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INJURED IN AN ACCIDENT? Don't Accept the insurance company's first offer. Many injured parties are entitled to cash settlements in the \$1000's. Get a free evaluation to see what your case is really worth. 100% Free Evaluation. Call Now: 701-505-8373

NOTICE

STATE OF NORTH DAKOTA
IN DISTRICT COURT
COUNTY OF ADAMS
SOUTHWEST JUDICIAL
DISTRICT

Civil Case No. 01-2024-CV-COMPLAINT

David C. Sonn and Victoria Sonn, Husband and Wife, AND Melissa Eich, as Trustee of the Rusty Hooks Farm Irrevocable Trust dated July 17, 2019
Plaintiffs,
v.
Richard Gaugler, and all other persons and all other persons unknown claiming any estate or interest in, or encumbrance upon the property described in the Complaint, whether as Heirs, Devisees, Legatees or Personal Representatives of the aforementioned parties or as holding any claim adverse to Plaintiffs' ownership or any cloud upon Plaintiffs' title thereto, Defendants.

COMES NOW, David C. Sonn and Victoria Sonn, Husband and Wife, Joint Tenants with the right of survivorship (Life Estate Interest), and Melissa Eich, as Trustee of the Rusty Hooks Farm Irrevocable Trust dated July 17, 2019 (Remainderman Interest), Plaintiffs in the above-entitled action, by and through their undersigned attorney and complain and allege as follows:

1. Plaintiffs have an estate or interest in, or a lien or encumbrance upon, as the case may be, the following described real property, situated in Adams County, North Dakota:
TOWNSHIP 129 NORTH, RANGE 92 WEST of the 5th P.M., ADAMS COUNTY, ND SECTION 33: E1/2NE1/4, E1/2NW1/4, W1/2NW1/4, W1/2NE1/4
SECTION 22: NW1/4 TOWNSHIP 129 NORTH, RANGE 91 WEST of the 5th P.M., ADAMS COUNTY, ND SECTION 29: SE1/4 TOWNSHIP 130 NORTH, RANGE 92 WEST of the 5th P.M., ADAMS COUNTY, ND SECTION 28: SW1/4
Plaintiffs own the surface rights to the above-described real property. Life Estate interest holders David C. Sonn and Victoria Sonn acquired title to said property by that certain Warranty Deed, dated January 26, 1998 and filed January 27, 1998 as Document No. #112900. (a copy of said deed being attached hereto as Exhibit A) Subsequently, David C. Sonn and Victoria Sonn deeded the above-described real property, while reserving a life estate interest, to Melissa Eich, as Trustee of the Rusty Hooks Farm Irrevocable Trust dated July 17, 2019 through that certain Quit Claim Deed dated July 17, 2019 and filed July 18, 2019 as Document No. #132606. (a copy of said deed being attached hereto as Exhibit B)
2. The following named Defendants either acquired or believed they acquired or may have acquired an undivided mineral and non-mineral interest, including, but not limited to an undivided royalty interest, (hereinafter collectively "mineral interest") in oil, gas and other minerals and non-minerals lying on, in or under or that may be produced from all or part of the above-described premises.
Richard Gaugler
233 North Val Vista Drive
Space 353
Mesa, AZ 85213
3. The mineral and non-mineral interests of the above-named Defendants have been "unused" for more than 20 years preceding August 15, 2024; and by virtue of the non-use of said minerals and non-minerals, the Plaintiffs' herein claim and allege that title to the mineral and non-mineral interests are abandoned and that the Plaintiffs' have acquired ownership of the abandoned mineral and

