

**Public Notices**

**PUBLIC NOTICE**

Country Club Coop has completed its year 2019 Consumer Confidence Report and is proud to announce that its drinking water is SAFE TO DRINK and that the Country Club Coop had NO VIOLATIONS for the year 2019. A copy of that report can be obtained by writing to Alfred Buchholz, 1404 E Thayer Ave, Bismarck, ND 58501 or by calling (701) 347-8304.

6/29 - 10086

**CHAPTER 13-03 (WEED CONTROL)**

**13-03-01. Authority.**

1. The City Forester shall have the duties and authority as provided by this section.  
 2. All weeds, tall grasses exceeding (8) eight inches in height, and unhealthy vegetation exceeding eight (8) inches in height growing within the limits of the city are hereby declared to be a public nuisance. It shall be the duty of every person owning, occupying, or in charge of any premises, lot or parcel of land in the city to keep that premises, parcel or lot, including the adjacent rights-of-way, berms and boulevards free from all weeds, long grasses and unhealthy vegetation by cutting or destroying them at all times during the growing season. Medians separating street sections shall not be included in the requirements of this section.  
 3. "Weeds" as used in this chapter shall include all weeds contained in North Dakota Administrative Code Section 7-06-01-02 as it defines "noxious weeds."  
 4. "Tall grasses" shall mean all weeds not contained in North Dakota Administrative Code Section 7-06-01-02 in excess of eight (8) inches in height and all grasses in excess of eight (8) inches in height. Tall grasses may be used for ornamental plantings subject to the following conditions:  
 a. Tall grasses may not be used as lawn cover.  
 b. Tall grasses may not be planted on the public right-of-way without the written permission of the city traffic engineer.  
 c. Tall grasses may not be planted or maintained within a sight triangle, as defined by Section 14-02-03, in excess of thirty-six (36) inches in height above the adjacent curb level.  
 d. Plantings of tall grasses must be maintained in a weed free condition.  
 5. "Unhealthy vegetation" shall include, but not be limited to the following:  
 a. Volunteer trees capable of being cut with mowing equipment.  
 b. Ornamental plantings overgrown with weeds.

(Ord. 5487, 03-14-06; Ord. 5715, 04-28-09); (Ord. 6039, 04-08-14; Ord. 6156, 10-13-15; Ord. 6202, 04-26-16)  
**13-03-02. Control/Duty.** It is the duty of every person owning, occupying or in charge of any premises, lot or parcel of land to cut, eradicate or control any weeds, tall grasses exceeding (8) eight inches in height, and unhealthy vegetation exceeding eight (8) inches in height, to prevent them from becoming a public nuisance.  
 (Ord. 6039, 04-08-14)

**13-03-03. Notice by Publication of Ordinance.** It shall be the duty of the City Forester to cause a notice of the contents of this chapter to be published in the official newspaper of the City once within three days of May 1 and May 15 and once again within three days of June 15 and July 1. These publications shall serve as notice to all landowners, occupants or persons in charge of land of the requirements of this chapter. These publications shall also serve as the official notice to property owners to cut weeds, tall grass and unhealthy vegetation. Other methods of notification, such as the media and City of Bismarck's website may also be used to notify landowner, occupants or persons in charge to control weeds, tall grass and unhealthy vegetation.  
 (Ord. 5487, 03-14-06); (Ord. 6039, 04-08-14; Ord. 6156, 10-13-15; Ord. 6202, 04-26-16)

