

FINAL PLAT

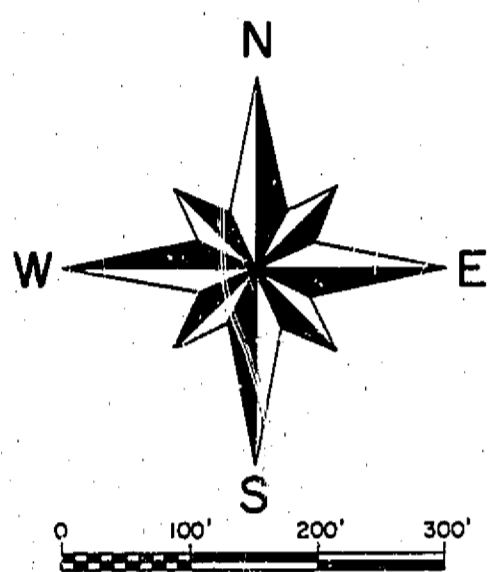
FORT LINCOLN ESTATES

SUBDIVISION NUMBER TWO

BURLEIGH COUNTY, NORTH DAKOTA

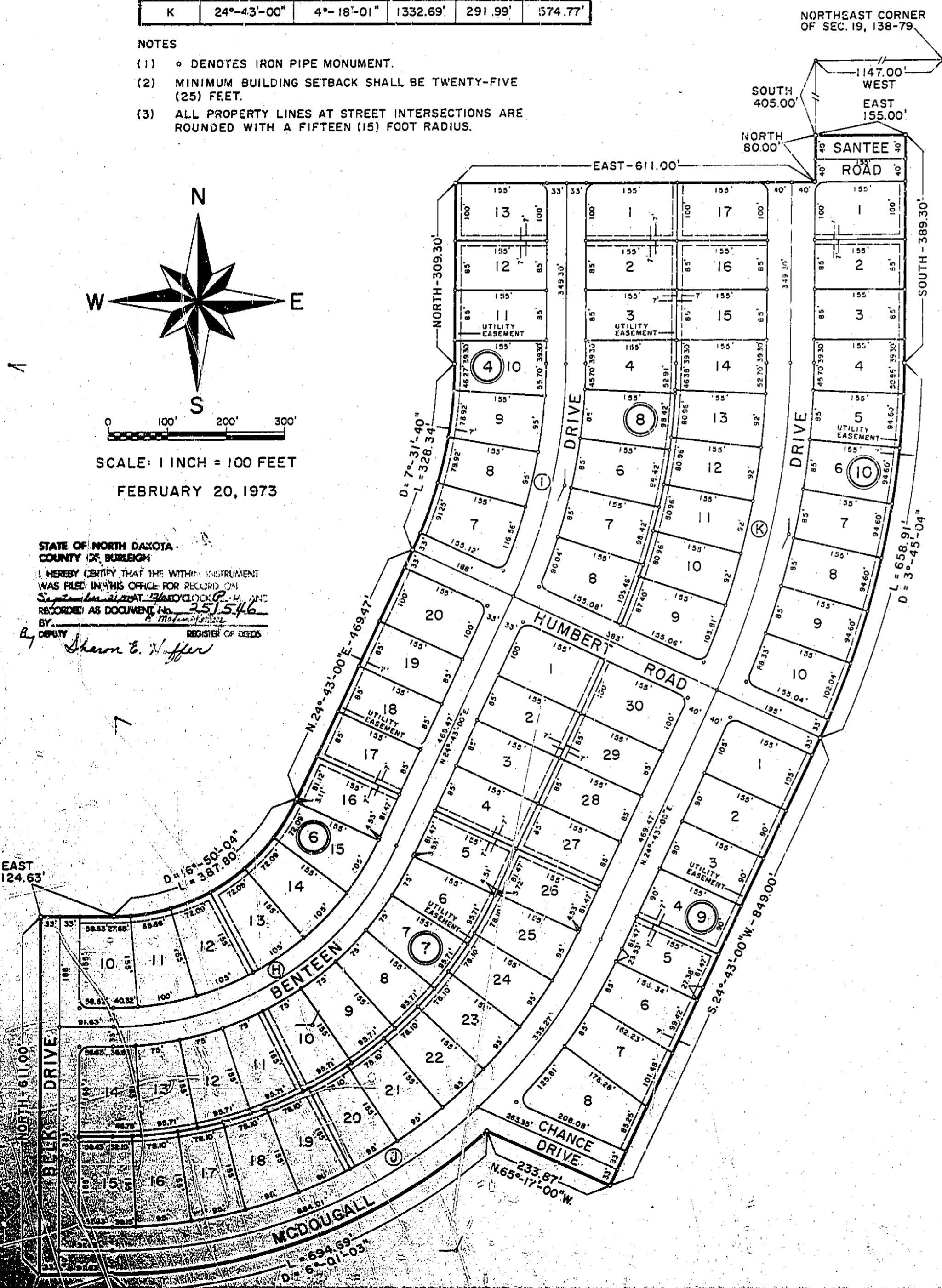
CURVE DATA					
CURVE	Δ	D	R	T	L
H	65°-17'-00"	10°-50'-07"	529.58'	339.22'	602.51'
I	24°-43'-00"	6°-02'-09"	949.69'	208.08'	409.49'
J	65°-17'-00"	6°-16'-54"	912.58'	584.55'	1039.28'
K	24°-43'-00"	4°-18'-01"	1332.69'	291.99'	574.77'

