

PUBLIC HEARING NOTICE

Notice is hereby given that the Bismarck Planning & Zoning Commission will hold public hearings on Wednesday, September 27, 2017, at 5:00 p.m. in the Tom Baker Meeting Room, City-County Building, 221 North 5th Street, Bismarck, North Dakota, to consider the following items:

- Request of 57 North Investors, LLP, Ron and Ruth Knutson and Montana-Dakota Utilities Company for approval of an amendment to the Future Land Use Plan to change the designation of the property from Medium Density Residential (MDR) to Office/Mixed Use (OMU), a zoning change from the A-Agriculture zoning district to the Conditional RT-Residential and Conditional CA-Commercial zoning districts and a final plat for Daybreak Medical Addition, a four-lot subdivision on 38.6 acres. The property is located in northwest Bismarck, along the east side of North Washington Street, north of and at the intersection with 57th Avenue NE (Auditor's Lot F and part of the SW1/4 of Section 9, T139N-R80W/Hay Creek Township).
  - Request of Sterling Properties, LLLP, for approval of a minor subdivision final plat for Meadowlark Commercial Tent Addition, a one-lot subdivision on 11.55 acres. The property is located in north Bismarck, north of 43rd Avenue NE and on the west side of North 19th Street (a replat of Lot 1, Block 1, Meadowlark Commercial 6th Addition 1st Replat and Lot 4, Block 1, Meadowlark Commercial 7th Addition).
  - Request of Real Hardware North, LLC for approval of a minor subdivision final plat for Ace Hardware Addition, a two-lot subdivision on 7.35 acres. The property is located in north Bismarck, north of and at the intersection with 43rd Avenue NE, west of US Highway 83, along the east side of Ottawa Street (a replat of Lot 1, Block 3, 43rd Avenue Commercial Park).
  - Request of Ryan Deichert for approval of a zoning change from the CA-Commercial and MA-Industrial zoning districts to the MA-Industrial zoning district for Lot 5 and the North 50 feet of Lot 6, Block 1, Gomke Estates. The property is located east of Bismarck, north of East Main Avenue/County Highway 10, between North 52nd Street and North 66th Street.
  - Request of the City of Bismarck for approval of a zoning ordinance text amendment relating to contextual front yard setbacks. The proposed amendment would allow front yard setbacks in developed residential areas to be based on setback measurements taken from surrounding properties.
  - Request of the City of Bismarck for approval of a zoning ordinance text amendment relating to off-premise advertising signs. The proposed amendment would increase the allowable width and reduce the required maximum and minimum sizes for off-premise advertising signs in certain areas of the City.
  - Request of the City of Bismarck for approval of a zoning ordinance text amendment relating to subdivision regulations. The proposed amendment would modify definitions and clarify both procedure and improvements sections of the subdivision regulations.
  - Request of the City of Bismarck for approval of a zoning ordinance text amendment relating to asphalt and concrete production facilities. The proposed amendment would reduce the separation distance for a temporary concrete production facility in the A – Agricultural zoning district.
- At these hearings, the Bismarck Planning & Zoning Commission will provide an opportunity for all interested persons to be heard with respect to these items. Interested persons may also submit written comments regarding these requests prior to the meeting to the Community Development Department, PO Box 5503, Bismarck, North Dakota 58506-5503, fax: 701-222-6450, or e-mail - planning@bismarcknd.gov. Interested persons may also call 701-355-1840 with questions or for additional information. Descriptions of these requests are on file and may be viewed or copied any working day between 8:00 a.m. and 5:00 p.m. at the Bismarck Community Development Department, 221 North 5th Street, Bismarck, North Dakota.
- Carl D. Hokenstad, Director of Community Development
- For Bismarck Planning & Zoning Commission
- Dated this 12th day of September, 2017.
- 9/15 & 22 - 20908888
- |  |
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| UNITED STATES<br>DEPARTMENT OF THE INTERIOR<br>Bureau of Land Management<br>5001 Southgate Drive<br>Billings, Montana 59101-4669<br>DETAILED STATEMENT<br>OF COAL LEASE SALE<br>COAL LEASE OFFERING BY SEALED<br>BID<br>NDM 107039<br>Falkirk Mining Company, Applicant. |
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- At 11:00 a.m., Tuesday, October 17, 2017, in the MTSO 920 conference room, at the Bureau of Land Management, 5001 Southgate Drive, Billings, Montana, an authorized officer of the Bureau of Land Management, Montana State Office, will offer the coal resources described below for competitive lease by sealed bid in accordance with the provisions of the Mineral Leasing Act of February 25, 1920, as amended (41 Stat. 437; 30 U.S.C. 181 et seq.).
- The Federal coal resources to be offered consists of the Federal 50 percent interest in the mineable lignite coal in one tract being offered for sale. The tract is serialized NDM 107039. MTM 107039 will be leased to the qualified bidder of the highest cash amount provided that the high bid meets or exceeds the fair market value of the coal resource. The minimum bid for the tract is \$100 per acre, or fraction thereof. No bid that is less than \$100 per acre, or fraction thereof, will be considered. The minimum bid is not intended to represent fair market value. The fair market value will be determined by the authorized officer after the sale.
- The 320-acre tract, located in McLean County, North Dakota, contains an estimated 2.2 million tons of Federal in-place coal resources. The surface is privately owned. The regulations at 43 CFR 3427 set out the protection that shall be afforded qualified surface owners of split estate lands (as defined at 43 CFR 3400.0-5). The tract contains two mineable coal beds, the Hagel A and Hagel B beds. The Hagel A bed averages 7.6 feet in thickness with an average overburden depth of 89 feet, and the Hagel B bed averages 3.7 feet in thickness with an average interburden thickness of 36 feet. The coal quality for the Hagel A and Hagel B beds combined averages 6,320 BTU/lb. in heating value, 7.7% ash and 0.59% sulfur content.
- COAL OFFERED: Falkirk Mining Company is the lessee and operator of Coal Leases NDM 8551B and NDM 91647 at the Falkirk Mine. The recoverable coal resources of tract NDM 107039 contained within this lease application lies within the Falkirk Mine's NAFK-8405 permit area.**
- The coal resource to be offered consists of 50 percent of the recoverable reserves in the following-described lands located in McLean, North Dakota:
- T. 146 N., R. 82 W., 5th PM.
- Sec. 10: E½
- |               |         |
|---------------|---------|
| SURFACE OWNER | CONSENT |
|---------------|---------|
- INFORMATION: The tract in this lease offering contains split estate lands. There

are qualified surface owners as defined in the regulations at 43 CFR 3400.0-5(gg). Consent granted by the qualified surface owners has been filed with and verified by the BLM.