**13-03-04. Eradication, Cutting or Control of Weeds, Tall Grasses and Unhealthy Vegetation by the City Forester.** At a minimum, all property shall be mowed by June 1, mowed again by July 1, mowed again by August 1 and, if necessary, mowed again by September 1 of each year to comply with the provisions of this chapter. The City Forester may order more frequent cuttings, eradication or controlling of weeds, tall grass and unhealthy vegetation if necessary for compliance with this chapter and such notice may be given in person, via telephone or by letter.  
 1. Whenever any person, firm or corporation owning, occupying or in charge of any premises, lot, or parcel of land within the city, shall fail, neglect or refuse to mow the property at least once by June 1, again by July 1 and again by August 1 of each year in accordance with the provisions of this section or shall fail to eradicate, cut or control weeds, tall grasses or unhealthy vegetation within 7 days of receipt of notice from the City Forester, the City Forester shall order the nuisance to be abated by eradicating, cutting or controlling the weeds, tall grasses or unhealthy vegetation in a manner as specified by the City Forester, if the City Forester has first complied with the notice requirements of this Section and Section 13-03-03.  
 A person, firm or corporation notified of impending City action may cause the eradication, cutting or control of the weeds, tall grasses or unhealthy vegetation at any time before the City eradicates, cuts or controls the weeds, tall grasses or unhealthy vegetation located on the property or may appeal the order of the City Forester in writing to the Office of City Administration within five (5) days of receipt of notice or posting of notice from the City Forester to eradicate, cut or control the weeds, tall grasses or unhealthy vegetation. The appeal shall be heard by the Board of City Commissioners at their next scheduled meeting.  
 (Ord. 5487, 03-14-06); (Ord. 6039, 04-08-14; Ord. 6156, 10-13-15; Ord. 6202, 04-26-16)  
**13-03-04.1. Exemptions From Cutting or Mowing.** A property may be exempt from the cutting or mowing requirements listed in this Chapter if such exemption is approved by the City Forester based upon his/her conclusion that an exemption is warranted due to safety concerns, environmental concerns, aesthetic benefits or economic efficiency. Conditions or situations in which such an exemption may be granted shall include but not be limited to property that:  
 1. Cannot be safely mowed.  
 2. Is highly erodible.  
 3. Is undevelopable.  
 4. Is located in an undisturbed natural area.  
 5. Is densely wooded.  
 6. Is too wet to mow, such as marsh, wetland or storm water drainage, pond, or feature, either natural or man-made.  
 7. Is zoned agricultural or is legally used for bona-fide agricultural practices.  
 (Ord. 6039, 04-08-14; Ord. 6156, 10-13-15; Ord. 6202, 04-26-16)  
**13-03-05. Costs Assessed Against Property.** When the City has affected the eradication, cutting or control of weeds, tall grasses or unhealthy vegetation, or has contracted for and paid for the eradication, cutting or control of the weeds, tall grasses or unhealthy vegetation, the actual cost thereof, including an administrative fee as approved by the city commission, must be charged and assessed against the property upon which the weeds, tall grasses or unhealthy vegetation were eradicated, cut or controlled. An assessment list showing the costs against each lot or tracts to be assessed shall be prepared as are other special assessment lists and shall be approved by the Board of City Commissioners. All procedures under state law for certification, appeal, payment and collection of special assessments shall apply.  
 (Ord. 6039, 04-08-14; Ord. 6374, 04-09-19)  
**13-03-06. Cooperation.** Nothing in this chapter shall in any way affect the City's ability to levy for weed and tall grass control nor prevent the City from contracting with or

cooperating with any other board or jurisdiction for the control of weeds, tall grasses or unhealthy vegetation. The City Forester may delegate all or some of the duties required under this section to a member or members of the Public Works staff.  
 Source: Home Rule Charter for the City of Bismarck, Article 3 and NDCC Chapter 63-01.1; (Ord. 6039, 04-08-14; Ord. 6156, 10-13-15; Ord. 6202, 04-26-16)  
 4/30, 5/14, 6/12 & 6/29 - 4847

Jason P. Saylor (ID #08746)  
 J. Thomas Traynor, Jr. (ID #03694)  
 Traynor Law Firm, PC  
 509 5th St NE, Ste. 1 - PO Box 838  
 Devils Lake, ND 58301-0838  
 Telephone: (701) 662-4077  
 Email: jasonsaylor@traynorlaw.com  
 tomtraynor@traynorlaw.com  
 Attorneys for Personal Representative  
 IN THE DISTRICT COURT OF BURLEIGH COUNTY, STATE OF NORTH DAKOTA  
 IN THE MATTER OF THE ESTATE OF BETTY ANN BLOOMQUIST, DECEASED  
 Probate No. 08-2020-PR-00089

