

*no number*

**WEST SIDE ACRES RESOLUTION  
RESOLUTION OF ANNEXATION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HARVEY, NORTH DAKOTA, which is located in the County of Wells, in the State of North Dakota:

WHEREAS, Chapter 40-51.2 of the North Dakota Century Code authorizes the governing body of any municipality to adopt a Resolution to annex contiguous or adjacent territory, and

WHEREAS, the City of Harvey, Wells County, North Dakota, is a City incorporated under the laws of the State of North Dakota, and it is desirable to extend its municipal government to areas which form a part of the whole community and it is further desirable to encourage natural and well ordered development of the City of Harvey, and

WHEREAS, There exists certain territory suitable for annexation that is continuous or adjacent to the corporate limits of the City of Harvey,

NOW THEREFORE, BE IT RESOLVED By the City Council of the City of Harvey, North Dakota that the following described real property situated in Wells County, North Dakota, is proposed for annexation into the City of Harvey:

See the attached Exhibit "A" (legal description and map) incorporated therein by this reference.

This Resolution together with a notice of time and place the City Council of the City of Harvey will meet to hear and determine the sufficiency of any written protests against such proposed annexation shall be published in the official newspaper of the City once each week for two consecutive weeks. The owners of any real property within the territory proposed to be annexed within thirty (30) days of the first publication of the Resolution may file written protests with the City Auditor protesting against the proposed annexation. The governing body of the City of Harvey, at its next meeting after the expiration of the time for filing such protests, shall hear and determine the sufficiency thereof.

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 above shall be included within and shall become a part of the City of Harvey, and a copy of this Resolution with an accurate map of the annexed area, certified by the Mayor and Auditor of the City of Harvey, shall be filed and recorded with the Wells County Recorder, whereupon such annexation shall become effective.

Bon Volk moved for the adoption of the above described real property at a meeting of the City Council of the City of Harvey, held on the 22 day of May, 2012. Rich Eckart seconded the motion.

Upon a vote being taken thereon, the following City Council Members voted in favor thereof: Volk, Waldoch, Baltrusch, Schindler.  
Eckart, Rust City Council Members voted against the same.

City Council Members that were absent and not voting: NONE.

