

RUSCH GABBERT AND RUSCH ADDITION

BEING AUDITOR'S LOT 10, PART OF THE SW 1/4 OF SECTION 17, TOWNSHIP 138 NORTH, RANGE 79 WEST

LINCOLN, NORTH DAKOTA

DESCRIPTION

BEING AUDITOR'S LOT 10, PART OF THE SW 1/4 OF SECTION 17, TOWNSHIP 138 NORTH, RANGE 79 WEST OF THE 5TH PRINCIPAL MERIDIAN, LINCOLN, BURLEIGH COUNTY, NORTH DAKOTA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SOUTHWEST 1/4; THENCE SOUTH 00 DEGREES 39 MINUTES 59 SECONDS WEST, ALONG THE EAST LINE OF SAID SOUTHWEST 1/4, A DISTANCE OF 1840.82 FEET; THENCE NORTH 89 DEGREES 53 MINUTES 33 SECONDS WEST, A DISTANCE OF 583.76 FEET TO THE BOUNDARY OF AUDITOR'S LOT 11; THENCE NORTH 00 DEGREES 05 MINUTES 04 SECONDS EAST, ALONG SAID BOUNDARY, A DISTANCE OF 150.68 FEET; THENCE NORTH 89 DEGREES 53 MINUTES 12 SECONDS WEST, CONTINUING ALONG SAID BOUNDARY, A DISTANCE OF 234.83 FEET; THENCE SOUTH 00 DEGREES 40 MINUTES 40 SECONDS WEST, CONTINUING ALONG SAID BOUNDARY, A DISTANCE OF 90.88 FEET TO THE NORTH LINE OF AUDITOR'S LOT 9; THENCE NORTH 89 DEGREES 37 MINUTES 11 SECONDS WEST, ALONG SAID NORTH LINE, A DISTANCE OF 494.52 FEET TO THE EAST LINE OF LOT 4, BLOCK 2 SOUTHEAST INDUSTRIAL PARK; THENCE NORTH 00 DEGREES 31 MINUTES 04 SECONDS EAST, ALONG SAID EAST LINE, A DISTANCE OF 165.08 FEET; THENCE SOUTH 89 DEGREES 37 MINUTES 01 SECOND EAST, ALONG THE SOUTH LINE OF FOX MEADOWS ADDITION; THENCE NORTH 00 DEGREES 28 MINUTES 49 SECONDS EAST, ALONG SAID EAST LINE AND THE EAST LINE OF WHEATLAND HILLS 2ND ADDITION, A DISTANCE OF 1619.78 FEET TO THE NORTH LINE OF SAID SOUTHWEST 1/4; THENCE SOUTH 89 DEGREES 36 MINUTES 30 SECONDS EAST, ALONG SAID NORTH LINE, A DISTANCE OF 881.21 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT CONTAINS 37.93 ACRES, MORE OR LESS.

SURVEYOR'S CERTIFICATE

I, TERRY BALTZER, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THE ANNEXED PLAT IS A TRUE COPY OF A SURVEY PERFORMED UNDER MY SUPERVISION AND COMPLETED ON OCTOBER 22, 2015, THAT ALL INFORMATION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT ALL MONUMENTS SHOWN HEREON ARE CORRECT; THAT ALL REQUIRED MONUMENTS HAVE BEEN SET, AND THAT ALL DIMENSIONAL AND GEODETIC DETAILS ARE CORRECT.



STATE OF NORTH DAKOTA)
COUNTY OF BURLEIGH) SS

SWENSON, HAGEN & CO. P.C.
909 BASIN AVENUE
BISMARCK, NORTH DAKOTA
58504

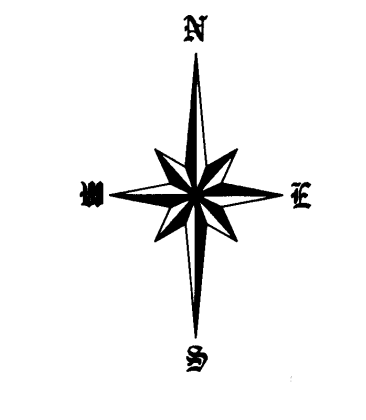
Terry Baltzer
TERRY BALTZER
PROFESSIONAL LAND SURVEYOR
N.D. REGISTRATION NO. 3595

