

Commissioner CYMBALUK introduced and moved the adoption of the following Resolution:

RESOLUTION 13-017

WHEREAS, the City of Williston duly passed a Resolution of Annexation at a regular meeting of the City Commission held on November 27, 2012, a copy of which is marked exhibit "A", annexed hereto and by reference made a part hereof as much as if the same were recited herein in its entirety; and

WHEREAS, said Resolution was published in the official newspaper of the City of Williston, North Dakota on December 17, 2012 and December 24, 2012; and

WHEREAS, notice of Resolution was mailed to the owner of each parcel of real property within the area to be annexed at the person's last know mailing address; and

WHEREAS, thirty days has now elapsed from the date of the first publication of such Resolution as evidenced by the hereto for referred to Affidavit of Publication; and

WHEREAS, said Resolution came on for hearing in the Auditorium at the Williston High School on January 31, 2013 at 6:00 p.m.; and

WHEREAS, protests were not filed by more than one fourth (1/4) of the territory proposed to be annexed;

EXHIBIT A

RESOLUTION NO. 12-113

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

WHEREAS, the City of Williston, Williams County, North Dakota, is a municipal corporation, organized and existing under the laws of the State of North Dakota; and

WHEREAS, there is contiguous and adjacent to the City of Williston a tract or parcel of land hereinafter specifically described, containing approximately 4,888 acres, more or less, which tract or parcel of land is not presently a part of the City of Williston.

NOW, THEREFORE, BE IT RESOLVED, by the Board of City Commissioners of the City of Williston, North Dakota, that the boundaries of the City of Williston be, and they are hereby extended to as to include and incorporate within the corporate limits of the City of Williston, Williams County, North Dakota, the following described land, to-wit:

See Attached Map and Description

BE IT FURTHER RESOLVED, by the Board of City Commissioners of the City of Williston, North Dakota, that this Resolution be published in the official newspaper for the City of Williston once each week for two successive weeks, that notice of the Resolution be mailed by certified mail to the owner of each parcel of real property within the area to be annexed at the person's last known mailing address and notice be mailed by certified mail to the governing body of each city, township, or county directly affected by the land area proposed to be annexed, and a hearing be held on January 31, 2013 at 6:00 p.m. in the Auditorium of the Williston High School, Williston, North Dakota. The owners of any real property within the territory proposed to be annexed, within 30 days of the first publication of such resolution, may file written protests with the City Auditor protesting against the proposed annexation.

Commissioner Bogar moved the adoption of the foregoing resolution. The motion was seconded by Commissioner Klug. On roll call vote of the Commissioners, the following Commissioners voted "AYE": Bogar, Bekkedahl, Klug, Cymbaluk and Koeser, and the following Commissioners voted "NAY": None. Absent and not voting: None.

WHEREUPON the motion was passed and the Resolution declared adopted this 27th day of November, 2012.


E. WARD KOESER, President
Board of City Commissioners


JOHN KAUTZMAN
City Auditor

ANNEXATION BOUNDARY

A tract of land situated in Sections 23, 24, 25, 26, 35, & 36, T. 155 N., R. 101 W., Section 30, T. 155 N., R. 100 W., Sections 1, 2, 3, 12 & 13, T. 154 N., R. 101 W., and Section 7, T. 154 N., R. 100 W. of the 5th Principal Meridian, Williams County, North Dakota; said tract being more particularly described as follows, to-wit:

Beginning at a point which is the section corner common to Section 1, T. 154 N., R. 101 W., Section 6, T. 154 N., R. 100 W., Section 31, T. 155 N., R. 100 W., and Section 36, T. 155 N., R. 101 W., 5th P.M.; thence, from said Point of Beginning, in a southerly direction along the section line common to said Sections 1 & 6 to the section corner common to said Section 6 & Section 7, T. 154 N., R. 100 W., and said Section 1 & Section 12, T. 154 N., R. 101 W.; thence in an easterly direction along the section line common to said Sections 6 & 7 to northeast corner of the Meisel parcel, Document No. 718870; thence in southeasterly direction along the east line of said Meisel parcel to the southeast corner of said Meisel parcel; thence in a westerly direction along the south line of said Meisel parcel to the northeast corner of the Powers parcel, Document No. 580399; thence in a southeasterly direction along the east line of said Powers parcel to the southeast corner of said Powers parcel, said corner also being the northeast corner of the Haugen parcel, Document No. 606248; thence in a southeasterly direction along the east line of said Haugen parcel to the southeast corner of said Haugen parcel, said corner also being the northeast corner of the Johnson parcel, Document No. 587818; thence in a southeasterly direction along the east line of said Johnson parcel to the southeast corner of said Johnson parcel, said corner also being the northeast corner of the Miller parcel, being a tract in Government Lot 2 of said Section 7; thence in a southeasterly direction along the east line of said Miller parcel to the southeast corner of said Miller parcel, said corner also being the northeast corner of the McCoy parcel, Document No. 580261; thence in a southeasterly direction along the east line of said McCoy parcel to the southeast corner of said McCoy parcel, said corner also being the northeast corner of the Gunlikson parcel, Document No. 566083; thence in a southeasterly direction along the east line of said Gunlikson parcel to the southeast corner of said Gunlikson parcel, said corner also being the northeast corner of the McFarlin parcel, Document No. 696978; thence in a southerly direction along the east line of said McFarlin parcel to the southeast corner of said McFarlin parcel, said corner also being the northeast corner of the Murray parcel, Document No. 681304; thence in a southerly direction along the east line of said Murray parcel to the southeast corner of said Murray parcel, said corner also being the northeast corner of the Shahin parcel, Document No. 654598; thence in a southerly and westerly direction along the east line of said Shahin parcel to the southeast corner of said Shahin parcel, said corner also being the northeast corner of the Strinden Family Trust parcel, Document No. 547781; thence in a southerly and westerly direction along the east line of said Strinden parcel to a point on the south line of said Strinden parcel, said point also being the northeast corner of the Ellis parcel, Document No. 549585; thence in a southwesterly direction along the easterly line of said Ellis parcel to the southwest corner of said Ellis parcel, said corner also being the northeast corner of Section 13, T. 154 N., R. 101 W.; thence in a southerly direction along the east line of said Section 13 to the easternmost corner of the Redland LLC parcel, Document No. 719856, said corner also

