twn:	City of Mandan
County:	Morton County

Applicant Information			City Seq No:	05015
Name: MOSBRUCKER KATHLEEN			Date of Birth:	0000
Address: 1217 8 AVE SE			Phone No:	
Legal Description of Applicant's Property:			County No:	65-3808000
Lot: 0010	Block: 001	Addition: 0040	City:	MANDAN
1. Which of the following would best describe the type of ownership of the homestead property (check only one): A. Is recorded in your (and spouse's) name as owner <input checked="" type="checkbox"/> D. Is held under a life estate in property <input type="checkbox"/> B. Is being purchased by you under a contract for deed <input type="checkbox"/> E. Is held in a revocable trust <input type="checkbox"/> C. Is held in joint tenancy with one other than spouse <input type="checkbox"/>				
2. Is the above-described property exempt as a farm residence? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>				
3. Do you have assets in excess of \$75,000 including the value of any assets gifted or otherwise divested within the last three years, and excluding the unencumbered value of your homestead up to \$100,000? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>				
				Complete Schedule A
To Be Completed By The Assessor				
Application is: Approved <input checked="" type="checkbox"/> Denied <input type="checkbox"/> <u>20</u> % reduction allowed this applicant or a maximum of \$ _____				
Reason for Denial:				
Date: <u>2-13-13</u>		Signature of Assessor: <i>Richard Barta</i>		
Schedule A				
The Following is an Accurate Account of Total Income for the Preceding Calendar Year (See Attachment for an explanation of income from other sources)				
4. Applicant's and spouse's income from Social Security benefits (excluding Medicare):	\$			
5. Applicant's and spouse's income from salary and wages:	\$			
6. Applicant's and spouse's income from interest:	\$			
7. Applicant's and spouse's income from other sources:	\$			
8. Dependents' total income from all sources:	\$			
9. Total income from all sources (add lines 4, 5, 6, 7 and 8):				\$
Medical expenses actually paid during the year and not paid for by insurance:				
Total amount of health and hospital insurance premiums (exclude Medicare):	\$			
Medicine and drugs:	\$			
Doctor, dentist and hospital costs:	\$			
Hearing aids, eyeglasses, dentures, etc.:	\$			
Transportation costs for medical care: .50 Cent Per Mile	\$			
Nursing home care costs and/or home nursing care costs:	\$			
10. Total medical expenses:				\$
11. Income from all sources excluding medical expenses (line 9 less line 10):				\$
Applicant Signature				
I declare that this application, including Schedule A, has been examined by me and to the best of my knowledge and belief is a true and correct application. I am willing to furnish proof of age, income, and assets if requested to do so by someone authorized to administer this assessment credit. I reside on the property described in this application and I hereby claim the Homestead Credit on this property as provided for in H.O.C.C. 55 57-02-08-1.				
Date: <u>2-13-13</u>		Signature of Applicant: <i>Kathleen Mosbrucker</i>		

Application For Abatement And Settlement Of Taxes

North Dakota Century Code § 57-23-04

File with the County Auditor on or before November 1st of the year following the year in which the tax becomes delinquent.

State of North Dakota

County of Morton

Name MOSERUCKER KATHLEEN

Address 1217 8 AVE SE

Legal Description of the property involved in this application

Lot: 0010

Block: 001

NICOLA'S 1ST

Property ID Number

City 5015

County 65-3808000

Total true and full value of the property described above for the year 2012 is:

Land \$12,100
 Improvements \$63,800
 Total (1) \$75,900

Total true and full value of the property described above for the year 2012 should be:

Land \$12,100
 Improvements \$63,800
 Total (2) \$75,900

The difference of \$0 true and full value between (1) and (2) above is due to the following reason(s):

- 1. Agricultural property true and full value exceeds its agricultural value defined in N.D.C.C § 57-02-27.2
- 2. Residential or commercial property's true and full value exceeds the market value
- 3. Error in property description, entering the description, or extending the tax
- 4. Nonexisting improvement assessed
- 5. Complainant or property is exempt from taxation (Attach a copy of Application for Property Tax Exemption)
- 6. Duplicate assessment
- 7. Property improvement was damaged by fire, flood or tornado (see N.D.C.C. § 57-23-04(1)(g))
- 8. Error in noting payment of taxes, taxes erroneously paid
- 9. Property qualifies for Homestead Credit According to N.D.C.C. § 57-02-08.1 (Attach a copy of Homestead Credit Application)
- 10. Other (Explain) NDCC 57-02-08 HOMESTEAD CREDIT

The following facts relate to the market value of the residential or commercial property described above. For agricultural property, go to question #5.

- 1. Purchase price of property: \$ _____ Date of Purchase: _____
 Terms: Cash _____ Contract _____ Trade _____ Other (explain) _____
 Was there personal property involved in the purchase price? _____ Estimated value: \$ _____
- 2. Has the property been offered for sale on the open market? _____ If yes, how long? _____
 Asking price: \$ _____ Terms of sale: _____
- 3. The property was independently appraised: _____ Purpose of appraisal: _____
 _____ Market value estimate: \$ _____
 Appraisal was made by whom? _____
- 4. The applicant's estimate of market value of the property involved in this application is \$ _____
- 5. The estimated agricultural productive value of this property is excessive because of the following condition(s): _____

The Applicant asks that WE ABATE TAXES DUE TO QUALIFICATION OF HOMESTEAD at 20% CREDIT

By filing this application, I consent to an inspection of the above-described property by an authorized assessment official for the purpose of making an appraisal of the property. I understand the official will give me reasonable notification of the inspection. See N.D.C.C. § 57-23-05.1.

I declare under the penalties of N.D.C.C. § 12.1-11-02, which provides for a Class A misdemeanor for making a false statement in a government matter, that this application is, to the best of my knowledge and belief, a true and correct application.

Signature of Preparer (if other than applicant) _____ Date _____

Kathleen Mosbrucker 13-13
 Signature of Applicant _____ Date _____

Recommendation of the Governing Body of the City or Township

Recommendation of the governing board of Mandan City Commissioners

On _____ the governing board of this municipality, after examination of this application and the facts, passed a resolution recommending to the Board of County Commissioners that the application be _____

Dated this _____ day of _____, _____.

 City Auditor or Township Clerk

Action by the Board of County Commissioners

Application was _____ Approve/Rejected _____ by action of _____ County Board of Commissioners.

Based upon an examination of the facts and the provisions of North Dakota Century Code § 57-23-04, we approve this application. The taxable valuation is reduced from \$ _____ to \$ _____ and the taxes are reduced accordingly. The taxes, if paid, will be refunded to the extend of \$ _____. The Board accepts \$ _____ in full settlement of taxes for the tax year _____.

We reject this application for the following reason(s): _____

Dated _____, _____.

 County Auditor

 Chairperson

Certification of County Auditor

I certify that the Board of County Commissioners took the action stated above and the records of my office and the office of the County Treasurer show the following facts as to the assessment and the payment of taxes on the property described in this application.

Year	Taxable Value	Tax	Date Paid(if paid)	Payment Made Under Written Protest? yes / no

I further certify that the taxable valuation and the taxes ordered abated or refunded by the Board of Commissioners are as follows:

Year	Reduction in Taxable Valuation	Reduction in Taxes

 County Auditor

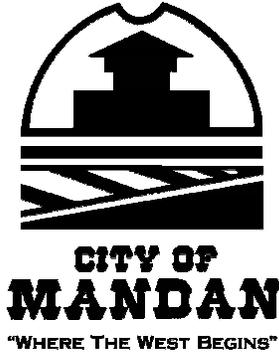
 Date

**Application For Abatement
 And Settlement Of Taxes**

Name of Applicant _____

County Auditor's File No. _____

Date Application Was Filed With The County Auditor _____



Consent No. 4iiiic

Board of City Commissioners

Agenda Documentation

MEETING DATE: February 19, 2013
PREPARATION DATE: February 5, 2013
SUBMITTING DEPARTMENT: Assessing Dept
DEPARTMENT DIRECTOR: Richard L Barta
PRESENTER: Richard L Barta
SUBJECT: Homestead Credit Exemption for Raymond Vetter

STATEMENT/PURPOSE: To consider a 100% Homestead Credit exemption for the year 2012 due to meeting all criteria.

BACKGROUND/ALTERNATIVES: Mr. Vetter meets all qualifications according to the guidelines established by the State for a 100% exemption through the Homestead Credit program.

This parcel is also known as Lot 1, Block 1, Ventures Addition at 4700 Cortez Circle on Parcel #7846.

ATTACHMENTS: Application.

FISCAL IMPACT: Approximately \$597. Please note that this amount is reimbursed by the State and the City is not actually losing any revenue.

STAFF IMPACT: N/A

LEGAL REVIEW: N/A

RECOMMENDATION: Approval of the requested 100% Homestead Credit exemption for the year 2012.

SUGGESTED MOTION: I recommend a motion to approve the request by Mr. Vetter to receive a 100% Homestead Credit exemption for the year 2012 due to meeting all criteria according to the guidelines established through the State.



HOMESTEAD CREDIT APPLICATION FOR SENIOR CITIZENS & DISABLED PERSONS
 OFFICE OF STATE TAX COMMISSIONER
 24757 (12/2011)

Use 2011

For the Year of 2012

File application with the local assessor prior to February 1 of the year for which the credit is requested.

To: (Assessor)
City or Twp.: MANDAN
County: MORTON

Applicant Information		
Name: RAYMOND R VETTER	Date of Birth:	
Address: 4700 CORTEZ CIRCLE	Parcel No: 65-5313000 #1846	
Legal Description of Applicant's Homestead Property:		
Lot 1	Block 001	Addition VENTURES City MANDAN
1. Which of the following would best describe the type of ownership of the homestead property (check only one): A. Is recorded in your (and spouse's) name as owner... <input checked="" type="checkbox"/> D. Is held under a life estate in property... <input type="checkbox"/> B. Is being purchased by you under a contract for deed... <input type="checkbox"/> E. Is held in a revocable trust... <input type="checkbox"/> C. Is held in joint tenancy with one other than spouse... <input type="checkbox"/>		
2. Is the above-described property exempt as a farm residence? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
3. Do you have assets in excess of \$75,000 including the value of any assets gifted or otherwise divested within the last three years, and excluding the unencumbered value of your homestead up to \$100,000? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		

Application is: Approved <input checked="" type="checkbox"/> Denied <input type="checkbox"/> 100% reduction allowed this applicant or a maximum of \$	
Date: 2-5-13	Signature of Assessor: [Signature]

The Following is an Accurate Account of Total Income for the Preceding Calendar Year (See the back of this application for explanation of income from all sources)

4. Applicant's and spouse's income from Social Security benefits (exclude Medicare):	\$
5. Applicant's and spouse's income from salary and wages:	\$
6. Applicant's and spouse's income from interest:	\$
7. Applicant's and spouse's income from all other sources:	\$
8. Dependents' total income from all sources:	\$
9. Total income from all sources (add lines 4, 5, 6, 7, and 8):	\$
Medical expenses actually paid during the year and not paid for by insurance:	
Total amount of health and hospital insurance premiums (exclude Medicare):	\$
Medicine and drugs:	\$
Doctor, dentist, and hospital costs:	\$
Hearing aids, eyeglasses, dentures, etc.:	\$
Transportation costs for medical care: (51 cents per mile for motor vehicle effective 1/01/2011)	\$
Nursing home care costs and/or home nursing care costs:	\$
10. Total medical expenses:	\$
11. Income from all sources excluding medical expenses (line 9 less line 10):	\$

I declare that this application, including Schedule A, has been examined by me and to the best of my knowledge and belief is a true and correct application. I am willing to furnish proof of age, income, and assets if requested to do so by someone authorized to administer this assessment credit. I reside on the property described in this application and I hereby claim the Homestead Credit on this property as provided for in N.D.C.C. § 57-02-08.1.

