

HIDDEN RIVER ACRES

PART OF GOVERNMENT LOT 1 OF SECTION 26, TOWNSHIP 140 NORTH, RANGE 64 WEST OF THE FIFTH PRINCIPAL MERIDIAN, LYING AND BEING NORTH OF A LINE EXTENDED FROM THE INTERSECTION OF THE SOUTH BOUNDARY LINE OF 9TH STREET WITH THE EAST BOUNDARY LINE OF SAID GOVERNMENT LOT 1 WESTWARD TO THE MIDDLE OF THE JAMES RIVER AT RIGHT ANGLES WITH THE EAST BOUNDARY OF SAID GOVERNMENT LOT 1, CITY OF JAMESTOWN, STUTSMAN COUNTY, NORTH DAKOTA

SURVEYOR NOTES

1) The State of North Dakota asserts ownership to the bed of the James River. Review the North Dakota State Water Commission report on navigability titled "Navigable & Non-Navigable Water of the State of North Dakota" dated January 1, 2015. The state asserts ownership or title to the beds of streams and lakes that were navigable at the time of statehood (November 2, 1889). The James River is included in the list of waters navigable at the time of statehood. The boundary between the title to the bed of the stream and the upland owner is defined as the ordinary high water mark of the waterbody. In review of the General Land Office plat dated December 27, 1873 it appears the location of the James River has remained in a consistent location. Visual inspection of the property confirms there are no apparent remnants of avulsion events and it is likely the only changes to the location of the bed of this stream has been through the processes of accretion and reliction. The description within the current record deed for this property includes a call to the "middle" of the James River which would appear to indicate the scrivener was attempting to include ownership to the thread of the stream of the James River. This survey and the plat thereof describes the boundary of this parcel utilizing the approximate ordinary high water mark as the boundary. For informational purposes, in the text at the end of the following metes and bounds description, I also show an approximate area to the approximate location of the thread of the stream of the James River. Consult your attorney regarding ownership of the beds of navigable waters, riparian rights and the rights of the public in the use of the navigable water.

2) On September 11, 2020, the observed water elevation at the Southwest Corner (downstream corner) of the property was 1390.9 feet. The floodplain line shown on this plat begins and an elevation of 1397.3 feet at the Northeast Corner (upstream corner) of the property and drops incrementally to an elevation of 1397.3 feet at the Southwest Corner (downstream corner) of the property. Elevations are referenced to NGS Benchmark designation F 483 Having an NAVD 88 Elevation of 1506.07 feet.

3) There is an easement to Stutsman County for highway and other public uses described in Book 167 of Deeds Pages 152-153 dated August 5th, 1955. The description appears to be missing at least 1 call and possibly multiple calls and therefore appears to be ambiguous. I interpret this description to encumber the easterly 10 feet of this plat. Consult your attorney regarding the existing easement. It is the intent of the proprietor of this plat that the process recording the plat grants fee title of Outlot 1 as defined on this plat to the City of Jamestown for public use. Said Outlot 1 includes the easterly 10 feet of this plat as well as a small triangular shaped portion of land west of the bridge along the river.

OWNERS CERTIFICATE OF APPROVAL

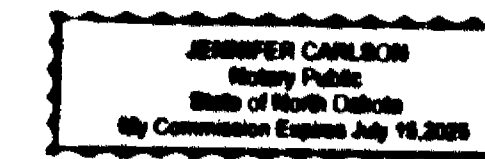
Susan M. Hafner, being the owner and proprietor of the above described land has caused said tract of land to be platted as **Hidden River Acres** as shown on the attached plat and does hereby agree to said platting. Upon final city approval and recording, fee title to Outlot 1 as platted is granted to the City of Jamestown, North Dakota for public use.

Susan M. Hafner
Susan M. Hafner

STATE OF NORTH DAKOTA } SS
COUNTY OF STUTSMAN

On this 12 day of August, 2021, A.D., before me, a notary public, personally appeared Susan M. Hafner, known to me to be the same person described herein and who executed the within and foregoing instrument and acknowledged before me that she executed the same.

Jennifer Carlson
Notary Public



CITY OF JAMESTOWN ENGINEER CERTIFICATE OF APPROVAL

I have examined the attached plat of HIDDEN RIVER ACRES, being within the City of Jamestown, Stutsman County, North Dakota and hereby give my approval.

Dated: 8/12/2021
Travis Dillman
Travis Dillman, City Engineer

CITY OF JAMESTOWN PLANNING AND ZONING CERTIFICATE OF APPROVAL

STATE OF NORTH DAKOTA } SS
CITY OF JAMESTOWN

By resolution duly passed by the Planning and Zoning Commission of the City of Jamestown, Stutsman County, North Dakota on the 12 day of February, 2021, A.D. the shown plat of HIDDEN RIVER ACRES, being within the City of Jamestown, Stutsman County, North Dakota was duly approved and accepted.