ON THIS 23rd DAY OF FEBRUARY, 2016, BEFORE ME PERSONALLY APPEARED TERRY BALTZER, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING SURVEYOR'S CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

LISA McDONALD
Notary Public
State of North Dakota
My Commission Expires July 31, 2018

Lisa McDonald
NOTARY PUBLIC
BURLEIGH COUNTY, NORTH DAKOTA
MY COMMISSION EXPIRES JULY 31, 2018

Curve #	Length	Radius	Delta
C1	48.18'	500.00'	05°31'16"
C2	69.48'	300.00'	03°16'08"
C3	61.22'	250.00'	04°10'53"
C4	53.00'	1000.00'	03°02'12"
C5	515.72'	425.00'	06°51'32"
C6	183.94'	250.00'	04°26'48"
C7	108.79'	125.00'	04°52'03"
C8	87.03'	250.00'	03°21'42"
C9	162.11'	700.00'	03°16'08"
C10	38.54'	400.00'	05°31'16"



SCALE: 1"=60'

FEBRUARY 23, 2016

○ MONUMENT TO BE SET

⊙ MONUMENT IN PLACE

NOTES:

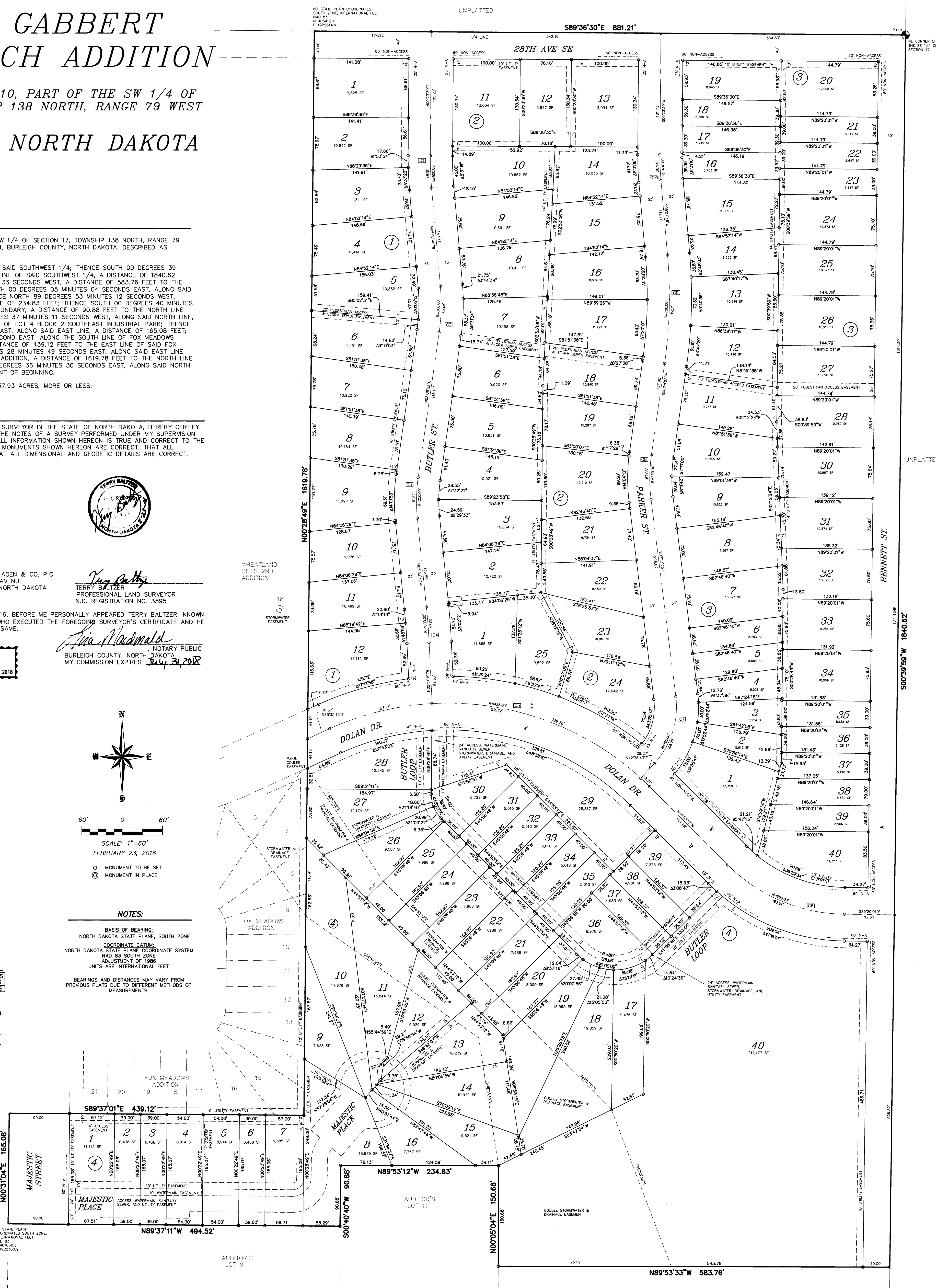
BASIS OF BEARING:
NORTH DAKOTA STATE PLANE, SOUTH ZONE
COORDINATE SYSTEM:
NORTH DAKOTA STATE PLANE COORDINATE SYSTEM
NAD 83 SOUTH ZONE
ADJUSTMENT OF 1986
UNITS ARE INTERNATIONAL FEET