**RENT AND ROYALTY:** A lease issued as a result of this offering will provide for payment of an annual rental of \$3 per acre, or fraction thereof; and a royalty payable to the United States of 12.5 percent of the value of coal mined by surface methods and 8.0 percent of the value of coal mined by underground methods. The value of the coal shall be determined in accordance with 30 CFR 206.250.

**ADVANCE ROYALTY:** Upon application by the lessee, the authorized officer, BLM, may accept payment of advance royalty in lieu of the continued operation requirement. The payment of advance royalty shall be consistent with the provisions of 43 CFR 3483.4.

**WHEN AND WHERE TO SUBMIT BIDS:** Sealed bids must be submitted on or before 10:00 a.m. October 17, 2017, to the cashier, Bureau of Land Management, Montana State Office, 5001 Southgate Drive, Billings, Montana 59101-4669. The bids should be sent by certified mail, return-receipt requested, or be hand-delivered. The cashier will issue a receipt for each hand-delivered bid. Bids received after that time will not be considered. The envelope used for the sealed bid should be plainly marked that it is not to be opened before the hour and date of the sale and should show which tract the bid is for, NDM 107039. Sealed bids may not be modified or withdrawn unless the modifications or withdrawals are received before 10:00 a.m., Tuesday, October 17, 2017. If a company submits two or more bids for the same tract, all of the company's bids for that tract will be rejected.

**SEALED BIDDING REQUIREMENTS:** No special form is required but all bids must show the amount bid per acre, the total amount bid, the amount submitted with the bid, and must be signed by the bidder or person authorized to act for the bidder. The total amount bid, not a per acre amount, will be the basis for determining the bonus bid.

Each sealed bid must be accompanied by the following:

1. A bid deposit of one-fifth of the amount bid (figured on 320.00 acres.) Payment shall be made by cash, cashier's check, certified check, bank draft, money order, certificate of bidding rights, personal check, or credit card (Visa or Mastercard). All remittances shall be made payable to the Department of Interior, Bureau of Land Management.
2. A statement over the bidder's own signature with respect to qualification and interests held, similar to that prescribed in 43 CFR 3472, and a statement as to the sole party in interest as specified in 43 CFR 3472.2-1. A lease will not be issued to a bidder who holds or controls more than 75,000 acres of Federal coal leases in any one State or 150,000 acres of Federal coal leases in the United States.
3. A completed and signed Form 1140-6, Independent Price Determination Certificate, to the effect that the bid was arrived at by the bidder independently and was rendered without collusion with any other bidder.

Bidders are warned against violation of Sec. 1860, Title 18, U.S.C., prohibiting unlawful combination or intimidation of bidders.

**SEALED BID OPENING:** At 11:00 a.m., Tuesday, October 17, 2017, in the MTSO 920 conference room, at the Bureau of Land Management, 5001 Southgate Drive, Billings, Montana, an authorized officer will open and read all sealed bids.

If identical sealed bids are received for the tract, the tying high bidders will be requested to submit follow-up sealed bids until a high bid is received. All tie-breaking sealed bids must be submitted within fifteen (15) minutes following the authorized officer's announcement that identical high bids have been received.

The apparent high bidder shall tender by cash, cashier's check, certified check, bank draft, money order, certificate of bidding rights, personal check, or credit card (Visa or Mastercard) at the close of the sale, any additional amount required to equal one-fifth of the amount bid.

The highest bid for the tract will be announced and the successful high bidder will be notified in writing of the acceptance or rejection of the bid after the fair market value determination.

The Department of the Interior reserves the right to reject any and all bids, and also the right to offer the lease to the next highest qualified bidder if the successful bidder fails to obtain the lease for any reason. If any bid is rejected, the deposit will be returned.

**CONSULTATION WITH THE ATTORNEY GENERAL:** In accordance with the Federal Coal Leasing Amendments Act of 1976, and implementing regulations at 43 CFR 3422.3-4, the successful bidder and prospective lessee will be required to disclose the nature and extent of its coal holdings to the Department of the Justice prior to lease issuance. The Department of Justice has devised a reporting form for the submission of this information and will not accept the data in any other form. To insure the confidentiality of the information submitted, the successful bidder is required to furnish the data in a separate envelope which has been clearly marked to show its contents. Information on the prospective lessee's non-coal related land holdings is not required. The lease will not issue until 30 days after this information has been received by the Attorney General or the Attorney General notifies the authorized officer that issuance would not create or maintain a situation inconsistent with the antitrust laws, whichever comes first.

**DEFERRED BONUS:** Payment of the bonus, bid shall be on a deferred basis. One-fifth of the bonus will be payable on the day of the sale. The balance shall be paid in equal installments due and payable on the first four anniversary dates of the lease. If the lease is relinquished or otherwise terminated, the unpaid remainder of the bonus bid shall be immediately payable to the United States.

**LEASE ISSUANCE REQUIREMENTS:** Prior to the issuance of a lease, the successful bidder will be required to furnish the following for each lease:

1. First year's rental, \$3 per acre or fraction thereof (\$960).
2. Lease bond in the amount of \$5,000.00, **plus one-fifth the amount of deferred bonus remaining outstanding.** The requirement to provide bonding for one annual installment payment of the bonus bid may be waived in accordance with BLM Instruction Memorandum No. 2006-045, dated November 29, 2005 (copy attached). The bond will be reviewed when production begins and will be adjusted as required.
3. Four executed copies of the coal lease form.
4. Information required for antitrust review (see Consultation with the Attorney General paragraph).

**LEASE FORM AND STIPULATIONS:** The attention of all prospective bidders is directed to the attached copies of the proposed leases and stipulations. These five attachments can be made available upon request.