Dated: 8/10/2021
David S. Gilliland
Planning and Zoning Commission Secretary
David S. Gilliland
Planning and Zoning Commission Chairman

CITY OF JAMESTOWN CERTIFICATE OF APPROVAL

STATE OF NORTH DAKOTA } SS
CITY OF JAMESTOWN

By resolution duly passed by the City Council of Jamestown, Stutsman County, State of North Dakota on the 15 day of March, 2021, A.D. the plat of HIDDEN RIVER ACRES, being within the City of Jamestown, Stutsman County, North Dakota was duly approved and accepted as herein platted and described. The plat of Hidden River Acres is ordered to be recorded and filed in the office of the Register of Deeds of Stutsman County and a copy of the same to be filed in the office of the City Auditor and the office of the City Engineer.

Dated: 8/12/2021
Sarah Helleson
Sarah Helleson, City Administrator
Dwaine Heinrich
Dwaine Heinrich, Mayor

COUNTY AUDITOR APPROVAL

I, Jessica Alonge, County Auditor of Stutsman County, hereby accept this plat for filing at the Recorder's Office.

Jessica Alonge
County Auditor
Loree Joachin
Special Deputy



Return To:
DEAN HAFNER

0237781
STUTS CO. REC.
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All delinquent & current taxes & special assessments are paid and TRANSFER ACCEPTED this day of August 2021
By *Jessica Alonge*
County Auditor
By *Loree Joachin*
Deputy

STUTSMAN COUNTY RECORDER Doc #0237781
I certify that this instrument was filed and recorded on 8/20/2021 at 3:20 PM. Jessica Moser, Recorder Fee \$20.00
By *Loree Joachin*
Stutsman County Auditor
Recorded Entered Completed Searched

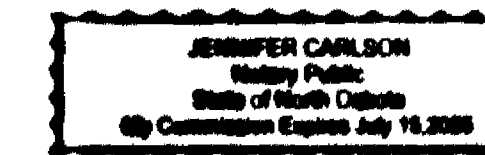
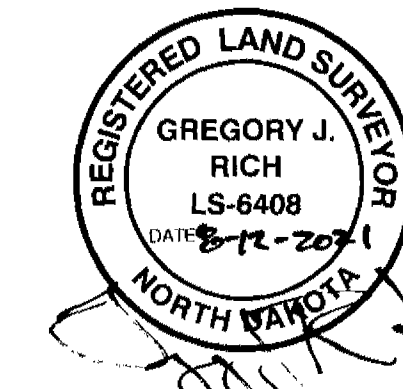
SURVEYOR'S CERTIFICATE

I, Gregory J. Rich, Tamarac Land Surveying, LLC, Jamestown, North Dakota, a Professional Land Surveyor in the State of North Dakota, do hereby certify that this plat is a true and correct representation of the survey of HIDDEN RIVER ACRES as surveyed by me on January 16, 2021 and that all distances are correct, the monuments are in place as shown on the plat and the outside boundary lines are correctly designated as shown on the plat in accordance with the statutes of the State of North Dakota to the best of my knowledge, information and belief.

STATE OF NORTH DAKOTA } SS
COUNTY OF STUTSMAN

On this 12 day of August, 2021, A.D., before me, a notary public, personally appeared Gregory J. Rich, known to me to be the same person described herein and who executed the within and foregoing instrument and acknowledged before me that he executed the same.

