

ORDINANCE NO. 242

AN ORDINANCE ANNEXING A PORTION OF THE SOUTHWEST QUARTER (S.W. 1/4) OF SECTION TWENTY SIX (26), TOWNSHIP ONE HUNDRED FORTY (140) NORTH, RANGE FIFTY TWO (52) WEST OF THE FIFTH PRINCIPAL MERIDIAN, CASS COUNTY, NORTH DAKOTA:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CASSELTON:

Section 1.

WHEREAS, Kenneth H. Johnson, Rodger Johnson and Al Johnson, 100 percent owners of the property described below have petitioned the City Council of the City of Casselton, North Dakota, to annex to the City of Casselton, North Dakota, the real property described below; and

WHEREAS, the said petition has been signed by not less than $\frac{3}{4}$ of the owners of not less than $\frac{3}{4}$ of the assessed value of said property; and

WHEREAS, said property is contiguous to the incorporated municipality of the City of Casselton, North Dakota, and is not presently embraced within the limits thereof; and

WHEREAS, said petition was duly received by the City Auditor and filed with the City Council of the City of Casselton, North Dakota; and

WHEREAS, the petitioners, by publication in the Cass County Reporter, on June 1, 2005, gave due notice of the presentation of said petition to the City Council of the City of Casselton, North Dakota; and

WHEREAS, the Planning and Zoning Commission of the City of Casselton has held a public hearing to consider the Annexation and has recommended approval of the annexation; and

WHEREAS, no protests or objections to said annexation have been made;

NOW THEREFORE, all of the following described real estate:

THAT PART OF THE SOUTHWEST QUARTER (S.W. 1/4) OF SECTION TWENTY SIX (26), TOWNSHIP ONE HUNDRED FORTY (140) NORTH, RANGE FIFTY TWO (52) WEST OF THE FIFTH PRINCIPAL MERIDIAN, CASS COUNTY, NORTH DAKOTA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER (S.W. 1/4);

THENCE N 00°00'00" W (ASSUMED BEARING) ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER (S.W. 1/4) FOR A DISTANCE OF

FOUR HUNDRED NINE AND FOUR HUNDREDTHS (409.04) FEET TO THE POINT OF BEGINNING;

THENCE CONTINUE N 00°00'00" W ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER (S.W. 1/4) FOR A DISTANCE OF ONE THOUSAND FIVE HUNDRED FORTY (1,540) FEET, MORE OR LESS, TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF A FLOOD CONTROL DIKE;

THENCE N 89°53'42" W ALONG SAID NORTH RIGHT-OF-WAY LINE FOR A DISTANCE OF TWO THOUSAND SIX HUNDRED THIRTY SEVEN (2,637) FEET, MORE OR LESS, TO A POINT ON THE WEST LINE OF SAID SOUTHWEST QUARTER (S.W. 1/4);

THENCE SOUTH ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER (S.W. 1/4) FOR A DISTANCE OF ONE THOUSAND NINE HUNDRED FIFTY FOUR (1,954) FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER (S.W. 1/4);

THENCE EAST ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER (S.W. 1/4) TO A POINT ON THE SOUTHERLY EXTENSION OF THE WEST LINE OF LOT ONE (1), BLOCK ONE (1), ANGIE'S ADDITION TO THE CITY OF CASSELTON, CASS COUNTY, NORTH DAKOTA;

THENCE NORTH ALONG THE SOUTHERLY EXTENSION OF THE WEST LINE AND THE WEST LINE OF SAID LOT ONE (1) FOR A DISTANCE OF THREE HUNDRED SEVENTY TWO (372.00) FEET TO THE NORTHWEST CORNER THEREOF;

THENCE EAST ALONG THE NORTH LINE OF SAID LOT ONE (1) FOR A DISTANCE OF TWO HUNDRED FORTY (240.00) FEET TO THE NORTHEAST CORNER OF SAID LOT ONE (1), A POINT ON THE WEST LINE OF LOT TWO (2) OF SAID BLOCK ONE (1);

THENCE NORTH ALONG THE WEST LINE OF SAID LOT TWO (2) FOR A DISTANCE OF THIRTY SEVEN (37.00) FEET TO THE NORTHWEST CORNER OF SAID LOT TWO (2);

THENCE EAST ALONG THE NORTH LINE OF LOTS TWO (2) AND THREE (3) OF SAID BLOCK ONE (1) FOR A DISTANCE OF TWO HUNDRED EIGHTY TWO AND FIFTY SEVEN HUNDREDTHS (282.57) FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 113.52 ACRES, MORE OR LESS.