- NOTES**
- (1) ○ DENOTES IRON PIPE MONUMENT.
 - (2) MINIMUM BUILDING SETBACK SHALL BE TWENTY-FIVE (25) FEET.
 - (3) ALL PROPERTY LINES AT STREET INTERSECTIONS ARE ROUNDED WITH A FIFTEEN (15) FOOT RADIUS.



SCALE: 1 INCH = 100 FEET
 FEBRUARY 20, 1973

STATE OF NORTH DAKOTA
 COUNTY OF BURLEIGH
 I HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WAS FILED IN THIS OFFICE FOR RECORD ON February 20, 1973 and RECORDED AS DOCUMENT NO. 251546
 BY Sharon E. Naffer REGISTER OF DEEDS



DESCRIPTION

ALL THAT PART OF THE NORTH HALF (NB) OF SECTION NINETEEN (19), TOWNSHIP ONE HUNDRED THIRTY-EIGHT NORTH (T.138N.), RANGE SEVENTY-NINE WEST (R.79W.) OF THE FIFTH PRINCIPAL MERIDIAN (5TH P.M.), COUNTY OF BURLEIGH, STATE OF NORTH DAKOTA THAT LIES WITHIN AND IS BOUNDED BY THE FOLLOWING DESCRIBED TRACELINE:
 THE POINT OF BEGINNING IS LOCATED AS FOLLOWS: STARTING AT THE NORTHEAST CORNER OF SAID SECTION NINETEEN (19); THEN BEARING WEST (S.90°-00'-00"W.) ALONG THE NORTH LINE OF SAID SECTION NINETEEN (19) A DISTANCE OF ONE THOUSAND ONE HUNDRED FORTY-SEVEN AND ZERO HUNDRETHS (1147.00) FEET; THENCE BEARING SOUTH (S.0°-00'-00"W.) A DISTANCE OF FOUR HUNDRED FIVE AND ZERO HUNDRETHS (405.00) FEET TO THE POINT OF BEGINNING BEING DESCRIBED. THE TRAVELER THEN BEARS EAST (N.90°-00'-00"E.) A DISTANCE OF ONE HUNDRED FIFTY-FIVE AND ZERO HUNDRETHS (155.00) FEET; THENCE BEARING SOUTHWEST (S.45°-00'-00"W.) A DISTANCE OF THREE HUNDRED EIGHTY-NINE AND THIRTY HUNDRETHS (389.30) FEET; THENCE BEARING SOUTHWEST (S.45°-00'-00"W.) A DISTANCE OF THREE HUNDRED EIGHTY-NINE AND THIRTY HUNDRETHS (389.30) FEET; THENCE BEARING SOUTH (S.0°-00'-00"W.) A DISTANCE OF SIX HUNDRED FIFTY-EIGHT AND NINETY-ONE HUNDRETHS (658.51) FEET; THENCE BEARING SOUTH TWENTY-FOUR DEGREES, FORTY-THREE MINUTES AND ZERO SECONDS WEST (S.24°-43'-00"W.) A DISTANCE OF EIGHT HUNDRED THIRTY-NINE AND ZERO HUNDRETHS (839.00) FEET; THENCE BEARING NORTH SIXTY-FIVE DEGREES, SEVENTEEN MINUTES AND ZERO SECONDS WEST (N.65°-17'-00"W.) A DISTANCE OF TWO HUNDRED THIRTY-THREE AND EIGHTY-SEVEN HUNDRETHS (233.87) FEET; THENCE BEARING SOUTHWESTERLY AND TO THE RIGHT ALONG A SIX DEGREE, ONE MINUTE AND THREE SECONDS (6°-01'-03") CURVE OF CHORD DEFINITION A DISTANCE OF SIX HUNDRED NINETY-FOUR AND SIXTY-NINE HUNDRETHS (694.69) FEET; THENCE BEARING