



RESOLUTION NO. 37-2010

A RESOLUTION EXTENDING THE BOUNDARIES OF THE CITY OF DICKINSON, NORTH DAKOTA, AND ANNEXING A CERTAIN TRACT OF LAND ADJACENT TO THE BOUNDARIES OF THE PRESENT CITY LIMITS

WHEREAS, it appears that the real property hereinafter described along the boundary of the City of Dickinson, should be annexed to the City of Dickinson; and

WHEREAS, said real property is legally-described as follows, to-wit:

Porter's 2nd subdivision and all NDDOT Highway 22 Right of Way Lying adjacent to said subdivision

Proposed North Industries Addition and all NDDOT Highway 22 Right of Way Lying adjacent to said subdivision.

Replat Burwick First Subdivision and all NDDOT Highway 22 Right of Way lying adjacent to said subdivision

Lane's Subdivision and all NDDOT Highway 22 Right of Way Lying adjacent to said subdivision

Proposed Burwick Second subdivision

Proposed Lyons Subdivision

A tract of land located in the Northeast Quarter (NE1/4) of Section 27, Township 140 North (T.140N.); Range 96 West (R.96W.) of the 5th Principal Meridian, Stark County, North Dakota, being more specifically described as follows:

Commencing at the northwest corner of said Northeast Quarter of Section 27, thence easterly along the north line of said Northwest Quarter of Section 27 on an azimuth of 091°27'38" a distance of 200.00 feet to the Point of Beginning, said point being the northwest corner of a 100.46 acre tract as recorded in Document Number 3045779, thence continuing easterly along the north line of said Northwest Quarter of Section 27 on an azimuth of 091°27'38" a distance of 33.78 feet to a corner of said 100.46 acre tract, thence southerly along a line of said 100.46 acre tract on an azimuth of 181°33'31" a distance of 74.86 feet to the northwest corner of Block One of Northview Acres Subdivision and a point on a line of said 100.46 acre tract, thence continuing southerly on an azimuth of 181°33'31" along the west line of said Block 1 of Northview Acres Subdivision and a line of said 100.46 acre tract a distance of 553.53 feet to the southwest corner of said Block 1 of Northview Acres Subdivision and a corner of said 100.46 acre tract, thence easterly along the south line of said Northview Acres Subdivision and the northerly line of said 100.46 acre tract on an azimuth of 091°31'20" a distance of 600.04 feet to the southeast corner of Block 2 of Northview Acres Subdivision and a point on said northerly line of a 100.46 acre tract, said point also being the southwest corner of Block 1 of Norchallan Pine Estates Subdivision, thence easterly along the south line of said Norchallan Pine Estates Subdivision and said northerly line of a 100.46 acre tract on an azimuth of 091°31'20" a distance of 299.96 feet to a point on the south line of said Norchallan Pine Estates Subdivision which is on the centerline of the existing 66 foot public street right-of-way for said Norchallan Pine Estates Subdivision and a point on said northerly line of a 100.46 acre tract, thence southerly on an azimuth of 181°31'34" a distance of 968.24 feet to a point, thence westerly on an azimuth of 271°34'14" a distance of 934.27 feet to a point on the west line of said 100.46 acre tract, thence northerly along the west line of said 100.46 acre tract and parallel with the west line of said Northeast Quarter of Section 27 on an azimuth of 001°33'23" a distance of 1595.81 feet to the Point of Beginning. The east 33 feet along the east line of the above described tract is reserved for private access easement.

Said tract contains 21.24 acres

WHEREAS, NDCC §40-51.2-07 permits annexation by Resolution of the governing body of any municipality; and

WHEREAS, the Board of City Commissioners of the City of Dickinson, North Dakota, desires to annex the property to the City of Dickinson for the following reasons: The territory is contiguous to the City of Dickinson, and its proposed annexation will contribute to and facilitate the orderly growth and development of both the City and the territory proposed to be annexed; will



facilitate and contribute to the proper and orderly layout, design and construction of streets, gutters, sidewalks, water mains, sanitary and storm water sewers and drainage facilities, both within the City and within the territory proposed to be annexed; and will provide and facilitate the proper overall planning and zoning of land, and subdivision of lands in the City and the territory proposed to be annexed, in a manner most conducive to the welfare of the City and the territory proposed to be annexed;

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Board of City Commissioners of the City of Dickinson, North Dakota, as follows:

1. The following legally-described real property is hereby annexed to the City of Dickinson, North Dakota, to-wit:

Porter's 2nd subdivision and all NDDOT Highway 22 Right of Way Lying adjacent to said subdivision

Proposed North Industries Addition and all NDDOT Highway 22 Right of Way Lying adjacent to said subdivision.

