

**WARRANTY DEED**

THIS INDENTURE, Made this 22 day of June, 2021, **Jerome Spellerberg, LLLP**, a North Dakota limited liability limited partnership ("Grantor"), and **Elk Creek Capital, LLC**, a Kansas limited liability company, 13356 Metcalf, Overland Park, Kansas 66213 ("Grantee")

WITNESSETH, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, Grantors do hereby grant to the Grantee all of their interest in the following real property lying and being in the County of Richland, State of North Dakota, and described as follows:

**A PORTION OF THE SOUTH HALF OF SECTION 13, TOWNSHIP 130 NORTH, RANGE 52 WEST OF THE 5TH PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**COMMENCING AT A FOUND 1/2" REBAR AT THE N1/4 CORNER OF SECTION 13, TOWNSHIP 130 NORTH, RANGE 52 WEST OF THE 5TH PRINCIPAL MERIDIAN, RICHLAND COUNTY, NORTH DAKOTA (LAND SURVEY MONUMENT RECORD, DOCUMENT NO. 1097); THENCE S 02°24'42" E ALONG THE NORTH-SOUTH 1/4 SECTION LINE A DISTANCE OF 3544.85'; THENCE N 76°06'54" E A DISTANCE OF 90.86' TO THE POINT OF BEGINNING BEING A SET 5/8" REBAR WITH #4625 CAP; THENCE S 03°11'48" E A DISTANCE OF 248.59' TO A SET 5/8" REBAR WITH #4625 CAP ON THE NORTH RIGHT OF WAY LINE OF NORTH DAKOTA HIGHWAY 18; THENCE N 79°56'29" W ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 735.42' TO A SET 5/8" REBAR WITH #4625 CAP; THENCE N 10°03'31" E A DISTANCE OF 27.50' TO A SET 5/8" REBAR WITH #4625 CAP; THENCE N 87°13'06" E A DISTANCE OF 411.85' TO A SET 5/8" REBAR WITH #4625 CAP; THENCE N 76°06'54" E A DISTANCE OF 302.94' TO THE POINT OF BEGINNING FOR THE DESCRIBED PARCEL, SAID PARCEL CONTAINS 1.98 ACRES OR 86290 SQUARE FEET, MORE OR LESS.**

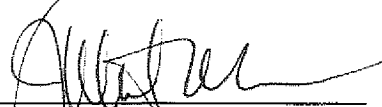
SUBJECT TO all easements and reservations of record.

And the said Grantors for themselves, their heirs and personal representatives, do covenant with the Grantee that they are well seized in fee of the land and premises aforesaid and have good right to sell and convey the same in the manner and form aforesaid; that the same is free from all encumbrances, except installments of special assessments or assessments for special improvements which have not been certified to the County Auditor for collection, and the above granted lands and premises in the quiet and peaceable possession of said Grantee, against all persons lawfully claiming or to claim the whole or any part thereof, the said Grantors will warrant and defend.

FIDELITY NATIONAL TITLE NCS PHOENI

\*\*\*\*\*

I certify that the full consideration paid for the property described in this deed is \$53,500.00 in accordance with N.D.C.C. §11-18-02.2.

  
\_\_\_\_\_  
Grantee or Agent

6/23/21  
Date





**Document Number: 372204**

RECORDER'S OFFICE, RICHLAND COUNTY, ND 6/25/2021 9:10 AM  
I CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD THIS DATE.  
JACKIE BABBITT, COUNTY RECORDER



by Jackie Babbitt

Electronically Recorded

**Document #372204**

Page: 5 of 5  
6/25/2021 9:10 AM  
\$20.00

FIDELITY NATIONAL TITLE NCS PHOENI

Current Taxes and special assessments and delinquent taxes and  
Special assessments or installments of special assessments paid and  
TRANSFER ACCEPTED on June 25, 2021