WEST (S.90°-00'-00"W.) A DISTANCE OF ONE HUNDRED TWENTY-FOUR AND SIXTY-THREE HUNDRETHS (124.63) FEET; THENCE BEARING NORTH (N.0°-00'-00"E.) A DISTANCE OF SIX HUNDRED ELEVEN AND ZERO HUNDRETHS (611.00) FEET; THENCE BEARING EAST (N.90°-00'-00"E.) A DISTANCE OF ONE HUNDRED TWENTY-FOUR AND SIXTY-THREE HUNDRETHS (124.63) FEET; THENCE BEARING NORTHEASTERLY AND TO THE LEFT ALONG A SIXTEEN DEGREE, FIFTY MINUTE AND FOUR SECONDS (16°-50'-04") CURVE OF CHORD DEFINITION A DISTANCE OF THREE HUNDRED EIGHTY-SEVEN AND EIGHTY HUNDRETHS (387.80) FEET; THENCE BEARING NORTH TWENTY-FOUR DEGREES, FORTY-THREE MINUTES AND ZERO SECONDS EAST (N.24°-43'-00"E.) A DISTANCE OF FOUR HUNDRED SIXTY-NINE AND FORTY-SEVEN HUNDRETHS (469.47) FEET; THENCE BEARING NORTHERLY AND TO THE LEFT ALONG A SEVEN DEGREE, THIRTY-ONE MINUTE AND FORTY SECONDS (7°-31'-40") CURVE OF CHORD DEFINITION A DISTANCE OF THREE HUNDRED TWENTY-EIGHT AND THIRTY-THREE HUNDRETHS (328.34) FEET; THENCE BEARING NORTH (N.0°-00'-00"E.) A DISTANCE OF THREE HUNDRED NINE AND THIRTY HUNDRETHS (309.30) FEET; THENCE BEARING EAST (N.90°-00'-00"E.) A DISTANCE OF SIX HUNDRED ELEVEN AND ZERO HUNDRETHS (611.00) FEET; THENCE BEARING NORTH (N.0°-00'-00"E.) A DISTANCE OF EIGHTY AND ZERO HUNDRETHS (80.00) FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT OF LAND CONTAINS THIRTY-SIX AND THIRTY-THREE HUNDRETHS (36.33) ACRES, MORE OR LESS.
 THE BEARING OF THE SAID NORTH LINE OF SECTION NINETEEN (19) IS ASSUMED EAST (N.90°-00'-00"E.) AND ALL OTHER BEARINGS ARE REFERRED TO IT.

OWNER'S CERTIFICATE & DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT DILLY M. RIPLEY IS THE OWNER AND PROPRIETOR OF THE PROPERTY SHOWN ON THE ANNEXED PLAT AND HAS CAUSED THOSE PORTIONS DESCRIBED ABOVE AND SHOWN ON THE ANNEXED PLAT TO BE SURVEYED AND PLATTED AS SHOWN AS FORT LINCOLN ESTATES, SUBDIVISION NUMBER TWO AND DOES HEREBY DEDICATE STREETS AS SHOWN HEREON, INCLUDING ALL SEWERS, CURBSETS, WATER DISTRIBUTION LINES, GAS DISTRIBUTION LINES, AND OTHER PUBLIC UTILITY LINES, WHETHER SHOWN HEREON OR NOT, TO THE PUBLIC USE FOREVER. HE ALSO DEDICATES EASEMENTS, TO RUN WITH THE LAND, FOR WATER, SEWER, GAS, ELECTRIC, TELEPHONE, OR OTHER PUBLIC UTILITY LINES OR SERVICES UNDER, ON, OR OVER THOSE CERTAIN STRIPS OF LAND DESIGNATED HEREON AS "UTILITY EASEMENTS".