Date: 2-5-13	Signature of Applicant: [Signature]
--------------	-------------------------------------

Application For Abatement And Settlement Of Taxes

North Dakota Century Code § 57-23-04

File with the County Auditor on or before November 1st of the year following the year in which the tax becomes delinquent.

State of North Dakota

County of Morton

Name VETTER RAYMOND R

Address 4700 CORTEZ CIR NW

Legal Description of the property involved in this application

Lot: 0001

Block: 001

VENTURES

Property ID Number

City 7846

County 65-5313000

Total true and full value of the property described above for the year 2012 is:

Land \$12,100
 Improvements \$21,500
 Total (1) \$33,600

Total true and full value of the property described above for the year 2012 should be:

Land \$12,100
 Improvements \$21,500
 Total (2) \$33,600

The difference of \$0 true and full value between (1) and (2) above is due to the following reason(s):

- 1. Agricultural property true and full value exceeds its agricultural value defined in N.D.C.C § 57-02-27.2
- 2. Residential or commercial property's true and full value exceeds the market value
- 3. Error in property description, entering the description, or extending the tax
- 4. Nonexisting improvement assessed
- 5. Complainant or property is exempt from taxation (Attach a copy of Application for Property Tax Exemption)
- 6. Duplicate assessment
- 7. Property improvement was damaged by fire, flood or tornado (see N.D.C.C. § 57-23-04(1)(g))
- 8. Error in noting payment of taxes, taxes erroneously paid
- 9. Property qualifies for Homestead Credit According to N.D.C.C. § 57-02-08.1 (Attach a copy of Homestead Credit Application)
- 10. Other (Explain) NDCC 57-02-08 HOMESTEAD TAX CREDIT

The following facts relate to the market value of the residential or commercial property described above. For agricultural property, go to question #5.

1. Purchase price of property: \$ _____ Date of Purchase: _____
 Terms: Cash _____ Contract _____ Trade _____ Other (explain) _____
 Was there personal property involved in the purchase price? _____ Estimated value: \$ _____

2. Has the property been offered for sale on the open market? _____ If yes, how long? _____
 Asking price: \$ _____ Terms of sale: _____

3. The property was independently appraised: _____ Purpose of appraisal: _____
 _____ Market value estimate: \$ _____
 Appraisal was made by whom? _____

4. The applicant's estimate of market value of the property involved in this application is \$ _____

5. The estimated agricultural productive value of this property is excessive because of the following condition(s): _____

The Applicant asks that WE ABATE HIS TAXES DUE TO QUALIFICATION AT 100% HOMESTEAD TAX CREDIT FOR 2012

By filing this application, I consent to an inspection of the above-described property by an authorized assessment official for the purpose of making an appraisal of the property. I understand the official will give me reasonable notification of the inspection. See N.D.C.C. § 57-23-05.1.

I declare under the penalties of N.D.C.C. § 12.1-11-02, which provides for a Class A misdemeanor for making a false statement in a government matter, that this application is, to the best of my knowledge and belief, a true and correct application.

Signature of Preparer (if other than applicant) _____ Date _____

Raymond Vetter 2-5-13
 Signature of Applicant _____ Date _____

Recommendation of the Governing Body of the City or Township

Recommendation of the governing board of Mandan City Commissioners

On _____ the governing board of this municipality, after examination of this application and the facts, passed a resolution recommending to the Board of County Commissioners that the application be _____

Dated this _____ day of _____, _____

 City Auditor or Township Clerk

Action by the Board of County Commissioners

Application was _____ Approve/Rejected _____ by action of _____ County Board of Commissioners.

Based upon an examination of the facts and the provisions of North Dakota Century Code § 57-23-04, we approve this application. The taxable valuation is reduced from \$ _____ to \$ _____ and the taxes are reduced accordingly. The taxes, if paid, will be refunded to the extent of \$ _____. The Board accepts \$ _____ in full settlement of taxes for the tax year _____.

We reject this application for the following reason(s): _____

Dated _____, _____

 County Auditor Chairperson

Certification of County Auditor

I certify that the Board of County Commissioners took the action stated above and the records of my office and the office of the County Treasurer show the following facts as to the assessment and the payment of taxes on the property described in this application.

Year	Taxable Value	Tax	Date Paid(if paid)	Payment Made Under Written Protest? yes / no

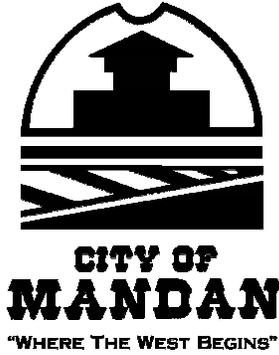
I further certify that the taxable valuation and the taxes ordered abated or refunded by the Board of Commissioners are as follows:

Year	Reduction in Taxable Valuation	Reduction in Taxes

 County Auditor Date

Application For Abatement
 And Settlement Of Taxes

Name of Applicant _____
 County Auditor's File No. _____
 Date Application Was Filed
 With The County Auditor _____



Consent No. 4iiiid

Board of City Commissioners

Agenda Documentation

MEETING DATE: February 19, 2013
PREPARATION DATE: February 4, 2013
SUBMITTING DEPARTMENT: Assessing Dept
DEPARTMENT DIRECTOR: Richard L Barta
PRESENTER: Richard L Barta
SUBJECT: Homestead Credit Exemption for Betty Wolfe

STATEMENT/PURPOSE: To consider a 100% Homestead Credit exemption for the year 2012 due to meeting all criteria.

BACKGROUND/ALTERNATIVES: Ms. Wolfe meets all qualifications according to the guidelines established by the State for a 100% exemption through the Homestead Credit program.

This parcel is also known as Lot 7, Block 2, Diane's 1st Addition at 803 Johns Dr. NE on Parcel #467.

ATTACHMENTS: Application.

FISCAL IMPACT: Approximately \$1775. Please note that this amount is reimbursed by the State and the City is not actually losing any revenue.

STAFF IMPACT: N/A

LEGAL REVIEW: N/A

RECOMMENDATION: Approval of the requested 100% Homestead Credit exemption for the year 2012.

SUGGESTED MOTION: I recommend a motion to approve the request by Ms. Wolfe to receive a 100% Homestead Credit exemption for the year 2012 due to meeting all criteria according to the guidelines established through the State.

HOMESTEAD CREDIT APPLICATION FOR SENIOR CITIZENS & DISABLED PERSONS
 OFFICE OF STATE TAX COMMISSIONER
 24757 (5/2009)

For the Year of 2012

File application with the local assessor prior to February 1 of the year for which the credit is requested.

To: (Assessor)	Richard Barta
City or Town:	City of Mandan
County:	Morton County

Applicant Information			City Seq No:	00467
Name: WOLFE BETTY			Date of Birth:	0000
Address: 803 JOHNS DR NE			Phone No:	
Legal Description of Applicant's Property:			County No:	65-495000
Lot: 0007	Block: 002	Addition: 0047	City:	MANDAN
1. Which of the following would best describe the type of ownership of the homestead property (check only one): A. Is recorded in your (and spouse's) name as owner <input checked="" type="checkbox"/> D. Is held under a life estate in property <input type="checkbox"/> B. Is being purchased by you under a contract for deed <input type="checkbox"/> E. Is held in a revocable trust <input type="checkbox"/> C. Is held in joint tenancy with one other than spouse <input type="checkbox"/>				
2. Is the above-described property exempt as a farm residence? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>				
3. Do you have assets in excess of \$75,000 including the value of any assets gifted or otherwise divested within the last three years, and excluding the unencumbered value of your homestead up to \$100,000? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>				
Complete Schedule A				
To Be Completed By The Assessor				
Application is: Approved <input checked="" type="checkbox"/> Denied <input type="checkbox"/> <u>100</u> % reduction allowed this applicant or a maximum of \$ _____				
Reason for Denial: _____				
Date: <u>2-4-13</u>	Signature of Assessor: <i>[Signature]</i>			
Schedule A				
The Following is an Accurate Account of Total Income for the Preceding Calendar Year (See Attachment for an explanation of income from other sources)				
4. Applicant's and spouse's income from Social Security benefits (excluding Medicare):	\$			
5. Applicant's and spouse's income from salary and wages:	\$			
6. Applicant's and spouse's income from interest:	\$			
7. Applicant's and spouse's income from other sources:	\$			
8. Dependents' total income from all sources:	\$			
9. Total income from all sources (add lines 4, 5, 6, 7 and 8):	\$			
Medical expenses actually paid during the year and not paid for by insurance:				
Total amount of health and hospital insurance premiums (exclude Medicare):	\$			
Medicine and drugs:	\$			
Doctor, dentist and hospital costs:	\$			
Hearing aids, eyeglasses, dentures, etc.:	\$			
Transportation costs for medical care: .50 Cents Per Mile	\$			
Nursing home care costs and/or home nursing care costs:	\$			
10. Total medical expenses:	\$			
11. Income from all sources excluding medical expenses (line 9 less line 10):	\$			
Applicant Signature				
I declare that this application, including Schedule A, has been examined by me and to the best of my knowledge and belief is a true and correct application. I am willing to furnish proof of age, income, and assets if requested to do so by someone authorized to administer this assessment credit. I reside on the property described in this application and I hereby claim the Homestead Credit on this property as provided for in N.D.C.C. §§ 57-02-08-1.				
Date: <u>2-4-13</u>	Signature of Applicant: <i>[Signature]</i>			

Application For Abatement And Settlement Of Taxes

North Dakota Century Code § 57-23-04

File with the County Auditor on or before November 1st of the year following the year in which the tax becomes delinquent.

State of North Dakota

County of Morton

Name WOLFE BETTY

Address 803 JOHNS DR NE

Legal Description of the property involved in this application

Lot: 0007

Block: 002

DIANE'S 1ST

Property ID Number

City 467

County 65-495000

Total true and full value of the property described above for the year 2012 is:

Land \$15,600
 Improvements \$112,200
 Total (1) \$127,800

Total true and full value of the property described above for the year 2012 should be:

Land \$15,600
 Improvements \$112,200
 Total (2) \$127,800

The difference of \$0 true and full value between (1) and (2) above is due to the following reason(s):

- 1. Agricultural property true and full value exceeds its agricultural value defined in N.D.C.C. § 57-02-27.2
- 2. Residential or commercial property's true and full value exceeds the market value
- 3. Error in property description, entering the description, or extending the tax
- 4. Nonexisting improvement assessed
- 5. Complainant or property is exempt from taxation (Attach a copy of Application for Property Tax Exemption)
- 6. Duplicate assessment
- 7. Property improvement was damaged by fire, flood or tornado (see N.D.C.C. § 57-23-04(1)(g))
- 8. Error in noting payment of taxes, taxes erroneously paid
- 9. Property qualifies for Homestead Credit According to N.D.C.C. § 57-02-08.1 (Attach a copy of Homestead Credit Application)
- 10. Other (Explain) NDCC 57-02-08 HOMESTEAD CREDIT

The following facts relate to the market value of the residential or commercial property described above. For agricultural property, go to question #5.

1. Purchase price of property: \$ _____ Date of Purchase: _____
 Terms: Cash _____ Contract _____ Trade _____ Other (explain) _____
 Was there personal property involved in the purchase price? _____ Estimated value: \$ _____

2. Has the property been offered for sale on the open market? _____ If yes, how long? _____
 Asking price: \$ _____ Terms of sale: _____

3. The property was independently appraised: _____ Purpose of appraisal: _____
 _____ Market value estimate: \$ _____
 Appraisal was made by whom? _____

4. The applicant's estimate of market value of the property involved in this application is \$ _____

5. The estimated agricultural productive value of this property is excessive because of the following condition(s): _____

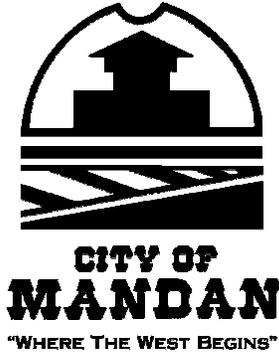
The Applicant asks that **WE ABATE THE 2012 PROPERTY TAX DUE TO QUALIFICATION OF THE HOMESTEAD TAX CREDIT**

By filing this application, I consent to an inspection of the above-described property by an authorized assessment official for the purpose of making an appraisal of the property. I understand the official will give me reasonable notification of the inspection. See N.D.C.C. § 57-23-05.1.