Is hereby annexed to and made part of and included within the corporate limits of the City of Casselton, North Dakota.

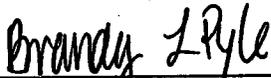
Section 2. Effective date -

This ordinance shall be in full force and effect from and after its second reading and final passage. The annexation shall be effective the date the ordinance, annexation plat and certification are filed with the County Recorder.

APPROVED:


Edward McConnell, Mayor

ATTEST:


Brandy Pyle, City Auditor

FIRST READING: June 6, 2005
SECOND READING: July 11, 2005
PUBLICATION:

State of North Dakota)
County of Cass)

CERTIFICATE

I, Edward McConnell, the duly elected, qualified and acting Mayor of the City of Casselton; and I, Brandy Pyle, the duly appointed, qualified and acting City Auditor of the City of Casselton,

DO HEREBY CERTIFY:

That the attached Ordinance #242 is a full true and correct copy of the original ordinance providing for the annexation of the property described therein to the City of Casselton, Cass County, North Dakota, which was adopted and approved at a regular meeting of the City Council, at which six members were present and six members voted in favor of adoption; and

That said ordinance is now a part of the permanent records of the City of Casselton, as such records are filed in the office of the City Auditor.

(Seal)

Edward McConnell
Edward McConnell, Mayor

ATTEST:

Brandy L Pyle
Brandy Pyle, City Auditor

On this 30th day of December, 2005, before me, a notary public, within and for said county and state, personally appeared Edward McConnell and Brandy Pyle, known to me to be the Mayor and City Auditor of the City of Casselton, a municipal corporation under the laws of the State of North Dakota, that is described in and who executed the within and foregoing instrument, and acknowledged that they executed the same.

LYNAE T SIMS
Notary Public
State of North Dakota
My Commission Expires Aug. 13, 2008

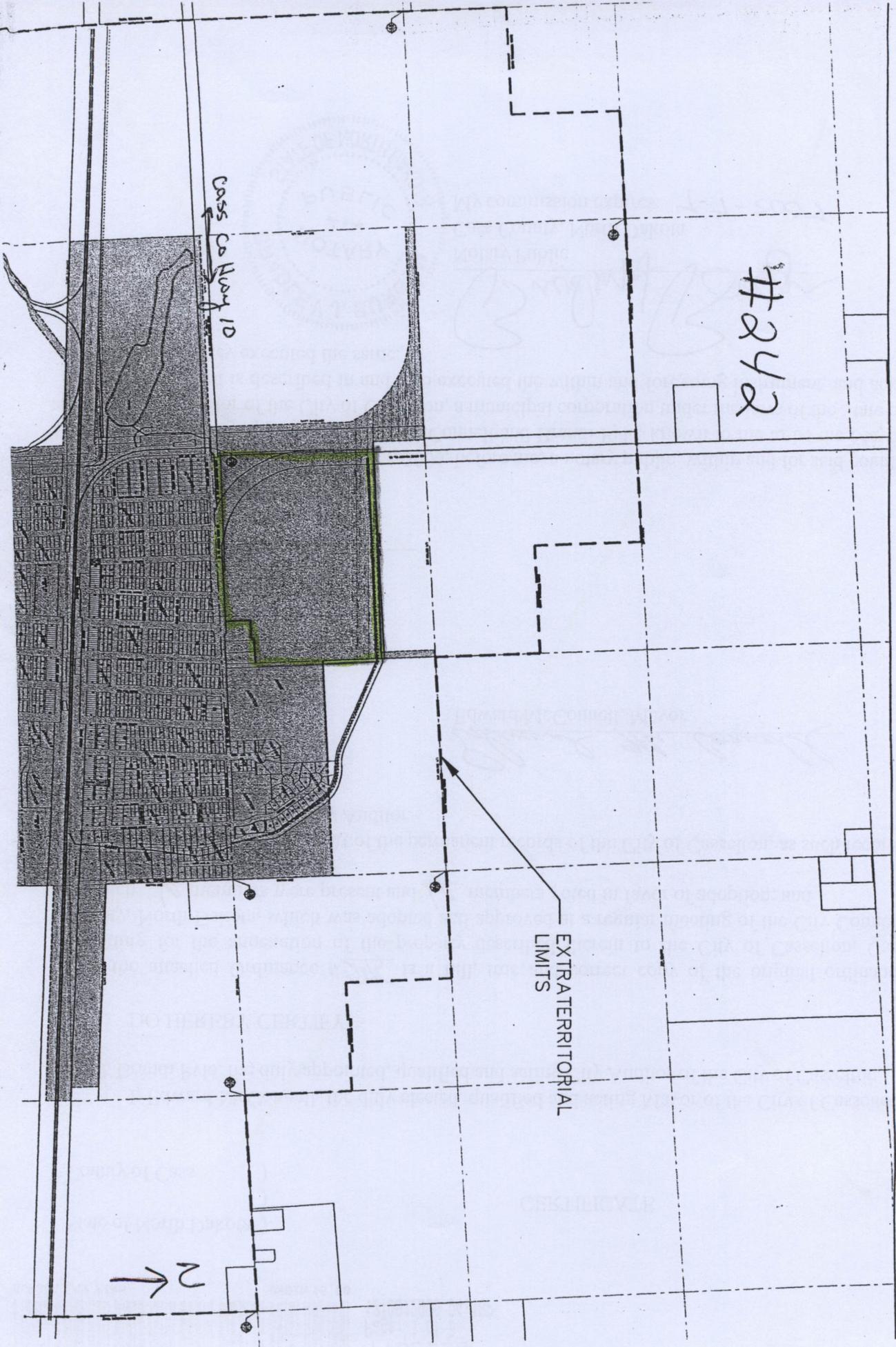
Lynae T Sims
Notary Public
Cass County, North Dakota
My commission expires:

#242

Cass Co Hwy 10

EXTRATERRITORIAL
LIMITS

2





State of North Dakota)
)
County of Cass)

CERTIFICATE

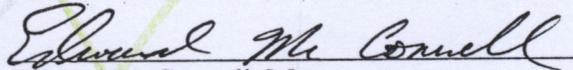
I, Edward McConnell, the duly elected, qualified and acting Mayor of the City of Casselton;
' and I, Brandi Pyle, the duly appointed, qualified and acting City Auditor of the City of Casselton,

DO HEREBY CERTIFY:

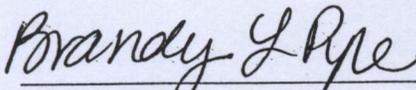
That the attached Ordinance # 245 is a full, true and correct copy of the original ordinance providing for the annexation of the property described therein to the City of Casselton, Cass County, North Dakota, which was adopted and approved at a regular meeting of the City Council, at which 6 members were present and 6 members voted in favor of adoption; and

That said ordinance is now a part of the permanent records of the City of Casselton, as such records are filed in the office of the City Auditor.

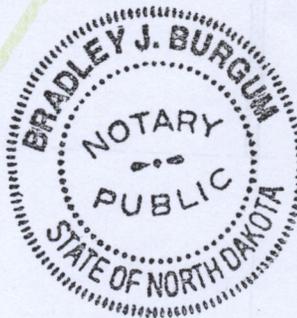
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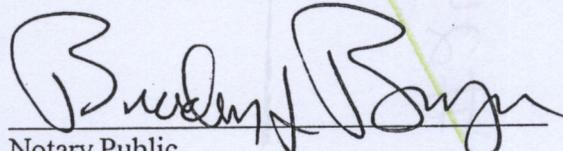

Edward McConnell, Mayor

ATTEST:


Brandi Pyle, City Auditor

On this 7 day of November, 2006, before me, a notary public, within and for said county and state, personally appeared Edward McConnell and Brandi Pyle, known to me to be the Mayor and the City Auditor of the City of Casselton, a municipal corporation under the laws of the State of North Dakota, that is described in and who executed the within and foregoing instrument, and acknowledged that they executed the same.




Notary Public
Cass County, North Dakota
My commission expires: 7-7-2007