being on the boundary line of the current City Limits of Williston; thence in a northwesterly direction along the easterly line of said Redlands LLC parcel and said boundary line to the northernmost corner of said Redlands LLC parcel, said corner also being on the south right-of-way line of 26th Street East; thence in westerly direction along said south right-of-way line and said boundary line to a point being the intersection of said south right-of-way line and the prolongation of the east line of the Schatz Home Community LLC parcel, Document No. 610921; thence in a northerly direction along said prolongation and said boundary line to the easternmost corner of said Schatz parcel; thence in a northwesterly direction along the northeast line of said Schatz parcel and said boundary line to the northeast corner of said Schatz parcel; thence in an westerly direction along the north line of said Schatz parcel and said boundary line to a point on the east right-of-way line of University Avenue; thence in a northerly direction along said east right-of-way line to a point on the north right-of-way line of 34th Street East; thence in an westerly direction along said north right-of-way and said boundary line to a point on the east right-of-way line of 1st Avenue East; thence in a northerly direction along said east right-of-way line and said boundary line to a point on the north right-of-way line of 36th Street East; thence in an westerly direction along said north right-of-way line and said boundary line to a point on the east right-of-way line of 1st Avenue West; thence in a northerly direction along said east right-of-way line and said boundary line to a point on the north right-of-way line of 40th Street East, said point also being the southwest corner of Lot 1, Block 1, Williston Gardens Subdivision; thence in an easterly direction along the south line of said Lot 1 and said boundary line to the southeast corner of said Lot 1; thence in a northerly direction along the east line of said Lot 1 and said boundary line to the intersection of said east line and the prolongation of the north line of Lot 2, Block 1 of Wegley Green Acres 4th Subdivision; thence in an easterly direction along said prolongation and said boundary line to the northeast corner of said Lot 2, said corner also being on the west right-of-way line of 2nd Avenue East; thence in an easterly direction along said boundary line, across the 2nd Avenue East right-of-way to a point on the east right-of-way line of said 2nd Avenue East, said point also being the northwest corner of Lot 5, Block 3 of Wegley Green Acres 3rd Subdivision; thence in an easterly direction along the north line of said Lot 5 and said boundary line to the northeast corner of said Lot 5; thence in a southerly direction along the east line of said Lot 5 and said boundary line to the intersection of said east line and the prolongation of the south line of the Beckman parcel, Document No. 610496; thence in an easterly direction along said prolongation and said boundary line to the southeast corner of said Beckman parcel, said corner also being on the west right-of-way line of 3rd Avenue East; thence in a northeasterly direction along said boundary line, across said 3rd Avenue right-of-way to a point on the east right-of-way line of said 3rd Avenue East, said point also being the southwest corner of the Ouse parcel, Document No. 556975; thence in an easterly direction along the south line of said Ouse parcel and said boundary line to the southeast corner of said Ouse parcel; thence in a northerly direction along east line of said Ouse parcel and said boundary line to the intersection of said east line and the prolongation of the south line of the Andre parcel, Document No. 598021; thence in an easterly direction along said prolongation and said boundary line to the southeast corner of said Andre parcel; said corner also being on the west right-of-way line of 4th Avenue East; thence in a southerly direction along said west right-of-way line and said boundary line to the

intersection of said west right-of-way line with the prolongation of the north line of the Routledge parcel, Document No. 628261; thence in a westerly direction along said prolongation and said boundary line to the northeast corner of said Routledge parcel; thence in a southerly direction along the east line of said Routledge parcel and said boundary line to the southeast corner of the Rehak parcel, Document No. 621346, said corner also being on the northerly right-of-way line of 40th Street East; thence in a southerly direction along said boundary line, across said 40th Street East right-of-way to a point on the south right-of-way line of said 40th Street East, said point also being the northeast corner of the Schubert parcel, being the north 92.3 feet of Lot 2, Block 14 of Wegley Green Acres 2nd Subdivision; thence in an easterly direction along said south right-of-way line and said boundary line to a point on the east west right-of-way line of University Avenue; thence in a southerly direction along said west right-of-way line and said boundary line to the intersection of said west right-of-way line with the prolongation of the north line of the Harstad parcel, Document No. 685282; thence in an easterly direction along said prolongation and said boundary line, across the University Avenue right-of-way to a point on the east west right-of-way line of said University Avenue, said point also being the northwest corner of said Harstad parcel; thence in an easterly direction along the north line of said Harstad parcel to the northeast corner of said Harstad parcel, said corner also being on the west line of the Horob parcels, Document No. 676600 & 633094; thence in a southerly direction along said west line and said boundary line to the southeast corner of the Usselman parcel, Document No. 661158; thence in an westerly direction along the south line of said Usselman parcel and said boundary line to the southeast corner of said Ussleman parcel; thence in a westerly direction along the prolongation of the south line of said Ussleman parcel and said boundary line to the intersection of said prolongation and the westernmost line of said Horab parcel, said westernmost line being 16 feet east of and parallel to the north-south midsection line of said Section 12; thence in a southerly direction along said westernmost line and said boundary line to the southwest corner of said Horob parcels; thence in an easterly direction along the south line of said Horob parcels and said boundary line to the southeast corner of said Horob parcels; thence in a northerly direction along the east line of said Horab parcels and said boundary line to the northeast corner of said Horab parcels, said corner also being on the section line common to said Sections 1 and 12; thence in a westerly direction along the section line and said boundary line to the southwest corner of the Code parcel, Document No. 628966; thence in a northerly direction along the west line of said Code parcel and said boundary line to the northwest corner of said Code parcel, said corner also being on the south line of the Harger parcel, Document No. 499128; thence in an easterly direction along the south line of said Harger parcel and said boundary line to the southwest corner of said Harger parcel; thence in a northerly direction along the west line of said Harger Parcel and said boundary line to the northwest corner of said Harger Parcel; thence in an easterly direction along the north line of said Harger parcel and said boundary line to the northeast corner of said Harger parcel, said corner also being the southeast corner of North Gate Subdivision; thence in a northerly direction along the east line of said North Gate Subdivision and said boundary line to the northeast corner of said North Gate Subdivision; thence in a westerly direction along the north line of said North Gate Subdivision and said boundary line to the southeast corner of the O'Neil Family Limited Partnership parcel, Document No.