I declare under the penalties of N.D.C.C. § 12.1-11-02, which provides for a Class A misdemeanor for making a false statement in a government matter, that this application is, to the best of my knowledge and belief, a true and correct application.

Signature of Preparer (if other than applicant) _____ Date _____

Betty J. Wolfe _____ 02.19.13
 Signature of Applicant Date



Board of City Commissioners

Agenda Documentation

MEETING DATE: February 19, 2013
PREPARATION DATE: February 15, 2013
SUBMITTING DEPARTMENT: Assessing/Bldg Inspections
DEPARTMENT DIRECTOR: Richard L Barta
PRESENTER: Richard L Barta
SUBJECT: Street Appraisal - Reduction in structure value for Snezana Kaufmann

STATEMENT/PURPOSE: To consider a reduction in the structure value for the 2012 year for Ms. Kaufmann's property, due to assessment that was made as a street appraisal and final review.

BACKGROUND/ALTERNATIVES: This parcel is also known as Parcel #8145, Lot 1, Block 1, Lohstreter Rd NW.

Reason for abatement: To lower the structure value for the 2012 year from \$171,000 to \$161,100. After the final walk through of Ms. Kaufmann's property to determine accuracy of our data and conducting a market analysis, I have arrived at a true and full value of \$174,900 for the 2012 year rather than \$184,800, a difference in true and full value of \$9,900.

ATTACHMENTS: Application for 2012, market analysis and data sheet.

FISCAL IMPACT: Approximately \$176.00

STAFF IMPACT: N/A

LEGAL REVIEW: N/A

RECOMMENDATION: I recommend a motion to approve to lower the true and full value for the 2012 year to \$174,900 for Ms. Kaufmann's property.

SUGGESTED MOTION: A motion to approve a reduction for Ms. Kaufmann's property in the 2012 year with a true and full value to \$174,900.

02/15/2013 13:09 FAX 701 530 7477 St Alexius H&L 0001/0001
 Feb 15 2013 1:15PM City of Mandan Inspection 701-667-3481 page 1

Application For Abatement And Settlement Of Taxes
 North Dakota Century Code § 57-23-04

File with the County Auditor on or before November 1st of the year following the year in which the tax becomes delinquent.

State of North Dakota

County of Morton

Name KAUFMANN MAIT & SNEZANA

Address 905 LOHSTRETER RD NW

Legal Description of the property involved in this application

Lot: 0001

Block: 001

LOHSTRETERS 2ND

Property ID Number

City 8145

County 65-1964000

Total true and full value of the property described above for the year 2012 is:		Total true and full value of the property described above for the year 2012 should be:	
Land	\$13,800	Land	\$13,800
Improvements	\$171,000	Improvements	\$161,100
Total (1)	\$184,800	Total (2)	\$174,900

The difference of \$9,900 true and full value between (1) and (2) above is due to the following reason(s):

- 1. Agricultural property true and full value exceeds its agricultural value defined in N.D.C.C. § 57-02-27.2
- 2. Residential or commercial property's true and full value exceeds the market value
- 3. Error in property description, entering the description, or extending the tax
- 4. Nonexisting improvement assessed
- 5. Complaint or property is exempt from taxation (Attach a copy of Application for Property Tax Exemption)
- 6. Duplicate assessment
- 7. Property improvement was damaged by fire, flood or tornado (see N.D.C.C. § 57-23-04(1)(g))
- 8. Error in noting payment of taxes, taxes erroneously paid
- 9. Property qualifies for Homestead Credit According to N.D.C.C. § 57-02-03.1 (Attach a copy of Homestead Credit Application)
- 10. Other (Explain) WAS STREET APPRAISAL; COMPLETE REASSESSMENT DONE

The following facts relate to the market value of the residential or commercial property described above. For agricultural property, go to question #5.

1. Purchase price of property: \$ _____ Date of Purchase: _____
 Terms: Cash _____ Contract _____ Trade _____ Other (explain) _____
 Was there personal property involved in the purchase price? _____ Estimated value: \$ _____

2. Has the property been offered for sale on the open market? _____ If yes, how long? _____
 Asking price: \$ _____ Terms of sale: _____

3. The property was independently appraised: _____ Purpose of appraisal: _____
 Market value estimate: \$ _____
 Appraisal was made by whom? _____

4. The applicant's estimate of market value of the property involved in this application is \$ _____

5. The estimated agricultural productive value of this property is excessive because of the following condition(s): _____

The Applicant asks that ADJUSTMENTS MADE TO REFLECT CORRECT ASSESSMENT FOR 2012

By filing this application, I consent to an inspection of the above-described property by an authorized assessment official for the purpose of making an appraisal of the property. I understand the official will give me reasonable notification of the inspection. See N.D.C.C. § 57-23-06.1.

I declare under the penalties of N.D.C.C. § 12.1-11.02, which provides for a Class A misdemeanor for making a false statement in a government matter, that this application is, to the best of my knowledge and belief, a true and correct application.

Signature of Preparer (if other than applicant) _____ Date _____

S. Kaufmann
 Signature of Applicant _____

2/15/13
 Date _____

Recommendation of the Governing Body of the City or Township

Recommendation of the governing board of Mandan City Commissioners

On _____ the governing board of this municipality, after examination of this application and the facts, passed a resolution recommending to the Board of County Commissioners that the application be _____

Dated this _____ day of _____, _____ . _____
 City Auditor or Township Clerk

Action by the Board of County Commissioners

Application was _____ Approve/Rejected _____ by action of _____ County Board of Commissioners.

Based upon an examination of the facts and the provisions of North Dakota Century Code § 57-23-04, we approve this application. The taxable valuation is reduced from \$ _____ to \$ _____ and the taxes are reduced accordingly. The taxes, if paid, will be refunded to the extent of \$ _____. The Board accepts \$ _____ in full settlement of taxes for the tax year _____.

We reject this application for the following reason(s): _____

Dated _____, _____ . _____
 County Auditor _____ Chairperson _____

Certification of County Auditor

I certify that the Board of County Commissioners took the action stated above and the records of my office and the office of the County Treasurer show the following facts as to the assessment and the payment of taxes on the property described in this application.

Year	Taxable Value	Tax	Date Paid(if paid)	Payment Made Under Written Protest? yes / no

I further certify that the taxable valuation and the taxes ordered abated or refunded by the Board of Commissioners are as follows:

Year	Reduction in Taxable Valuation	Reduction in Taxes

_____ County Auditor _____ Date

Application For Abatement
 And Settlement Of Taxes

Name of Applicant _____

County Auditor's File No. _____

Date Application Was Filed With The County Auditor _____

Board of City Commissioners
 Agenda Documentation
 Meeting Date: February 19, 2013
 Subject: Street Appraisal - Reduction in structure value for Snezana Kaufmann
 Page 5 of 5

2/14/13
 AS1057

Mandan Assessing Dept
 Property Data Sheet

Page 1

KAUFMANN MATT & SNEZANA
 905 LOHSTRETER RD NW
 MANDAN ND 58554

City Parcel No. 08145
 County No. 65-001964000
 Assessment Year 2012

Property Address: 905 LOHSTRETER RD NW

Property Type: RESIDENTIAL

Legal Description

Lot 0001 Block 001 Addition 0099 LOHSTRETERS 2ND

Total Property - Land

Area Factor 84 AF 80 > \$150,000 < \$200
 Zoning R7
 Lot Width 80 Ft
 Lot Depth 132 Ft
 Lot Sq Ft 10596 SqFt
 Irregular Shape No
 Alley No
 Cul-De-Sac No
 Corner Yes
 Utilities Yes
 Underground Util Yes
 Street Hard Surface
 Sidewalk Yes
 Location Inland
 Flood Plain Degree
 Acres .24
 Lot Sale Price 0
 Lot Sale Date

Interior Finish Painted
 Fireplace 1 Gas Inserts
 Quality: Average/Good
 Floors Plywood
 Floor Covering Carpet
 Hardwood
 Apartment None

Garage

Attached 2 Stall with 440 SqFt
 Quality Average/Good

Additional Data

Electronics No
 Home Theater No
 Smart Home No
 Swimming Pool No
 Sump Pump Yes

Additional Area

Patio 450 SqFt

Other Area

Listing Date 03/23/2012
 Listing Price 229900
 Review Date 08/16/2010 SUEF
Final App. Date 01/01/2013 SHIRLEYS

2012 Mrkt Value 184800 Land 13800
 Bldg 171000

2011 Mrkt Value 152300 Land 12000
 Bldg 140300

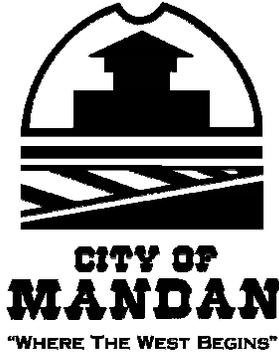
2012 Est Tax Amount 3280.33

Selling Price Includes Special Assessments
 Current Sale Price 233900
 Current Sale Date 05/18/2012

Previous Sale Price 8200
 Previous Sale Date 09/02/1994
 Data Sheet Printed By: Shirley Shaw

Building Data

Year Built 1995
 Effective Year 1995
 Basement Walls Poured Concrete
 Condition Average/Good
 Quality Average/Good
 Construction Type 2x6 Construction
 Stories BI/L
 Roof Cover Asphalt/Compound
 Roof Type Gable
 Heating Fuel Gas
 Heating Type Forced Air
 Air Conditioning Central
 Flr Tot Rms Bed Bath
 01 5 2 2.00 1377 SqFt
 BF 3 2 1.00 1132/1132 SqFt
 Quality Average/Good
 Tot Finished Area 2509 SqFt
 Exterior Walls Metal Siding
 Basement Full
 Dining Room Area Dining Area
 Kitchen Cabinets Prefab Hardwood
 Built-Ins Yes
 Interior Walls Sheetrock



Consent No. 4ivb

Board of City Commissioners

Agenda Documentation

MEETING DATE: February 19, 2013
PREPARATION DATE: February 15, 2013
SUBMITTING DEPARTMENT: Assessing/Bldg Inspections
DEPARTMENT DIRECTOR: Richard L Barta
PRESENTER: Richard L Barta
SUBJECT: Street Appraisal - Reduction in structure value for Perry Kupfer

STATEMENT/PURPOSE: To consider a reduction in the structure value for the 2012 year for Mr. Kupfer's property, due to assessment that was made as a street appraisal and final review.

BACKGROUND/ALTERNATIVES: This parcel is also known as Parcel #7915, Lot 1-L, Block 4, Ventures.

Reason for abatement: To lower the structure value for the 2012 year from \$106,400 to \$77,100. After the final walk through of Mr. Kupfer's property to determine accuracy of our data and conducting a market analysis, I have arrived at a true and full value of \$82,300 for the 2012 year rather than \$111,600, a difference in true and full value of \$29,300.

ATTACHMENTS: Application for 2012, market analysis and data sheet.

FISCAL IMPACT: Approximately \$520.00

STAFF IMPACT: N/A

LEGAL REVIEW: N/A

RECOMMENDATION: I recommend a motion to approve to lower the true and full value for the 2012 year to \$82,300 for Mr. Kupfer's property.

SUGGESTED MOTION: A motion to approve a reduction for Mr. Kupfer's property in the 2012 year with a true and full value to \$82,300.

Application For Abatement And Settlement Of Taxes

North Dakota Century Code § 57-23-04

File with the County Auditor on or before November 1st of the year following the year in which the tax becomes delinquent.