STATE OF NORTH DAKOTA)
 COUNTY OF BURLEIGH) SS
 I, Dilly M. Ripley
 DILLY M. RIPLEY

BE IT KNOWN THAT ON THIS 20th DAY OF February, 1973, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED DILLY M. RIPLEY AND ACKNOWLEDGED THE EXECUTION AND SIGNING OF THE FOREGOING PLAT TO BE HIS VOLUNTARY ACT AND DEED. IN TESTIMONY WHEREOF, I HAVE SET MY HAND AND NOTARY SEAL ON THE DAY AND DATE WRITTEN ABOVE.

Glenn J. Haas
 GLENNA J. HAAS, NOTARY PUBLIC
 BURLEIGH COUNTY, NORTH DAKOTA
 MY COMMISSION EXPIRES 11-6-79

COUNTY PLANNING COMMISSION APPROVAL

THE SUBDIVISION OF LAND SHOWN ON THE ANNEXED PLAT HAS BEEN APPROVED BY THE PLANNING COMMISSION OF BURLEIGH COUNTY ON Feb 20, 1973, IN ACCORDANCE WITH THE LAWS OF THE STATE OF NORTH DAKOTA AND REGULATIONS ADOPTED BY THE SAID PLANNING COMMISSION OF BURLEIGH COUNTY, NORTH DAKOTA.

D. Volk
 DEVE F. VOLK, CHAIRMAN

B. Harlow
 BRENNEH HARLOW, SECRETARY

CITY PLANNING COMMISSION APPROVAL

THE SUBDIVISION OF LAND AS SHOWN ON THE ANNEXED PLAT HAS BEEN APPROVED BY THE PLANNING COMMISSION OF THE CITY OF BISMARCK, ON April 11, 1973, IN ACCORDANCE WITH THE LAWS OF THE STATE OF NORTH DAKOTA, ORDINANCES OF THE CITY OF BISMARCK, AND REGULATIONS ADOPTED BY SAID PLANNING COMMISSION. IN WITNESS WHEREOF ARE SET THE HANDS AND SEALS OF THE CHAIRMAN AND SECRETARY OF THE PLANNING COMMISSION OF THE CITY OF BISMARCK.

C. Taylor
 CURTIS C. TAYLOR, CHAIRMAN

T. Baker
 TOM BAKER, SECRETARY

APPROVAL OF APPLE CREEK TOWNSHIP PLANNING BOARD

THE SUBDIVISION OF LAND AS SHOWN ON THE ANNEXED PLAT HAS BEEN APPROVED BY THE PLANNING COMMISSION OF APPLE CREEK TOWNSHIP ON March 20, 1973, IN ACCORDANCE WITH THE LAWS OF THE STATE OF NORTH DAKOTA AND REGULATIONS ADOPTED BY SAID PLANNING COMMISSION. IN WITNESS WHEREOF IS SET THE HAND AND SEAL OF THE CHAIRMAN OF THE PLANNING COMMISSION OF APPLE CREEK TOWNSHIP, BURLEIGH COUNTY, NORTH DAKOTA.

E. McCarty
 EDWIN F. MCCARTY, CHAIRMAN

SURVEYOR'S CERTIFICATE

I, MERRIL RIVINIUS, A REGISTERED PROFESSIONAL ENGINEER AND LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS PLAT IS A TRUE AND COMPLETE SURVEY MADE BY ME AND UNDER MY SUPERVISION, COMPLETED ON FEBRUARY 20, 1973, AND THAT ALL DIMENSIONS AND ANGLES ARE CORRECT AS SHOWN AND THAT ALL MONUMENTS ARE TO BE SET AS SHOWN.

STATE OF NORTH DAKOTA)
 COUNTY OF BURLEIGH) SS
 I, Merril Rivinius
 MERRIL RIVINIUS
 REGISTERED PROFESSIONAL ENGINEER
 AND LAND SURVEYOR
 N. DAK. REGISTRATION NO. 1008

ON THIS 20th DAY OF February, 1973, BEFORE ME PERSONALLY APPEARED MERRIL RIVINIUS KNOWN TO ME TO BE THE PERSON WHO EXECUTED THE FOREGOING SURVEYOR'S CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME OF HIS OWN FREE WILL AND DEED.