608516; thence in thence in a northerly direction along the east line of said O'Neil parcel and said boundary line to the eastern-most corner of said O'Neil parcel; thence in a northwesterly and northerly direction along the northeasterly and easterly lines of said O'Neil parcel and said boundary line to the northeast corner of said O'Neil parcel; thence in a westerly direction along the north line of said O'Neil parcel and said boundary line to a point on the east line of Arctic Acres Subdivision; thence in a northerly direction along the east line of said Arctic Acres Subdivision and said boundary line to the northeast corner of said Arctic Acres Subdivision; thence in a westerly direction along the north line of said Arctic Acres Subdivision and said boundary line to the northwest corner of said Arctic Acres Subdivision, said corner also being the northeast corner of the Branson parcel, Document No. 724842; thence in a westerly direction along the north line of said Branson parcel and said boundary line to the northwest corner of said Branson parcel; thence in a southerly direction along the west line of said Branson parcel and said boundary line to the northeast corner of the Arctic Lands LLC parcel, Document No. 688330; thence in a westerly and southwesterly direction along the north and northwesterly lines of said Arctic Lands parcel and said boundary line to the southwest corner of said Arctic Lands LLC parcel, said corner also being the southeast corner of the Zuther parcel, Document No. 621141; thence in a westerly direction along the south line of said Zuther parcel and said boundary line to the southwest corner of said Zuther parcel, said corner also being the southeast corner of the Busch parcel, Document No. 631375; thence in an westerly direction along the south line of said Busch parcel and said boundary line to the southeast corner of said Busch parcel, said corner also being on the east right-of-way line of U.S. Highway 2 & 85; thence in southerly direction along said east right-of-way line and said boundary line approximately 290 feet; thence in a westerly direction, leaving said east right-of-way line and continuing along said boundary line to a point on the section line common to said Sections 1 and 2; thence continuing in a westerly direction along said boundary line to a point on west right-of-way line of said Highway; thence in a southerly direction along said west right-of-way line and said boundary line to the southeast corner of the Gaudreau parcel, being a tract in the NE1/4SE1/4SE1/4 of said Section 2; thence in a westerly direction along the south line of the Gaudreau parcel and said boundary line to the southwest corner of said Gaudreau parcel; thence in a northerly direction along the west line of said Gaudreau parcel and said boundary line to the southeast corner of the Badlands Power Fuel LLC parcel, Document No. 694441; thence in a westerly direction along the south line of the Badlands parcel and said boundary line to the southwest corner of said Badlands parcel; thence in a northerly direction along the west line of said Badlands parcel and said boundary line to the northwest corner of said Badlands parcel, said corner also being the southeast corner of the NW1/4SE1/4 of said Section 2; thence in a westerly direction along said south line of said NW1/4SE1/4 and said boundary line to the southeast corner of the Rose Land parcel, Document No. 711261; thence in a northerly direction along the east line of said Rose Land parcel and said boundary line to the northeast corner of said Rose Land parcel, said corner also being the southeast corner of the Joint Venture LLC parcel, Document No. 713932; thence in a northerly direction along the east line of said Joint Venture parcel to the northeast corner of said Joint Venture parcel; thence in a westerly direction along the northerly line of said Joint Venture parcel and said boundary line to the northwest corner of said Joint Venture parcel; thence in a southerly direction