State of North Dakota

County of Morton

Name KUPFER PERRY W & C

Address 4405 CROWN PT RD NW

Legal Description of the property involved in this application

1-L

Property ID Number

City 7915

County 65-5382000

Block: 004

VENTURES

Total true and full value of the property described above for the year 2012 is:		Total true and full value of the property described above for the year 2012 should be:	
Land	\$5,200	Land	\$5,200
Improvements	\$106,400	Improvements	\$77,100
Total (1)	\$111,600	Total (2)	\$82,300

The difference of \$29,300 true and full value between (1) and (2) above is due to the following reason(s):

- 1. Agricultural property true and full value exceeds its agricultural value defined in N.D.C.C. § 57-02-27.2
- 2. Residential or commercial property's true and full value exceeds the market value
- 3. Error in property description, entering the description, or extending the tax
- 4. Nonexisting improvement assessed
- 5. Complainant or property is exempt from taxation (Attach a copy of Application for Property Tax Exemption)
- 6. Duplicate assessment
- 7. Property improvement was damaged by fire, flood or tornado (see N.D.C.C. § 57-23-04(1)(g))
- 8. Error in noting payment of taxes, taxes erroneously paid
- 9. Property qualifies for Homestead Credit According to N.D.C.C. § 57-02-08.1 (Attach a copy of Homestead Credit Application)
- 10. Other (Explain) WAS A STREET APPRAISAL. COMPLETE REASSESSMENT DONE
ON 2-15-2013.

The following facts relate to the market value of the residential or commercial property described above. For agricultural property, go to question #5.

1. Purchase price of property: \$ _____ Date of Purchase: _____
 Terms: Cash _____ Contract _____ Trade _____ Other (explain) _____
 Was there personal property involved in the purchase price? _____ Estimated value: \$ _____

2. Has the property been offered for sale on the open market? _____ If yes, how long? _____
 Asking price: \$ _____ Terms of sale: _____

3. The property was independently appraised: _____ Purpose of appraisal: _____
 _____ Market value estimate: \$ _____
 Appraisal was made by whom? _____

4. The applicant's estimate of market value of the property involved in this application is \$ _____

5. The estimated agricultural productive value of this property is excessive because of the following condition(s): _____

The Applicant asks that VALUES BE CHANGED TO REFLECT THE COMPLETE REASSESSMENT
 DONE ON 2-15-2013.

By filing this application, I consent to an inspection of the above-described property by an authorized assessment official for the purpose of making an appraisal of the property. I understand the official will give me reasonable notification of the inspection. See N.D.C.C. § 57-23-05.1.

I declare under the penalties of N.D.C.C. § 12.1-11-02, which provides for a Class A misdemeanor for making a false statement in a government matter, that this application is, to the best of my knowledge and belief, a true and correct application.

Signature of Preparer (if other than applicant) _____ Date _____
 Signature of Applicant Perry W. Kupfer Date 2-15-13

Recommendation of the Governing Body of the City or Township

Recommendation of the governing board of Mandan City Commissioners

On _____ the governing board of this municipality, after examination of this application and the facts, passed a resolution recommending to the Board of County Commissioners that the application be _____

Dated this _____ day of _____, _____ .

 City Auditor or Township Clerk

Action by the Board of County Commissioners

Application was _____ Approve/Rejected _____ by action of _____ County Board of Commissioners.

Based upon an examination of the facts and the provisions of North Dakota Century Code § 57-23-04, we approve this application. The taxable valuation is reduced from \$ _____ to \$ _____ and the taxes are reduced accordingly. The taxes, if paid, will be refunded to the extent of \$ _____. The Board accepts \$ _____ in full settlement of taxes for the tax year _____.

We reject this application for the following reason(s): _____

Dated _____, _____ .

 County Auditor Chairperson

Certification of County Auditor

I certify that the Board of County Commissioners took the action stated above and the records of my office and the office of the County Treasurer show the following facts as to the assessment and the payment of taxes on the property described in this application.

Year	Taxable Value	Tax	Date Paid(if paid)	Payment Made Under Written Protest? yes / no

I further certify that the taxable valuation and the taxes ordered abated or refunded by the Board of Commissioners are as follows:

Year	Reduction in Taxable Valuation	Reduction in Taxes

 County Auditor Date

**Application For Abatement
 And Settlement Of Taxes**

Name of Applicant _____
 County Auditor's File No. _____
 Date Application Was Filed With The County Auditor _____

Board of City Commissioners
 Agenda Documentation
 Meeting Date: February 19, 2013
 Subject: Street Appraisal - Reduction in structure value for Perry Kupfer
 Page 4 of 5

02/15/13		RESIDENTIAL ASSESSMENTS FOR CITY OF WANDAN										AS1325 TEST		PAGE	
SEQUENCE NUMBER	SUBJECT	ADJ FACTOR	COMPARABLE SALE #1	COMPARABLE SALE #2	COMPARABLE SALE #3	COMPARABLE SALE #4	ADJ	ADJ	ADJ	ADJ	ADJ	ADJ	ADJ	ADJ	ADJ
APPRAISAL DATE	01/01/2010	04/12/2011	10/07/2010	08/19/2010	09/24/2010	09/24/2010	09/24/2010	09/24/2010	09/24/2010	09/24/2010	09/24/2010	09/24/2010	09/24/2010	09/24/2010	09/24/2010
07915	45600	200	75400	86300	109300	82300	400	400	400	400	400	400	400	400	400
1980	1980	1	1978	1978	1980	1978	151	171	171	1980	1978	155	155	155	155
3	3	5	4	4	4	4	3770-	4315-	4315-	5465-	4115-	4115-	4115-	4115-	4115-
3	3	.75	3	3	3	3	500	173-	173-	1500-	541	541	541	541	541
5	5	.05	5	5	5	5	0	700	700	700	700	700	700	700	700
1	1	500	1	1	1	1	0	0	0	0	0	0	0	0	0
4	4	1000	4	4	4	4	0	0	0	0	0	0	0	0	0
0	0	100	0	0	0	0	0	0	0	0	0	0	0	0	0
0	0	100	0	0	0	0	0	0	0	0	0	0	0	0	0
2	2	2	2	2	2	2	400	4315-	4315-	4315-	4115-	4115-	4115-	4115-	4115-
2	2	10	2	2	2	2	3000	400	400	400	400	400	400	400	400
4	4	100	4	4	4	4	400	3000	3000	3000	3000	3000	3000	3000	3000
4	4	100	4	4	4	4	400	400	400	400	400	400	400	400	400
6	6	5000	6	6	6	6	3920-	3360	3360	3360	3360	3360	3360	3360	3360
0	0	640	0	0	0	0	0	0	0	0	0	0	0	0	0
0	0	15	0	0	0	0	0	0	0	0	0	0	0	0	0
0	0	15	0	0	0	0	0	0	0	0	0	0	0	0	0
198125	198125	0	200965	201041	201208	201025	509	509	509	509	509	509	509	509	509
640/09	640/09	0	768/04	560/05	6320	560/05	6320	6320	6320	6320	6320	6320	6320	6320	6320
			80,228	93,259	103,260	89,973									
			MEAN ADJUSTED SALE	MEAN ADJUSTED SALE	MEAN ADJUSTED SALE	MEAN ADJUSTED SALE									
			0	0	0	0									
			DATE 00/00/0000	DATE 00/00/0000	DATE 00/00/0000	DATE 00/00/0000									
			AS OF 2-1-2012	AS OF 2-1-2012	AS OF 2-1-2012	AS OF 2-1-2012									
			LISTING PRICE	LISTING PRICE	LISTING PRICE	LISTING PRICE									
			90,390	90,400	90,400	90,400									
			INDICATED NET VALUE	INDICATED NET VALUE	INDICATED NET VALUE	INDICATED NET VALUE									
			89,200	89,200	89,200	89,200									
			PREVIOUS MKT VALUE	PREVIOUS MKT VALUE	PREVIOUS MKT VALUE	PREVIOUS MKT VALUE									
			0	0	0	0									
			VALUE PER SQ FT												
			137.80	137.80	137.80	137.80									
			COEF OF VAR	COEF OF VAR	COEF OF VAR	COEF OF VAR									
			9.04	9.04	9.04	9.04									

81,300 w/ 9%

Board of City Commissioners
 Agenda Documentation
 Meeting Date: February 19, 2013
 Subject: Street Appraisal - Reduction in structure value for Perry Kupfer
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2/15/13
 AS1057

Mandan Assessing Dept
 Property Data Sheet

Page 1

KUPFER PERRY W & C
 4405 CROWN PT RD NW
 MANDAN ND 58554

City Parcel No. 07915
 County No. 65-005382000
 Assessment Year 2012

Property Address: 4405 CROWN PT RD NW

Property Type: RESIDENTIAL

Legal Description
 1-L

Lot Block 004 Addition 0085 VENTURES

Total Property - Land

Area Factor 560 TOWNHOUSE < \$100,000
 Zoning RM
 Lot Width 20 Ft
 Lot Depth 151 Ft
 Lot Sq Ft 3032 SqFt
 Irregular Shape No
 Alley No
 Cul-De-Sac No
 Corner No
 Utilities Yes
 Underground Util Yes
 Street Hard Surface
 Sidewalk Yes
 Location Inland
 Flood Plain Degree
 Acres .07
 Lot Sale Price 0
 Lot Sale Date

Building Data

Year Built 1980
 Effective Year 1980
 Basement Walls Poured Concrete
 Condition Fair
 Quality Average
 Construction Type 2x4 Construction
 Stories BI/L
 Roof Cover Asphalt/Compound
 Roof Type Gable
 Heating Fuel Gas
 Heating Type Forced Air
 Air Conditioning Wall
 Flr Tot Rms Bed Bath
 01 3 0 1.00 656 SqFt
 BF 3 3 1.00 640/640 SqFt
 Quality Excellent
 Tot Finished Area 1296 SqFt
 Exterior Walls Metal Siding
 Basement Full
 Dining Room Area Formal
 Kitchen Cabinets Custom Hardwood
 Built-Ins Yes

Interior Walls Sheetrock
 Interior Finish Painted
 Fireplace No
 Floors Softwood
 Floor Covering Carpet
 Apartment None

Garage

Detached 1 Stall with 240 SqFt
 Quality Average

Additional Data

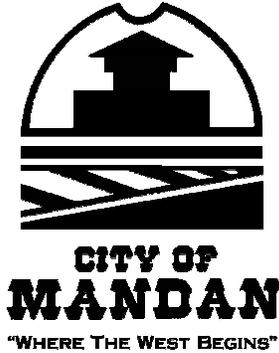
Electronics No
 Home Theater No
 Smart Home No
 Swimming Pool No
 Sump Pump No

Additional Area

Deck 68 SqFt

Other Area

Listing Date
 Listing Price 0
 Review Date 10/17/2011 GEORGER
Final App. Date 01/01/2010 GEORGER
 2012 Mrkt Value 111600 Land 5200
 Bldg 106400
 2011 Mrkt Value 89200 Land 3600
 Bldg 85600
 2012 Est Tax Amount 1980.98
 Selling Price Includes Special Assessments
 Current Sale Price 0
 Current Sale Date
 Previous Sale Price 0
 Previous Sale Date
 Data Sheet Printed By: Shirley Shaw



Consent No. 4ivc

Board of City Commissioners

Agenda Documentation

MEETING DATE: February 19, 2013
PREPARATION DATE: February 14, 2013
SUBMITTING DEPARTMENT: Assessing/Bldg Inspections
DEPARTMENT DIRECTOR: Richard L Barta
PRESENTER: Richard L Barta
SUBJECT: Street Appraisal - Reduction in structure value for L. Vollmer

STATEMENT/PURPOSE: To consider a reduction in the structure value for the 2012 year for Ms. Vollmer's property, due to assessment that was made as a street appraisal and final review.

BACKGROUND/ALTERNATIVES: This parcel is also known as Parcel #954, Lot 13 Block 1, Gerard's 1st.