BEARINGS AND DISTANCES MAY VARY FROM PREVIOUS PLATS DUE TO DIFFERENT METHODS OF MEASUREMENTS.

AREA DATA

LOTS	11,323.455 S.F.	= 30.38 ACRES
STREETS	308,968 S.F.	= 7.04 ACRES
TOTAL	1,652,023 S.F.	= 37.93 ACRES

Some land and/or improvements were not shown on the section 17-02-04-3 plat. All items created on the section 17-02-04-3 plat are shown on this plat. The section 17-02-04-3 plat is hereby corrected to show the correct boundaries and areas. The section 17-02-04-3 plat is hereby corrected to show the correct boundaries and areas. The section 17-02-04-3 plat is hereby corrected to show the correct boundaries and areas.



RUSCH GABBERT AND RUSCH ADDITION

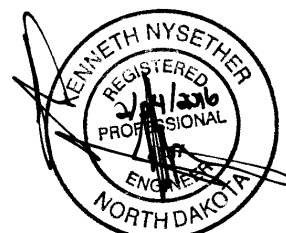
BEING AUDITOR'S LOT 10, PART OF THE SW 1/4 OF SECTION 17, TOWNSHIP 138 NORTH, RANGE 79 WEST

LINCOLN, BURLEIGH COUNTY, NORTH DAKOTA



APPROVAL OF CITY ENGINEER

I, KENNETH NYSETH, P.E., CITY ENGINEER OF THE CITY OF LINCOLN, NORTH DAKOTA, HEREBY APPROVE "RUSCH GABBERT AND RUSCH ADDITION", LINCOLN, NORTH DAKOTA AS SHOWN ON THE ANNEXED PLAT.



KENNETH NYSETH, P.E.
CITY ENGINEER

APPROVAL OF CITY PLANNING & ZONING COMMISSION

THE SUBDIVISION OF LAND AS SHOWN ON THE ANNEXED PLAT HAS BEEN APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF LINCOLN, ON THE 2ND DAY OF FEBRUARY, 2016, IN ACCORDANCE WITH THE LAWS OF THE STATE OF NORTH DAKOTA, ORDINANCES OF THE CITY OF LINCOLN AND REGULATIONS ADOPTED BY THE SAID PLANNING & ZONING COMMISSION. IN WITNESS WHEREOF ARE SET THE HANDS AND SEALS OF THE CHAIRMAN AND SECRETARY OF THE PLANNING & ZONING COMMISSION OF THE CITY OF LINCOLN.