**NOTICE TO CREDITORS**

[1] NOTICE IS HEREBY GIVEN that the undersigned has been appointed personal representative of the above estate. All persons having claims against the said deceased are required to present their claims within three months after the date of the first publication of this notice or said claims will be forever barred. Claims must either be presented to the personal representative of the estate at the following address or filed with the Court.  
 Curtis James Bloomquist  
 4255 87th Ave NE  
 Devils Lake, ND 58301  
 Dated this 10th day of June, 2020.  
 /s/ Jessica Mae LeClerc  
 Curtis James Bloomquist  
 6/15, 22 & 29 - 9234

Name, address and telephone no. of attorney:  
 Clark J. Bormann (ID# 04655)  
 BORMANN, MYERCHIN, ESPESETH & EDISON, LLP  
 P.O. Box 995  
 Bismarck, ND 58502-0995  
 (701) 250-8968  
 cbormann@bmlp.com  
 Attorneys for Personal Representative  
 In the matter of the Estate of Ronald L. LeClerc,  
 a/k/a Ronald LeClerc, Deceased.  
 Probate No. 08-2020-PR-00132

**NOTICE TO CREDITORS**

IN THE DISTRICT COURT OF BURLEIGH COUNTY, STATE OF NORTH DAKOTA  
 NOTICE IS HEREBY GIVEN that the undersigned has been appointed Personal Representative of the above estate. Pursuant to N.D.C.C. § 30.1-19-01, all persons having claims against the said deceased are required to present their claims within three (3) months after the date of the first publication of this notice or said claims will be forever barred. Claims must either be presented to Jessica Mae LeClerc, Personal Representative, 2115 27th St., Apt. 1, Sacramento, CA 95818; Bormann, Myerchin, Espeseth, & Edison, LLP, Attorneys for Personal Representative, P.O. Box 995, Bismarck, ND 58502-0995; or filed with the Clerk of District Court, P.O. Box 1055, Bismarck, ND 58502-1055.  
 Dated 6/19/2020.  
 /s/ Jessica Mae LeClerc  
 Jessica Mae LeClerc  
 First Publication  
 6/29, 7/6 & 13 - 10037

IN THE STATE OF NORTH DAKOTA  
 COUNTY OF BURLEIGH  
 IN THE DISTRICT COURT  
 SOUTH CENTRAL JUDICIAL DISTRICT  
 Wells Fargo Bank, National Association, as Trustee for Option One Mortgage Loan Trust 2005-2, Asset-Backed Certificates, Series 2005-2, Plaintiff,  
 v.  
 Shirley A. Vogel; Thomas J. Vogel; Ken Vogel, as Personal Representative for the

Estate of Thomas J. Vogel; Heirs & Devises of the Estate of Shirley A. Vogel; Barclays Bank Delaware; Capital One Bank (USA) NA; Credit Bureau of Bismarck Inc.; Denise Forte-Pathroff; Timothy Darwin Frantz; Microvest, Inc.; Midland Funding LLC; Robert A. Pathroff; Timber Ridge Plumbing & Heating Inc.; Credico, Inc. dba Credit Collections Bureau; United States of America, acting by and through the Internal Revenue Service; any person in possession, and all persons unknown, claiming any estate or interest in, or lien or encumbrance upon, the real estate described in the complaint,  
 Defendants.  
 SUMMONS  
 CIVIL NUMBER:

1. To the above-mentioned Defendants including all persons unknown, claiming any estate or interest in, or lien or encumbrance upon, the real estate described in the complaint.  
 2. You are hereby summoned to appear and defend against the Complaint in this action, which has been filed with the Clerk of Court and is herewith served upon you, by serving upon the undersigned a copy of an Answer or other proper response within twenty-one (21) days after the service of this Summons upon you, exclusive of the day of service. If you fail to do so, Judgment by default will be taken against you for the relief demanded in the Complaint. The original Complaint is filed with the Clerk of the District Court in the County in which this action is commenced.  
 3. This action relates to the foreclosure of a mortgage upon the following described real property in the County of Burleigh, State of North Dakota: Lot Two (2), Block Eight (8), Wachter's Fifth Addition to the City of Bismarck, Burleigh County, North Dakota.  
 Property Address: 1645 Billings Drive, Bismarck, ND 58504-6426  
 4. The Plaintiff is not seeking a personal judgment against the above-named Defendants.  
 Date: April 22, 2020  
 Benjamin J. Mann