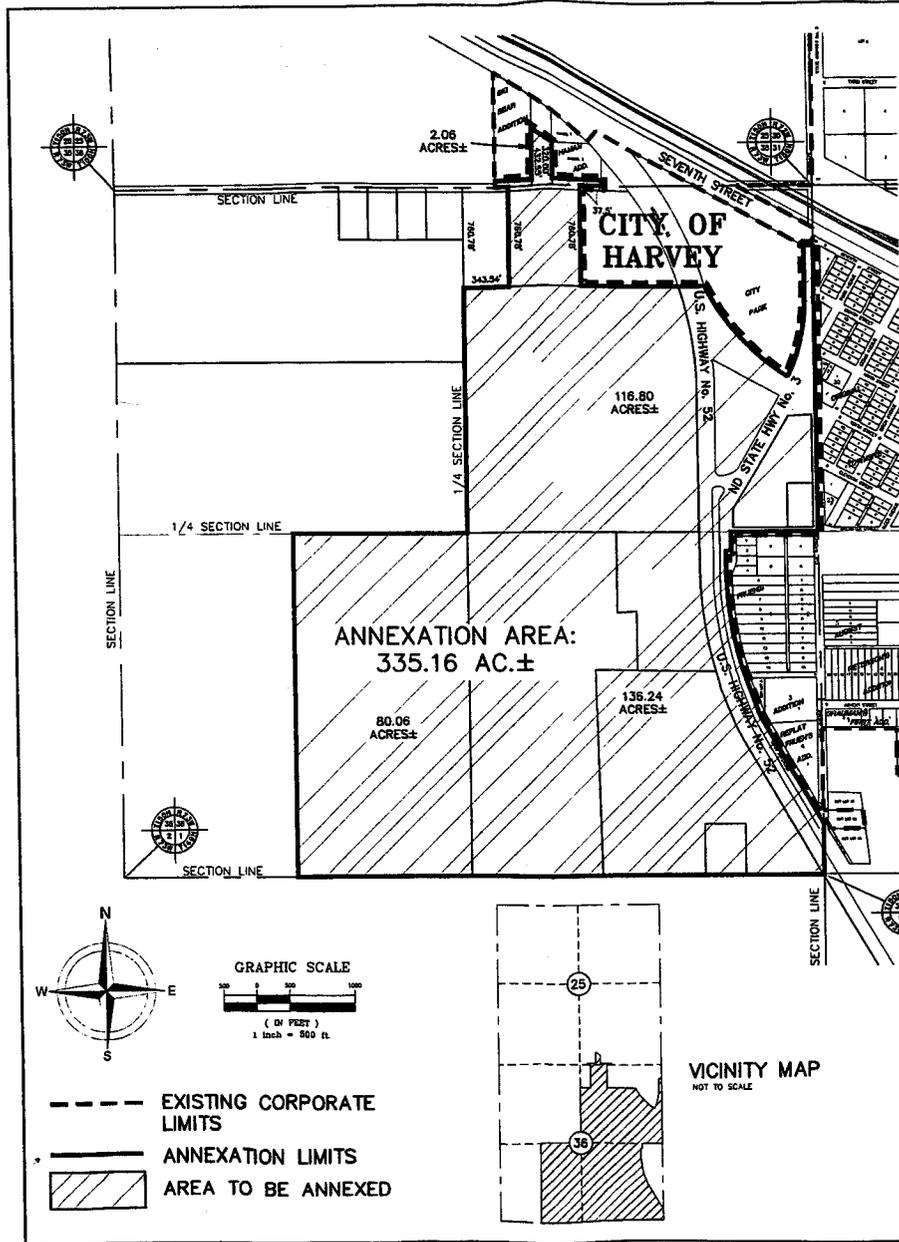
Approved this 22 day of May, 2012.

CITY OF HARVEY

By: Jason E. Grossman  
Jason Grossman  
Its: Mayor

Attest: Karen Nordby  
Karen Nordby  
Its: Auditor

**AN ANNEXATION PLAT OF "WEST SIDE ACRES" TO THE CITY OF HARVEY, A PART OF THE SOUTH HALF OF SECTION 25 AND PART OF SECTION 36, TOWNSHIP 150 NORTH, RANGE 73 WEST, WELLS COUNTY, NORTH DAKOTA.**