CHAIRMAN - GREG GREISCH

SECRETARY - Sarah Penz

APPROVAL OF BOARD OF CITY COUNCIL

THE CITY COUNCIL OF THE CITY OF LINCOLN, NORTH DAKOTA, HAS APPROVED THE SUBDIVISION OF LAND AS SHOWN ON THE ANNEXED PLAT, HAS ACCEPTED THE DEDICATION OF ALL PUBLIC STREETS SHOWN THEREON, HAS APPROVED THE GROUNDS AS SHOWN ON THE ANNEXED PLAT AS AN AMENDMENT TO THE MASTER PLAN OF THE CITY OF LINCOLN, NORTH DAKOTA, AND DOES HEREBY VACATE ANY PREVIOUS PLATTING WITHIN THE BOUNDARY OF THE ANNEXED PLAT. THE FOREGOING ACTION OF THE CITY COUNCIL OF THE CITY OF LINCOLN, NORTH DAKOTA, WAS TAKEN BY RESOLUTION APPROVED THE 4TH DAY OF FEBRUARY, 2016.

MAYOR - GERALD WISE

PAUL HAT

OWNER'S CERTIFICATE & DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THOMAS L. RUSCH, RICHARD L. GABBERT, AND TIM RUSCH, BEING THE OWNERS AND PROPRIETORS OF THE PROPERTY SHOWN HEREON HAVE CAUSED THAT PORTION DESCRIBED HEREON TO BE SURVEYED AND PLATTED AS "RUSCH GABBERT AND RUSCH", LINCOLN, BURLEIGH COUNTY, NORTH DAKOTA, AND DO SO DEDICATE STREETS AS SHOWN HEREON INCLUDING ALL SEWER, CULVERTS, WATER AND OTHER PUBLIC UTILITY LINES WHETHER SHOWN HEREON OR NOT TO THE PUBLIC USE FOREVER.

THEY ALSO DEDICATE EASEMENTS TO THE CITY OF LINCOLN TO RUN WITH THE LAND, FOR GAS, ELECTRIC, TELEPHONE OR OTHER PUBLIC UTILITIES OR SERVICES ON OR UNDER THOSE CERTAIN STRIPS OF LAND DESIGNATED HEREON AS UTILITY EASEMENTS.

THEY FURTHERMORE GRANT ACCESS, WATERMAIN & SANITARY SEWER EASEMENTS FOR ALL LAND OWNING PARTIES, THEIR TENANTS, VISITORS AND LICENSEES, SAID EASEMENTS TO INCLUDE THE FULL AND FREE RIGHT FOR SAID PARTIES, THEIR TENANTS, VISITORS AND LICENSEES, IN COMMON WITH ALL OTHERS HAVING LIKE RIGHT AT ALL TIMES HEREAFTER FOR ALL PURPOSES CONNECTED WITH THE USE OF SAID PARTIES, TO PASS AND REPASS ALONG SAID EASEMENT AND TO HOLD SAID EASEMENT TO SAID PARTIES, THEIR HEIRS AND ASSIGNS AND APPURTENANT TO THE LAND OF SAID PARTIES. THEY ALSO GRANT SAID ACCESS EASEMENT TO AND FOR THE USE OF ANY GOVERNMENTAL SUBDIVISION, ITS OFFICERS AND EMPLOYEES FOR UTILITIES AND ANY OTHER GOVERNMENTAL USE OR USES IT DEEMS NECESSARY OR ADVISABLE, PROVIDED THE CITY SHALL NOT BE RESPONSIBLE IN ANY WAY TO FURNISH ANY CITY SERVICES IF SUCH ACCESS EASEMENTS ARE NOT PROPERLY MAINTAINED OR ARE OBSTRUCTED BY THE OWNERS OF PROPERTY IN THE SUBDIVISION.

THEY FURTHERMORE DEDICATE UNTO THE HOME OWNERS ASSOCIATION OF RUSCH GABBERT AND RUSCH ADDITION "STORM WATER AND DRAINAGE EASEMENTS" TO RUN WITH THE LAND FOR THE PURPOSE OF STORM SEWER AND SURFACE WATER DRAINAGE UNDER, OVER, THROUGH AND/OR ACROSS THOSE AREAS DEDICATED HEREON AS "STORM WATER AND DRAINAGE EASEMENTS" FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTION, REPAIR, ENLARGING AND MAINTAINING STORM WATER MANAGEMENT FACILITIES TOGETHER WITH NECESSARY APPURTENANCES THERETO FOR STORM WATER, STORM SEWER AND SURFACE WATER DRAINAGE AND MANAGEMENT OF SAID STORM WATER FLOW IN A MANNER THAT WILL PERMIT THE FREE AND UNOBSTRUCTED FLOW OF WATER UNDER, OVER AND/OR ACROSS THE EASEMENT AREA.