Replat Burwick First Subdivision and all NDDOT Highway 22 Right of Way lying adjacent to said subdivision

Lots 3-8, Block 1; Lots 1-16, Block 2; Lots 1-17, Block 3; Lane's Subdivision and all NDDOT Highway 22 Right of Way Lying adjacent to said subdivision

Proposed Burwick Second subdivision

Proposed Lyons Subdivision

A tract of land located in the Northeast Quarter (NE1/4) of Section 27, Township 140 North (T.140N.); Range 96 West (R.96W.) of the 5th Principal Meridian, Stark County, North Dakota, being more specifically described as follows:

Commencing at the northwest corner of said Northeast Quarter of Section 27, thence easterly along the north line of said Northwest Quarter of Section 27 on an azimuth of 091°27'38" a distance of 200.00 feet to the Point of Beginning, said point being the northwest corner of a 100.46 acre tract as recorded in Document Number 3045779, thence continuing easterly along the north line of said Northwest Quarter of Section 27 on an azimuth of 091°27'38" a distance of 33.78 feet to a corner of said 100.46 acre tract, thence southerly along a line of said 100.46 acre tract on an azimuth of 181°33'31" a distance of 74.86 feet to the northwest corner of Block One of Northview Acres Subdivision and a point on a line of said 100.46 acre tract, thence continuing southerly on an azimuth of 181°33'31" along the west line of said Block 1 of Northview Acres Subdivision and a line of said 100.46 acre tract a distance of 553.53 feet to the southwest corner of said Block 1 of Northview Acres Subdivision and a corner of said 100.46 acre tract, thence easterly along the south line of said Northview Acres Subdivision and the northerly line of said 100.46 acre tract on an azimuth of 091°31'20" a distance of 600.04 feet to the southeast corner of Block 2 of Northview Acres Subdivision and a point on said northerly of a 100.46 acre tract, said point also being the southwest corner of Block 1 of Norchallan Pine Estates Subdivision, thence easterly along the south line of said Norchallan Pine Estates Subdivision and said northerly line of a 100.46 acre tract on an azimuth of 091°31'20" a distance of 299.96 feet to a point on the south line of said Norchallan Pine Estates Subdivision which is on the centerline of the existing 66 foot public street right-of-way for said Norchallan Pine Estates Subdivision and a point on said northerly line of a 100.46 acre tract, thence southerly on an azimuth of 181°31'34" a distance of 968.24 feet to a point, thence westerly on an azimuth of 271°34'14" a distance of 934.27 feet to a point on the west line of said 100.46 acre tract, thence northerly along the west line of said 100.46 acre tract and parallel with the west line of said Northeast Quarter of Section 27 on an azimuth of 001°33'23" a distance of 1595.81 feet to the Point of Beginning. The east 33 feet along the east line of the above described tract is reserved for private access easement.

Said tract contains 21.24 acres

2. The owners of any real property within the territory proposed to be annexed may file written protests with the Dickinson City Administrator protesting against the proposed annexation. Such protests must be filed in writing, and must be filed within thirty days of the first publication of this Resolution.



3. On October 18, 2010, at approximately 5:15 p.m., or as soon thereafter as the parties may be heard, the Board of City Commissioners of the City of Dickinson shall meet to hear and determine the sufficiency of any written protests to annexation of the property described herein. The hearing shall take place at the Dickinson City Hall.

4. In the absence of protests filed by the owners of more than one-fourth of the territory proposed to be annexed as of the date of the adoption of this Resolution, the territory described in this Resolution shall become a part of the City of Dickinson. Annexation shall become effective when a copy of this Resolution and an accurate map of the annexed area, certified by the executive officer of the City of Dickinson, are filed and recorded with the county recorder.

5. Annexation shall be effective for the purposes of general taxation on and after the first day of February following passage of this Resolution.

6. A true and correct copy of this Resolution shall be published once each week for two consecutive weeks in the official newspaper of the City.

7. A Notice of Hearing to hear and determine protests to the proposed annexation shall be published once each week for two consecutive weeks in the official newspaper of the City. A true and correct copy of the Notice of Hearing shall further be mailed to the owner of each parcel of real property within the area to be annexed at the person's last known mailing address.

Dated this 8th day of September, 2010.

Dennis Johnson, President
Board of City Commissioners
City of Dickinson, North Dakota

ATTEST:

Shawn Kessel, City Administrator

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Resolutions \$31.00 City Of Dickinson
RaeDeen Weinberger, Stark County, ND Recorder



I hereby certify that the attached map is an accurate map of the annexed area.

Dennis W. Johnson, President
Board of City Commissioners

ATTEST

Shawn Kessel, City Administrator

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Annexation



Legend
city_limits
Annexation



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