non-mineral interests, pursuant to N.D.C.C Section 38-18.1
4. The Defendants' estate or interest in, or liens or encumbrances upon, said property are subject and inferior to the estate and ownership of the Plaintiffs, and the Defendants have no estate, right, title or interest whatsoever in and to the property above described or any part thereof, because the Defendants' above-described mineral and non-mineral interests were extinguished under the provisions of N.D.C.C. Chapter 38-18.1 and by virtue of Plaintiffs' compliance with the provisions thereof, all as hereinafter set forth.
5. Attached hereto as Exhibit C, is a copy of that certain Affidavit of Publication which discloses that Plaintiffs duly published notice of the Defendant's lapsed mineral and non-mineral interests as required by §38-18.1-06. Said publication was made in the official county newspaper of Adams County, namely the Adams County Record, once each week for three weeks August 29, 2024, September 5, 2024, and September 12, 2024. The original of this document is kept at the offices of Melling & Roseland Law, PC and is available to the Court for inspection upon request.
6. The Plaintiffs caused to be executed and served, by certified mail, to the addresses shown of record or as could be determined by reasonable inquiry a copy of the Notice of Lapse Mineral and Non-Mineral Interest, pursuant to N.D.C.C. Section 38-18.1-06 by mailing a true and correct copy of said Notice to the above-named Defendants on August 15, 2024. Attached hereto as Exhibit D, is a copy of that certain Affidavit of Mailing along with mailing receipts which discloses that Plaintiffs did mail the above-described Notice to the Defendants. The originals of these documents are kept at the offices of Melling & Roseland Law, PC and are available to the Court upon request.
7. The public title records of Adams County further disclose that Defendants wholly failed to record a statement of claim within sixty days after said first publication of notice as required by Section 38-18.1-05, which failure caused Defendants' mineral interest to be extinguished.
8. Appearing in the Adams County public title records as Document No. 135952, attached hereto as Exhibit E, is that certain Statement of Succession of Ownership of Mineral and Non-Mineral Interest which gives notice that the title to the Defendants' mineral and non-mineral interests have vested in the Plaintiffs.
9. By virtue of having complied with NDCC Chapter 38-18.1, Plaintiffs are entitled to have the mineral and non-mineral interests previously held by Defendants quieted in Plaintiffs and against Defendants and all other persons unknown claiming an estate or any interest, lien or encumbrance upon said mineral and non-mineral interests.
10. The relief sought in this action consists fully in excluding Defendant from any right, title, estate or interest in, or lien or encumbrance upon the real property described above. No personal claim is made against Defendants.
WHEREFORE, Plaintiffs pray for judgment against said Defendants as follows:
1. A decree quieting title in the Plaintiffs of the undivided mineral and non-mineral interests, including but not limited to an undivided royalty interest, if any, of the above named defendants and all other persons known or unknown having or claiming any right, title, estate or interest in or lien or encumbrance upon the real property described in the Complaint, whether as heirs, devisees, legatees or Personal Representatives of the aforementioned parties or as holding any claim adverse to Plaintiffs' ownership or any cloud upon Plaintiffs' title hereto in and to all of the oil, gas and all other minerals and non-minerals lying on, in or under that may be produced from the above described real property;
2. That the Defendants be re-

quired to set forth all their adverse claims to the property described above and that the validity, superiority and priority thereof be determined;
3. A complete adjudication of the interest and rights of the Plaintiffs and the Defendants with respect to said minerals and non-minerals;
4. That any interest of the above Defendants in the oil, gas and all other minerals and non-minerals on, in or under which may be produced from the above described real property be adjudged null and void and that the Defendants be decreed to have no right, title, estate or interest in, or lien or encumbrance upon, any oil, gas or other minerals and non-minerals in, under or that may be produced from the real property listed above.
5. That this title be quieted as to such claims, and that Defendants be forever debarred and enjoined from further asserting the same.
6. That Plaintiffs have such other and further relief as may be just, together with costs and disbursements as to all answering Defendants.

Dated this 29th day of October, 2024.

/s/ Aaron Roseland
Aaron Roseland,
Attorney for David Sonn, Vicky Sonn, and Rusty Hooks Farm Irrevocable Trust, dated July 17, 2024
602 Adams Ave., Suite 101
Hettinger, North Dakota 58639
(701) 567-2418

Pub. Dec. 12, 19, 26, 2024

CITY OF HETTINGER

Council Proceedings

MINUTES PUBLISHED PRIOR TO GOVERNING BODY'S REVIEW & REVISION OFFICIAL PROCEEDINGS OF THE HETTINGER CITY COUNCIL HETTINGER, NORTH DAKOTA DECEMBER 11, 2024
The Hettinger City Council met in regular session at the Hettinger Armory Conference Room with the following present, James Lindquist, Carl Ebert, David Parrill, Randy Burwick, and Michele Gaylord.
Mayor Lindquist called the meeting to order at 7:00 AM
NOVEMBER 13, MINUTES Council Member Parrill moved to approve the minutes of the regular scheduled meeting. Second by Council Member Gaylord and by unanimous vote, motion carried.
NOVEMBER 26, MINUTES Council Member Ebert moved to approve the minutes of the special meeting. Second by Council Member Gaylord and by unanimous vote, motion carried.
AGENDA: Council Member Ebert moved to approve the agenda as amended. Second by Council Member Gaylord, and by unanimous vote, motion carried.
FINANCIALS: were reviewed, Council Member Burwick moved to approve the financials as presented, second by Council Member Ebert, and by unanimous vote; motion carried.
DISCUSSION: The Council thanked the road department for the cooperation will work together to finish the stop sign needing to be placed by the school. Bonnie Smith discussed issues with turkeys in her yard and doing damage to her house and yard. Ms. Smith shared pictures of the damage and issues she keeps facing. Mayor Linquist shared information on working with Sheriff Fisher and NDGF, the plan to get them trapped in the next couple weeks.
COMMISSIONER LAUFER: met briefly to discuss happenings from yesterday's Commission meeting. Commissioner Laufer discussed that any office items could be used from the courthouse basement. Mr. Laufer was discussing with Laufer Vermeer on the option of leaf and branch roll offs to help keep the site open. The abuse of the site has caused issues this year and putting up trail cams in the area to help prosecute the people abusing the program. Laufer Vermeer has a side business, Western Roll off, and would be willing to give a deal and possibly waive some of the fees to help the city out. Commissioner Laufer discussed another employee has left the road department, so the department is very short-handed.
SALES TAX REPORT: Was reviewed, the Council noticed it was down from last year
ACDC: Council Member Gaylord requested Commissioner Laufer update, as she was ill during the last meeting. The KMM building was the major topic on the agenda. Discussion was also had on the Director position, as it is shared for ACDC and the Chamber. Rebecca Ferderer also present and shared updates. Updates on job descriptions for both the Director position and the Assistant Director are needing to be updated. Changeover in employees as well as board members have caused drama with both ACDC and the Chamber.
KMM BUILDING UPDATES: the purchase agreement has been signed and the earnest money has been paid in the amount of \$1k. Discussion was had on how the building should be paid, as the City and ACDC are both paying for half of the purchase price of \$270k. Ms. Ferderer requested if an inspection would be required. Ms. Ferderer would also like to have some ideas from both ACDC and the City of Hettinger on what their wishes were for the building. Council Member Ebert moved to approve the Auditor continue with the closing paperwork on the building, second by Council Member Parrill, and by unanimous vote; motion carried.
The purchase agreement and documents were reviewed. The City has the right to do a walk through and figure out if we need to complete an inspection. A walk through should be completed earlier than later, possibly this week. Council Members Ebert and Parrill will plan to do the walk through, Ms. Ferderer will try and a couple ACDC members to be there as well. A special meeting will need to be had to discuss the walk through and funding and closing.
ROAD SUPERINTENDENT: The Council thanked the road department for the cooperation