5 Attachments

- 1-Proposed Coal Lease, NDM 107039
- 2-Form 1140-6
- 3-Section 2(a)(2)(A) Compliance Certificate
- 4-DOJ Antitrust Federal Coal Lease Form
- 5-BLM IM No. 2006-045

9/15, 22 & 29 - 20908857

PUBLIC HEARING NOTICE

Notice is hereby given that the Bismarck City Commission will hold public hearings on Tuesday, September 26, 2017, at 5:15 p.m. in the Tom Baker Meeting Room, City-County Building, 221 North 5th Street, Bismarck, North Dakota, to consider the following items:

- Request of Investcore, Inc. for approval of zoning change from the RM15- Residential zoning district to the R10- Residential zoning district for South Meadows Addition Second Replat. The property is located in southwest Bismarck, south of West Burleigh Avenue and on the west side of South Washington Street.
  - Request for approval of a zoning change from the R5-Residential and R10- Residential zoning districts to the R10- Residential zoning district for Lot 6, Block 3, Sleepy Hollow Heights 2nd Addition and Lot 9, Block 4, Sleepy Hollow Heights 5th Addition, and Lot 1, Block 5, Sleepy Hollow Heights 2nd Addition and Lot 8 and Auditor's Lot A of Lot 10, Block 4, Sleepy Hollow Heights 5th Addition. The property is located in northeast Bismarck, south of East Divide Avenue, west of North 33rd Street, along the west side of Sleepy Hollow Loop.
  - Request of the City of Bismarck for approval of a zoning ordinance text amendment relating to accessory buildings in the RR-Residential, RR5- Residential and A-Agricultural zoning districts. The proposed amendment would increase the maximum wall height for accessory buildings in the RR, RR5 and A zoning districts to 16.5 feet.
- Descriptions of these requests are on file and may be viewed or copied any working day between 8:00 a.m. and 5:00 p.m. at the City Community Development Department, 221 North 5th Street, Bismarck, North Dakota.
- BOARD OF CITY COMMISSIONERS**
- BISMARCK, NORTH DAKOTA**
- Attest: K.J. Hunke
- City Administrator
- Dated this 7th day of September, 2017.
- 9/15 & 22 - 20908451

ENVIRONMENTAL REMEDIATION FOR TWO STANDING ROCK SIOUX TRIBE PROPERTIES REFERRED TO AS:

1) "Old BIA Elementary School", Fort Yates ND

2) "Old Sitting Bull College" Fort Yates, ND

September 11, 2017

REQUEST FOR PROPOSAL

Introduction

NOTICE OF HEARING ON ASSESSMENT LIST

Notice is hereby given that the special assessment list of the lots and tracts of land assessed and the amount each lot or tract of land is benefited by and the amount assessed against each lot or tract for the cost of construction of Park Improvement District Number Two (002), Unit Number One (1),

**Unit No. 1**

All of Heritage Park Addition

All of Heritage Ridge Addition

of the City of Bismarck, North Dakota, and which is to be paid by special assessments, has been confirmed by the Special Assessment Commission of the said City of Bismarck and I certify that it is true and correct and filed in the office of the City Administrator of the said city and is now open for public inspection.

Notice is further given that the City Commission will conduct a public hearing on said list at its regular meeting at 5:15 p.m. on the 10th day of October, 2017. Any person aggrieved may appeal from the action of the Special Assessment Commission by filing with the City Administrator prior to the hearing a written notice of appeal stating therein the grounds upon which the appeal is based. Any person having filed such a written notice may appear before the City Commission and present reasons why the action of the Special Assessment Commission should not be confirmed.

Dated this 19th day of September, 2017.

Keith Hunke  
City Administrator

9/22 - 20909766

NOTICE OF HEARING ON ASSESSMENT LIST

Notice is hereby given that the special assessment list of the lots and tracts of land assessed and the amount each lot or tract of land is benefited by and the amount assessed against each lot or tract for the cost of construction of Storm Sewer Improvement District Number Five Hundred Sixty-Eight (568), Unit Number One (1),

**Unit No. 1**

Washington Street – 390' south of Buckskin Avenue to Colt Avenue.

of the City of Bismarck, North Dakota, and which is to be paid by special assessments, has been confirmed by the Special Assessment Commission of the said City of Bismarck and I certify that it is true and correct and filed in the office of the City Administrator of the said city and is now open for public inspection.

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Dated this 19th day of September, 2017.

Keith Hunke  
City Administrator

9/22 - 20909765

NOTICE OF HEARING ON ASSESSMENT LIST

Notice is hereby given that the special assessment list of the lots and tracts of land assessed and the amount each lot or tract of land is benefited by and the amount assessed against each lot or tract for the cost of construction of Street Improvement District Number Five Hundred Eleven (511), Unit Number One (1),

**Unit No. 1**

Sonora Way - 57th Avenue to 220' north of Select Lane

Community Loop - Sonora Way to Select Lane

Valley Vista Lane - Crested Butte Road to 120' north of Limited Lane

Crested Butte Road - 57th Avenue to 100' southwest of Limited Lane

Select Lane - Community Loop to Sonora Way

Limited Lane - 180' west of Valley Vista Lane to Sonora Way

Reserve Lane - Community Loop to Sonora Way

of the City of Bismarck, North Dakota, and which is to be paid by special assessments, has been confirmed by the Special Assessment Commission of the said City of Bismarck and I certify that it is true and correct and filed in the office of the City Administrator of the said city and is now open for public inspection.

Notice is further given that the City Commission will conduct a public hearing on said list at its regular meeting at 5:15 p.m. on the 10th day of October, 2017. Any person aggrieved may appeal from the action of the Special Assessment Commission by filing with the City Administrator prior to the hearing a written notice of appeal stating therein the grounds upon which the appeal is based. Any person having filed such a written notice may appear before the City Commission and present reasons why the action of the Special Assessment Commission should not be confirmed.

Dated this 19th day of September, 2017.