Benjamin J. Mann  
 376 East 400 South, Suite 300  
 Salt Lake City, UT 84111  
 Tel: 801-355-2886  
 Fax: 801-328-9714  
 Email: benjamin@hwmlawfirm.com  
 Bar Number: 08371  
 HWM: 46989  
 6/8, 15, 22, 29 - 9879

Notice to Creditors  
 Dennis Pathroff  
 Zuger Kirmis & Smith )  
 316 N 5th St., PO Box 1695  
 Probate No. 30-2020-PR-00053  
 Bismarck, ND 58502  
 Phone: 701-223-2711  
 ND State Bar ID #08607  
 dpathroff@zkslaw.com  
 Attorney for the Personal Representative  
 STATE OF NORTH DAKOTA IN DISTRICT COURT  
 COUNTY OF MORTON SOUTH CENTRAL JUDICIAL DISTRICT  
 In the Matter of the Estate of John Rich, Deceased

**NOTICE TO CREDITORS**

1 NOTICE IS HEREBY GIVEN that Laura Lohstreter has been appointed Personal Representative of the above estate. All persons having claims against the deceased are required to present their claims within three months after the date of the first publication or mailing of this notice or the claims will be forever barred. Claims must either be presented to Dennis Pathroff, attorney for the Personal Representative of the estate, at 316 North 5th Street, 5th Floor, Bismarck, ND 58502, or filed with the Court.  
 DATED: June 17, 2020  
 Dennis Pathroff, Attorney at Law  
 Address: 316 North 5th Street, 5th Floor  
 Bismarck, ND 58502  
 First publication on the 22 day of June, 2020.  
 6/22, 29, 7/6 - 9656

**Bismarck-Mandan Metropolitan Planning Organization Public Comment Notice Ammendments to the 2020-2023 Bismarck-Mandan Metropolitan Transportation Improvement Program (TIP)**

Notice is hereby given that the Bismarck-Mandan Metropolitan Planning Organization (MPO) will hold a public hearing on **Monday July 20, 2020 at 10:00 am** regarding a proposed amendment to the Bismarck-Mandan 2020-2023 TIP. The public hearing will be held in conjunction with the regular meeting of the Bismarck-Mandan Technical Advisory Committee in the Tom Baker Meeting Room in the City/County Office Building at 221 N. 5th Street, Bismarck, ND. If you would like to participate via video or audio link for a 3-5 minute comment on the proposed amendment, please provide your e-mail address and contact information to [mipo@bismarcknd.gov](mailto:mipo@bismarcknd.gov) at least one (1) business day before the meeting. The purpose of the public hearing is to provide an opportunity for public involvement in the review of a proposed amendment to the projects of the 2020-2023 TIP. The TIP includes federally funded metropolitan area transportation projects over a four-year time frame. The proposed amendment is for the addition of project 20.7.02 in project year 2020. This project is the construction of a new shared use path along Lincoln Road, extending approximately 1.650-feet between 52nd Street NE and Benteen Drive in Lincoln, ND.

