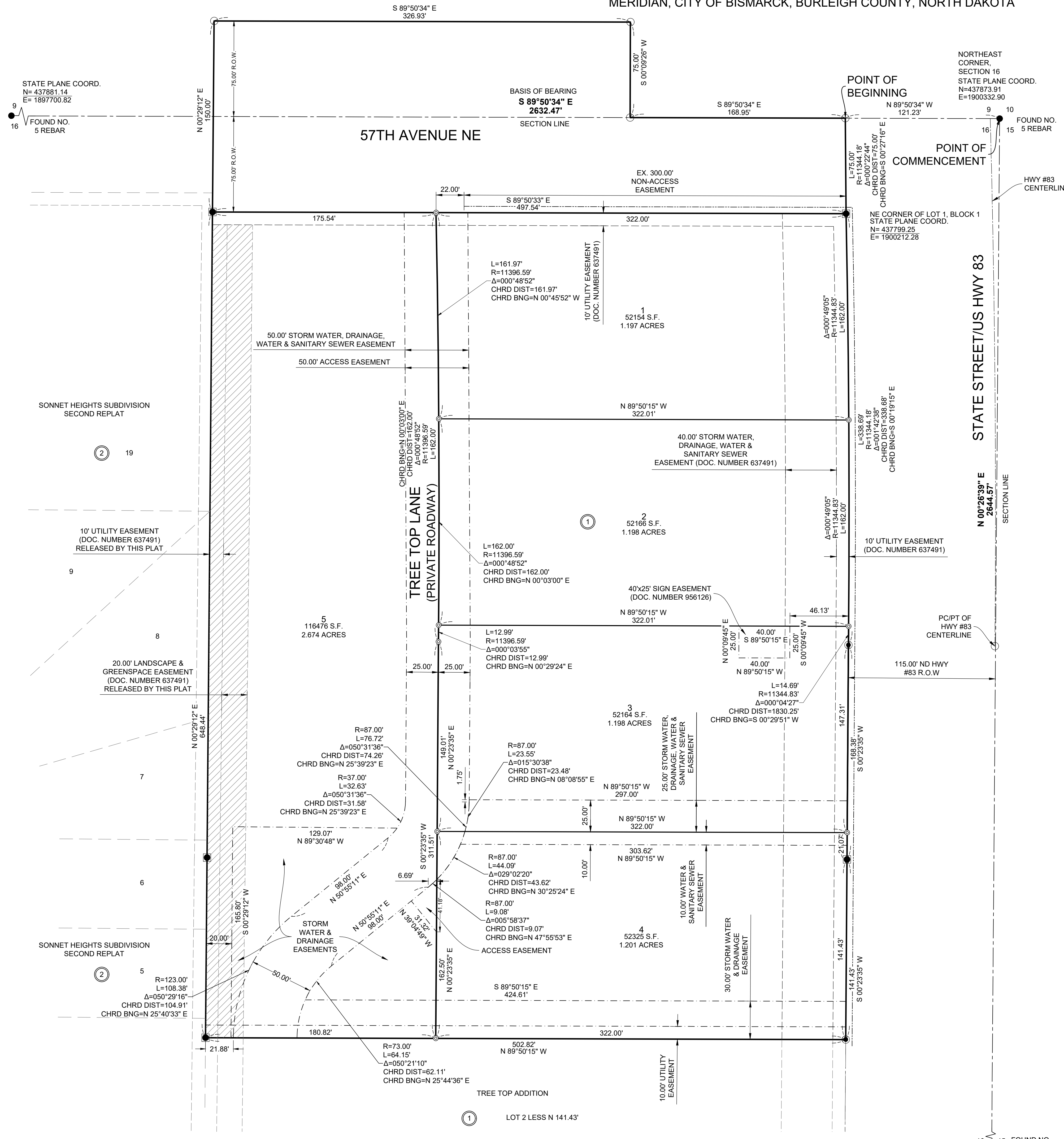


TREE TOP 2ND ADDITION

BEING A REPLAT OF LOT 1, BLOCK 1 AND NORTH 141.43 FT OF LOT 2, BLOCK 1, TREE TOP ADDITION AND A PORTION OF THE ADJACENT 57TH AVE NE RIGHT OF WAY, NORTHEAST QUARTER OF SECTION 16 AND SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 139 NORTH, RANGE 80 WEST, FIFTH PRINCIPAL MERIDIAN, CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA

SURVEYOR:
KLJ ENGINEERING LLC
4585 COLEMAN STREET
BISMARCK, NORTH DAKOTA 58503-0431

OWNER:
MALLOY 57, LLC
207 SOUTH WASHINGTON ST.
BISMARCK, ND 58504



DESCRIPTION

BEING A REPLAT OF LOT 1, BLOCK 1 AND NORTH 141.43 FT OF LOT 2, BLOCK 1, TREE TOP ADDITION AND A PORTION OF THE ADJACENT 57TH AVE NE RIGHT OF WAY, NORTHEAST QUARTER OF SECTION 16 AND SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 139 NORTH, RANGE 80 WEST, FIFTH PRINCIPAL MERIDIAN, CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 16; THENCE ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 16, ON A BEARING OF N 89°50'34" W, A DISTANCE OF 121.23' FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF HIGHWAY 83 AND THE POINT OF BEGINNING; THENCE SOUTHERLY ALONG SAID WESTERLY RIGHT-OF-WAY THE FOLLOWING FOUR (4) COURSES: ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 00°22'44", A RADIUS OF 11,344.18 FEET, AND A CHORD WHICH BEARS S 00°17'27" 16" E, A DISTANCE OF 75 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF 57TH AVENUE NE AND THE NORTHEAST CORNER OF LOT 1, BLOCK 1, OF SAID TREE TOP ADDITION; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 01°42'38", A RADIUS OF 11,344.18 FEET, A DISTANCE OF 338.69 FEET; THENCE ON A BEARING OF S 00°23'35" W, A DISTANCE OF 168.38 FEET TO THE SOUTHEAST CORNER OF LOT 1, BLOCK 1 OF SAID TREE TOP ADDITION; THENCE ON A BEARING OF S 00°23'35" W, A DISTANCE OF 141.43 FEET TO THE SOUTHEAST CORNER OF THE NORTH 141.43 FEET OF LOT 2, BLOCK 1 OF SAID TREE TOP ADDITION; THENCE ALONG THE SOUTH LINE OF THE NORTH 141.43 FEET OF SAID LOT 2, BLOCK 1, ON A BEARING OF N 89°50'15" W, A DISTANCE OF 502.82 FEET TO A POINT ON THE WESTERLY LINE OF SAID TREE TOP ADDITION; THENCE ON A BEARING OF N 00°29'12" E, A DISTANCE OF 648.44 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF 57TH AVENUE NE AND THE NORTHERLY RIGHT-OF-WAY OF SAID LOT 1, BLOCK 1 OF TREE TOP ADDITION; THENCE CONTINUING ON A BEARING OF N 00°29'12" E, A DISTANCE OF 150 FEET TO THE NORTHERLY RIGHT-OF-WAY OF 57TH AVENUE NE; THENCE ON A BEARING OF S 89°50'34" E ALONG SAID NORTHERLY RIGHT-OF-WAY, A DISTANCE OF 326.93 FEET; THENCE ON A BEARING OF S 00°09'26" W, A DISTANCE OF 75 FEET TO A POINT ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 16; THENCE ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 16, ON A BEARING OF S 89°50'34" E, A DISTANCE OF 168.95 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 387,092 SQUARE FEET OR 8.887 ACRES.

SURVEYOR'S CERTIFICATE

I, CARL OLSON, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THIS PLAT IS A CORRECT REPRESENTATION OF A SURVEY PERFORMED UNDER MY SUPERVISION AND COMPLETED ON THE 11TH DAY OF DECEMBER, 2019, THAT ALL INFORMATION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT ALL REQUIRED MONUMENTS HAVE BEEN SET.