Reason for abatement: To lower the structure value for the 2012 year from \$83,800 to \$29,400. After the final walk through of Ms. Vollmer's property to determine accuracy of our data and conducting a market analysis, I have arrived at a true and full value of \$29,400 for the 2012 year rather than \$83,800 a difference in true and full value of \$54,400.

ATTACHMENTS: Application for 2012, market analysis and data sheet.

FISCAL IMPACT: Approximately \$522.00

STAFF IMPACT: N/A

LEGAL REVIEW: N/A

RECOMMENDATION: I recommend a motion to approve to lower the true and full value for the 2012 year to \$29,400 for Ms. Vollmer's property.

SUGGESTED MOTION: A motion to approve a reduction for Ms. Vollmer's property in the 2012 year with a true and full value to \$29,400.

Application For Abatement And Settlement Of Taxes

North Dakota Century Code § 57-23-04

File with the County Auditor on or before November 1st of the year following the year in which the tax becomes delinquent.

State of North Dakota

County of Morton

Name BUCHHOLTZ G & VOLLMER L

Address 506 3 AVE SE

Legal Description of the property involved in this application

Lot: 0013

Block: 001

GERARDS 1ST

Property ID Number

City 954

County 65-1076000

Total true and full value of the property described above for the year 2012 is:

Land \$12,700
 Improvements \$71,100
 Total (1) \$83,800

Total true and full value of the property described above for the year 2012 should be:

Land \$12,700
 Improvements \$16,700
 Total (2) \$29,400

The difference of \$54,400 true and full value between (1) and (2) above is due to the following reason(s):

- 1. Agricultural property true and full value exceeds its agricultural value defined in N.D.C.C § 57-02-27.2
- 2. Residential or commercial property's true and full value exceeds the market value
- 3. Error in property description, entering the description, or extending the tax
- 4. Nonexisting improvement assessed
- 5. Complainant or property is exempt from taxation (Attach a copy of Application for Property Tax Exemption)
- 6. Duplicate assessment
- 7. Property improvement was damaged by fire, flood or tornado (see N.D.C.C. § 57-23-04(1)(g))
- 8. Error in noting payment of taxes, taxes erroneously paid
- 9. Property qualifies for Homestead Credit According to N.D.C.C. § 57-02-08.1 (Attach a copy of Homestead Credit Application)
- 10. Other (Explain) WAS STREET APPRAISAL

The following facts relate to the market value of the residential or commercial property described above. For agricultural property, go to question #5.

1. Purchase price of property: \$ _____ Date of Purchase: _____
 Terms: Cash _____ Contract _____ Trade _____ Other (explain) _____
 Was there personal property involved in the purchase price? _____ Estimated value: \$ _____
2. Has the property been offered for sale on the open market? _____ If yes, how long? _____
 Asking price: \$ _____ Terms of sale: _____
3. The property was independently appraised: _____ Purpose of appraisal: _____
 _____ Market value estimate: \$ _____
 Appraisal was made by whom? _____
4. The applicant's estimate of market value of the property involved in this application is \$ _____
5. The estimated agricultural productive value of this property is excessive because of the following condition(s): _____

The Applicant asks that Complete reassessment completed on 2/14/13.

By filing this application, I consent to an inspection of the above-described property by an authorized assessment official for the purpose of making an appraisal of the property. I understand the official will give me reasonable notification of the inspection. See N.D.C.C. § 57-23-05.1.

I declare under the penalties of N.D.C.C. § 12.1-11-02, which provides for a Class A misdemeanor for making a false statement in a government matter, that this application is, to the best of my knowledge and belief, a true and correct application.

Signature of Preparer (if other than applicant) _____ Date _____

L. Vollmer Signature of Applicant Date 2-14-13

Recommendation of the Governing Body of the City or Township

Recommendation of the governing board of Mandan City Commissioners

On _____ the governing board of this municipality, after examination of this application and the facts, passed a resolution recommending to the Board of County Commissioners that the application be _____

Dated this _____ day of _____, _____ .

 City Auditor or Township Clerk

Action by the Board of County Commissioners

Application was _____ Approve/Rejected _____ by action of _____ County Board of Commissioners.

Based upon an examination of the facts and the provisions of North Dakota Century Code § 57-23-04, we approve this application. The taxable valuation is reduced from \$ _____ to \$ _____ and the taxes are reduced accordingly. The taxes, if paid, will be refunded to the extent of \$ _____. The Board accepts \$ _____ in full settlement of taxes for the tax year _____.

We reject this application for the following reason(s): _____

Dated _____, _____ .

 County Auditor Chairperson

Certification of County Auditor

I certify that the Board of County Commissioners took the action stated above and the records of my office and the office of the County Treasurer show the following facts as to the assessment and the payment of taxes on the property described in this application.

Year	Taxable Value	Tax	Date Paid(if paid)	Payment Made Under Written Protest? yes / no

I further certify that the taxable valuation and the taxes ordered abated or refunded by the Board of Commissioners are as follows:

Year	Reduction in Taxable Valuation	Reduction in Taxes

 County Auditor Date

**Application For Abatement
 And Settlement Of Taxes**

Name of Applicant _____

County Auditor's File No. _____

Date Application Was Filed With The County Auditor _____

Board of City Commissioners
 Agenda Documentation
 Meeting Date: February 19, 2013
 Subject: Street Appraisal - Reduction in structure value for L. Vollmer
 Page 4 of 5

2/14/13
 AS1057

Mandan Assessing Dept
 Property Data Sheet

Page 1

BUCHHOLTZ G & VOLLMER L
 506 3 AVE SE
 MANDAN ND 58554

City Parcel No. 00954
 County No. 65-001076000
 Assessment Year 2012

Property Address: 506 3 AVE SE

Property Type: RESIDENTIAL

Legal Description

Lot 0013 Block 001 Addition 0010 GERARDS 1ST

Total Property - Land

Area Factor 24 AF 20-BUILT IN 40'S
 Zoning RM
 Lot Width 50 Ft
 Lot Depth 140 Ft
 Lot Sq Ft 7000 SqFt
 Irregular Shape No
 Alley Yes
 Cul-De-Sac No
 Corner No
 Utilities Yes
 Underground Util No
 Street Hard Surface
 Sidewalk Yes
 Location Inland
 Flood Plain Degree
 Acres .16
 Lot Sale Price 0
 Lot Sale Date

Fireplace No
 Floors Softwood
 Floor Covering Carpet
 Apartment None

Garage

Detached 2 Stall with 616 SqFt
 Quality Average
 Detached 1 Stall with 352 SqFt
 Quality Average

Additional Data

Electronics No
 Home Theater No
 Smart Home No
 Swimming Pool No
 Sump Pump No

Additional Area

Deck 176 SqFt
 Deck 114 SqFt
 Entry 78 SqFt

Other Area

Listing Date
 Listing Price 0
 Review Date 07/14/2011 CHERYLW
 Final App. Date 02/14/2013 RLB

Building Data

Year Built 1945
 Effective Year 1945
 Basement Walls Poured Concrete
 Condition Fair
 Quality Fair
 Construction Type 2x4 Construction
 Stories One Story
 Roof Cover Asphalt/Compound
 Roof Type Gable
 Heating Fuel Gas
 Heating Type Hot Water
 Air Conditioning None
 Flr Tot Rms Bed Bath
 01 4 2 1.00 902 SqFt
 BF 0 0 .00 368/0 SqFt
 Quality None
 Tot Finished Area 902 SqFt
 Exterior Walls Metal Siding
 Basement Partial
 Dining Room Area Formal
 Kitchen Cabinets Softwood
 Built-Ins No
 Interior Walls Combination
 Interior Finish Combination

2012 Mrkt Value 83800 Land 12700
 Bldg 71100

2011 Mrkt Value 55300 Land 12300
 Bldg 43000

2012 Est Tax Amount 1487.51

Selling Price Includes Special Assessments

Current Sale Price 10500
 Current Sale Date 11/10/2010

Previous Sale Price 0

Previous Sale Date

Data Sheet Printed By: Shirley Shaw

Board of City Commissioners

Agenda Documentation

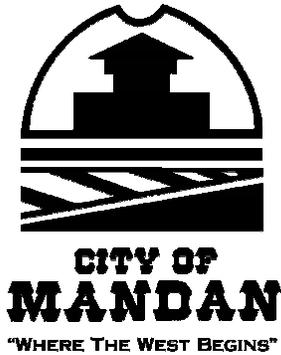
Meeting Date: February 19, 2013

Subject: Street Appraisal - Reduction in structure value for L. Vollmer

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02/14/13		RESIDENTIAL ASSESSMENTS FOR CITY OF MANDAN				AS1325 TEST		PAGE	
APPRAISAL OF IMPROVED PROPERTY		COMPARABLE SALE #1		COMPARABLE SALE #2		COMPARABLE SALE #3		COMPARABLE SALE #4	
SEQUENCE NUMBER	SUBJECT	ADJ FACTOR	COMPARABLE SALE #1 DESCRIPTIVE	COMPARABLE SALE #2 DESCRIPTIVE	COMPARABLE SALE #3 DESCRIPTIVE	COMPARABLE SALE #4 DESCRIPTIVE	DATE	VALUE PER SQ FT	COEF OF VAR
00954	02/14/2013	07651	02/15/2011	03726	04441	01260	01/13/2011	52500	
10500		93300		43500	30300				
1945	YEAR BUILT	1957	1944	1944	1949	1948			
1945	CONDITION	1954	1944	1944	1949	1948			
3	QUALITY	4	8604-	4310	2000-	1500-			
3	EXTERIOR WALLS	4	8397-	3315-	2079	4725-			
1	EXTERIOR WALLS	1	506-	1	1	1			
0	AIR CONDITIONING	12	2000-	1	30	500-			
3	BATHS/FIXTURES	6	1500-	3	500-	1500-			
1	KITCHEN/CABINETS	0	0	0	0	0			
0	FIREPLACE QUALITY	0	0	0	0	0			
2	FLOOR PLAN	2	1500-	2	3000	1500-			
0	BASMENT FINISH	2	10-	2	400	20-			
2	GARAGE	0	400	0	7800	5200			
3	GARAGE QUALITY	0	400	0	400	400			
4	GARAGE QUALITY	0	400	0	400	400			
0	SWIMMING POOL	0	0	0	0	0			
92	TOPICAL LOT	1192	10080-	96	2940-	1750			
0	2ND FLOOR AREA	0	0	0	0	0			
0	3RD FLOOR AREA	0	0	0	0	0			
0	4TH FLOOR AREA	0	0	0	0	0			
24	ADJUSTMENT COST	201091	2370	49	15000-	15000-			
201091	DATE OF SALE	201091	2370	201091	1105	1838			
0/00	PROPERTY LOCATION	1190/04	5950-	180/03	720-	3360-			
	ADJUSTED SALE	58,853		29,619	29,988	28,195			
32,263	WEIGHTED AVG			36,664	12,828	35.0%			
32,300	INDICATED MKT VALUE								
55,300	PREVIOUS MKT VALUE								

32,300 - 98 = 32,202



Board of City Commissioners

Agenda Documentation

MEETING DATE: February 19, 2013
PREPARATION DATE: February 10, 2013
SUBMITTING DEPARTMENT: Engineering & Planning
DEPARTMENT DIRECTOR: Kim Fettig, Project Manager
PRESENTER: Kim Fettig, Project Manager
SUBJECT: Introduction of New Employee – Matthew Saylor

STATEMENT/PURPOSE:

Introduction of Engineering Technician, Matthew Saylor, to the Board of City Commission.

BACKGROUND/ALTERNATIVES:

Matthew has an Associate's degree in Engineering Technology from Bismarck State College and has worked with Bartlett & West before coming to work for the City of Mandan.