along the west line of said Joint Venture parcel and said boundary line to the southwest corner of said Joint Venture parcel, said corner also being on the north line of the NW1/4SW1/4 of said Section 2; thence in an easterly direction along said north line and said boundary line to the northeast corner of said NW1/4SW1/4; thence in a southerly direction along the east line of said NW1/4SW1/4 and said boundary line to the southeast corner of said NW1/4SW1/4; thence in a westerly direction along the south line of said NW1/4SW1/4 and said boundary line to the southwest corner of said NW1/4SW1/4, said corner also being on the section line common to said Sections 2 & 3; thence in a southerly direction along said section line and said boundary line to the section corner common to said Sections 2 & 3 and Sections 10 & 11, T. 155 N., R. 101 W.; thence in a westerly direction along the section line common to said Sections 3 & 10 and said boundary line to the southwestern-most corner of the City of Williston parcel, Document No. 501615; thence in a northwesterly direction along the southwest line of said City parcel and said boundary line to the western-most corner of said City parcel; thence in a northerly direction along the west line and said boundary line to the northwest corner of said City parcel, said corner also being on the southwest line of Borsheim Subdivision; thence in a northwesterly direction along said southwest line and said boundary line to the western-most corner of said Borsheim Subdivision; thence in a northerly direction along the west line of said Borsheim Subdivision and said boundary line to the northwest corner of said Borsheim Subdivision; thence, leaving said boundary line of the current City Limits of Williston, in an easterly direction along the north line of said Borsheim Subdivision to the southwest corner of Ironwood Industrial Park Subdivision; thence in a northerly direction along the west line of said Ironwood Industrial Park Subdivision to the northwest corner of said Ironwood Industrial Park Subdivision, said corner also being on the section line common to said Sections 3 and 34; thence in an easterly direction along said section line to the section corner common to Sections 2 & 3, T. 154 N., R. 101 W., and Sections 34 & 35, T. 155 N., R. 101 W.; thence in a northerly direction along the section line common to said Sections 34 and 35 to the section corner common to said Sections 34 & 35 and Sections 26 & 27, T. 155 N., R. 101 W.; thence in a northerly direction along the section line common to said Sections 26 and 27 to the section corner common to said Sections 23, 26 & 27 and Section 22, T. 155 N., R. 101 W.; thence in a northerly direction along the section line common to said Sections 22 and 23 to the section corner common to said Sections 22 & 23 and Sections 14 & 15, T. 155 N., R. 101 W.; thence in a northerly direction along the section line common to said Sections 14 and 15 to the intersection of said section line and the centerline of County Road #6; thence in a northeasterly direction along said centerline to the intersection of said centerline with the north line of the S1/2S1/2 of said Section 14; thence thence in an easterly direction along the north line of said S1/2S1/2 to the northeast corner of said S1/2S1/2, said corner also being the northwest corner of the S1/2SW1/4 of Section 13, T. 155 N., R. 101 W.; thence in an easterly direction along the north line of said S1/2SW1/4 to the intersection of said north line and east right-of-way line of said US Highway 2 & 85, said east right-of-way line also being coincident with the boundary line of the current City Limits of Williston, as described in Resolution #12-02, Document No. 726555; thence in a southerly direction along said east right-of-way line and said boundary line to a point on the north right-of-way line of 56th Street NW; thence in an easterly direction along said north right-of-way line and said boundary line to a point on