I SIGN MY NAME TO BE THE POWER-OF-ATTORNEY FOR THOMAS L. RUSCH AND RICHARD L. GABBERT ON THIS 24th DAY OF February, 2016, IN BISMARCK, NORTH DAKOTA.

STATE OF NORTH DAKOTA)
COUNTY OF BURLEIGH) SS

Tina Loh POA
TIM RUSCH, AS POWER-OF-ATTORNEY
RUSCH HOMES, LLC
2500 CENTENNIAL ROAD
BISMARCK, ND 58503

ON THIS 24th DAY OF February, 2016, BEFORE ME PERSONALLY APPEARED TIM RUSCH, AS POWER-OF-ATTORNEY FOR THOMAS L. RUSCH AND RICHARD L. GABBERT, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

LISA MACDONALD
Notary Public
State of North Dakota
My Commission Expires July 31, 2018

Lisa Macdonald
NOTARY PUBLIC
BURLEIGH COUNTY, NORTH DAKOTA
MY COMMISSION EXPIRES July 31, 2018

MAJESTIC PLACE ACCESS, WATERMAIN, SANITARY SEWER, AND UTILITY EASEMENT DESCRIPTION

A STRIP OF LAND LYING IN BLOCK 4, RUSCH GABBERT AND RUSCH ADDITION, LINCOLN, BURLEIGH COUNTY, NORTH DAKOTA LYING ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:
THE EASEMENT LIES 12.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE THAT BEGINS AT A POINT THAT LIES NORTH 00 DEGREES 31 MINUTES 04 SECONDS EAST, A DISTANCE OF 32.00 FEET FROM THE SOUTHWEST CORNER OF LOT 1, BLOCK 4, RUSCH GABBERT AND RUSCH ADDITION; THENCE SOUTH 89 DEGREES 37 MINUTES 11 SECONDS EAST, A DISTANCE OF 45.46 FEET WHERE SAID EASEMENT BECOMES 12.00 LEFT AND 22.00 RIGHT; THENCE CONTINUING SOUTH 89 DEGREES 37 MINUTES 11 SECONDS EAST, A DISTANCE OF 135.00 FEET WHERE SAID EASEMENT BECOMES 12.00 LEFT AND 12.00 RIGHT; THENCE CONTINUING SOUTH 89 DEGREES 37 MINUTES 11 SECONDS EAST, A DISTANCE OF 152.38 FEET; THENCE NORTHEASTERLY AND TO THE LEFT, ON A 40.00 FOOT RADIUS CURVE, AN ARC LENGTH OF 62.62 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 40 SECONDS EAST, A DISTANCE OF 26.44 FEET; THENCE NORTHEASTERLY AND TO THE RIGHT ON A 40 FOOT RADIUS CURVE AN ARC LENGTH OF 28.05 FEET WHERE SAID EASEMENT BECOMES 30.00 LEFT AND 30.00 RIGHT; THENCE NORTH 40 DEGREES 54 MINUTES 44 SECONDS EAST, A DISTANCE OF 104.84 FEET TO THE CENTERPOINT OF A 48.00 FOOT RADIUS CURVE DE SAC, THE ARC OF WHICH INTERSECTS THE 30 FOOT LEFT AND RIGHT SIDELINES WESTERLY AND SOUTHERLY FROM THE RADIUS POINT.

MAJESTIC PLACE WATERMAIN EASEMENT DESCRIPTION

A STRIP OF LAND 10 FEET IN WIDTH LYING IN BLOCK 4, RUSCH GABBERT AND RUSCH ADDITION, LINCOLN, BURLEIGH COUNTY, NORTH DAKOTA, DESCRIBED AS FOLLOWS:
10 FEET NORTH OF AND ADJACENT TO THE MAJESTIC PLACE ACCESS, WATERMAIN, SANITARY SEWER, AND UTILITY EASEMENT ON LOTS 1-7, BLOCK 4, AND THE EAST 10.00 FEET OF LOT 7, BLOCK 4, LYING NORTH OF SAID MAJESTIC PLACE EASEMENT.