Keith Hunke  
City Administrator

9/22 - 20909764

NOTICE OF HEARING ON ASSESSMENT LIST

Notice is hereby given that the special assessment list of the lots and tracts of land assessed and the amount each lot or tract of land is benefited by and the amount assessed against each lot or tract for the cost of construction of Street Improvement District Number Five Hundred Four (504), Unit Number One (1),

**Unit No. 1**

Washington Street - Calgary Avenue to 350' north of 57th Avenue

Ash Coulee Drive - Washington Street to 1130' west

43rd Avenue - Washington Street to 1060' east

of the City of Bismarck, North Dakota, and which is to be paid by special assessments, has been confirmed by the Special Assessment Commission of the said City of Bismarck and I certify that it is true and correct and filed in the office of the City Administrator of the said city and is now open for public inspection.

Notice is further given that the City Commission will conduct a public hearing on said list at its regular meeting at 5:15 p.m. on the 10th day of October, 2017. Any person aggrieved may appeal from the action of the Special Assessment Commission by filing with the City Administrator prior to the hearing a written notice of appeal stating therein the grounds upon which the appeal is based. Any person having filed such a written notice may appear before the City Commission and present reasons why the action of the Special Assessment Commission should not be confirmed.

Dated this 19th day of September, 2017.

Keith Hunke  
City Administrator

9/22 - 20909762

NOTICE OF HEARING ON ASSESSMENT LIST

Notice is hereby given that the special assessment list of the lots and tracts of land assessed and the amount each lot or tract of land is benefited by and the amount assessed against each lot or tract for the cost of construction of Street Improvement District Number Five Hundred Five (505), Unit Numbers One through Three (1-3),

**Unit No. 1**

15th Street - Divide Avenue to Spaulding Avenue

Spaulding Avenue - 13th Street to 15th Street

**Unit No. 2**

Laforest Avenue - 19th Street to 23rd Street

Hanaford Avenue - 19th Street to 22nd Street

Smile Drive - 22nd Street to Hanaford Avenue

20th Street - Hanaford Avenue to Laforest Avenue

21st Street - Hanaford Avenue to Laforest Avenue

22nd Street - Hanaford Avenue to Laforest Avenue

**Unit No. 3**

Valley View Avenue - 26th Street to 135' east of 29th Street

Avenue F - 26th Street to 28th Street

Avenue E - 28th Street to 130' east of 29th Street

Avenue D - 26th Street to 200' east

Avenue B - 29th Street to 31st Street

27th Street - Avenue A to Gary Avenue

28th Street - Valley View Avenue to 210' south of Avenue E

29th Street - Valley View Avenue to Avenue C

The Standing Rock Sioux Tribe (SRST), Department of Environmental Regulations/Environmental Protection Agency (DER/EPA) is soliciting bids for conducting remedial action, abatement of two (2) buildings that contains mold, PCB's and asbestos containing materials at 2 locations within the Community of Fort Yates on the Standing Rock Reservation in North Dakota. The abatement/remedial actions and disposal of materials must be conducted in accordance with the SRST Solid Waste Codes and applicable State and United States Environmental Protection Agency (U.S. EPA) regulations. The U.S. EPA has provided Standing Rock Sioux Tribe with two cleanup grants. Funds from these grants will be utilized to fund abatement/cleanup/demolition activities at the 2 Brownfield sites. Proposed work must meet federal requirements for work funded by an U.S. EPA Grant. The detailed Request for Proposal (RFP) provides the specifications and requirements for prospective applicants to complete a proposal with cost estimates for services. Contact Hans Bradley at the location below for a copy of the detailed RFP. The deadline for submittal in response to this solicitation is September October 4, 2017. A tour of the 2 sites may be provided by calling Hans Bradley, whose contact information is located below.

**Project Contacts and Submittal Procedures**

Written response proposals to this RFP must be received by October 4, 2017 by 4:00 PM. Proposals received after this time/date will not be considered. Proposals can be submitted electronically, hand delivered, courier service or by mail. Please deliver [2] copies of this proposal to:

**Hans Bradley, Brownfield Coordinator**  
**Department of Regulation/EPA**  
**Standing Rock Sioux Tribe**  
**Tribal EPA Bldg., South River Road**  
**P.O. Box 516**  
**Fort Yates, ND 58538**

Questions about the project and requests for copies of the detailed RFP, a tour of the site(s) or maps and relevant documents should be directed to: **Hans Bradley**, Brownfields Coordinator at (701) 854-3823, [hbradley@standingrock.org](mailto:hbradley@standingrock.org) Or

**Tia White Eagle**, Brownfields Public Information Officer (701) 854-3823, [twwhiteagle@standingrock.org](mailto:twwhiteagle@standingrock.org)  
9/18, 19, 20, 21, 22, 23, 25-20909364

Gary Avenue - Avenue A to 27th Street

Alley from Avenue F to Avenue D between 26th Street and 27th Street

of the City of Bismarck, North Dakota, and which is to be paid by special assessments, has been confirmed by the Special Assessment Commission of the said City of Bismarck and I certify that it is true and correct and filed in the office of the City Administrator of the said city and is now open for public inspection.

Notice is further given that the City Commission will conduct a public hearing on said list at its regular meeting at 5:15 p.m. on the 10th day of October, 2017. Any person aggrieved may appeal from the action of the Special Assessment Commission by filing with the City Administrator prior to the hearing a written notice of appeal stating therein the grounds upon which the appeal is based. Any person having filed such a written notice may appear before the City Commission and present reasons why the action of the Special Assessment Commission should not be confirmed.

Dated this 19th day of September, 2017.