ATTACHMENTS: N/A

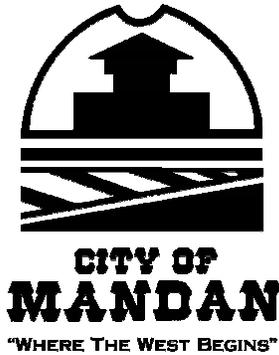
FISCAL IMPACT: N/A

STAFF IMPACT: N/A

LEGAL REVIEW: N/A

RECOMMENDATION: N/A

SUGGESTED MOTION: N/A



Board of City Commissioners

Agenda Documentation

MEETING DATE: February 19, 2013
PREPARATION DATE: February 14, 2013
SUBMITTING DEPARTMENT: Police
DEPARTMENT DIRECTOR: Chief Dennis A. Bullinger
PRESENTER: Chief Dennis A. Bullinger
SUBJECT: Introduction of Police Officer

STATEMENT/PURPOSE:

Introduction of Police Officer Nicolas Hinze

BACKGROUND/ALTERNATIVES:

Nick is a 2010 graduate of Alexandra Technical College, where he received his Associate's Degree while successfully completing the Law Enforce Training Program at Alexandra. Prior to attending Alexandra, Nick served in the US Military from 2006 to 2010, with one deployment to Iraq. Nick is currently in our Field Training Program.

ATTACHMENTS: N/A

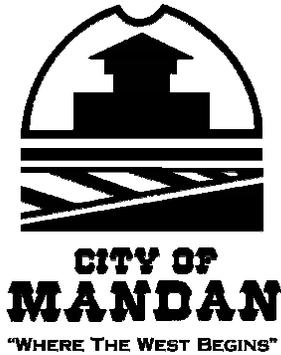
FISCAL IMPACT: N/A

STAFF IMPACT: N/A

LEGAL REVIEW: N/A

RECOMMENDATION: N/A

SUGGESTED MOTION: N/A



Board of City Commissioners

Agenda Documentation

MEETING DATE: February 19, 2013
PREPARATION DATE: February 14, 2013
SUBMITTING DEPARTMENT: Assessing & Building Inspections
DEPARTMENT DIRECTOR: Richard Barta
PRESENTER: Richard Barta
SUBJECT: Introduction of New Employee Carolyn Reisenauer

STATEMENT/PURPOSE:

Introduction of Assessing and Building Permit Technician, Carolyn Reisenauer, to the Board of City Commission.

BACKGROUND/ALTERNATIVES:

Carolyn has worked as a Warranty Administrator/Service Advisor for Bill Barth Ford for the past 17 years and brings lots of experience working with the public and customer service. She grew up in St. Anthony, ND and has lived in Mandan, ND for the past 20 years. Carolyn has a husband and two children and is actively involved in their children's local basketball and wrestling sporting events.

ATTACHMENTS: N/A

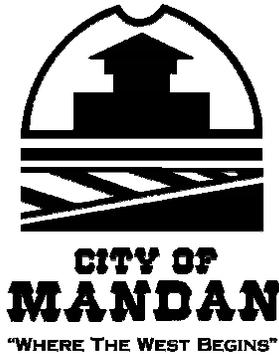
FISCAL IMPACT: N/A

STAFF IMPACT: N/A

LEGAL REVIEW: N/A

RECOMMENDATION: N/A

SUGGESTED MOTION: N/A



Board of City Commissioners

Agenda Documentation

MEETING DATE: February 19, 2013
PREPARATION DATE: February 14, 2013
SUBMITTING DEPARTMENT: Business Development & Communications
DEPARTMENT DIRECTOR: Ellen Huber, Business Development & Communications Director
PRESENTER: Ellen Huber, Business Development & Communications Director
SUBJECT: Agreements for Sale & Development of Collins & Main Parcels.

STATEMENT/PURPOSE: To consider agreements for the sale and development of Collins and Main parcels with Dakota Commercial and Development Company.

BACKGROUND/ALTERNATIVES: The City Commission at a January meeting provided direction to staff to negotiate agreements with Dakota Commercial and Development Company for the purchase and redevelopment of city-owned property located at the intersection of Collins Avenue and Main Street. The decision was based on offers and building plans received in response to a request for proposals issued last fall.

Key parameters of the proposed agreements:

- Sales price — \$1 psf or \$16,250 total with half upon signing of purchase agreement and half at closing.
- Timeline — Closing and commencement of construction to occur no later than Sept. 1, 2013. Completion of construction to occur by Dec. 31, 2014.
- Project scope — 4-story building with at least 3,000 sf of commercial space at street level and approximately 29 apartments on upper stories.
- Incentives — anticipate application for five years of Renaissance Zone benefits (100% property tax exemption on the structure) for the commercial space and 2 years for the apartments. Land is not subject to exemption.
- Clawback provisions
 - Restrictions on resale of land or major change in scope of project without City Commission consent — Reimbursement of full market value (\$162,500) if minimum project goals are not met. This provision intended to discourage resale of property for a different project or a drastic change in the scope of the project.

- Enticement to secure one or more businesses for main floor commercial space.
 - If commercial space is not fully leased or sold and occupied within one-year of issuance of certificate of occupancy for the remainder of the building, 50% of any Renaissance Zone benefits granted for the commercial space would be withdrawn.
 - If commercial space is not fully leased or sold and occupied within 2 years of issuance of certificate of occupancy for the remainder of the building, the remaining 50% of any Renaissance Zone benefits granted for the commercial space would be withdrawn.

ATTACHMENTS:

- Proposed purchase agreement
- Proposed business incentive agreement
- Preliminary site concepts (developer is looking at replace green space with parking)

FISCAL IMPACT: \$16,250 from the sale of the property plus future anticipated tax revenues of about \$59,000 per year on an approximate \$3 to \$4 million building.

STAFF IMPACT: Minimal

LEGAL REVIEW: Attorney Brown drafted the proposed agreements.

RECOMMENDATION: I recommend approval of the proposed purchase and business incentive agreements.

SUGGESTED MOTION: I move to approve the proposed purchase and business incentive agreements with Dakota Commercial and Development Company for the purchase and redevelopment of city-owned properties located at Collins Avenue and Main Street.

**PURCHASE AGREEMENT
BY AND BETWEEN**

City of Mandan

and

Dakota Commercial & Development Co.

Collins and Main Project

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PURCHASE AGREEMENT

THIS PURCHASE AGREEMENT ("Agreement") made as of _____, 2013, the effective date ("Effective Date"), by and between Dakota Commercial & Development Co., of P.O. Box 14010, Grand Forks, ND 58208, and its Assigns ("Buyer") and the City of Mandan, 205 2nd Avenue NW, Mandan, ND 58554 ("Seller").

RECITALS

Seller is the owner of land located in Mandan, North Dakota ("Real Property"). Said Real Property is legally described in Exhibit A-1 attached hereto.

1. Sale of Real Property. Buyer agrees to purchase from Seller and Seller hereby agrees to sell and convey to Buyer the Real Property for a Purchase Price ("Purchase Price") of \$16,250.00. With respect to this Agreement, Buyer and Seller agree that:

1.1 Buyer shall be responsible for payment of appraisals.

1.2 Seller shall be responsible for payment of costs of updating the abstract and completing a current ALTA survey establishing locations of structures, easements, and property boundaries.

1.3 Buyer acknowledges that the Real Property described in Exhibit A-1 will be used for the construction of a four-story building approximately 46,000 sq. ft. in size consisting of approximately 3,000 sq. ft. of retail/commercial space on the ground floor and 29 one or two bedroom apartments on floors 2, 3 and 4.

2. Payment of Purchase Price. The Purchase Price, as set forth in section 1 herein, shall be paid by Buyer to Seller in the following manner:

2.1 The sum of \$8,125.00 upon the execution of this Agreement and the balance of \$8,125.00 in cash on the Closing Date.

3. Contingencies. It is understood and agreed by and between the parties hereto that the respective obligations of Buyer and Seller hereunder shall be subject to and conditional upon satisfaction of the conditions set forth herein. Upon the failing of any

condition precedent, this Agreement shall thereupon terminate and be of no further force or effect. The conditions precedent are:

- 3.1 Seller conveying marketable title to the Real Property, as herein set forth, free and clear of any and all liens or encumbrances whatsoever (except as set forth in section 4 and as referenced in the Business Incentive Agreement at section 3.3 herein).
- 3.2 Buyer being able to construct a four-story 46,000 sq. ft. building with 29 one and two bedroom apartments on floors 2, 3 and 4, and 3,000 sq. ft. of commercial or retail space at street level on the property described in Exhibit A-1, substantially in accordance with preliminary plans dated November 9, 2012, and attached hereto as Exhibit B.
- 3.3 Seller and Buyer entering into a Business Incentive Agreement regarding Buyer's obligations for development of the Property.

4. Evidence of Title. Within thirty (30) days after execution of this Agreement, Seller shall furnish Buyer with an updated abstract to the Real Property, certified to date and including property searches covering bankruptcies, state and federal judgments and liens. Buyer shall be allowed thirty (30) days after receipt thereof for examination of title and the making of any objections thereto. Such objections shall be deemed waived unless made in writing. If any objections are so made, Seller shall be allowed thirty (30) days to make such title marketable. Pending correction of title, the closing herein shall be postponed. If title is not marketable and is not made so within thirty (30) days from the date of written objection thereto as herein set forth, this Agreement shall be null and void, at the option of Buyer, and neither party shall be liable for damages hereunder. If title to the Real Property is found marketable or is so made within said time, and Buyer, subject to satisfaction of all of the other terms and conditions herein set forth, shall default in any of the agreements herein set forth and continue in default for period of thirty (30) days, then and in such case, Seller may terminate this Agreement.

5. Closing Date. Subject to satisfaction of the conditions precedent herein set forth on a date to be agreed to by the parties:

- 5.1 Seller shall convey and deliver to Buyer on the Closing Date the following:
 - (a) A Quit Claim Grant Deed in recordable form and properly executed, conveying all of the Seller's right, title, and interest to the Real Property

with the limited warranties implied by N.D.C.C. § 47-10-19, but subject to any liens or encumbrances for special assessments.

- (b) All other documents affecting title to and possession of the Real Property and necessary to transfer or assign same to Buyer, the interest Seller has agreed to convey as set forth above.
- (c) Closing Costs: Seller shall be responsible for the following closing costs:
 - i. abstract continuation(s),
 - ii. preparation of Quit Claim Deed,
 - iii. preparation and recording of all releases, satisfactions and corrective documents,
 - iv. Buyer shall be responsible for title examination fees and recordation of Quit Claim Deed to Buyer. Any closing cost not specifically enumerated herein shall be the responsibility of the party ordering such item or contracting therefor. In the special event that Buyer or Buyer's lender requires title insurance, the cost thereof shall be entirely paid by Buyer with the exception of the furnishing of a continued abstract by Seller.

5.2 The parties agree that closing shall take place at a place to be determined thirty (30) days after the satisfaction and removal of all contingencies, or such earlier date as agreed by the parties.

6. Taxes. On the Closing Date, Seller shall be responsible for all real estate taxes that have been levied upon the Real Property for the preceding calendar year and prior years. Real estate taxes levied during the current year shall be prorated as of the date of closing with Seller deemed to own the land on the date of closing. Buyer shall be responsible for all outstanding special assessments against the property regardless of when levied.

7. Operating Prior to Closing. Buyer and its representatives shall have the right, from and after the Effective Date hereto, to enter upon the Real Property for the purposes of examining the same and conducting such inventories, observations, tests, and investigations of the Real Property as it may desire, including demolition. Seller shall give Buyer and its

representatives full access, at all reasonable times, prior to and after Closing, to all of its books and records with respect to the ownership, management, maintenance and operating of the Real Property and the right to copy the same, and shall furnish Buyer with all such information concerning the same as Buyer may reasonably request.

8. Possession. Possession of the Real Property shall be delivered to Buyer effective as of the Closing Date.

9. Hazardous Substances. "Hazardous Substance" means asbestos, urea formaldehyde, polychlorinated biphenyl, nuclear fuel or materials, chemical waste, radioactive materials, explosives, known carcinogens, petroleum products or other dangerous, toxic, or hazardous pollutant, contaminant, chemical, material or substance defined as hazardous or as a pollutant or contaminant in, or the release or disposal of which is regulated by, any Law or Regulation.