4' ACCESS EASEMENT DESCRIPTION

A STRIP OF LAND 4 FEET IN WIDTH LYING IN BLOCK 4, RUSCH GABBERT AND RUSCH ADDITION, LINCOLN, BURLEIGH COUNTY, NORTH DAKOTA, DESCRIBED AS FOLLOWS:
THE EAST 2.00 FEET OF LOT 4, LESS THE NORTH 10.00 FEET AND LESS THE SOUTH 44.00 FEET.
THE WEST 2.00 FEET OF LOT 5, LESS THE NORTH 10.00 FEET AND LESS THE NORTH 44.00 FEET.
THE NORTH 14.00 FEET OF LOTS 1-7, LESS THE NORTH 10.00 FEET.

20' PEDESTRIAN ACCESS & STORM SEWER EASEMENT DESCRIPTION

ALL THAT PART OF BLOCKS 1 & 2, RUSCH GABBERT AND RUSCH ADDITION, DESCRIBED AS FOLLOWS:
THE SOUTH 10 FEET OF LOT 5, BLOCK 1 AND THE NORTH 10 FEET OF LOT 6, BLOCK 1.
THE SOUTH 20 FEET OF LOT 7, BLOCK 2 AND THE NORTH 20 FEET OF LOT 18, BLOCK 2.

20' PEDESTRIAN ACCESS EASEMENT DESCRIPTION

ALL THAT PART OF BLOCK 3, RUSCH GABBERT AND RUSCH ADDITION, DESCRIBED AS FOLLOWS:
THE SOUTH 8 FEET OF LOT 12, THE NORTH 12.00 FEET OF LOT 11, AND THE SOUTH 20.00 FEET OF LOT 27.

COULEE STORMWATER & DRAINAGE EASEMENT DESCRIPTION

ALL THAT PART OF BLOCK 4, RUSCH GABBERT AND RUSCH ADDITION, DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHWEST CORNER OF LOT 28, BLOCK 4; THENCE SOUTH 33 DEGREES 51 MINUTES 22 SECONDS EAST, A DISTANCE OF 203.53 FEET TO THE NORTHWESTERLY LINE OF LOT 29; THENCE SOUTH 44 DEGREES 53 MINUTES 12 SECONDS EAST, PARALLEL WITH THE SOUTHWESTERLY LINE OF LOTS 20-27, A DISTANCE OF 482.24 FEET TO THE SOUTHWEST CORNER OF LOT 17; THENCE SOUTH 20 DEGREES 53 MINUTES 38 SECONDS EAST, A DISTANCE OF 250.75 FEET TO THE SOUTH LINE OF RUSCH GABBERT AND RUSCH ADDITION; THENCE NORTH 89 DEGREES 53 MINUTES 33 SECONDS WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 257.89 FEET TO THE EAST LINE OF AUDITOR'S LOT 11; THENCE NORTH 00 DEGREES 05 MINUTES 04 SECONDS EAST, CONTINUING ALONG SAID EAST LINE, A DISTANCE OF 150.68 FEET TO THE NORTHEAST CORNER OF SAID AUDITOR'S LOT 11; THENCE NORTH 08 DEGREES 53 MINUTES 15 SECONDS WEST, PARALLEL WITH THE EASTERLY LINE OF LOTS 13-15, A DISTANCE OF 193.30 FEET; THENCE NORTH 54 DEGREES 46 MINUTES 20 SECONDS WEST, A DISTANCE OF 315.18 FEET TO THE BOUNDARY OF RUSCH GABBERT AND RUSCH ADDITION; THENCE NORTH 00 DEGREES 28 MINUTES 49 SECONDS EAST, ALONG SAID BOUNDARY, A DISTANCE OF 221.00 FEET TO THE POINT OF BEGINNING.

STORMWATER & DRAINAGE EASEMENT DESCRIPTION

ALL THAT PART OF BLOCK 4, RUSCH GABBERT AND RUSCH ADDITION, DESCRIBED AS FOLLOWS:
10.00 FEET ON EACH SIDE OF THE LINE COMMON TO LOTS 26 AND 27, SAID LINES INTERSECTING AND ENDING AT THE BUTLER LOOP ACCESS, WATERMAIN, SANITARY SEWER, STORMWATER, DRAINAGE, AND UTILITY EASEMENT, AND THE COULEE STORMWATER AND DRAINAGE EASEMENT.