By Sandy Fossum  
Richland County Auditor

# CITY OF LIDGERWOOD, RICHLAND COUNTY, NORTH DAKOTA ANNEXATION PLAT

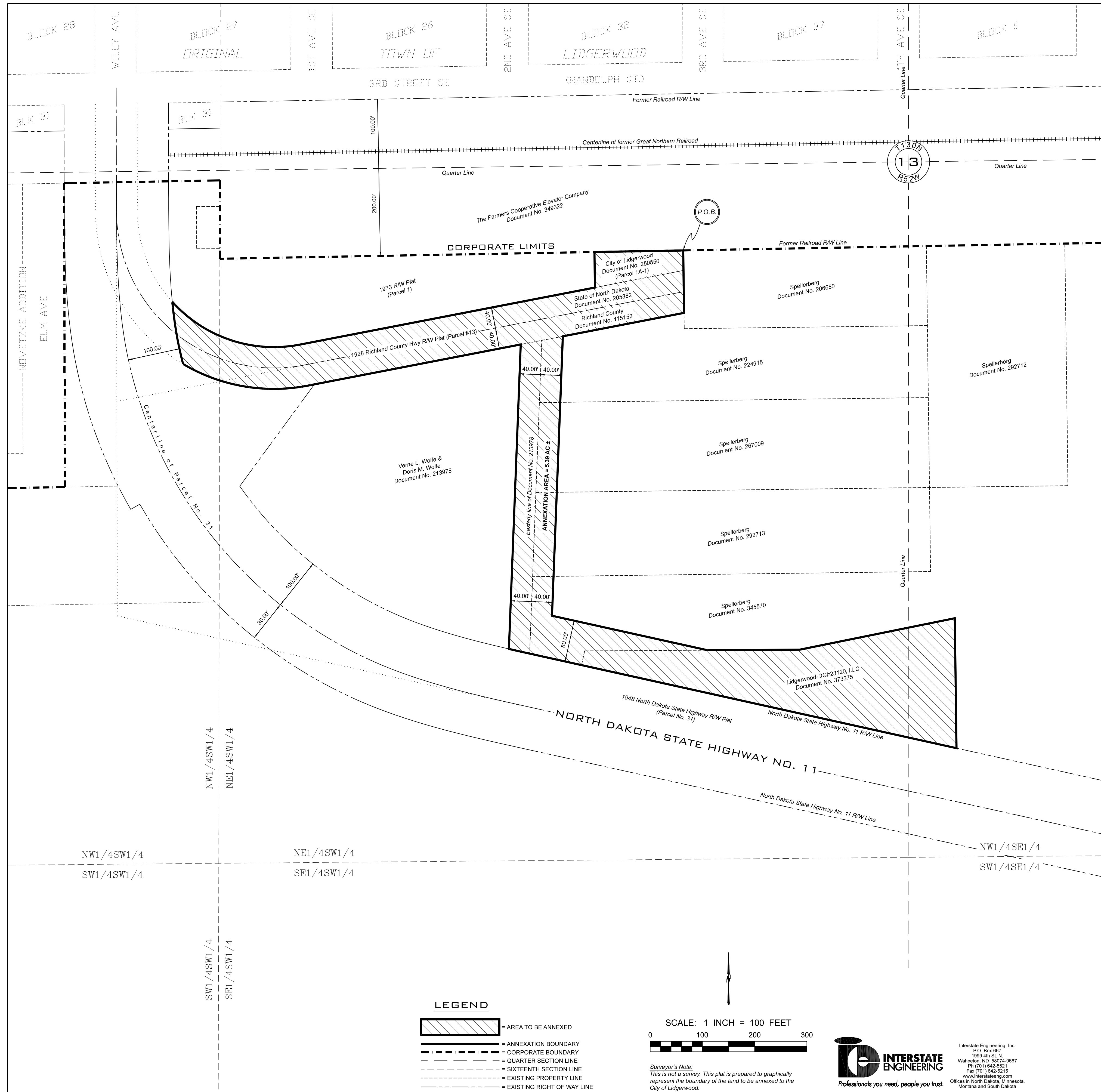
PARTS OF THE NORTH HALF OF THE SOUTHWEST QUARTER (N1/2SW1/4) & THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW1/4SE1/4) OF SECTION 13, TOWNSHIP 130 NORTH, RANGE 52 WEST OF THE 5TH PRINCIPAL MERIDIAN, RICHLAND COUNTY, NORTH DAKOTA

## SURVEYOR'S CERTIFICATE

Dustin Vosberg, being first duly sworn, deposes and says that he is the Registered Professional Land Surveyor who prepared and made the attached plat of a parcel of land annexed to the City of Lidgerwood on the 30th day of December, 2022; that the property represented in this plat is parts of the North Half of the Southwest Quarter (N1/2SW1/4) & the Northwest Quarter of the Southeast Quarter (NW1/4SE1/4) of Section 13, Township 130 North, Range 52 West of the 5th Principal Meridian, Richland County, North Dakota; and that said attached plat is a correct representation of said parcels of land annexed to the City of Lidgerwood and described as follows, to wit:

BEGINNING at the northeast corner of Parcel 1A-1 as shown on the 1987 North Dakota State Highway Right of Way Plat, said northeast corner being on the former south right of way line of the Great Northern Railroad; thence south, on and along the east line of said parcel 1A-1 and its southerly extension thereof to its intersection with the southerly line of Parcel No. 13 as shown on the 1928 Richland County Highway Right of Way Plat; thence southwesterly, on and along the southerly line of said Parcel No. 13 to its intersection with a line parallel with and 40.00 feet distant, measured at a right angle, easterly of the east line of that certain tract described and recorded in Document No. 213978, said document on file at the Office of the County Recorder in and for said County and State; thence southerly, on and along the said line parallel with and 40.00 distant, easterly of the east line of the tract described in Document No. 213978, to its intersection with a line parallel with and 80.00 feet distant, measured at a right angle, northeasterly of the northeasterly right of way line of North Dakota State Highway No. 11 as shown as Parcel No. 31 on the 1948 North Dakota State Highway Right of Way Plat; thence southeasterly, on and along the said line parallel with and 80.00 feet distant, northeasterly of the northeasterly right of way line of North Dakota State Highway No. 11 to its intersection with the northerly line of that certain tract described and recorded in Document No. 373375, said document on file at the said Office of the County Recorder; thence easterly, on and along said northerly line of the tract described in Document No. 373375, to an angle point; thence northeasterly, continuing on an along the northerly line of the said tract described in Document No. 373375, to the northeasterly corner of the said tract described in Document No. 373375; thence southerly, on and along the easterly line of the said tract described in Document No. 373375, to the southeasterly corner of said tract described in Document No. 373375, said southeasterly corner being on the said northeasterly right of way line of North Dakota State Highway No. 11; thence northwesterly, on and along the said northeasterly right of way line of North Dakota State Highway No. 11, to its intersection with a line parallel with and 40.00 feet distant, measured at a right angle, westerly of the easterly line of the said tract described in Document No. 213978; thence northerly, on and along the said line parallel with and 40.00 distant, westerly of the easterly line of the tract described in Document No. 213978, to its intersection with the said southerly line of Parcel No. 13; thence southwesterly, on and along the said southerly line of Parcel No. 13, to its intersection with an arc parallel with and 100.00 foot distant, measured at a right angle, easterly of the centerline of said Parcel No. 31; thence northerly, on and along the said arc parallel with and 100.00 foot distant, easterly of centerline of said Parcel No. 31, to its intersection with the northerly line of said Parcel No. 13; thence southeasterly, on and along the said northerly line of Parcel No. 13, to the southwest corner of said Parcel 1A-1; thence northerly, on and along the westerly line of said Parcel 1A-1, to the northwest corner of said Parcel 1A-1, said northwest corner also being on the said former south right of way line of the Great Northern Railroad; thence easterly, on and along the said north line of Parcel 1A-1 and the said former south right of way line of the Great Northern Railroad to the point of beginning, containing 5.39 acres, more or less.

Dustin Vosberg  
Registered Professional Land Surveyor  
ND Registration No. LS-29769



- LEGEND**
- AREA TO BE ANNEXED
  - ANNEXATION BOUNDARY
  - CORPORATE BOUNDARY
  - QUARTER SECTION LINE
  - SIXTEENTH SECTION LINE
  - EXISTING PROPERTY LINE
  - EXISTING RIGHT OF WAY LINE

SCALE: 1 INCH = 100 FEET

*Surveyor's Note:*  
This is not a survey. This plat is prepared to graphically represent the boundary of the land to be annexed to the City of Lidgerwood.

**INTERSTATE ENGINEERING**  
Professionals you need, people you trust.

Interstate Engineering, Inc.  
P.O. Box 667  
1999 4th St. N.  
Wahpeton, ND 58074-0667  
Ph (701) 642-5221  
Fax (701) 642-5215  
www.interstateeng.com  
Offices in North Dakota, Minnesota, Montana and South Dakota


**ORDINANCE NO. 2022-1 (283)****AN ORDINANCE ANNEXING LAND  
TO THE CITY OF LIDGERWOOD, NORTH DAKOTA  
(Portions of the SW¼ of Section 13-T130N-R52W, Richland County, North Dakota)**

BE IT ORDAINED, that the following tracts, upon written petition signed by not less than three-fourths of the qualified electors of that territory contiguous and adjacent to the City of Lidgerwood, upon notice as required by law, be annexed to the City of Lidgerwood, Richland County, North Dakota:


BEGINNING at the northeast corner of Parcel 1A-1 as shown on the 1987 North Dakota State Highway Right of Way Plat, said northeast corner being on the former south right of way line of the Great Northern Railroad; thence south, on and along the east line of said parcel 1A-1 and its southerly extension thereof to its intersection with the southerly line of Parcel No. 13 as shown on the 1928 Richland County Highway Right of Way Plat; thence southwesterly, on and along the southerly line of said Parcel No. 13 to its intersection with a line parallel with and 40.00 feet distant, measured at a right angle, easterly of the east line of that certain tract described and recorded in Document No. 213978, said document on file at the Office of the County Recorder in and for said County and State; thence southerly, on and along the said line parallel with and 40.00 distant, easterly of the east line of the tract described in Document No. 213978, to its intersection with a line parallel with and 80.00 feet distant, measured at a right angle, northeasterly of the northeasterly right of way line of North Dakota State Highway No. 11 as shown as Parcel No. 31 on the 1948 North Dakota State Highway Right of Way Plat; thence southeasterly, on and along the said line parallel with and 80.00 feet distant, northeasterly of the northeasterly right of way line of North Dakota State Highway No. 11 to its intersection with the northerly line of that certain tract described and recorded in Document No. 373375, said document on file at the said Office of the County Recorder; thence easterly, on and along said northerly line of the tract described in Document No. 373375, to an angle point; thence northeasterly, continuing on an along the northerly line of the said tract described in Document No. 373375, to the northeasterly corner of the said tract described in Document No. 373375; thence southerly, on and along the easterly line of the said tract described in Document No. 373375, to the southeasterly corner of said tract described in Document No. 373375, said southeasterly corner being on the said northeasterly right of way line of North Dakota State Highway No. 11; thence northwesterly, on and along the said northeasterly right of way line of North Dakota State Highway No. 11, to its intersection with a line parallel with and 40.00 feet distant, measured at a right angle, westerly of the easterly line of the said tract described in Document No. 213978; thence northerly, on and along the said line parallel with and 40.00 distant, westerly of the easterly line of the tract described in Document No. 213978, to its intersection with the said southerly line of Parcel No. 13; thence southwesterly, on and along the said southerly line of Parcel No. 13, to its intersection with an arc parallel with and 100.00 foot distant, measured at a right angle, easterly of the centerline of said Parcel No. 31; thence northerly, on and along the said arc parallel with and 100.00 foot distant, easterly of centerline of said Parcel No. 31, to its intersection with the northerly line of said Parcel No. 13; thence southeasterly, on

and along the said northerly line of Parcel No. 13, to the southwest corner of said Parcel 1A-1; thence northerly, on and along the westerly line of said Parcel 1A-1, to the northwest corner of said Parcel 1A-1, said northwest corner also being on the said former south right of way line of the Great Northern Railroad; thence easterly, on and along the said north line of Parcel 1A-1 and the said former south right of way line of the Great Northern Railroad to the point of beginning, containing 5.39 acres, more or less.

CITY OF LIDGERWOOD

By  \_\_\_\_\_  
Dale Krause, Mayor

ATTEST:

 \_\_\_\_\_  
Cheryl Grenz, City Auditor

First Reading: *February 7, 2022*  
Second Reading: December 5<sup>th</sup>, 2022  
Adopted: December 5<sup>th</sup>, 2022

Document #377279

Page: 2 of 5  
12/30/2022 1:10 PM  
\$20.00

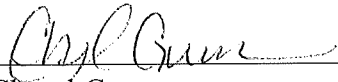
LIES, BULLIS & HATTING PLLP - WAHPETON



CERTIFICATE OF AUDITOR

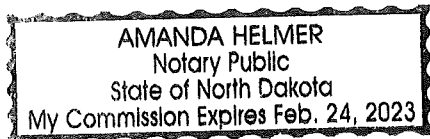
I, Cheryl Grenz, do hereby certify that I am the City Auditor for the City of Lidgerwood, North Dakota, that the attached Ordinance No. 2022-1 is a true and correct copy of the Ordinance Annexing Land (Portions of the SW¼ of Section 13-T130N-R52W, Richland County, North Dakota) into the City of Lidgerwood, North Dakota and requesting that it be recorded without auditor's certificate.

IN WITNESS WHEREOF, I hereto set my hand this 20<sup>th</sup> day of December, 2022.

  
\_\_\_\_\_  
Cheryl Grenz  
City Auditor

State of North Dakota        )  
  )        ss  
County of Richland        )

On this 20<sup>th</sup> day of December, 2022, before me a Notary Public in and for said County and State, personally appeared Cheryl Grenz, known to me to be the City Auditor of the City of Lidgerwood that is described in and that executed the within instrument and acknowledged to me that she executed the same on behalf of the City of Lidgerwood.



  
\_\_\_\_\_  
Amanda Helmer  
Notary Public