Keith Hunke  
City Administrator

9/22 - 20909761

NOTICE OF HEARING ON ASSESSMENT LIST

**CORRECTION** - Notice is hereby given that the special assessment list of the lots and tracts of land assessed and the amount each lot or tract of land is benefited by and the amount assessed against each lot or tract for the cost of construction of Street Improvement District Number Four Hundred Eighty-Nine (489), Units Number One through Three (1-3),

**Unit No. 1**

Vancouver Lane – Ontario Lane (west) to Ontario Lane (east)

Ontario Lane – Century Avenue to Winnipeg Drive

**Unit No. 2**

Brandon Place – Montreal Street to cul-de-sac

4th Street – Century Avenue to Ridgcrest Drive

Dominion Street – Ridgcrest Drive to 10th Street

Ridgcrest Drive – 4th Street to Calgary Avenue

Calgary Avenue – 10th Street to 670' west

10th Street – Weiss Avenue to 215' north

Weiss Avenue – 10th Street to State Street

11th Street – Century Avenue to Weiss Avenue

**Unit No. 3**

Capitol Avenue – State Street to 19th Street

Interchange Avenue – State Street to Capitol Avenue

Capitol Way – Capitol Avenue (west) to Capitol Avenue (east)

Allison Drive – Capitol Avenue to 19th Street

16th Street – Capitol Avenue to Spaulding Avenue

Spaulding Avenue – 15th Street to 16th Street

Central Avenue – 13th Street to 15th Street

13th Street – Divide Avenue to Central Avenue

14th Street – Central Avenue to Capitol Avenue

15th Street – Spaulding Avenue to Central Avenue

of the City of Bismarck, North Dakota, and which is to be paid by special assessments, has been confirmed by the Special Assessment Commission of the said City of Bismarck and I certify that it is true and correct and filed in the office of the City Administrator of the said city and is now open for public inspection.

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Dated this 19th day of September, 2017.

Keith Hunke  
City Administrator

9/22 - 20909763

NOTICE OF HEARING ON ASSESSMENT LIST

Notice is hereby given that the special assessment list of the lots and tracts of land assessed and the amount each lot or tract of land is benefited by and the amount assessed against each lot or tract for the cost of construction of Street Improvement District Number Four Hundred Ninety (490), Units Number One through Three (1-3),

**Unit No. 1**

17th Street – Broadway Avenue to Rosser Avenue

17th Street – Rosser Avenue to Avenue F

18th Street – Broadway Avenue to Rosser Avenue

18th Street – Rosser Avenue to Avenue E

Thayer Avenue – 17th Street to 19th Street

Avenue B – 16th Street to 19th Street

Avenue C – 16th Street to 19th Street

Avenue D – 16th Street to 19th Street

Avenue E – 16th Street to 19th Street

Avenue F – 16th Street to 17th Street

**Unit No. 2**

Bowen Avenue – Washington Street to 3rd Street

Indiana Avenue – Washington Street to 3rd Street

Arbor Avenue – 2nd Street to 3rd Street

Ivy Avenue – Washington Street to 2nd Street

Mandan Street – Sweet Avenue to Bowen Avenue

1st Street – Sweet Avenue to Bowen Avenue

2nd Street – Sweet Avenue to Bismarck Expressway

Alley – Between Bowen Avenue and Sweet Avenue, Washington Street to Mandan Street

Alley – Between 1st Street and 2nd Street, Bowen Avenue to Sweet Avenue

Alley – Between 2nd Street and 3rd Street, Bowen Avenue to Sweet Avenue

**Unit No. 3**

8th Street – Bowen Avenue to cul-de-sac

Alley – Block 11, Arbor Avenue to 335' south

Bowen Avenue – 7th Street to 9th Street

Arbor Avenue – 7th Street to 9th Street

Arbor Avenue – 9th Street to 12th Street

of the City of Bismarck, North Dakota, and which is to be paid by special assessments, has been confirmed by the Special Assessment Commission of the said City of Bismarck and I certify that it is true and correct and filed in the office of the City Administrator of the said city and is now open for public inspection.

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Dated this 19th day of September, 2017.

Keith Hunke  
City Administrator

9/22 - 20909767

NOTICE OF HEARING ON ASSESSMENT LIST

Notice is hereby given that the special assessment list of the lots and tracts of land assessed and the amount each lot or tract of land is benefited by and the amount assessed against each lot or tract for the cost of construction of Street Improvement District Number Five Hundred Seven (507), Units Number One through Five (1-5),

**Unit No. 1**

Westwood Street - Riverwood Drive to Birchwood Drive

Easy Street - Washington Street to Westwood Street

Birchwood Drive - Westwood Street (N) to Eastwood Street

Pleasant Street - Riverwood Drive to Easy Street

Ashwood Drive - Westwood Street to Eastwood Street

Reno Avenue - Washington Street to Reno Drive

Reno Drive - Reno Avenue to Munich Drive

Southwood Avenue - Reno Avenue to Eastwood Street

Eastwood Street - Easy Street to Cologne Drive

Woodsmen Place - Eastwood Street to cul-de-sac

Cologne Drive - Reno Drive to cul-de-sac

Augsburg Avenue - Washington Street to Bonn Boulevard

Hamburg Drive - Reno Drive to Wachter Avenue

Wachter Avenue - Washington Street to Munich Drive

Bonn Boulevard - Munich Drive (W) to Munich Drive (E)

Munich Drive - Washington Street to Wachter Avenue

Oberhausen Drive - Munich Drive to Wachter Avenue

Stuttgart Drive - Munich Drive (W) to Munich Drive (E)

**Unit No. 2**

Oakland Drive - San Diego Drive to Wachter Avenue

San Diego Drive - Oakland Drive to Billings Drive

Laredo Drive - San Diego Drive to Billings Drive

Billings Drive - San Diego Drive to Wachter Avenue

**Unit No. 3**

Houston Drive - Macon Drive to Wachter Avenue

Macon Drive - Houston Drive to 3rd Street

3rd Street - Wachter Avenue to Santa Fe Avenue

St. Louis Place - 3rd Street to cul-de-sac

Modesto Circle - 3rd Street to cul-de-sac

**Unit No. 4**

Republic Street - Frontier Drive to Park Avenue

Frontier Drive - 12th Street to Republic Street

Park Avenue - 12th Street to Lee Avenue

18th Street - Lee Avenue to Bismarck Expressway

Lovett Avenue - 18th Street to Airport Road

Lovett Avenue - Airport Road Frontage Road to 22nd Street

Lee Avenue - 18th Street to Airport Road

Lee Avenue - Airport Road Frontage Road to 100' east of 22nd Street

22nd Street - Bismarck Expressway to Morrison Avenue

Frontier Drive - Airport Road to 530' east of 20th Street

20th Street - Morrison Avenue to Frontier Drive

Morrison Avenue - Airport Road Frontage Road to 288' west of 26th Street

23rd Street - Bismarck Expressway to 741' south

**Unit No. 5**

London Avenue - 390' west of Manchester Street to Washington Street

Rutland Drive - Manchester Street to Washington Street

Manchester Street - Burleigh Avenue to London Avenue

Essex Loop - Manchester Street (South) to Manchester Street (North)

