# PUBLIC NOTICES

**STATE OF NORTH DAKOTA**
**PUBLIC SERVICE COMMISSION**
**Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc.**
**Disposal of Franchise, Works & System White Earth Application**
**Case No. PU-11-230**
**NOTICE OF OPPORTUNITY FOR HEARING**
**July 13, 2011**

On June 6, 2011, Montana-Dakota Utilities Co. (MDU), a Division of MDU Resources Group, Inc., an electric public utility, filed an application under North Dakota Century Code Section 49-04-05, to transfer its distribution franchise, works and system used in the provision of electric distribution service within the community of White Earth, North Dakota to Mountrail-Williams Electric Cooperative. MDU requests approval for release of its authority and obligation to provide electric service to the community of White Earth.

The issue to be considered in this matter is:

1. Whether MDU's proposal should be approved.

Those interested are invited to comment on the application in writing. Persons desiring a hearing must file a written request identifying their interest in the proceeding and the reasons for requesting a hearing.

Comments and requests for hearings must be received by August 26, 2011. If deemed appropriate, the Commission can determine the matter without a formal hearing.

For more information contact the Public Service Commission, State Capitol, Bismarck, North Dakota 58505, 701-328-2400; or Relay North Dakota 1-800-366-6888 TTY. If you require any auxiliary aids or services, such as readers, signers, or Braille materials please notify Darrell Nitschke, Executive Secretary.

PUBLIC SERVICE COMMISSION
Kevin Cramer, Commissioner
Tony Clark, Chairman
Brian P. Kalk, Commissioner
(July 20, 2011)

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**Amended Notice of Lapsed Mineral Interest**

Take notice that Blaine Klein of Surrey, North Dakota, through his representative, Jonathan C. Eaton, of Box 1697, Minot, ND, hereby gives notice that the mineral interests described below have lapsed pursuant to Chapter 30-18.1 of NDCC.

The said mineral interests include oil, gas, coal, clay, gravel, uranium, and all other minerals owned by the persons identified below.

The names of the record owners of said mineral interests are:

Marlin Reinholdt, Alice Grasby, Viola McHenry and heirs, successors, and descendents of any deceased owners.

The legal description of the land within which the record owners have, or may have, record mineral interests in Ward County, North Dakota, is:

Township 154 North, Range 81 West
Section 10: SW1/4
Section 21: SE1/4SE1/4
Section 28: NE1/4NE1/4, SE1/4NE1/4, SE1/4, SE1/4NW1/4
Section 34: N1/2NE1/4

The name of the surface owner intending to succeed to such lapsed mineral interest is:

Blaine Klein
Box 141
Surrey, ND 58785

Unless the lapsed mineral owners named above shall file a Statement of Claim pursuant to Section 38-18.1-05 NDCC, within 60 days after the first publication of this notice, the mineral interests held by the above named persons, heirs, successors and descendants, in above described lands shall be deemed abandoned and acquired in their entirety by Blaine Klein.

The person giving this notice is Blaine Klein, Box 141, Surrey, North Dakota, 58785, by and through his representative Jonathan C. Eaton of Box 1697, Minot, ND

Dated at Minot, North Dakota 11th day of July, 2011.

s/Jonathan C. Eaton
Jonathan C. Eaton
Representing Blaine Klein
Eaton & Ward, Attorneys
PO Box 1697
Minot, ND 58702-1697
(July 20-27; August 3, 2011)

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**Kenner Law Firm**
**Notice of Document Destruction**

The Kenner Law Firm ceased operation on September 30, 2005. All files closed on or before September 30, 2005 will be destroyed. If this office represented you in any type of legal proceeding that concluded on or before September 30, 2005, you have the right to review and /or retain your file. If you wish to review and/or retain your file, you must call 701-228-5890 before August 19, 2011. Thereafter, we will be destroying files closed on or before September 30, 20005.

Kenner Law Firm
701-228-5890
(July 20-27, 2011)

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**Surrey City Council**
**Council Meeting**
**July 11, 2011**
**7:00 pm**

In attendance were: Mayor Fennewald, Council members: Johnson, Sasse, Klein, Nelsensen, and Storkson. Also in attendance PW Director Peterson, Chief of Police Seideman, Auditor Vaagen, and Alan from Ackerman Estvold.

Mayor Fennewald called the public meeting to order at 7:00 pm.

Mayor Fennewald stated the purpose of the first part of the public meeting was to discuss the issuance of MIDA bonds for the Dakota Boys and Girls Ranch in the amount of $7,800,000. Scott Wegner addressed the Council regarding the bonds. Sheila Miller and June Brown from the Dakota Boys and Girls Ranch addressed the Council regarding what the bond issue is for. Discussion ensued.

Mayor Fennewald stated the next part of the public meeting was to discuss the preliminary plat and variance request by Stan Thompson. Mr. Thompson addressed the Council stating his intention is to split his current outlot into two, sell his home and put a new manufactured home on the other lot. He stated that he is also requesting to be allowed to use a pier foundation for the manufactured home. Discussion ensued.