"Law or Regulation" means and includes the Comprehensive Environmental Response and Liability Act ("CERCLA" or the Federal Superfund Act) as amended by the Superfund Amendments and Reauthorization Act of 1986 ("SARA") 42 U.S.C. 9601-9675; the Federal Resource Conservation and Recovery Act of 1976 ("RCRA"); the Clean Water Act 33 U.S.C. seq. and all as may be from time to time amended and any other federal, state, county, municipal, local or other statute, law ordinance or regulation which may relate to or deal with human health or the environment including, without limitation, all regulations promulgated by a regulatory body pursuant to any such statute, law, or ordinance.

"Land" or "Improvements" means the land and buildings and all fixtures or other personal property or portions of the project being purchased.

9.1 Seller warrants and represents for the benefit of Buyer that the following are true and correct as of the Effective Date of this Agreement:

- (a) To the best of Seller's knowledge there are no above ground storage tanks located on the premises. The Board of City Commissioners, City Engineer, and City Building Inspector have no current knowledge of any underground storage tanks having been located on the Real Property.
- (b) To the best of Seller's knowledge, the Real Property is not listed in the United States Environmental Protection Agency's National Priorities List of Hazardous Waste Sites nor any other list, schedule, log,

inventory, or record of hazardous waste sites maintained by any state, federal, or local agency.

- (c) Seller has disclosed to Buyer all reports and investigations commissioned by Seller and relating to Hazardous Substances and the premises.
- (d) Notwithstanding anything contained herein to the contrary, Seller makes no representations or warranties with respect to the future condition of the Real Property or with respect to compliance with any Law or Regulation or respect to the existence of, or compliance with, any required permits of any governmental agency.

9.2 Buyer warrants and represents for the benefit of Seller that the following are true and correct as of the Effective Date of this Agreement:

- (a) Buyer has inspected the Real Property and has otherwise been afforded the opportunity to conduct such investigations and study on and of the Real Property as it deems necessary for the purpose of acquiring the Real Property for Buyer's intended use.
- (b) Buyer has contacted or will contact the North Dakota Department of Health or will otherwise inform itself as to the scope and extent of the Petroleum Product and Other Chemical Additive Contamination of the Real Property, and will receive approval by said department for the general proposed design and construction of the project.
- (c) Buyer acknowledges that Seller has communicated to Buyer the fact there is petroleum product and other chemical additive contamination (herein referred to as the "Petroleum Product and Other Chemical Additive Contamination") on or under the Real Property (that may be both hazardous and non-hazardous), which is currently the subject of a remediation project by the Mandan Remediation Trust.
- (d) Buyer acknowledges that Seller has communicated to Buyer the fact that the Mandan Remediation Trust is currently working to capture the Petroleum Product and Other Chemical Additive Contamination from beneath the Real Property. This process has involved the drilling of underground horizontal wells, the operation of extraction wells, pipelines and remote manifolds in, on or under the Real Property,

which will require continued access to the Real Property by Seller or the Mandan Remediation Trust. Seller acknowledges that said wells, piping, and other related equipment could make the property undevelopable, thus allowing Buyer to terminate this Agreement.

- 9.3 Buyer believes that it understands the condition of the Real Property, and as between Buyer and Seller, Buyer accepts that there may be defects and conditions that cannot be observed by casual inspection and that have not been revealed by its inspections and investigations to date. Buyer's acceptance of the Real Property with the risks of such unknown possible defects and conditions is for the benefit of Seller, but no other entity or other third party, including no other previous owner, lessee, licensee, or user of the property, and no other possible responsible party, for any and all such defects and conditions. Except as otherwise provided herein, Buyer acknowledges and agrees that the Real Property is being sold to, and accepted by, Buyer in its present condition, "as is" and with all defects and faults.
- 9.4 Buyer, on behalf of itself and its successors and assigns, hereby releases Seller (including its officials, officers, employees, and agents) from any and all actions, causes of actions, obligations, claims, demands, liabilities, losses, damages, costs, and expenses of any nature, other than in violation of this Agreement, arising out of or related to (1) the present or future physical condition of the Real Property, (2) the presence or future presence of any Hazardous Substances (including, but not limited to, the Petroleum Project and Other Chemical Additive Contamination) on or under the Real Property, or (3) the enforcement of any Law or Regulation on account of any condition of the Land; and agrees to make no claim against the persons and entities hereby released for any matters covered by this release. This release and agreement not to sue specifically includes, but is not limited to, any claim for clean up or remediation of the Petroleum Product and Other Chemical Additive Contamination that may be required under any Law or Regulation; however, it does not include a release for the Petroleum Products and Other Chemical Additive Contamination which is the subject of the indemnification contained in the second paragraph of 9.5 below. Buyer further agrees that this release and agreement not to sue shall survive the Closing, be a covenant that runs with the Real Property, and be binding upon the successors and assigns of Buyer. Buyer and Seller agree to cooperate with regard to any application to any fund or insurance company or other indemnification vehicle or other federal or state fund designed for brownfields clean up or other similar reasons.

9.5 Buyer agrees to defend, indemnify, and hold harmless Seller (including its officials, officers, employees, and agents) from any and all claims, actions, proceedings, liabilities, damages, costs and expenses which arise from actions of Buyer after the Closing date and which may be imposed on, or asserted against, Seller and any of its officials, officers, employees, and agents at any time after the Closing Date by (1) future employees, tenants or residents of Buyer, or of Buyer's successor and assigns, as a result of exposure to the Petroleum Product and Other Chemical Additive Contamination in or under the Real Property by reason of their work on or occupancy of the Real Property or (2) Buyer's successors or assigns for matters that the parties intend that Seller be otherwise released from liability for under section 9.4 hereof. The duty of Buyer to defend, indemnify, and hold Seller, any of its officials, officers, employees, and agents, with regard to the Real Property shall survive the Closing and Buyer may not assign or delegate the responsibility for performance of these obligations without first obtaining the prior written consent of Seller.

9.6 If any representation or warranty herein contained within this section or shall be or be found to be false, then the parties whom the false representation or warranty has been made shall be entitled to terminate this agreement, or if the agreement has already been consummated, to recover damages, costs, and attorneys fees.

10. Warranties, Representations and Covenants of Seller. Subject to the matters and proceedings disclosed by Seller to Buyer in section 9 of this Agreement and the affect that those matters and proceedings might have on the Real Property, Seller warrants and represents for the benefit of Buyer that the following are true and correct as of the Effective Date of this Agreement.

10.1 That the execution and consummation of this Agreement will not result in the default or violation of any agreement or law by which Seller is bound.

10.2 That to the best of Seller's information, knowledge, and belief, there is no litigation or proceeding pending or known to Seller to be threatened against the Real Property or the operation thereof, or any facts which to the knowledge of Seller adversely affect, or in the future may adversely affect, operation of the Real Property.

- 10.3 That Seller has no knowledge of any default by any party under any agreement to which Seller is a party, involving or affecting the Real Property.
- 10.4 That to the best of Seller's information, knowledge and belief, there are no applications, orders or petitions, or any other matters pending before any governmental agency which would materially affect the Real Property.
- 10.5 That to the best of Seller's information, knowledge, and belief, no condemnation proceedings are pending or threatening against Real Property.
- 10.6 Seller has the requisite power and authority to enter into and perform this Agreement, all of Seller's actions hereunder have been duly authorized by all necessary action; and this Agreement constitutes a valid and binding obligation of Seller, enforceable in accordance with its terms.
- 10.7 Water, gas, telephone, electricity and storm sewer utilities are currently available on or near the Real Property for Buyer's use.
- 10.8 Seller is the owner of the fee simple title to the Real Property.
- 10.9 As of the Closing Date, there are no and will be no private (non-governmental) restrictions that affect the uses which may be made of the Real Property by Buyer, including, but not limited to, the size or cost of any building or structures to be placed on the Real Property, limitations on use or restrictions in regard to fences, roofs, garages and heights of buildings or structures to be placed on the Real Property, agreements to subject architectural plans to an association or other group, provisions requiring the joining with others in group actions, or restrictions imposed on the Real Property due to its historical significance.
- 10.10 There are no property interests or other improvements that are owned by Seller and which are necessary or useful for the Real Property that are not being conveyed pursuant to this Agreement.

Seller shall indemnify Buyer, its successors and assigns, against, and will hold Buyer, its successors and assigns, harmless from, any expenses or damages, including reasonable attorneys' fees, that Buyer incurs because of the breach of any of the above representations and warranties, whether such breach is discovered before or after Closing. Consummation

of this Agreement by Buyer with knowledge of any such breach by Seller will not constitute a waiver or release by Buyer of any claims due to such breach.

11. Warranties and Representations of Buyer. Buyer warrants and represents for the benefit of Seller and its successors and assigns, that the following are true and correct on the date hereof and on the Closing Date:

11.1 That Buyer has full power to enter into and perform this Agreement and the consummation of the transaction contemplated herein.

11.2 That the instrument to be executed and delivered by Buyer to Seller are legal, binding and valid obligations of Buyer enforceable against it according to their respective terms.

12. Liquidated Damages. Time is of the essence with respect to this Agreement. If Buyer shall default in any of its agreements or covenants herein contained, Seller may terminate this Agreement, free of any claim or right of Buyer and retain the sum paid on the date of this Agreement.

13. Notices. Any notice provided for herein shall be in writing and shall be deemed to have been sufficient if and when delivered personally or when deposited in the United States mail, certified return receipt requested, postage prepaid, addressed as follows:

13.1 To Buyer: Dakota Commercial & Development Co.
P.O. Box 14010
Grand Forks, ND 58208

13.2 To Seller: City Administrator
City of Mandan City Hall
205 Second Avenue NW
Mandan, ND 58554

14. Survival of Representations. The warranties, representations and covenants of Seller and Buyer, respectively, set forth in this Agreement or otherwise made in writing in connection with the transaction set forth herein, shall survive Closing and shall be binding upon their respective successors and assigns.

15. Entire Agreement. This Agreement contains the entire agreement between the parties hereto pertaining to the subject matter hereof.

16. Binding Effect. This Agreement shall inure to the benefit of and shall be binding upon the parties hereto and their respective successors and assigns.

17. Governing Law. This Agreement and the rights of the parties hereunder shall be governed by and interpreted in accordance with the laws of the State of North Dakota.

18. Remedies. If Seller defaults under this Agreement, Buyer may seek and recover from Seller damages for nonperformance or specific performance of this Agreement.

IN WITNESS WHEREOF, this Agreement has been executed as of the day and year first above written.

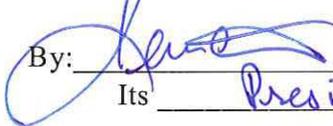
SELLER:

BUYER:

CITY OF MANDAN, NORTH DAKOTA

DAKOTA COMMERCIAL &
DEVELOPMENT CO.

By: _____
Arlyn Van Beek, President
Board of City Commissioners

By:  _____
Its President

Attest:

James Neubauer, City Administrator

EXHIBIT A-1

**REAL PROPERTY
LEGAL DESCRIPTION**

Lots 11, 12, 13, 14 and 15, Block 6, Original Town, City of Mandan, Morton
County, North Dakota.

BUSINESS INCENTIVE AGREEMENT

This Agreement, made and entered into this _____ day of _____, 2013, by and between Dakota Commercial & Development Co., of P.O. Box 14010, Grand Forks, ND 58208 (“Developer”) and the City of Mandan, a North Dakota Municipal Corporation, of 205 Second Avenue NW, Mandan, ND 58554 (“City”).

WHEREAS, The City has agreed to sell to Developer for a purchase price of \$16,250.00 the real property owned by the City as described below:

The Project to be located at Collins Avenue and Main Street (Lots 11-15, Block 6, Original Town) is expected to include a four-story building consisting of approximately 29 one and two bedroom residential units and at least 3,000 sq. ft. of commercial/retail space at ground level, in a size and manner to be determined.