Warwick Loop - Manchester Street (South) to Manchester Street (North)

Warwick Avenue - Warwick Loop to Washington Street

Warwick Place - Warwick Loop to cul-de-sac

Hampton Street - Devon Drive to Rutland Drive

Devon Drive - Manchester Street to Rutland Drive

Devon Place - Manchester Street to cul-de-sac

Manchester Place - Manchester Street to cul-de-sac

of the City of Bismarck, North Dakota, and which is to be paid by special assessments, has been confirmed by the Special Assessment Commission of the said City of Bismarck and I certify that it is true and correct and filed in the office of the City Administrator of the said city and is now open for public inspection.

Notice is further given that the City Commission will conduct a public hearing on said list at its regular meeting at 5:15 p.m. on the 10th day of October, 2017. Any person aggrieved may appeal from the action of the Special Assessment Commission by filing with the City Administrator prior to the hearing a written notice of appeal stating therein the grounds upon which the appeal is based. Any person having filed such a written notice may appear before the City Commission and present reasons why the action of the Special Assessment Commission should not be confirmed.

Dated this 19th day of September, 2017.

Keith Hunke  
City Administrator

9/22 - 20909760

NOTICE OF HEARING ON ASSESSMENT LIST

Notice is hereby given that the special assessment list of the lots and tracts of land assessed and the amount each lot or tract of land is benefited by and the amount assessed against each lot or tract for the cost of construction of Street Improvement District Number Five Hundred Six (506), Units Number One through Three (1-3),

**Unit No. 1**

15th Street - Divide Avenue to Spaulding Avenue

Spaulding Avenue - 13th Street to 15th Street

**Unit No. 2**

Laforest Avenue - 19th Street to 23rd Street

Hanaford Avenue - 19th Street to 22nd Street

Smile Drive - 22nd Street to Hanaford Avenue

20th Street - Hanaford Avenue to Laforest Avenue

21st Street - Hanaford Avenue to Laforest Avenue

22nd Street - Hanaford Avenue to Laforest Avenue

**Unit No. 3**

Valley View Avenue - 26th Street to 135' east of 29th Street

Avenue F - 26th Street to 28th Street

Avenue E - 28th Street to 130' east of 29th Street

Avenue D - 26th Street to 200' east

Avenue B - 29th Street to 31st Street

27th Street - Avenue A to Gary Avenue

28th Street - Valley View Avenue to 210' south of Avenue E

29th Street - Valley View Avenue to Avenue C



PUBLIC NOTICE

Andrew L. Askew, ND #07706  
Pearce Durick PLLC  
P.O. Box 400  
Bismarck, ND 58502-0400  
(701) 223-2890  
#alaefile@pearce-durick.com  
Attorney for Petitioner

IN THE DISTRICT COURT OF  
BURLEIGH COUNTY,  
STATE OF NORTH DAKOTA  
In the Matter of the Estate of  
Patrick Joseph Fitzpatrick, deceased.  
Civil No. 08-2017-PR-00200

**Notice to Creditors**  
STATE OF NORTH DAKOTA ) ss.  
COUNTY OF BURLEIGH )  
NOTICE IS HEREBY GIVEN that the undersigned has been appointed personal representative of the above estate. All persons having claims against the deceased are required to present their claims within three (3) months after the date of the first publication or mailing of this notice or the claims will be forever barred. Claims must be presented to Mary Fitzpatrick, Personal Representative of the Estate, at P.O. Box 400, Bismarck, ND 58502-0400 or filed with the Court.  
Dated: September 8, 2017.  
/s/ Mary Fitzpatrick  
Mary Fitzpatrick  
c/o Pearce Durick, PLLC  
P.O. Box 400  
Bismarck, ND 58502-0400  
9/15, 22 & 29 - 20908856

NOTICE OF LAPSE OF  
MINERAL INTEREST  
TO: Wilma and Alex Neibauer; Edna and Harold McAnaw; Nanna Mathison; Alf and Ruth Johnson; Edwin and Mabel Johnson; and Erick and Myna Johnson  
Pursuant to N.D.C.C. § 38-18.1-06, Ardy Steltzner, as the surface owner of the following described property located in Burleigh County, North Dakota:  
**Township 142, Range 79 West of the 5th P.M.**  
Section 2: NE1/4  
notifies you according to North Dakota Century Code, Chapter 38-18.1 that the mineral interests you have in the above-described land parcel have been unused for a period of 20 years, have lapsed and are hereby deemed abandoned; you are given notice of the lapse and of Ardy Steltzner's intention to claim title and succeed to the ownership of such abandoned mineral interests.  
Dated this 12th day of September, 2017.  
ZUGER KIRMIS & SMITH  
Attorneys for Ardy Steltzner  
PO Box 1695  
Bismarck, ND 58502-1695  
701-223-2711  
jbalzer@zkslaw.com  
By: /s/Justin M. Balzer  
Justin M. Balzer ID#06687

STATE OF NORTH DAKOTA ) ss.  
COUNTY OF BURLEIGH )  
The foregoing instrument was acknowledged before me on the 12th day of September, 2017, by the counsel for Ardy Steltzner.  
/s/Brittany Boots  
Notary Public  
State of North Dakota  
My Commission expires  
September 19, 2020  
(SEAL)  
9/15, 22 & 29 - 20908780

**NOTICE OF ORDER DISBARRING ATTORNEY**  
Disciplinary Board of the Supreme Court of the State of North Dakota, Petitioner  
v.  
TaLisa A. Nemec, Respondent  
No. 20170257