STORMWATER & DRAINAGE EASEMENT DESCRIPTION

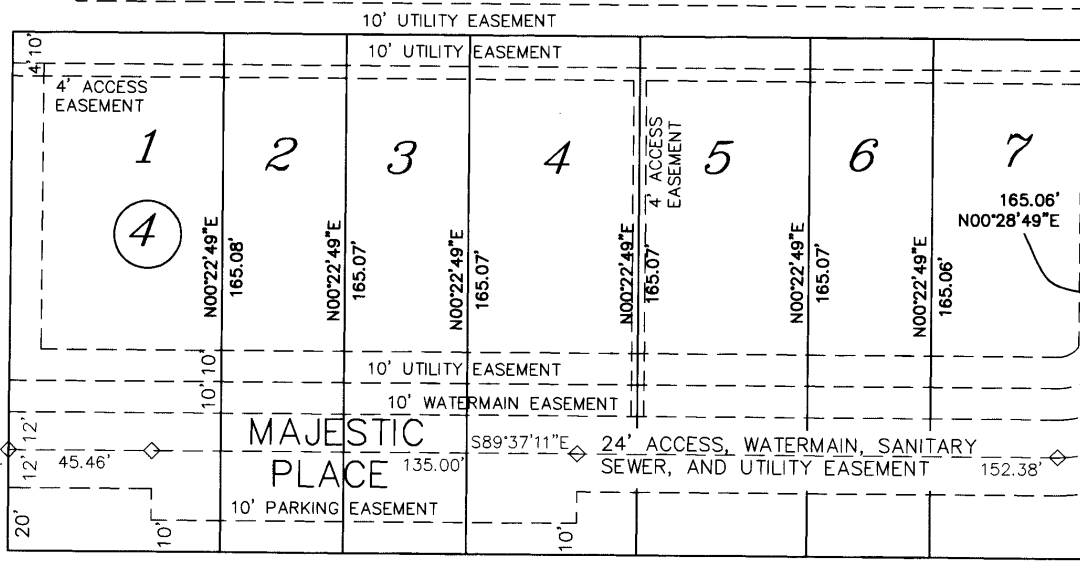
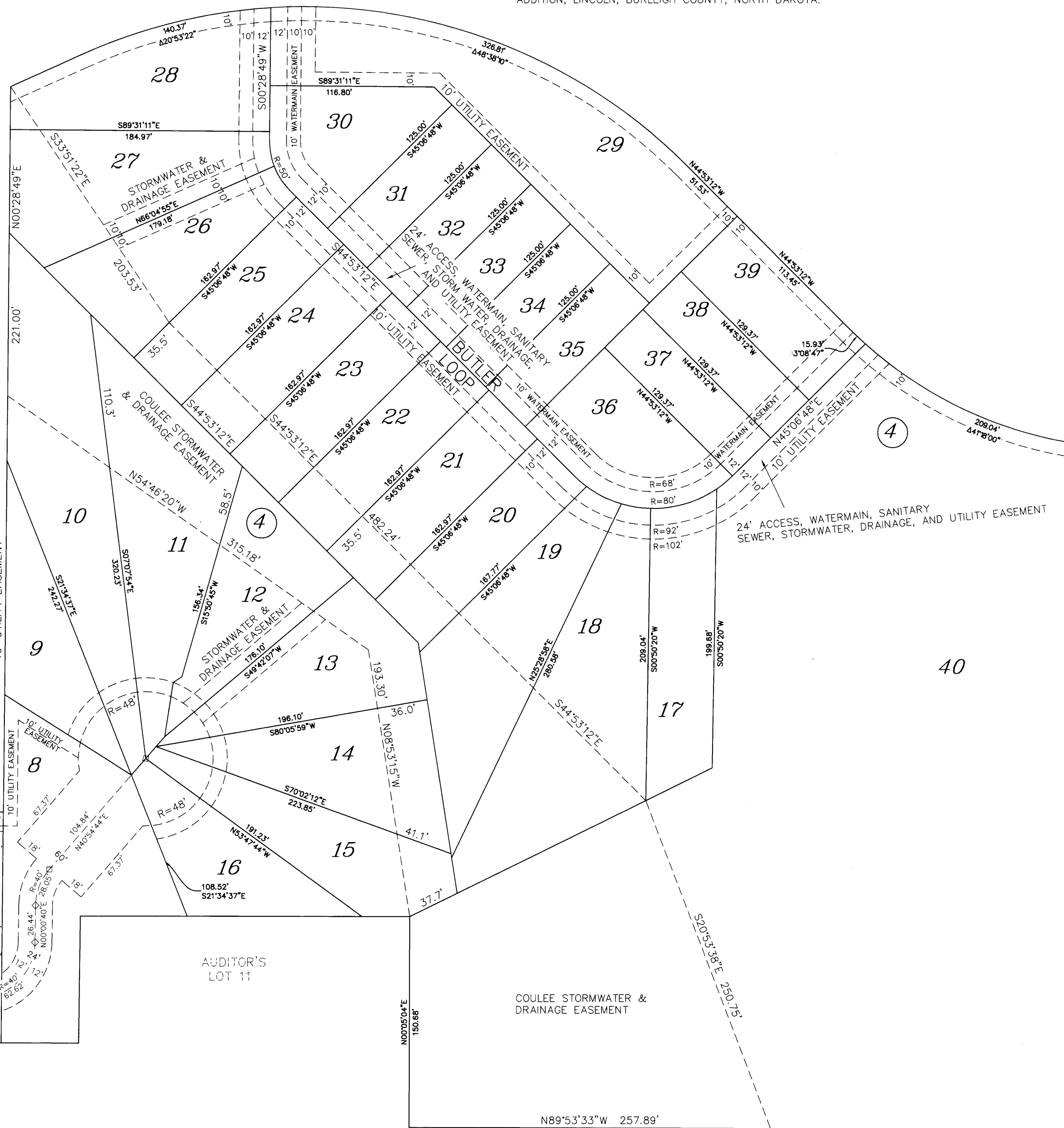
ALL THAT PART OF BLOCK 4, RUSCH GABBERT AND RUSCH ADDITION, DESCRIBED AS FOLLOWS:
10.00 FEET ON EACH SIDE OF THE LINE COMMON TO LOTS 12 AND 13, INTERSECTING AND ENDING AT THE MAJESTIC PLACE ACCESS, WATERMAIN, SANITARY SEWER, AND UTILITY EASEMENT, AND THE COULEE STORMWATER AND DRAINAGE EASEMENT.