**CERTIFICATE**

I, DAVID S. MEYER, REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NORTH DAKOTA, PREPARED AND MADE THE ATTACHED PLAT OF "WEST SIDE ACRES", A PARCEL OF LAND ANNEXED TO THE CITY OF HARVEY ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2012, DO HEREBY CERTIFY THAT THE PROPERTY REPRESENTED IN THIS PLAT IS A PART OF THE SOUTH HALF OF SECTION 25 AND PART OF SECTION 36, TOWNSHIP 150 NORTH, RANGE 73 WEST, WELLS COUNTY, NORTH DAKOTA, AND THAT SAID ATTACHED PLAT IS A CORRECT REPRESENTATION OF SAID PARCEL OF LAND ANNEXED TO THE CITY OF HARVEY DESIGNATED AND DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 36, TOWNSHIP 150 NORTH, RANGE 73 WEST, WELLS COUNTY, NORTH DAKOTA;  
 THENCE WEST ALONG THE SOUTH LINE OF SAID SECTION 36 TO THE SOUTHEAST CORNER OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 36;  
 THENCE NORTH ALONG SAID EAST LINE TO THE NORTHEAST CORNER OF SAID WEST HALF, SAID CORNER LYING ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 36;  
 THENCE EAST ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER TO THE SOUTHEAST CORNER THEREOF;  
 THENCE NORTH ALONG THE EAST LINE OF SAID NORTHWEST QUARTER TO A POINT ON SAID EAST LINE LYING 780.78 FEET SOUTH OF THE NORTH LINE OF SAID SECTION 36;  
 THENCE EAST PARALLEL TO THE NORTH LINE OF SAID SECTION 36 FOR A DISTANCE OF 343.54 FEET;  
 THENCE NORTH PARALLEL TO THE EAST LINE OF SAID NORTHWEST QUARTER FOR A DISTANCE OF 780.78 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION 36;  
 THENCE WEST ALONG THE NORTH LINE OF SAID SECTION 36 TO A POINT ON THE SOUTHERLY EXTENSION OF THE WEST LINE OF BIG BEAR ADDITION TO THE CITY OF HARVEY;  
 THENCE NORTH PARALLEL TO THE SOUTHERLY EXTENSION OF THE WEST LINE OF SAID BIG BEAR ADDITION TO THE SOUTHWEST CORNER OF SAID BIG BEAR ADDITION;  
 THENCE NORTH ALONG THE EAST LINE OF SAID BIG BEAR ADDITION FOR A DISTANCE OF 432.53 FEET;  
 THENCE SOUTHEASTERLY TO A POINT ON THE WEST LINE OF HAMAN ADDITION TO THE CITY OF HARVEY LYING 320.00 FEET NORTH OF THE SOUTHWEST CORNER OF SAID HAMAN ADDITION;  
 THENCE SOUTH ALONG THE WEST LINE OF SAID HAMAN ADDITION FOR A DISTANCE OF 320.00 FEET TO THE SOUTHWEST CORNER THEREOF;  
 THENCE EAST ALONG THE SOUTH LINE OF SAID HAMAN ADDITION TO THE SOUTHEAST CORNER THEREOF;  
 THENCE SOUTH ALONG THE SOUTHERLY EXTENSION OF THE EAST LINE OF SAID HAMAN ADDITION TO A POINT ON THE NORTH LINE OF SAID SECTION 36;  
 THENCE WEST ALONG THE NORTH LINE OF SAID SECTION 36 FOR A DISTANCE OF 37.3 FEET;  
 THENCE SOUTH PERPENDICULAR TO THE NORTH LINE OF SAID SECTION 36 FOR A DISTANCE OF 760.78 FEET;  
 THENCE EAST PARALLEL TO THE NORTH LINE OF SAID SECTION 36 TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY #52;  
 THENCE SOUTHEASTERLY ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID HIGHWAY #52 TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF NORTH DAKOTA STATE HIGHWAY #3;  
 THENCE SOUTHEASTERLY ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID NORTH DAKOTA STATE HIGHWAY #3 TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SEVENTH STREET IN THE CITY OF HARVEY;  
 THENCE EASTERLY PERPENDICULAR TO THE EAST LINE OF SAID SECTION 36 TO A POINT ON THE EAST LINE OF SAID SECTION 36;  
 THENCE SOUTH ALONG THE EAST LINE OF SAID SECTION 36 TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 36;  
 THENCE WEST ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY #52;  
 THENCE SOUTHEASTERLY ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY #52 TO A POINT ON THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 36;  
 THENCE SOUTH ALONG THE EAST LINE OF SAID SECTION 36 TO THE SOUTHEAST CORNER THEREOF, THE POINT OF BEGINNING.

SAID TRACT CONTAINS 335.16 ACRES, MORE OR LESS.