A hearing panel of the Disciplinary Board submitted a report in which it recommended TaLisa A. Nemec be disbarred for violation of the Rules of Professional Conduct. Nemec represented a client in a divorce. The client paid Nemec a \$4,500 retainer. Nemec was not diligent in proceeding with the case. She failed to adequately communicate with the client, who experienced several delays obtaining information from Nemec. She failed to perform services for the client. She caused the client potentially serious injury because he was not represented. The client's interests were not protected in the divorce, and he was not able to obtain a divorce in a timely manner. She failed to return the client's file or refund any portion of the client's retainer or unearned fees.  
Nemec violated N.D.R. Prof. Conduct 1.3, Diligence; N.D.R. Prof. Conduct 1.4, Communication; and N.D.R. Prof. Conduct 1.16(e), Declining or Terminating Representation. After considering the aggravating factors under N.D. Stds. Imposing Lawyer Sanctions 9.22, of prior disciplinary offenses, a pattern of misconduct and substantial experience in the practice of law, the hearing panel recommended the sanction of disbarment.  
The Supreme Court disbarred Nemec effective immediately; and ordered that she pay \$4,500 restitution to the client, pay restitution to the client protection fund, and pay the costs and expenses of the disciplinary proceedings in the amount of \$250.  
9/22 - 20909759

**NOTICE OF PROPOSALS**  
(Sec. 11-11-26 and 54-44.7 NDCC)  
**NOTICE IS HEREBY GIVEN** that the Burleigh County Board of Commissioners, Burleigh County, North Dakota will accept proposals until Monday, October 9, 2017 at 1:30 P.M. (Local Time). Proposals will be opened at that time in County Engineers Office, located at 8100 43rd Avenue NE in Bismarck, ND. After an evaluation and selection process the results will be presented to the County Commission on Monday, October 16, 2017, beginning approximately at 5:00 PM (Local Time), in the Tom Baker room of the City/County building for their approval.  
**DESCRIPTION OF SERVICE:** Burleigh County Highway Department is seeking a company to provide online bid boards and auctions for used Highway Department equipment. Equipment will vary in size from small implements to large construction equipment. Auctions normally take place annually and vary in size depending on the needs of the County.  
**EVALUATION AND SELECTION PROCESS:** Companies interested in performing the work shall submit three (3) copies of their proposal to: COUNTY ENGINEER, 8100 43rd Avenue NE, BISMARCK, NORTH DAKOTA 58503. Proposals should address selection criteria. Burleigh County will only consider proposals received on or before 1:30 P.M. (Local Time) on October 9, 2017. Late proposals will be considered unresponsive and will not be considered.  
Selection will be on the basis of the following criteria:

1) Terms, conditions and fees  
2) Company's experience and technical capabilities  
3) Website ease of use for both the County and Bidders  
4) Website reporting functions (including Audit Trail capacity)  
5) Website exposure and history of finalizing sales  
6) List of References  
**RIGHT OF REJECTION:** The Board reserves the right to reject any and all proposals; to waive technicalities or to accept such as may be determined to be in the best interest of the County.  
**DISCLOSURE OF PROPOSAL:** The contents of all proposals will be subject to the Open Records Law and may be open to inspection by interested parties. Any information included in the proposal that the proposing party believes to be a trade secret or proprietary information must be clearly identified in the proposal. Any identified information recognized as such and protected by law may be exempt from disclosure.  
**REQUEST FOR PROPOSAL INFORMATION AND QUESTION:** Questions regarding the Request for Proposal should be directed to Terri Ziegler, Account Manager, 8100 43rd Avenue NE, Bismarck, ND 58503, telephone (701) 204-7748.  
**BY ORDER OF THE BOARD OF COMMISSIONERS**  
**BURLEIGH COUNTY, NORTH DAKOTA**  
This 17th day of July, 2017.  
**KEVIN J. GLATT,**  
Burleigh County Auditor/Treasurer  
9/15, 22 & 29 - 20908633

**LEGAL NOTICE**  
**NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS**  
On or about October 2, 2017, the State of North Dakota, through the Department of Commerce, Division of Community Services (DCS), will submit an environmental certification and a request for release of funds for a multi-year environmental review consisting of FY 2017 – FY 2021 federal grant funds under the HOME Investment Partnerships Program, Title II of the Cranston-Gonzalez National Affordable Housing Act of 1990 (Public Law 101-625, 24 CFR Part 92):  
Name: Development of Affordable Housing opportunities for low income households.  
Location: Statewide  
Estimated Funding: \$3,000,000 annually.  
Description: The overall goal is to increase the supply of safe, affordable housing for low income families. The project will include the following activities: (1) rehabilitation of existing housing for low income homeowners; (2) acquisition and/or rehabilitation of existing rental housing; (3) acquisition and rehabilitation of housing for low income homeowners; (4) new construction of housing units not requiring an Environmental Assessment per the National Environmental Policy Act of 1969 (NEPA) and related authorities listed in HUD's implementing regulations at 24 CFR 58 and (5) tenant-based rental assistance and tenant-based security and utility deposit assistance for low-income renters.  
Funding: Multi-year funds consisting of FY 2018 through FY 2022  
The activities proposed are categorically

excluded under HUD regulations at 24 CFR Part 58 from the National Environmental Policy Act (NEPA) requirements. Additional information is contained in the project's Environmental Review Record (ERR) which will be maintained by DCS at 1600 East Century Ave., Suite 2, Bismarck, ND 58503 and will be available for public examination and copying, upon request, between the hours of 8:00 a.m. and 5:00 p.m. (CST), Monday through Friday. It is also available electronically in PDF format at the following link: <http://www.communityservices.nd.gov/community/home-and-program/>. Alternative formats are available upon request. Please contact Bonnie Malo at 328-5300, ND Relay TTY: 1-800-366-6888, or Voice: 1-800-366-6889.  
The State of North Dakota, through the Division of Community Services, certifies to the U.S. Department of Housing and Urban Development, that Bonnie Malo, in her capacity as Director of the Division of Community Services of the State of North Dakota, consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that