Glenn J. Haas
 GLENNA J. HAAS, NOTARY PUBLIC
 BURLEIGH COUNTY, NORTH DAKOTA
 MY COMMISSION EXPIRES NOV. 6, 1977

PROTECTIVE COVENANTS

1. EXCEPT AS TO THAT PORTION WHICH HAS BEEN OR MAY HEREAFTER BE PLATTED FOR COMMERCIAL DEVELOPMENT, AND EXCEPT AS TO THAT PORTION WHICH MAY BE HEREAFTER PLATTED FOR MULTIPLE UNITS, THE LAND SHALL BE USED FOR RESIDENTIAL PURPOSES ONLY, AND NO BUILDING SHALL BE ERRECTED THEREON EXCEPT FOR SINGLE FAMILY RESIDENTIAL PURPOSES, EXCEPTING FOR A GARAGE FOR THE STORAGE OF MOTOR VEHICLES.
2. ONLY ONE SINGLE FAMILY DWELLING HOUSE MAY BE ERRECTED ON A LOT, AND A DWELLING HOUSE MUST HAVE AT LEAST 750 SQ. FT. OF LIVING AREA FOR 2 BEDROOM STYLES AND 950 SQ. FT. IN 3 BEDROOM MODELS, EXCEPT FOR SPLIT FOYER AND/OR SPLIT LEVEL MODELS EXCLUSIVE OF BASEMENT AND GARAGE.
3. RESIDENTIAL ACCESSORY BUILDINGS SHALL NOT BE USED FOR OR CONVERTED INTO RESIDENCES.
4. NO BASEMENT WITHOUT SUPERSTRUCTURE SHALL BE USED FOR OR CONVERTED INTO RESIDENCES.
5. ALL DWELLING HOUSES SHALL BE NEW CONSTRUCTION AND NO STRUCTURE TO BE USED AS A DWELLING HOUSE SHALL BE MOVED ON TO THE PREMISES, EXCEPT NEW PREFABRICATED OR PREBUILT HOUSES.
6. NO HOUSE OR STRUCTURE ONCE BUILT SHALL BE ALTERED OR CHANGED IN ANY MANNER SO AS TO PERMIT ITS USE IN ANY WAY THAT IS IN VIOLATION OF THESE ORDINANCES.
7. NO MOBILE TRAILER HOME SHALL BE USED AS A PERMANENT RESIDENCE ON ANY LOT. A MOBILE TRAILER HOME MAY BE USED FOR TEMPORARY RESIDENCE DURING CONSTRUCTION OF THE PERMANENT RESIDENCE, BUT SUCH TEMPORARY USE SHALL NOT EXCEED SIX MONTHS.
8. NO LOT SHALL BE RESUBDIVIDED.
9. NO SEPTIC TANK OR TOILET OR WATER WELL SHALL BE PLACED OR ERRECTED ON ANY LOT.
10. STRUCTURES SHALL BE BUILT SO AS TO COMPLY WITH ALL SET BACK LINES AS SHOWN ON THE SUBDIVISION PLAT, AND NO DWELLING HOUSE SHALL BE BUILT WITHIN 6 FEET OF SIDE LOT LINES.
11. EACH LOT SHALL HAVE THE USE AND BENEFIT OF THE PLATTED RIGHTS OF WAY FOR EASEMENTS FOR WATER, SEWER, POWER AND TELEPHONE LINES.
12. NO MINERAL MINING OPERATIONS WILL BE PERMITTED.
13. NO LOT OR PART OF ANY LOT MAY BE USED TO DUMP OR STORE, OTHER THAN TEMPORARILY ANY RUDDISH, ASHES, REFUSE, JUNK, GARBAGE OR OTHER UNDESIRABLE MATERIAL.
14. NO AUTOMOBILES SHALL BE STORED OR ABANDONED IN AN UNUSABLE CONDITION ON ANY PORTION OF ANY LOT FOR MORE THAN 72 HOURS.
15. NO LIVESTOCK OR POULTRY SHALL BE KEPT OR ALLOWED TO RUN ON ANY LOT. FEES SHALL NOT BE ALLOWED TO RUN AT LARGE.