BUTLER LOOP ACCESS, WATERMAIN, SANITARY SEWER, STORMWATER, DRAINAGE, AND UTILITY EASEMENT DESCRIPTION

A STRIP OF LAND 24 FEET IN WIDTH LYING IN BLOCK 4, RUSCH GABBERT AND RUSCH ADDITION, LINCOLN, BURLEIGH COUNTY, NORTH DAKOTA, DESCRIBED AS FOLLOWS:
THE 12.00 FEET ADJACENT TO THE WEST LINE OF LOT 29 AND 30, AND THE 12.00 FEET ADJACENT TO THE SOUTHWESTERLY LINE OF LOTS 30-36, AND THE 12.00 FEET ADJACENT TO THE SOUTHEASTERLY LINE OF LOTS 36-39, AND THE 12.00 FEET ADJACENT TO THE EAST LINE OF LOTS 27-28, AND THE 12.00 FEET ADJACENT TO THE NORTHEASTERLY LINE OF LOTS 19-27, AND THE 12.00 FEET ADJACENT TO THE NORTHWESTERLY LINE OF LOTS 17, 18 AND 40.

BUTLER LOOP WATERMAIN EASEMENT DESCRIPTION

A STRIP OF LAND 10 FEET IN WIDTH, ADJACENT TO THE BUTLER LOOP ACCESS, WATERMAIN, SANITARY SEWER, STORMWATER, DRAINAGE AND UTILITY EASEMENT, LYING IN LOTS 23-39, BLOCK 4, RUSCH GABBERT AND RUSCH ADDITION, LINCOLN, BURLEIGH COUNTY, NORTH DAKOTA.



BUTLER LOOP, MAJESTIC LOOP, AND STORM SEWER EASEMENT DETAILS