



CITY OF GRAND FORKS

24 North 4th Street
GRAND FORKS, NORTH DAKOTA 58203

OFFICE OF CITY ATTORNEY

E-MEMORANDUM

To: City File
CC:
From: DLG
Re: Procedure for PILOT
Date: 02-24-2025

Enclave Property Management, LLC (Latitude Phase 2)

Statute	Requirement	Date Completed
N.D.C.C. § 40-57.1-03(3)	Consult with the department of commerce.	02/04/2026
N.D.C.C. § 40-57.1-03(5)	Unless the City Council determines there is no existing business within the City for which the potential project would be a competitor, the potential project operator shall publish two notices to competitors, the form of which must be prescribed by the tax commissioner, of the application for payments in lieu of taxes in the official newspaper of the municipality at least one week apart.	02/07/2026 02/14/2026
N.D.C.C. § 40-57.1-03(5)	The City shall determine whether the payments in lieu of taxes is in the best interest of the municipality before it give approval.	
N.D.C.C. § 40-57.1-03(7)	During the negotiation of the option to make payments in lieu of taxes, the City shall include, as nonvoting ex officio members of its governing body, a representative appointed by the school board and a representative appointed by the board of township supervisors of each township affected by the proposed action.	N/A Period of incentive 5 years or less

N.D.C.C. § 40-57.1-03(7)	Must comply with N.D.C.C. § 40-05-24 if more than 5 years.	
N.D.C.C. § 40-05-24(1)	Send the Chairman of the County Commission and president of the school district a letter, by certified mail, notice of the terms of the proposed property tax incentive.	N/A
N.D.C.C. § 40-05-24(2)	Within 30 days, the County and school district shall notify the City whether they elect to participate in granting the tax incentive.	N/A
N.D.C.C. § 40-05-24(3)	No response is treated as participating.	

February 4, 2026

Tami Lazur, City Assessor
255 N. 4th Street
Grand Forks, ND 58201

Dear Tami:

Based upon the submitted application for property tax incentives by **Enclave Property Management, LLC** it is determined there is no further action required by the North Dakota Department of Commerce on this request since total project costs are not estimated to exceed one billion dollars and the application is requesting a payment in lieu of ad valorem taxes.

If you have any further questions, feel free to contact our office at 701-328-5300.

Sincerely,



Richard Garman, Director
Economic Development & Finance Division



AFFIDAVIT OF PUBLICATION

State of Florida, County of Orange, ss:

Anjana Bhadoriya, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC and duly authorized agent of the Grand Forks Herald, a newspaper printed and published in the City of Grand Forks, County of Grand Forks, State of North Dakota.

1. I am the designated agent of The Grand Forks Herald, under the provisions and for the purposes of, Section 31-04-06, NDCC, for the newspaper listed on the attached exhibit.

2. The newspaper listed on the exhibit published the advertisement of: **General Public Notice**; (2) time: *Saturday, February 7, 2026, Saturday, February 14, 2026*, as required by law or ordinance.

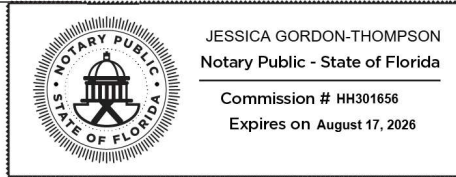
3. All of the listed newspapers are legal newspapers in the State of North Dakota and, under the provisions of Section 46-05-01, NDCC, are qualified to publish any public notice or any matter required by law or ordinance to be printed or published in a newspaper in North Dakota.

Anjana Bhadoriya

(Signed)

VERIFICATION

State of Florida
County of Orange



Subscribed in my presence and sworn to before me on this: **02/16/2026**

J. Rao

Notary Public
Notarized remotely online using communication technology via Proof.

NOTICE TO COMPEITORS OF HEARING ON APPLICATION FOR PROPERTY TAX INCENTIVES

Notice is hereby given that the City Council of the City of Grand Forks, North Dakota, will meet at 5:30 p.m. on March 2, 2026, Council Chambers at Grand Forks City Hall, 255 N 4th St, Grand Forks, ND, to consider the application of Enclave Property Management, 300 23rd Ave E, Suite 300, West Fargo, ND, for property tax relief on the project which the applicant will use in the operation of The Latitude Phase 2, a new construction 101,680 Square Foot 4-story Multi-family Building with High Quality Type 5 Construction creating 76 market-based-residential rental units, at 3909 S 38th St, Grand Forks, ND, Lot 1, Block 1, Kiwanis Park Resubdivision.

Any competitor may appear and be heard by the Grand Forks City Council at the time and place designated herein. A competitor may provide written comments to the governing body before the scheduled hearing. This notice is given by the above-named applicant pursuant to the provisions of North Dakota Century Code § 40-57.1-03 (Feb. 7 & 14, 2026)