Jennifer Carlson
Notary Public

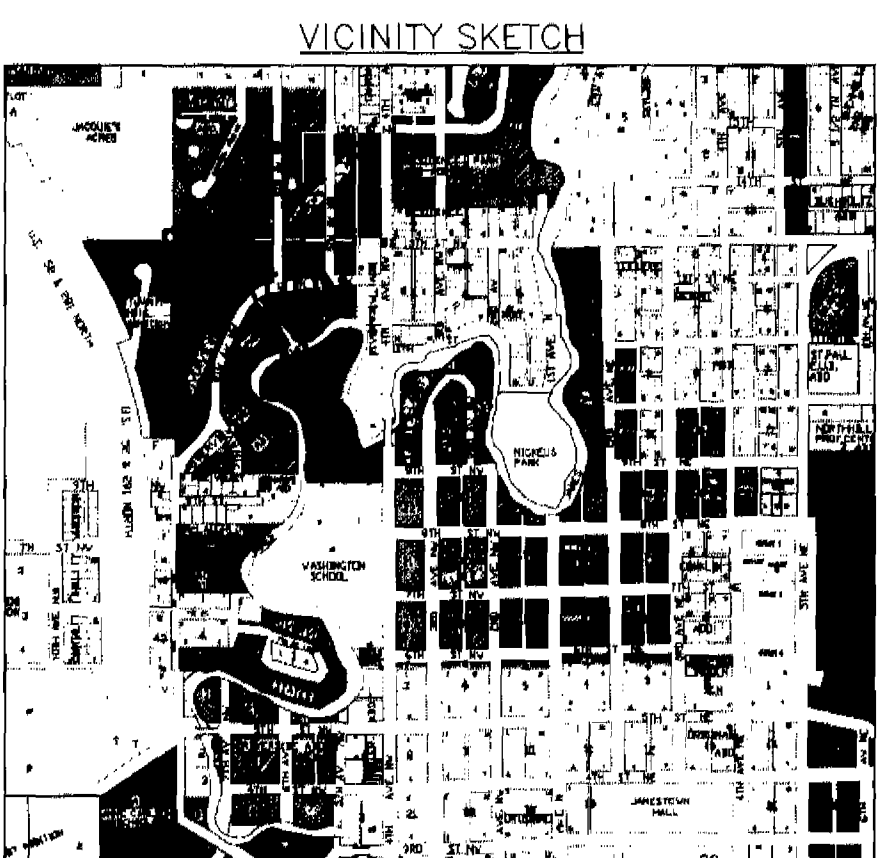


PLAT DECLARATION

The Owner and Proprietor of the land hereinafter described together with Gregory J. Rich, Tamarac Land Surveying, LLC a Professional Land Surveyor in the State of North Dakota, hereby declares and makes known that said Owner and Proprietor recently caused the following described tract of land to be platted as HIDDEN RIVER ACRES. The plat thereof which is attached hereto was made by said Gregory J. Rich in accordance with the statutes of the State of North Dakota and the ordinances of the City of Jamestown, Stutsman County, North Dakota. Said tract being described as follows:

Part of Government Lot 1 of Section 26, Township 140 North, Range 64 West of the Fifth Principal Meridian, lying and being North of a line extended from the intersection of the South boundary line of 9th Street with the East boundary line of said Government Lot 1 westward to the middle of the James River at right angles with the East boundary of said Government Lot 1, City of Jamestown, Stutsman County, North Dakota. The metes and bounds of the boundary of said tract being more particularly described by the following metes and bounds description:

COMMENCING at the East Quarter Corner of said Section 26; Thence N00°26'50"W on the East Line of said Section 26 a distance of 1180.91 feet to a mag spike with washer set in concrete at the intersection of the South Line of 9th Street NW and the East Line of Government Lot 1, said point also being the POINT OF BEGINNING; Thence S89°33'10"W on a line perpendicular to the East Line of Government Lot 1 a distance of 460.31 feet to a number 5 rebar with pink plastic cap set at the intersection with a meander line of the James River; Thence N02°54'46"W on said meander line a distance of 375.13 feet; Thence N35°05'37"W on said meander line a distance of 165.55 feet; Thence N65°38'16"W on said meander line a distance of 228.93 feet; Thence N19°41'51"E on said meander line a distance of 100.47 feet; Thence N65°13'08"E on said meander line a distance of 398.90 feet; Thence N38°27'56"E on said meander line a distance of 115.39 feet; Thence S77°29'06"E on said meander line a distance of 129.04 feet; Thence S01°10'57"W on said meander line a distance of 64.59 feet; Thence S31°04'59"W on said meander line a distance of 162.32 feet; Thence S27°03'37"E on said meander line a distance of 294.70 feet; Thence N78°51'04"E on said meander line a distance of 145.54 feet; Thence N23°29'56"E on said meander line a distance of 17.11 feet; Thence N23°29'56"E on said meander line a distance of 50.29 feet to a point on the East Line of Government Lot 1; Thence S00°26'50"E on the East Line of Government Lot 1 a distance of 296.43 feet to the point of beginning. This described boundary (to said meander line) includes 7.35 acres. Said tract also includes all that land lying between the described meander line and the ordinary high water mark of the James River which includes a total approximate area of 8.43 acres more or less. There are an additional 2.23 acres more or less lying between the approximate ordinary high water mark and the approximate thread of the stream of the James River. Said tract is subject to all reservations, restrictive covenants, utility agreements, easements and rights of way of record or ascertainable by visual inspection.



LINE	BEARING	LENGTH
L1	N38°45'24"W	16.80'
L2	N38°45'24"W	24.52'
L3	N23°29'56"E	17.11'
L4	N23°29'56"E	50.29'

- LEGEND**
- ▲ CALCULATED POSITION
 - SET 1"X4.5" MAG SPIKE
 - SET #5 X 18" REBAR WITH PLS 6408 CAP
 - ⊙ RECORD MONUMENT AS INDICATED
 - (P.O.B.) POINT OF BEGINNING
 - (P.O.B.) POINT OF BEGINNING
 - SURVEY TIE LINE
 - PLATTED LOT LINE
 - PLATTED LOT BOUNDARY
 - EASEMENT BOUNDARY
 - MEANDER LINE
 - EXISTING STRUCTURE

NORTHEAST CORNER OF SECTION 26, CALCULATED POINT FALLS ON MANHOLE COVER.

OUTLOT 1
0.09 ACRES
(Fee granted to the City of Jamestown by this plat. See Note 3)

LOT 1
8.35 ACRES