Further, the public is notified that the proposed amendment to the 2020-2023 TIP will be available on the MPO webpage at [www.bismarcknd.gov/MPO](http://www.bismarcknd.gov/MPO), beginning Monday, June 29, 2020. The proposed amendment will also be available for citizens to review at the Bismarck Community Development Office, 221 North 5th Street, Bismarck, North Dakota. Following the consideration period of citizen's comments, the proposed amendment will be presented to the MPO Policy Board for possible adoption as part of the 2020-2023 TIP, contingent upon no substantive change required due to public comments. The public is invited to attend the public hearing either in person or via video or audio link, or submit written comments directed to Rachel Drewlow of the MPO no later than 5:00 pm on Friday, July 17, 2020 to P.O. Box 5503, Bismarck, ND, 58506. Written comments may also be e-mailed to [rdrewlow@bismarcknd.gov](mailto:rdrewlow@bismarcknd.gov) or faxed to (701) 222-6450. Comments which are e-mailed or faxed should be specifically identified as public input on the proposed change to the 2020-2023 TIP. Contact Rachel Drewlow, MPO Transportation Planner, at (701) 355-1852 for additional information. To request accommodations for disabilities and/or language assistance, contact Title VI /ADA Coordinator at (701) 355-1332, or email [mipo@bismarcknd.gov](mailto:mipo@bismarcknd.gov). TTY users may access Relay North Dakota at 711 or 1-800-366-6888, at least five (5) days in advance of the meeting.  
 6/29 - 10110

**REQUEST FOR PROPOSALS / QUALIFICATIONS**

Dickinson State University Construction Manager at Risk (CMaR)  
 Dickinson Sports Complex  
 Dickinson State University, Dickinson Public Schools, and Dickinson Park and Recreation and the City of Dickinson are preparing for construction of Dickinson Sports Complex located at the corner of State Ave N and Fairway Street in Dickinson, ND. Construction costs for the project, including all fees, owner costs, and miscellaneous costs are anticipated to be \$7.0 million. The delivery method for this project will be through a Construction Manager at Risk as defined by NDCC 48-01.2 including specific criteria required by the owner. This project requires that all work be completed by a future date to be determined, and therefore will require significant coordination efforts by the

construction manager. The successful CMAR for this project must be able to comply with the requirements set forth in NDCC 48-01.2 as well as the schedule and other specific criteria established by the owner. Responses to the request for proposals are due Monday, July 13, 2020 at 2 pm MST at the address shown below. Information regarding the project as well as the Request for Proposals, sample contract, or other information may be obtained by contacting the following:  
 Laura Nelson, Interim VPFA  
 Dickinson State University  
 291 Campus Dr.  
 Dickinson, ND 58601  
 Jennifer.zier@dickinsonstate.edu  
 Laura.m.nelson@dickinsonstate.edu  
 701-483-2214  
 6/22, 29, 7/6 - 9767

**REQUEST FOR QUALIFICATIONS**

The City of Bismarck Public Works Department requests written qualifications from professional vendors for water/wastewater data management systems software to consolidate information for the purposes of regulatory reporting and data analysis. The selection process will be completed in accordance with established City of Bismarck procedures. Written proposals shall address the vendor's ability to meet the scope of services in a timely manner. Written proposals shall address all items contained within the scope. The primary consideration items will be, but not limited to, the vendors:  
 1. Technical capabilities  
 2. Experience and performance records  
 3. Understanding of project and proposed work approach  
 4. Knowledge of regulations and local conditions  
 5. Project personnel assignments, qualifications and support services  
 6. Ability to respond in a timely manner  
 The selection of vendor will be based on an evaluation of the written proposals. A selection committee may interview selected vendors. An agreement, including price schedule, will be negotiated with the selected vendor for approval by the Board of City Commissioners. Inquiries and copies of the project Scope may be obtained from the Director of Utility Operations, 601 S 26th St, Bismarck ND 58504 by contacting Kim Bohrer, kbohrer@bismarcknd.gov or 701.355.1739. Written proposals from qualified consultants will be accepted until 3:00 p.m. CST on Friday, July 10, 2020. Submit six (6) copies of the proposal, plus one digital copy, to:  
 Michelle Klose  
 Utilities Operations Director  
 City of Bismarck  
 601 South 26th Street  
 P.O. Box 5503  
 Bismarck, ND 58506-5503  
 Telephone (701) 355-1700  
 Facsimile (701) 221-6840  
 Email: [mklose@bismarcknd.gov](mailto:mklose@bismarcknd.gov)  
 6/22, 29 - 9615

**PUBLIC NOTICES**

A public notice is information informing citizens of government activities that may affect the citizens' everyday lives. Public notices have been printed in local newspapers, the trusted sources for community information, for more than 200 years.