Mayor Fennewald stated that the final portion of the public meeting was to discuss the request of Blaine Klein to change the zoning of preliminary plat for Outlot 16 Sec. 18 T155N R 81W. Mr. Klein addressed the Council stating that he would like to rezone the outlot for commercial use. Discussion ensued.

Larsen/Nelsen made a motion to close the public meeting.

Mayor Fennewald called the regular Council meeting to order.

Mayor Fennewald read the consent agenda and additions: June 6, 2011 minutes, June 26 Special Meeting with North Prairie and June 26 Special Informational Meeting minutes, Payroll in the amount of $21727.22, Bills to be paid in the amount of $27797.46, Mayor's Employee hours report, Auditor's Report, Public Works Report, Police Report, and the Municipal Court Report and Road Damage Addition to the agenda. A motion was made by Johnson/Klein to approve the consent agenda. Roll Call: Johnson-aye; Klein-aye; Sasse-aye; Storkson-aye; and Larsen-aye.

Monthly business:

Johnson/Nelsen made a motion to pass the MIDA bond resolution authorizing the issuance of bonds for the Dakota Boys and Girls Ranch. Roll Call:

Scott Wegner presented the Council with the resolutions for District 29 and 30.

Larsen/Klein made a motion to approve the Financing Resolution and Initial Resolution for refunding. Roll Call: Larsen-aye, Klein-aye, Sasse-aye, Storkson-aye, Johnson-aye, and Nelsen-aye.

Larsen/Sasse made a motion to approve plat and variance request by Stan Thompson. Roll Call: Larsen-aye, Sasse-aye, Klein-aye, Nelsen-aye, Storkson-aye, and Johnson-aye.

Sasse/Larsen made a motion to approve preliminary plat of Outlot 16 and zone change for Blaine Klein. This would be considered the first reading for the zone change. Roll Call: Sasse-aye, Larsen-aye, Johnson-aye, Nelsen-aye, Klein-abstains, and Storkson-aye.

Councilman Klein brought up the potential development of NE area of town.

Councilman Klein stated he believes that an additional lift station should go in to develop that area. Discussion ensued on the issue. Councilman Sasse stated the City needs to look into the legality of the City going into resident's homes and if they are running sump pumps and drain tile into the sewer making them remove it. Auditor Vaagen was asked to contact the state water board, health department, and Ackerman Estvold to see if there are any funds available to resolve the issue.

Darcy Myers addressed the Council regarding the possibility of designating Myer's 2nd Addition as an area for a possible TIF District. Discussion ensued.

Sasse/Larsen made a motion to adopt the Urban Renewal Resolution 2011-2.
Roll Call: Sasse-aye, Larsen-aye, Johnson-aye, Nelsen-aye, Storkson-aye, and Klein aye.

Auditor's Report:

Auditor Vaagen brought up a property owner wanting Council to consider allowing them to put a mobile home on their extra lot for the winter. Discussion ensued. Council concurred not to make temporary exceptions.

Discussion ensued on when to schedule interviews for the Deputy Auditor position. Council concurred to set the interviews for the 18th at 6:00 pm, 6:20 pm, and 6:40 pm.

Council set the preliminary budget meeting for August 15th.

Engineer's Report:

Nathan Chilson from Ackerman-Estvold Engineering presented Council that the firm hired a grant specialist for assisting municipalities with finding funds for projects.

Nathan Chilson also presented Council with information that Ackerman-Estvold and Auditor Vaagen worked on submitting an application for Energy Impact Grant Dollars.
Discussion ensued.

Public Works:

Auditor Vaagen updated Council regarding water issues for the City. Auditor Vaagen stated he was instructed that the city could remain on the boil order and conservation order for a while. Discussion ensued.

PW Peterson addressed Council regarding purchasing another 4" pump.
Discussion ensued.

Larsen/Sasse made a motion to purchase another 4" pump and any additional hose that may be needed for it. Roll Call: Larsen-aye, Sasse-aye, Klein-aye, Storkson-aye, Johnson-aye, and Nelsen-aye.

Police:
Chief Seideman addressed Council regarding Council regarding putting children at play on each end of 2nd St. N. Discussion ensued.

Klein made a motion to allow the signage to be installed on each end of 2nd St. NE. Motion died for a lack of a second.

Chief Seideman asked to be able to go to the funeral of the fallen Bismarck officer with the squad car. Discussion ensued. Council concurred they saw no issue with Chief Seideman taking the squad and using a vacation day to go.

Other Business:

Larsen addressed the rest of the Council regarding him looking at stepping down from the Council later this year as his new home will then be available.

Nelsen/Klein made a motion to adjourn at 9:40pm

July 12, 2011
Jason Vaagen, Auditor

Date Submitted

Steve Fennewald, Mayor

Date Approved
THESE MINUTES HAVE NOT YET BEEN APPROVED BY THE CITY COUNCIL
(July 20, 2011)

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**NOTICE OF PUBLIC HEARING**

A public hearing will be held on Wednesday, July 27th, 2011 at 7:00 p.m. at the Surrey City Hall on the following requests: 1) Darcy and Kari Myers are requesting the city consider Myers 2nd Addition for a potential TIF District. The proposed area under consideration is available for public inspection during regular business hours at the Surrey City Auditor's office. Anyone protesting or having questions regarding the granting of this TIF District may appear in regard to this hearing.