WHEREAS, The parties acknowledge that said property has a current market value of \$162,500.00; and

WHEREAS, The City has issued requests for proposals for the sale of the property and the only proposal acceptable to the City was by the Developer to purchase the property for \$1.00 per sq. ft. (\$16,250.00) under certain terms and conditions acceptable to the City, and, based on the foregoing and notwithstanding the assessed value, the City has determined that the fair value of the property is not more than \$16,250.00; and

WHEREAS, the Developer will purchase the above described property for the sum of \$16,250.00 while assuming responsibility for site preparation costs and reconstruction; and

WHEREAS, The public purpose is to help revitalize downtown Mandan by increasing both the daytime and evening populations through retail, commercial and rental housing, and is consistent with the recommendations by the 2003 URS redevelopment study. This incentive will be used to offset a portion of the Developer’s investment in construction of a new building; and

WHEREAS, the parties desire to enter into a Business Incentive Agreement to assist in the rehabilitation of said property.

The parties agree:

As minimum attainable goals for this project, Developer will:

- Commence construction of improvements to the property by September 1, 2013 of a four-story building on the property suitable for retail and commercial use on the ground floor and 29 one and two bedroom apartments on floors 2, 3 and 4, and complete the project on or before December 31, 2014.
- Conclude the purchase of the above described property for the sum of \$16,250.00 on or before September 1, 2013.
- Promote retail/commercial business development on said property.

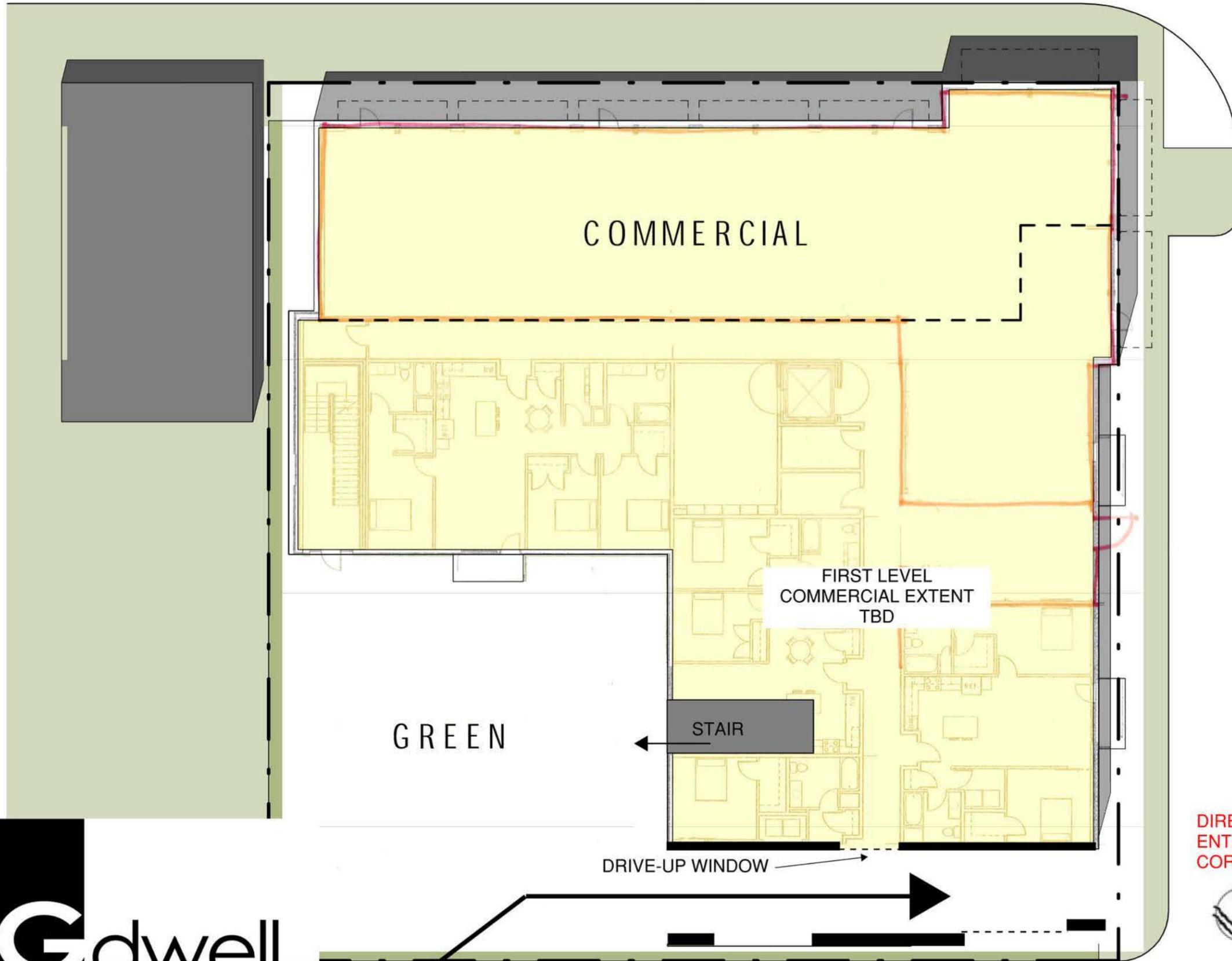
City will:

- Transfer the above described real property owned by the City to Developer for the consideration of \$16,250.00, subject to the terms of a Purchase Agreement of even date.
- Assist Developer in the application process for full Renaissance Zone tax benefits for the retail portions of the property and two years on the residential portions of the project.

In the event Developer has not started construction by September 1, 2013, title to the property will revert back to the City of Mandan.

If the Developer has not completed the project and met other minimum stated goals by December 31, 2014, or by any approved extension, Developer will:

- Reimburse the City the full and true market value of the property (\$162,500.00 less \$16,250.000 paid) if minimum project goals are not met, unless caused by an act of God or a terrorism event.
- If Developer does not have the commercial space fully leased or sold and occupied within one year of the issuance of the Certificate of Occupancy for the remainder of the building, 50% of any Renaissance Zone tax benefits granted for the commercial space would be withdrawn.



COMMERCIAL

FIRST LEVEL
COMMERCIAL EXTENT
TBD

GREEN

STAIR

DRIVE-UP WINDOW

COLLINS AVENUE

2 5003

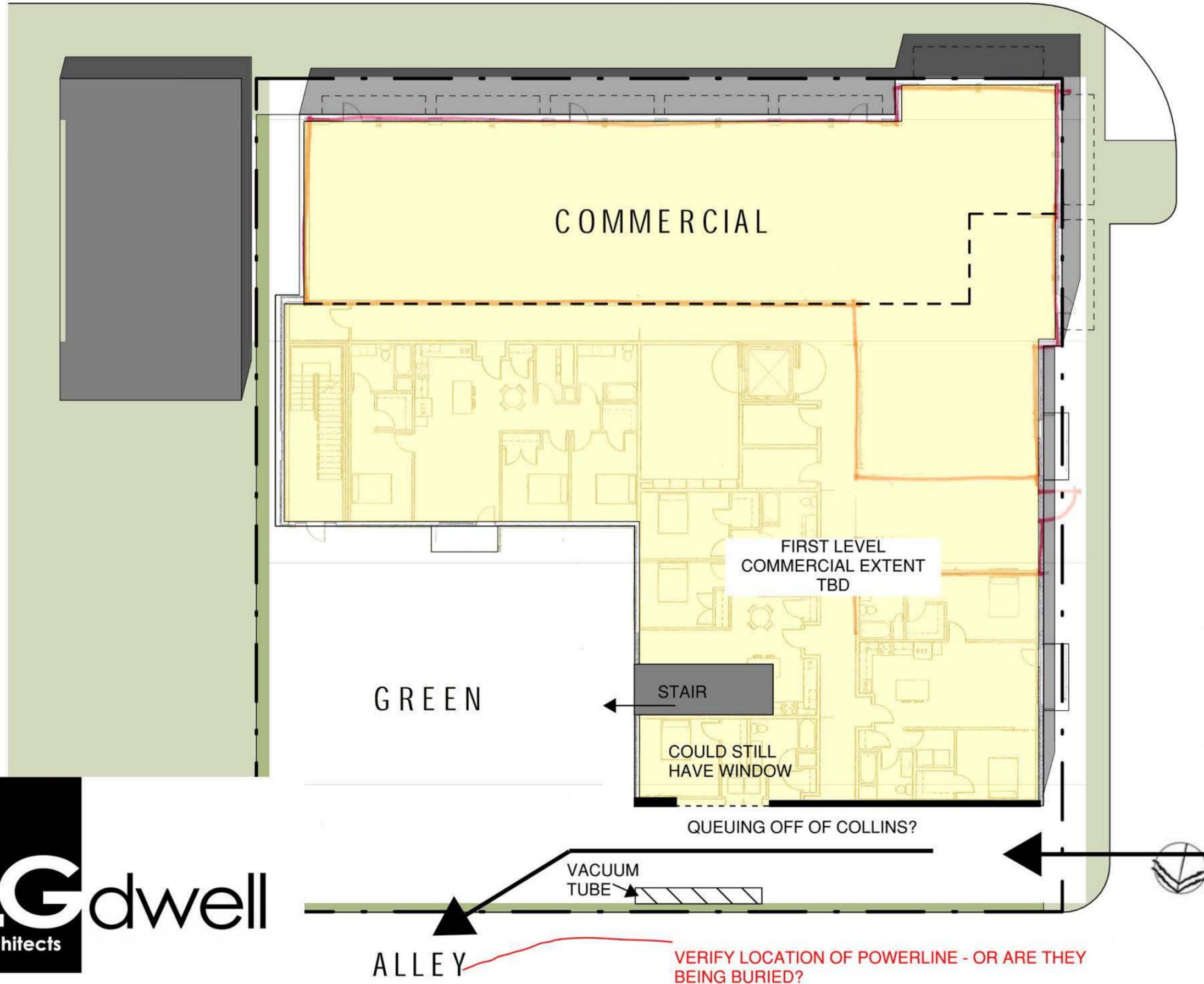
DIRECTIONAL SIGNAGE NEEDED NOTING
ENTRANCE TO DRIVE-THRU IS AROUND
CORNER/ OPPOSITE END OF ALLEY



COULD ALLEY BE DESIGNATED A 1-WAY?
VERIFY LOCATION OF POWERLINE - OR ARE THEY
BEING BURIED?

ALLEY





RESOLUTION
APPROVING CONTRACT AND CONTRACTOR'S BOND FOR
WATER & SEWER IMPROVEMENT DISTRICT NO. 60
(Project No. 2012-21)(34th Avenue SE & Genoa Court SE)

BE IT RESOLVED by the governing body of the City of Mandan, North Dakota (the "City"), as follows:

1. It is hereby found and determined that this Board has heretofore caused Notice for Advertisement for Bids to be made for an improvement Water & Sewer Improvement District No. 60 of said City, and has duly and publicly opened and considered said bids received pursuant to said Notice.
2. Said improvement is hereby ordered to be constructed in accordance with the plans and specifications therefore as heretofore adopted by this Board pursuant to a resolution duly adopted by this Board.
3. It is hereby found and determined that the lowest responsible bidder for various categories of the work, material and skill required for said improvement is Cofell's Plumbing & Heating Inc. whose bid provides for the construction of said improvement at a total estimated base price of \$272,600.00.
4. The President of the Board of City Commissioners of the City of Mandan and City Auditor are hereby authorized and directed to make and enter into a contract with said bidder on the part of the City, in the form prescribed by Sections 40-22-35 and 40-22-35, N.D.C.C. as amended, provided that said bidder shall within ten (10) days from this date execute said contract and a construction bond conditioned in accordance with the provisions of Sections 40-22-30 and 40-22-32 of said Code.

Dated this 19th day of February, 2013

Arlyn Van Beek, President of the
Board of City Commissioners

Attest:

James Neubauer,
City Administrator