16. THESE COVENANTS SHALL BE BINDING FOR 35 YEARS FROM THE DATE HEREOF, AT WHICH TIME THEY SHALL AUTOMATICALLY EXTEND FOR SUCCESSIVE PERIODS OF 10 YEARS, UNLESS BY A MAJORITY VOTE OF THE THEN OWNERS OF ALL THE LOTS IN THE SUBDIVISION THEY ARE AMENDED OR REPEALED.
17. A DECLARATION OF INVALIDITY OF ONE OR MORE OF THESE COVENANTS SHALL NOT AFFECT THE REMAINING COVENANTS.
18. FOR THE BENEFIT OF THEMSELVES AND THE OTHER OWNERS, ONE OR MORE LOT OWNERS MAY BRING ACTION IN A COMPETENT COURT AT ANY TIME TO COMPEL COMPLIANCE WITH THESE COVENANTS OR RECOVER DAMAGES FOR VIOLATION OF COVENANTS, OR BOTH.
19. YARD FENCES OF A NON-HAZARDOUS TYPE (UNBARBED, ETC.) MAY BE ERRECTED BY LOT OWNERS, BUT SUCH FENCES SHALL NOT EXTEND OVER ANY PORTION OF THE LOT FURTHER THAN FROM THE UTILITY EASEMENT AT THE REAR OF SAID LOT TO THE LINE OF THE REAR OF THE RESIDENCE LOCATED THEREON, AND THE FENCING OF FRONT YARD IS SPECIFICALLY PROHIBITED AND NO HEDGE SHALL BE PLANTED OR MAINTAINED ON ANY LOT NEARER TO THE STREET THAN THE FRONT WALL OF ANY STRUCTURE LOCATED THEREON, AND NO SUCH HEDGE SHALL BE GREATER THAN FIVE FEET IN HEIGHT.
20. NO NOXIOUS OR OFFENSIVE TRADE SHALL BE CARRIED ON UPON ANY LOT, NOR SHALL ANYTHING BE DONE OR PLACED THEREON WHICH MAY BE OR BECOME AN OBSTACLE TO OTHER RESIDENTS OF THE NEIGHBORHOOD.
21. NO IMPROVEMENTS SHALL BE ERRECTED AND NO GRADING OR EXCAVATION OR CHANGES IN THE PROPERTY SHALL BE MADE WHICH SHALL CHANGE THE NATURAL SURFACE DRAINAGE OF THE LAND OR INVIOLATE THE EXISTING DRAINAGE PATTERNS AND LOCATIONS OF THE EXISTING STRUCTURES AND LOCATIONS OF THE EXISTING UTILITY LINES.
22. NO BUILDING SHALL BE ERRECTED ON ANY LOT UNLESS THE DESIGN AND LOCATION IS IN HARMONY WITH THE EXISTING STRUCTURES AND LOCATIONS OF THE EXISTING UTILITY LINES AND ANY PROTECTIVE COVENANT.
23. NO FENCE, WALL, HEDGE, OR SHRUB PLANTING WHICH OBSTRUCTS SIGHT LINES AT ELEVATIONS BETWEEN TWO AND SIX FEET ABOVE THE ROADWAY SHALL BE PLACED OR PERMITTED TO REMAIN ON ANY CORNER LOT WITHIN THE TRIANGULAR AREA FORMED BY THE STREET PROPERTY LINES AND A LINE CONNECTING THEM AT POINTS TWENTY-FIVE FEET FROM THE INTERSECTION OF THE STREET LINES, OR IN THE CASE OF A ROUNDED PROPERTY CORNER FROM THE INTERSECTION OF THE STREET PROPERTY LINES EXTENDED. THE SAME SIGHT LINE LIMITATION SHALL APPLY TO ANY LOT WITHIN TEN FEET FROM THE INTERSECTION OF A STREET PROPERTY LINE WITH THE EDGE OF A DRIVEWAY OR ALLEY PAVEMENT, AND SHALL BE PERMITTED TO REMAIN WITHIN THE INTERSECTION DISTANCES OF SUCH INTERSECTIONS UNLESS THE FOLIAGE LINE IS MAINTAINED AT SUFFICIENT HEIGHT TO PREVENT OBSTRUCTION OF SUCH SIGHT LINES.