



ORDINANCE NO. 247

AN ORDINANCE ANNEXING THE A 23.42 ACRE PARCEL OF LAND LOCATED IN THE WEST HALF OF (W. 1/2) OF SECTION TWO (2), TOWNSHIP ONE HUNDRED THIRTY NINE (139) NORTH, RANGE FIFTY TWO (52) WEST, CASS COUNTY, NORTH DAKOTA, CASS COUNTY, NORTH DAKOTA:

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

Section 1.

WHEREAS, Maple River Grain and Agronomy, owners of more than three/fourths (3/4ths) 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 3/4 of the owners of not less than 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, 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:

PART OF THE WEST HALF OF (W. 1/2) OF SECTION TWO (2), TOWNSHIP ONE HUNDRED THIRTY NINE (139) NORTH, RANGE FIFTY TWO (52) WEST, CASS COUNTY, NORTH DAKOTA DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT ONE (1), BLOCK TWO (2), HEARTLAND SECOND ADDITION TO THE CITY OF CASSELTON, SAID POINT LYING ON THE WEST LINE OF THE WEST HALF (W. 1/2) OF SAID SECTION TWO (2);



THENCE N 00°10'17" E ALONG THE WEST LINE OF THE WEST HALF (W. 1/2) OF SAID SECTION TWO (2) FOR A DISTANCE OF ONE THOUSAND FOUR HUNDRED FEET (1,400.00) FEET;

THENCE S 89°51'16" E FOR A DISTANCE OF SIX HUNDRED SIXTY SEVEN AND NINETY NINE HUNDREDTHS (667.99) FEET;

THENCE S 00°08'44" W FOR A DISTANCE OF THREE HUNDRED SIXTY NINE AND FIFTY FOUR HUNDREDTHS (369.54) FEET TO A POINT ON THE NORTH LINE OF THE SOUTH HALF OF THE WEST HALF (S. 1/2 W. 1/2) OF SAID SECTION TWO (2);

THENCE N 89°41'16" E FOR A DISTANCE OF EIGHTY (80.00) FEET TO A POINT ON THE NORTHERLY EXTENSION OF THE EAST RIGHT-OF-WAY LINE OF HEARTLAND AVENUE IN THE CITY OF CASSELTON;

THENCE S 00°08'44" W ALONG THE NORTHERLY EXTENSION OF SAID EAST RIGHT-OF-WAY LINE FOR A DISTANCE OF ONE THOUSAND THIRTY AND NINETY EIGHT HUNDREDTHS (1,030.98) FEET TO A POINT ON THE NORTH LINE OF SAID HEARTLAND SECOND ADDITION;

THENCE N 89°51'16" W ALONG THE NORTH LINE OF SAID HEARTLAND SECOND ADDITION FOR A DISTANCE OF SIX HUNDRED SIXTY EIGHT AND SIXTY TWO HUNDREDTHS (668.62) FEET TO THE NORTHWEST CORNER OF LOT ONE (1), BLOCK TWO (2), OF SAID HEARTLAND SECOND ADDITION, THE POINT OF BEGINNING.

SAID TRACT CONTAINS 23.45 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: 11/05/2007
SECOND READING: 12/03/2007



1225084
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BURGUM LAW FIRM

ORDIN 19.00

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 #247 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 Pyle
Brandy Pyle, City Auditor

On this 11th day of January, 2008, 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 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.

DAWN SUHR
Notary Public
State of North Dakota
My Comm. Expires April 25, 2013

Dawn Suhr
Notary Public
Cass County, North Dakota
My commission expires: *April 25, 2013*



BURGUM LAW FIRM

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RECORDER'S OFFICE, CASS COUNTY, ND
I CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD THIS DATE.
JENEL A. SPIES, COUNTY RECORDER

by Teresa A. Kiley Dep. 1225084

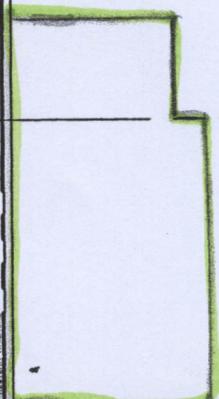


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#247

NORTH EVEREST
SECOND 1
ADDITION

NORTH EVEREST
SUBDIVISION



OFFUTT'S
1
ADDITION

HEARTLAND
1 2

SECOND
1 1

ADDITION
2

GORDY'S
1

HEARTLAND
1 3

FIRST
1

INDUSTRIAL BOULEVARD

DETENTION ADDITION
POND

ADDITION
1 2

INTERSTATE HIGHWAY 94 R/W

