

RESOLUTION OF ANNEXATION

BE IT RESOLVED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF FARGO:

WHEREAS, the City of Fargo, Cass County, North Dakota, is a municipal corporation, organized and existing under the laws of the State of North Dakota, with about ninety-five thousand (95,000) inhabitants; and

WHEREAS, the Board of City Commissioners on February 28, 2007 resolved to annex a tract of land 100' wide lying parallel to and south and east of the following described line:

Beginning at the current corporate limits of the City of Fargo at the northeast corner of the northwest quarter of Section 28, Township 138 North, Range 49 West of the 5th Principal Meridian, Cass County, North Dakota; thence west along the north line of Section 28 to the west line of said Section 28; thence south along the west line of Sections 28 and 33, Township 138 North, Range 49 West and the west line of Sections 4 and 9, Township 137 North, Range 49 West to the south line of Section 9 and thence terminating said 100' tract;

said tract containing 54.55 acres, more or less; and

WHEREAS, said Resolution called for a hearing to determine the sufficiency of protests be held on August 27, 2007; and

WHEREAS, the Board of City Commissioners on August 13, 2007 resolved to amend the Resolution of Annexation of February 28, 2007 thus modifying the description of land sought to be annexed and modifying the date of the hearing on the same; and

WHEREAS, the City Auditor's Office published a Notice of Hearing on said annexation in the official newspaper for the City of Fargo on August 27, 2007 and September 03, 2007 that a Hearing would be held in the City Commission Room at City Hall, Fargo, North Dakota at 5:15 o'clock p.m., October 22, 2007 to hear and determine the sufficiency of protests.

NOW, THEREFORE BE IT RESOLVED, By the Board of City Commissioners of the City of Fargo, North Dakota, that there is insufficient protest and that the boundaries of the City of Fargo be, and they hereby are, extended so as to include and incorporate within the corporate limits of the City of Fargo, Cass County, North Dakota, the following described land:

Annexation of portions of Sections 28 and 33, Township 138 North, Range 49 West and Section 4, Township 137 North, Range 49 West, all in the Fifth Principal Meridian, Cass County, North Dakota described as follows:

Beginning at the current corporate limits of the City of Fargo at the northeast corner of the northwest quarter (NW ¼) of said Section 28; thence west along the north line of Section 28 to the west line of Section 28; thence south along the west line of said Sections 28, 33 and 4 to the southwest corner of said Section 4; thence east along the south line of Section 4 to the east line of the west half (W ½) of the southwest quarter (SW ¼) of said Section 4; thence north along said east line of west half (W ½) of southwest quarter (SW ¼) of Section 4 to the north line of said southwest quarter (SW ¼); thence west along the north line of said southwest quarter (SW ¼) of Section 4 to a point on a line parallel to and 60' east of the west line of said Section 4; thence north along said line parallel to and 60' east of the west line of said Sections 4, 33 and 28 to a point on a line parallel to and 60' south of the north line of said Section 28; thence east along said line parallel and 60' south of the north line of said Section 28 to the east line of said northwest quarter (NW ¼) of Section 28; thence north along the east line of said northwest quarter (NW ¼) of Section 28 to the point of beginning.

Said annexation tract contains 102.16 acres, more or less.

BE IT FURTHER RESOLVED, By the Board of City Commissioners of the City of Fargo, North Dakota, that this Resolution and an accurate map of the annexed area, certified by the executive officer of the city, are filed and recorded with the Cass County Recorder.

CERTIFICATE

STATE OF NORTH DAKOTA)

) ss.

COUNTY OF CASS)

I, Dennis R. Walaker, the duly elected, qualified and acting Mayor of the City of Fargo, North Dakota; and

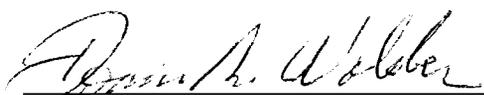
I, Steven Sprague, the duly appointed, qualified and acting City Auditor of the City of Fargo, North Dakota,

DO HEREBY CERTIFY:

That the foregoing is a full, true and correct copy of the original Resolution, and the whole thereof annexing a tract of land consisting of approximately 102.16 acres, which Resolution was duly adopted by the Board of City Commissioners of the City of Fargo, North Dakota, at the meeting of the Board held October 22, 2007, at which meeting all members of the Board were present and all members present voted in favor of the adoption of the Resolution; and

That such Resolution is now a part of the permanent records of the City of Fargo, as filed in the office of the City Auditor.

(SEAL)



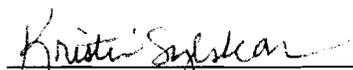
Dennis R. Walaker, Mayor
City of Fargo, North Dakota

ATTEST:



Steven Sprague, City Auditor

On this October 30, 2007, before me, Kristin Sylskar, a Notary Public in and for Cass County, in the State of North Dakota, personally appeared DENNIS R. WALAKER, known to me to be the Mayor of the City of Fargo, North Dakota, and STEVEN SPRAGUE, known to me to be the City Auditor of the City of Fargo, a municipal corporation under the laws of the State of North Dakota, and they acknowledged to me that they executed the foregoing instrument.



Notary Public
Cass County, North Dakota
My Commission Expires: 11-30-2010