CARL OLSON
PROFESSIONAL LAND SURVEYOR
N.D. REGISTRATION NO. PLS-4687
4585 COLEMAN STREET
BISMARCK, NORTH DAKOTA 58503

APPROVAL OF BOARD OF CITY COMMISSIONERS

THE BOARD OF CITY COMMISSIONERS OF THE CITY OF BISMARCK, NORTH DAKOTA HAS APPROVED THE SUBDIVISION OF LAND AS SHOWN ON THE APPROVED PLAT, HAS ACCEPTED THE DEDICATION OF ALL STREETS SHOWN THEREON, HAS APPROVED THE GROUNDS AS SHOWN ON THE APPROVED PLAT AS AN AMENDMENT TO THE MASTER PLAN OF THE CITY OF BISMARCK.

THE FOREGOING ACTION OF THE CITY COMMISSION OF BISMARCK, NORTH DAKOTA WAS TAKEN BY RESOLUTION APPROVED THE _____ DAY OF _____.

ATTEST
KEITH HUNKE - CITY ADMINISTRATOR

APPROVAL OF CITY ENGINEER

I, GABRIEL J. SCHELL, CITY ENGINEER OF THE CITY OF BISMARCK, NORTH DAKOTA, HEREBY APPROVE "TREE TOP 2ND ADDITION" AS SHOWN ON THE APPROVED PLAT.

GABRIEL J. SCHELL - CITY ENGINEER

APPROVAL OF CITY PLANNING COMMISSION

THE SUBDIVISION OF LAND AS SHOWN ON THE APPROVED PLAT HAS BEEN APPROVED BY THE PLANNING COMMISSION OF THE CITY OF BISMARCK, ON THE _____ DAY OF _____, IN ACCORDANCE WITH THE LAWS OF THE STATE OF NORTH DAKOTA, ORDINANCES OF THE CITY OF BISMARCK AND REGULATIONS ADOPTED BY THE 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.

MICHAEL J. SCHWARTZ - CHAIRMAN
ATTEST: SARAH FRICKE - SECRETARY

OWNER'S CERTIFICATE AND DEDICATION

I, HOWARD MALLOY, PRESIDENT OF MALLOY 57, LLC, BEING THE OWNER OF THE LANDS PLATTED HEREIN, DO HEREBY VOLUNTARY CONSENT TO THE EXECUTION OF THIS PLAT TITLED TREE TOP 2ND ADDITION, AND REDEDICATE ALL RIGHTS OF WAY AS SHOWN ON THIS PLAT TO THE CITY OF BISMARCK.

I HEREBY DEDICATE AND REDEDICATE ALL EASEMENTS SHOWN ON THIS PLAT, EXCEPT THOSE SHOWN TO BE VACATED, TO RUN WITH THE LAND FOR GAS, ELECTRIC, TELEPHONE, COMMUNICATIONS, AND OTHER PUBLIC UTILITIES OR SERVICES, ON, ACROSS, OR UNDER THOSE CERTAIN STRIPS OF LAND DESIGNATED HEREON AS "UTILITY EASEMENTS"; I REDEDICATE ALL EASEMENTS TO RUN WITH THE LAND, FOR STORM WATER, DRAINAGE, WATER, AND SANITARY SEWER UTILITIES ON, ACROSS, OR UNDER THOSE CERTAIN STRIPS OF LAND DESIGNATED HEREON AS "STORM WATER, DRAINAGE, WATER, & SANITARY SEWER EASEMENTS".

I ALSO DEDICATE AN ACCESS EASEMENT UNTO ALL LAND OWNING PARTIES WITHIN THE PLAT TO RUN WITH THE LAND, SAID EASEMENT TO INCLUDE THE FULL AND FREE RIGHT OF ACCESS TO SAID PARTIES, THEIR TENANTS, VISITORS, AND LICENSEES, EMERGENCY SERVICES PERSONNEL, AND THE AGENTS, OFFICERS, AND EMPLOYEES OF ANY GOVERNMENTAL SUBDIVISION, 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.