BY ORDER OF THE CITY COUNCIL
CITY OF SURREY

Jason Vaagen
City Auditor
(July 20, 2011)

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**Ward County Weather Modification**

Budget meeting will be held on Friday, July 22nd, 2011 At 9 am at Perkins.

s/Gail Yuly
(July 20, 2011)

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**Summons**
**Civil No. 51-10-1149**
**In District Court Northwest Judicial District**
**State of North Dakota**
**County of Ward**

LaVerne C. Mikkelson, Brock W. Mikkelson and Dirk R. Mikkelson
Plaintiffs,
vs
Dagna Kulaas, her heirs, successors all other persons unknown claiming any estate of interest in, or lien upon, the property described in the complaint, including heirs, devisees, legatees or personal representatives of any deceased person.
Defendants. To the Defendants: Each of you is hereby summoned and required to appear and defend against the Complaint in this action, which is or will be filed in the office of the District Court for Ward County at Minot, North Dakota, by serving upon the undersigned an answer or other response within twenty (20) days after service of the Summons upon you. If you fail to respond, Judgment by Default will be entered against you for the relief demanded in the Complaint. Notice of No Personal Claim

I. Defendants are notified that the object of this action to quiet title in Plaintiffs' claim in certain real estate interests in Ward County, North Dakota described as follows: Township 154 North, Range 83 West

Section 2: N1/2SE1/4 Section 3 N1/2SE1/4, together with Blocks 1,2,3,4,5,6,7,8 and 9, Southview

Addition to the City of Minot, North Dakota II. No personal claim is made against any Defendant.

Dated this 14th day of June, 2011.

s/Jonathan C. Eaton
Jonathan C. Eaton
Attorney for Plaintiffs
Eaton & Ward
201 South Main
Minot, North Dakota 58701
(July 13-20-27, 2011)

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**NOTICE OF HEARING PETITION FOR FORMAL PROBATE OF WILL AND APPOINTMENT OF PERSONAL REPRESENTATIVE**
**Probate #11-PR-0119**

In the District Court of Ward County, State of North Dakota

In the Matter of the Estate of Ray J. Gergen, A/K/A RJ Gergen, and Raymond J Gergen, Deceased.

Notice is hereby given that Annette Gergen has herein filed a Petition for Formal Probate of Will and Appointment of Personal Representative. Hearing on said petition will be heard before the Honorable Richard L. Hagar, on the 12th day of August, 2011, at 9:00 o'clock, a.m. at the District Courthouse, Minot, Ward County, North Dakota.

Dated this 7th day of July, 2011.

THOMAS & THOMAS
s/Richard B. Thomas
Richard B. Thomas ID #02475
114 South Main Street
P.O. Box 2298
Minot, North Dakota 58702
(701)852-1602
(July 13-20-27, 2011)

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**NOTICE OF PUBLIC HEARING**

The City of Minot Board of Adjustment will meet in regular session on Thursday, July 28, 2011 at 4:30pm in the Police Training Room first floor in Minot City Hall, 515 2nd Avenue SW. At that meeting, the following public hearing will be opened:

Agenda Item 1: Leonard Kacsmar is requesting a variance to be allowed to reduce the rear yard setback from the required 20' to approximately 12' and for a side yard setback from 3' to approximately 0' on the south property line for the construction of a new 22 ' x 26 ' detached garage replacing the existing garage. The subject property is located at 214 18th Street SE (Elbow Park Manor Addition, Lot 82). The property is currently zoned R-1 (Single-Family Residence District).

Agenda Item 2: Mitch Evenson is requesting a variance to be allowed to reduce the parking requirement from 2 per each dwelling unit to 1 per each dwelling unit for the construction of a mixed use commercial and residential 2 story building that includes 8 living units. The subject property is located at 2230 Burdick Expressway East (R/A of Green Valley Addition, North 150' of Lot 154). The property is currently zoned C-2 (General Commercial District).

Agenda Item 3: Joe & Annette Mennem are requesting a variance to be allowed to reduce one of the front yard setbacks from the required 25 ' to approximately 19.5' for the replacement of a mobile home. The subject property is located at 1624 44th Street SE (Plainview Second Addition, Lot 31). The property is currently zoned MH (Manufactured Home District).

Agenda Item 4: Bryan Mindt of Mindt Construction is requesting a variance to be allowed to reduce the unimproved front yard setback from the required 25' to approximately 6.5' for the purpose construction a new Single Family Residence. The subject property is located at 400 12th Avenue SW (Sunset Hills Addition Lot 62). The property is currently zoned R1 (Single Family District).
(July 20, 2011)

335 RVs/ MOTORHOMES | 335 RVs/ MOTORHOMES | 335 RVs/ MOTORHOMES | 335 RVs/ MOTORHOMES | 335 RVs/ MOTORHOMES | 335 RVs/ MOTORHOMES | 335 RVs/ MOTORHOMES | 335 RVs/ MOTORHOMES | 335 RVs/ MOTORHOMES