**BURLEIGH COUNTY WATER RESOURCE DISTRICT**  
**BURLEIGH COUNTY, NORTH DAKOTA**  
**NOTICE OF ORDER AND HEARING ON SPECIAL ASSESSMENTS FOR THE HAY CREEK PINES GROUNDWATER REMOVAL PROJECT**  
**NOTICE IS HEREBY GIVEN** that the Burleigh County Water Resource District has determined that the Hay Creek Pines Groundwater Removal Project was approved by 97% of the votes cast and issued an **ORDER** confirming the approval of the project dated May 2, 2017. **NOTICE IS ALSO HEREBY GIVEN** that the Burleigh County Water Resource District will hold a **PUBLIC HEARING** on **September 29, 2017** at 5:30 pm, Central Time, in the Tom Baker Meeting Room of the City-County Building, 221 North 5th Street, Bismarck, North Dakota, to hear any objections to the special assessment for the Hay Creek Pines Groundwater Removal Project. This hearing is being held in accordance with ND Century Code Section 61-16.1-22. The Assessment List is attached.  
**Hay Creek Pines Subdivision**  
**Groundwater Removal Project**  
**Special Assessment District - BCWRD Certified May 2, 2017**

	Parcel No.	ADDRESS	Lot	Block	Assessment Percentage	Assessment Amount
1	24-140-80-50-01-010	9610 Forest Dr.	1	1	100%	\$15,860.00
2	24-140-80-50-01-020	9546 Forest Dr.	2	1	100%	\$15,860.00
3	24-140-80-50-01-030	9506 Forest Dr.	3	1	100%	\$15,860.00
4	24-140-80-50-01-040	9410 Forest Dr.	4	1	100%	\$15,860.00
5	24-140-80-50-02-010	9310 Forest Dr.	1	2	100%	\$15,860.00
6	24-140-80-50-02-020	9246 Forest Dr.	2	2	100%	\$15,860.00
7	24-140-80-50-04-100	9200 Oak Dr.	3	2	100%	\$15,860.00
8	24-140-80-50-02-040	9130 Forest Dr.	4	2	100%	\$15,860.00
9	24-140-80-50-02-050	9020 Forest Dr.	5	2	100%	\$15,860.00
10	24-140-80-50-03-010	9601 Oak Dr.	1	3	100%	\$15,860.00
11	24-140-80-50-03-020	9501 Oak Dr.	2	3	100%	\$15,860.00
12	24-140-80-50-03-030	9455 Oak Dr.	3	3	100%	\$15,860.00
13	24-140-80-50-03-040	9405 Oak Dr.	4	3	100%	\$15,860.00
14	24-140-80-50-03-050	9323 Oak Dr.	5	3	100%	\$15,860.00
15	24-140-80-50-03-060	9245 Oak Dr.	6	3	100%	\$15,860.00
16	24-140-80-50-03-070	9203 Oak Dr.	7	3	100%	\$15,860.00
17	24-140-80-50-03-080	9115 Oak Dr.	8	3	100%	\$15,860.00
18	24-140-80-50-03-090	9055 Oak Dr.	9	3	100%	\$15,860.00
19	24-140-80-50-03-100	9005 Oak Dr.	10	3	100%	\$15,860.00
20	24-140-80-50-04-010	9615 Forest Dr.	1	4	100%	\$15,860.00
21	24-140-80-50-04-020	9547 Forest Dr.	2	4	100%	\$15,860.00
22	24-140-80-50-04-030	9507 Forest Dr.	3	4	100%	\$15,860.00
23	24-140-80-50-04-040	9407 Forest Dr.	4	4	100%	\$15,860.00
24	24-140-80-50-04-050	9315 Forest Dr.	5	4	100%	\$15,860.00
25	24-140-80-50-04-060	9247 Forest Dr.	6	4	100%	\$15,860.00
26	24-140-80-50-04-070	9205 Forest Dr.	7	4	100%	\$15,860.00
27	24-140-80-50-04-080	9000 Oak Dr.	8	4	100%	\$15,860.00
28	24-140-80-50-04-090	9040 Oak Dr.	9	4	100%	\$15,860.00
29	24-140-80-50-02-030	9200 Forest Dr.	10	4	100%	\$15,860.00
30	24-140-80-50-04-110	9240 Oak Dr.	11	4	100%	\$15,860.00
31	24-140-80-50-04-120	9320 Oak Dr.	12	4	100%	\$15,860.00
32	24-140-80-50-04-130	9400 Oak Dr.	13	4	100%	\$15,860.00
33	24-140-80-50-04-140	9440 Oak Dr.	14	4	100%	\$15,860.00
34	24-140-80-50-04-150	9500 Oak Dr.	15	4	100%	\$15,860.00
35	24-140-80-50-04-160	9600 Oak Dr.	16	4	100%	\$15,860.00
<b>Total Assessment Amount</b>						<b>\$555,100.00</b>

9/22 & 29 - 20909407

these responsibilities have been satisfied. The U.S. Department of Housing and Urban Development's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities, and allows the State of North Dakota to use Program funds.  
**OBJECTIONS TO THE RELEASE OF FUNDS**  
The U.S. Department of Housing and Urban Development will accept objections to its release of funds and the State of North Dakota's certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are made on one of the following bases: (a) the certification was not executed by the Certifying Officer of the State of North Dakota; (b) the State of North Dakota has omitted a step or failed to make a decision or finding required by U.S. Department of Housing and Urban Development regulations at 24 CFR Part 58; (c) the grant recipient has committed funds or incurred costs not authorized by 24 CFR Part 58 before the approval of a release of funds by the U.S. Department of Housing and Urban Development; or (d) another Federal

agency, acting pursuant to 40 CFR part 1504, has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures of 24 CFR Part 58 and shall be addressed to the U.S. Department of Housing and Urban Development, Region VIII Office, 1670 Broadway Street, Denver, CO 80202-4801. Potential objectors should contact the U.S. Department of Housing and Urban Development to verify the actual last day of the objection period.  
9/22 - 20909841

**UPDATED Deadlines**  
**PUBLISH BY RECEIVE BY**  
**Mon. .... Thurs. 12 Noon**  
**Tues. .... Fri. 12 Noon**  
**Wed. .... Fri. 5PM**  
**Thurs. .... Mon. Noon**  
**Friday .... Tues. Noon**  
**Sat. .... Wed. 12 Noon**  
**\*Early Deadlines For Holidays.**