I ALSO DEDICATE A "WATER, SANITARY, STORM WATER & DRAINAGE EASEMENT", ALONG THE PRIVATE ACCESS ROAD, UNTO ALL LAND OWNING PARTIES WITHIN THE PLAT TO RUN WITH THE LAND FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTION, REPAIR, ENLARGING AND MAINTAINING SAID WATER SERVICES, SANITARY SEWER, STORM WATER AND DRAINAGE CONVEYANCE UNDER, OVER, THROUGH AND/OR ACROSS THOSE CERTAIN STRIPS OF LAND DESIGNATED HEREON.

I ALSO DEDICATE A "STORM WATER & DRAINAGE EASEMENT", WITHIN LOT 5, UNTO ALL LAND OWNING PARTIES WITHIN THE PLAT TO RUN WITH THE LAND FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTION, REPAIR, ENLARGING AND MAINTAINING SAID 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 FLOW AND/OR DETENTION OF STORM WATER UNDER, OVER, THROUGH AND/OR ACROSS THOSE CERTAIN STRIPS OF LAND DESIGNATED HEREON FOR THE BENEFIT OF LOT 5, BLOCK 1, AND THE ACCESS ROAD.

I FURTHERMORE DEDICATE A "WATER, SANITARY, STORM WATER & DRAINAGE EASEMENT" UNTO LOT 3 AND LOT 4, BLOCK 1 TO RUN WITH THE LAND FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTION, REPAIR, ENLARGING AND MAINTAINING SAID WATER SERVICES, SANITARY SEWER, STORM WATER AND DRAINAGE CONVEYANCE FACILITIES UNDER, THROUGH AND/OR ACROSS THOSE CERTAIN STRIPS OF LAND DESIGNATED HEREON FOR THE BENEFIT OF LOT 5, BLOCK 1.

STATE OF NORTH DAKOTA }
COUNTY OF _____ }SS

ON THIS _____ DAY OF _____ BEFORE ME PERSONALLY APPEARED RANDALL BAKKE, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE WITHIN CERTIFICATE AND THEY ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

_____ COUNTY, NORTH DAKOTA

MY COMMISSION EXPIRES _____

HOWARD MALLOY
PRESIDENT
MALLOY 57, LLC
207 SOUTH WASHINGTON ST
BISMARCK, ND 58504

NOTES:

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

PLAT IS SUBJECT TO ALL PRIOR CONVEYANCES AND EASEMENTS OF RECORD.

ALL DISTANCES SHOWN ARE MEASURED IN GROUND USING A SCALE FACTOR OF 1.0001485221.

DURABLE BENCHMARK MONUMENT IS DESCRIBED AS NE PROPERTY CORNER OF TREE TOP 2ND ADDITION, BLOCK 1, LOT 1. DATA FOR MONUMENT IS SHOWN BELOW.

NORTHING: 437799.25
EASTING: 1900212.28
ELEVATION: 1849.57

PLAT INFORMATION

- NUMBER OF LOTS: 5
- LOT ACREAGE - 7.468 ACRES
- R.O.W. ACREAGE - 1.419 ACRES
- TOTAL ACREAGE - 8.887 ACRES

FLOOD PLAIN INFORMATION:

THE PROPERTY IS NOT LOCATED IN A FLOOD PLAIN.

PLAT LEGEND

- MONUMENT TO BE SET
- REBAR AND LS 3756 CAP FOUND
- REBAR AND LS 27123 CAP FOUND
- CALCULATED POSITION
- EXISTING EASEMENT
- EXISTING PROPERTY LINE
- BOUNDARY LINE
- RIGHT OF WAY LINE
- PROPOSED LOT LINE
- NON-ACCESS LINE
- EASEMENT LINE
- EASEMENT TO BE RELEASED

① 1 BLOCK/LOT NUMBERS