DAVID S. MEYER  
REGISTERED LAND SURVEYOR  
N.D. REG. NO. 2086

**CERTIFICATE BY EXECUTIVE OFFICE OF CITY**

I, JASON GROSSMAN, DO HEREBY CERTIFY THAT I AM NOW, AND AT ALL TIMES DURING THE ANNEXATION OF THE PROPERTY DESCRIBED HAVE BEEN MAYOR OF THE CITY OF HARVEY, COUNTY OF WELLS, STATE OF NORTH DAKOTA, AND I FURTHER CERTIFY THAT ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2012, AT \_\_\_\_\_ O'CLOCK, \_\_\_\_\_ M., THE CITY OF HARVEY, COUNTY OF WELLS, STATE OF NORTH DAKOTA, DID ANNEX THE PROPERTY DESCRIBED IN THE CERTIFICATE SHOWN ON THE ANNEXATION PLAT OF "WEST SIDE ACRES" BY DAVID S. MEYER, REGISTERED LAND SURVEYOR, THAT THE DESCRIPTION, DISTANCES AND ANGLES SHOWN ON SAID PLAT ARE THE SAME USED IN THE ANNEXATION PROCEEDINGS BEFORE THE CITY COMMISSION OF THE CITY OF HARVEY, AND THAT SAID PLAT SHOWS THE CORPORATE LIMITS OF THE CITY CONTIGUOUS TO THE ANNEXED PROPERTY AND THE CHANGE MADE THEREIN BY SAID ANNEXATION.

ATTEST  
 KAREN MORDBY, CITY AUDITOR  
 STATE OF NORTH DAKOTA  
 COUNTY OF WELLS  
 JASON GROSSMAN, MAYOR

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2012, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED JASON GROSSMAN, MAYOR, AND KAREN MORDBY, CITY AUDITOR OF THE CITY OF HARVEY, KNOWN TO ME TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME IN THE NAME OF THE CITY OF HARVEY.

NOTARY PUBLIC, WELLS COUNTY, NORTH DAKOTA  
 MY COMMISSION EXPIRES: \_\_\_\_\_

**HARVEY CITY COUNCIL APPROVAL**

THIS PLAT OF A PARCEL OF LAND ANNEXED THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2012, IS HEREBY APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2012.

JASON GROSSMAN, MAYOR  
 STATE OF NORTH DAKOTA  
 COUNTY OF WELLS  
 KAREN MORDBY, CITY AUDITOR

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2012, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED JASON GROSSMAN, MAYOR, AND KAREN MORDBY, CITY AUDITOR OF THE CITY OF HARVEY, KNOWN TO ME TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME IN THE NAME OF THE CITY OF HARVEY.

NOTARY PUBLIC, WELLS COUNTY, NORTH DAKOTA  
 MY COMMISSION EXPIRES: \_\_\_\_\_

**CITY ENGINEER'S APPROVAL**

APPROVED BY THE CITY ENGINEER THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2012.

BRANDON OYE, CITY ENGINEER  
 STATE OF NORTH DAKOTA  
 COUNTY OF WELLS

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2012, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED BRANDON OYE, HARVEY CITY ENGINEER, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE ACT AND DEED.

NOTARY PUBLIC, WELLS COUNTY, NORTH DAKOTA  
 MY COMMISSION EXPIRES: \_\_\_\_\_

**HARVEY PLANNING AND ZONING COMMISSION APPROVAL**

THIS PLAT OF A PARCEL OF LAND ANNEXED THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2012, IS HEREBY APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2012.

MIKE RUST, CHAIR  
 STATE OF NORTH DAKOTA  
 COUNTY OF WELLS

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2012, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED MIKE RUST, CHAIR OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF HARVEY, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN THE NAME OF THE HARVEY PLANNING AND ZONING COMMISSION.

NOTARY PUBLIC, WELLS COUNTY, NORTH DAKOTA  
 MY COMMISSION EXPIRES: \_\_\_\_\_

SHEET 1 OF 1

DOCUMENT NO. \_\_\_\_\_  
 STATE OF NORTH DAKOTA  
 COUNTY OF WELLS

I HEREBY CERTIFY THAT THE ABOVE INSTRUMENT WAS FILED IN THIS OFFICE FOR RECORD ON THIS \_\_\_\_\_ DAY OF A.D. 2012 AT \_\_\_\_\_ O'CLOCK, \_\_\_\_\_ M. AND WAS RECORDED IN BOOK \_\_\_\_\_ OF \_\_\_\_\_ PAGE \_\_\_\_\_.

