

ORDINANCE NO. 18

AN ORDINANCE ANNEXING 24.54 ACRES CONTIGUOUS TO THE CITY OF MILNOR, SARGENT COUNTY, NORTH DAKOTA

Pursuant to Chapter 40-52.1 NDCC, ARTICLE 3(n) of the Home Rule Charter of the City of Milnor and ARTICLE 1 §1.0102 of the City of Milnor Revised Ordinances of 1994, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MILNOR, NORTH DAKOTA

SECTION 1.

WHEREAS, Paul Richard Ruby a/k/a Dick Ruby, Donna Ruby, Dakota Valley Rural Electric Co-operative and Southeast Water Users District, having duly petitioned the City Council of the City of Milnor, North Dakota to annex the real property described below, and

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

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

WHEREAS, said petitions were duly received by the City Auditor and filed with the City Council of the City of Milnor, North Dakota; and

WHEREAS, the petitioners, by publication in the official newspaper of the City of Milnor, on the 13th day of August, 2010, gave due notice of the presentation of said petition to the City Council of the City of Milnor, North Dakota; and

WHEREAS, no sufficient protests to the annexation have been made;

NOW, THEREFORE, all of the following described real estate:

A tract of land situated in a portion of the Northeast Quarter (NE $\frac{1}{4}$) of Section Sixteen (16) in Township One Hundred Thirty-two (132) North, Range Fifty-four (54) West of the Fifth Principal Meridian, Sargent County, North Dakota, being more fully described as follows:

Commencing at a found iron monument which designates the Northeast corner of said Section 16; thence N89°11'55"W on and along the north line of Said Section 16 for 1871.44 to the Point of Beginning:

thence S64°45'05"W for 451.04 feet;

to the beginning point of a curve to the left having a radius of 207.17, thence left along said curve for an arc length of 167.53, said curve having a chord bearing of S42°01'13"W for 163.00;

thence S18°34'05"W for 322.21 feet to a point that is 133.00 feet perpendicular to the west line of Said Section 16;

thence S00°02'06"W parallel to Said west line of Section 16 for 1024.11 feet;

thence S69°46'26"E for 180.72 feet to a point on the north right of way line of ND Highway No. 13;

thence S32°47'30"E perpendicular to Said right of way for 200.00 feet; to a point on the south right of way line of ND Highway No. 13;

thence N57°12'30"E on and along the south right of way line of ND Highway No. 13 for 1702.30 feet;

thence S32°47'30"E perpendicular to Said right of way for 366.00 feet;

thence S57°12'30"W parallel to the south right of way line of ND Highway No. 13 for 2388.29 feet to a point that is 33.00 feet perpendicular to the west line of Said Section 16;

thence N00°02'06"E for 435.55 feet parallel to Said west line of Section 16 to a point on the south right of way line of ND Highway No. 13;

thence N57°12'30"E on and along the south right of way line of ND Highway No. 13 for 324.69 feet;

thence N32°47'30"W perpendicular to Said right of way for 200.00 feet to the east corner of a Parcel as Platted in 9-B of Deeds Page 208;

thence N69°46'26"W on and along the northerly line of Said Parcel for 175.19 feet to a point that is 33.00 feet perpendicular to the west line of Said Section 16;

thence N00°02'06"E for 1110.20 feet parallel to Said west line of Section 16 to the south corner of a Parcel as Platted as right of way in UU of Deeds Page 638;

thence N18°34'05"E on and along the easterly line of Said Parcel UU 339.02 feet;

to the beginning point of a curve to the Right having a radius of 307.17, thence Right along said curve for an arc length of 247.98, said curve having a chord bearing of N41°58'53"E for 241.30;

thence continuing on the east line of Said Parcel N64°45'05"E for 246.11 feet to a point on the north line of Said Section 16;

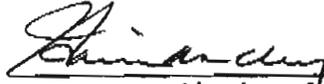
thence on and along Said north line of Section 16 S89°11'55"E for 227.71 feet, to the point of Beginning,

tract contains 24.54 acres more or less, and is shown on the plat attached hereto, marked Exhibit "A," and by reference made a part hereof;

is hereby annexed to, made a part of, and included within the corporate limits of the City of Milnor, North Dakota.

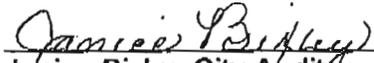
SECTION 2.

This ordinance shall be in full force and effect from and after its second reading and final passage.



Harrison McCleery, Mayor

ATTEST:



Janice Bixby, City Auditor

Date of First Reading: August 23, 2010

Date of Second Reading and Final Passage: September 7, 2010