on installation of the Christmas lights and helping with the Christmas tree. The crew has some of the streets sanded from the last ice. For any future snowstorms Mr. Blade is still planning to use the same routes as previous years. Mr. Blade discussed the need to purchase new tires for the loader. A quote from NW Tire in the amount of \$8,200 was reviewed for the purchase. Council Member Parrill moved to approve the purchase, second by Council Member Gaylord, and by unanimous vote; motion carried.
HETTINGER HOUSING: Council Member Parrill informed the Council that the new maintenance person has started, he will also do the snow removal as well. The hire lives in the building, so it should work out well. The building is still at full capacity, and apartments will need to start getting updated if people move.
ARMORY MAINTENANCE CUSTODIAN: Trish Schalesky met with the Council to update them on the Armory and the fitness center. This month's fitness center membership was \$1,095.00. Ms. Schalesky had a couple questions on the duties such as email, phone, etc. A phone will need to be purchased. Ms. Schalesky will need to set up an email on her tablet. Connection Church requested the ability to allow a trailer to be brought into the gym for a stage. The Council was alright with this if driven carefully possibly only into the south end. Council Member Gaylord will work with Ms. Schalesky on equipment needs.
HETTINGER CHAMBER OF COMMERCE: Jacki Christman and Rebecca Ferderer met with the Council to request the remainder of their 2024 funds. The city had eliminated \$10k out of this year's budget. The request is to have the full funds for year 2025 and for future years as well. Mayor Linquist discussed reasons why the funding was eliminated, and options on continued funding, and discussed the topic may wait until January 2025 during the distribution of sales tax funds.
CURB AND GUTTER INITIATIVE: Work to the East end of the armory will need to be completed next spring. No plans were made for next year.
INFRASTRUCTURE & LONG-TERM PLANNING: Council Member Parrill will work on the preliminary work along with Shannon Hewson on basic needs and come up with a future plan. Knowledge from Nathan Nagel will also be very valuable.
USDA COMPLIANCE-504 ASSESSMENT REVIEW: the bleachers have been removed, this winter more items should be tackled. Council Member Gaylord moved to approve Drolc Electric move the gym switches out of the closet and into the gym at an expense not to exceed \$500, second by Council Burwick and by unanimous vote; motion carried.
PLANNING AND ZONING APPOINTMENTS: The City extra territorial position currently held

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EMPLOYMENT OPPORTUNITY

The Adams County Highway Department is accepting applications for a full-time Maintenance Worker.

This is a safety-sensitive position. Applicants applying must sign the Drug Testing Release form (SFN 50098). Current and previous employers (within past two years) may be contacted. This position will be based out of the Adams County Shop in Hettinger, ND. Willing to train the right applicant!

The job description and the application may be obtained online at www.adamscountync.com or picked up and returned to the Adams County Shop at 102 2nd Ave NE, Hettinger, ND 58639. Full benefit package including retirement. 100% single health policy paid.
Starting wage: DOE.
Positions will be open until filled.
Feel free to call the office at 701-567-2235 or Road Superintendent Justin Blade at 701-567-3376 with any questions.

"Adams County provides equal employment opportunities to all employees and applicants for employment and prohibits discrimination and harassment of any type without regard to race, color, sex, national origin, disability status, genetics protected veteran status, sexual orientation, gender identity or expression, or any other characteristics protected by federal, state or local laws."