\_\_\_\_\_ COUNTY RECORDER  
 BY \_\_\_\_\_ DEPUTY

**CITY OF HARVEY ANNEXATION DESCRIPTION:**

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 36, TOWNSHIP 150 NORTH, RANGE 73 WEST, WELLS COUNTY, NORTH DAKOTA;

THENCE WEST ALONG THE SOUTH LINE OF SAID SECTION 36 TO THE SOUTHEAST CORNER OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 36;

THENCE NORTH ALONG SAID EAST LINE TO THE NORTHEAST CORNER OF SAID WEST HALF, SAID CORNER LYING ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 36;

THENCE EAST ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER TO THE SOUTHEAST CORNER THEREOF;

THENCE NORTH ALONG THE EAST LINE OF SAID NORTHWEST QUARTER TO A POINT ON SAID EAST LINE LYING 760.78 FEET SOUTH OF THE NORTH LINE OF SAID SECTION 36;

THENCE EAST PARALLEL TO THE NORTH LINE OF SAID SECTION 36 FOR A DISTANCE OF 343.54 FEET;

THENCE NORTH PARALLEL TO THE EAST LINE OF SAID NORTHWEST QUARTER FOR A DISTANCE OF 760.78 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION 36;

THENCE WEST ALONG THE NORTH LINE OF SAID SECTION 36 TO A POINT ON THE SOUTHERLY EXTENSION OF THE WEST LINE OF BIG BEAR ADDITION TO THE CITY OF HARVEY;

THENCE NORTH ALONG THE SOUTHERLY EXTENSION OF THE WEST LINE OF SAID BIG BEAR ADDITION TO THE SOUTHWEST CORNER OF SAID BIG BEAR ADDITION;

THENCE EAST ALONG THE SOUTH LINE OF SAID BIG BEAR ADDITION TO THE SOUTHEAST CORNER THEREOF;

THENCE NORTH ALONG THE EAST LINE OF SAID BIG BEAR ADDITION FOR A DISTANCE OF 432.55 FEET;

THENCE SOUTHEASTERLY TO A POINT ON THE WEST LINE OF HAMAN ADDITION TO THE CITY OF HARVEY LYING 320.00 FEET NORTH OF THE SOUTHWEST CORNER OF SAID HAMAN ADDITION;

THENCE SOUTH ALONG THE WEST LINE OF SAID HAMAN ADDITION FOR A DISTANCE OF 320.00 FEET TO THE SOUTHWEST CORNER THEREOF;

THENCE EAST ALONG THE SOUTH LINE OF SAID HAMAN ADDITION TO THE SOUTHEAST CORNER THEREOF;

THENCE SOUTH ALONG THE SOUTHERLY EXTENSION OF THE EAST LINE OF SAID HAMAN ADDITION TO A POINT ON THE NORTH LINE OF SAID SECTION 36;

THENCE WEST ALONG THE NORTH LINE OF SAID SECTION 36 FOR A DISTANCE OF 37.5 FEET;

THENCE SOUTH PERPENDICULAR TO THE NORTH LINE OF SAID SECTION 36 FOR A DISTANCE OF 760.78 FEET;

THENCE EAST PARALLEL TO THE NORTH LINE OF SAID SECTION 36 TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF NORTH DAKOTA STATE HIGHWAY #52;

THENCE SOUTHEASTERLY ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID HIGHWAY #52 TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF NORTH DAKOTA STATE HIGHWAY #3;

THENCE NORTHEASTERLY ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID NORTH DAKOTA STATE HIGHWAY #3 TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF NORTH DAKOTA STATE HIGHWAY #91;

THENCE EASTERLY PERPENDICULAR TO THE EAST LINE OF SAID SECTION 36 TO A POINT ON THE EAST LINE OF SAID SECTION 36;

THENCE SOUTH ALONG THE EAST LINE OF SAID SECTION 36 TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 36;

THENCE WEST ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF SAID HIGHWAY #52;

THENCE SOUTHEASTERLY ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID NORTH DAKOTA STATE HIGHWAY #52 TO A POINT ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 36;

THENCE SOUTH ALONG THE EAST LINE OF SAID SECTION 36 TO THE SOUTHEAST CORNER THEREOF, THE POINT OF BEGINNING.

SAID TRACT CONTAINS 335.16 ACRES, MORE OR LESS.