the west line of the SE1/4SE1/4 of Section 24, T. 155 N., R. 101 W.;; thence in a southerly direction along said west line and said boundary line to a point on the north easement line of said 56th Street NW, said easement line being parallel to and 33 feet north of the south section line of said Section 24; thence in an easterly direction along said easement line and said boundary line to a point on the section line common to said Section 24 and section 19, T. 155 N., R. 100 W.; thence in a southerly direction along said section line to the section corner common to said Sections 19 & 30, T. 155 N., R. 100 W., and Sections 24 & 25, T. 155 N., R. 101 W.; thence, leaving said boundary line of the current City Limits of Williston, in an easterly direction along the section line common to said Sections 19 and 30 to the northeast corner of the W1/2NW1/4 of said Section 30; thence in a southerly direction along the east line of said W1/2NW1/4 to the southeast corner of said W1/2NW1/4, said corner also being the northeast corner of the W1/2SW1/4 of said Section 30; thence in a southerly direction along the east line of said W1/2SW1/4 to the southeast corner of said W1/2SW1/4; thence in a westerly direction along the south line of said W1/2SW1/4 to the section corner common to said Section 30 and Section 31, T. 155 N., R. 100 W., said Section 25 and Section 36, T. 155 N., R. 101 W.; thence in a southerly direction along the section line common to said Sections 31 and 36 to the quarter-section corner common to said Sections 31 and 36; thence in a southerly direction along said section line to the section corner common to said Sections 1, 6, 31, and 36; said section corner also being the Point of Beginning;

EXCEPTING therefrom, that portion of said Sections 25 and 36 previously annexed into the City of Williston, North Dakota, under Resolution #12-71, Document No. 734113; said exception having an area of 130 acres, more or less;

Said described tract having an area of 4,888 acres, more or less.

STATE OF NORTH DAKOTA)
) :ss.
COUNTY OF WILLIAMS)

WANDA OLAF **AFFIDAVIT OF PUBLICATION**

being first

duly sworn, deposes and says: That (he) (she) is the Agent to the Publisher of the WILLISTON HERALD a newspaper printed and published six days a week in the County of Williams, State of North Dakota, and of general circulation in the city of Williston, County of Williams, State of North Dakota and elsewhere, and the hereto attached

RESOLUTION NO.
12-113
MAP

was printed and published correctly in the regular and entire issue of said WILLISTON HERALD for 17th DECEMBER 12 issues, that the first was made on the day of 24th²⁰ and the last publication thereof was made on the day of DECEMBER 12 20 that said publication

was made on each of the following dates, to wit:
12/24/12

Request of
CITY OF WILLISTON

Williston Herald

By *Wanda Olaf*

24th DECEMBER

Subscribed sworn to before me this day of

20

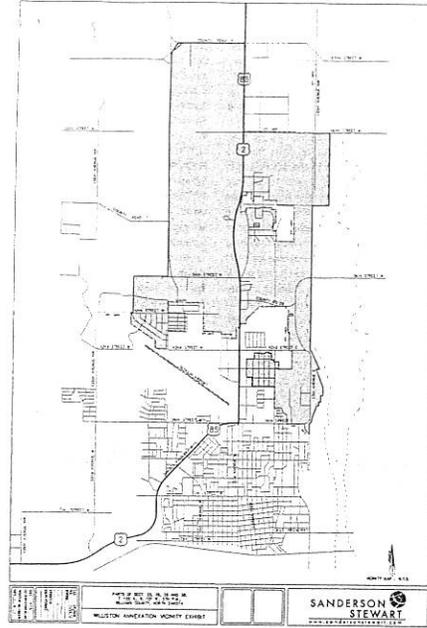
LAURI A. HELLER
Notary Public
State of North Dakota
My Commission Expires Dec. 30, 2017

Lauri A Heller
Notary Public in and for the County of Williams, State of North Dakota

Legal Rate \$.83 per line or \$8.00 per Column inch.

My Commission Expires:

#411 \$ 1176.00



RESOLUTION NO. 12-113

BE IT RESOLVED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF WILLISTON: WHEREAS, the City of Williston, Williams County, North Dakota, is a municipal corporation, organized and existing under the laws of the State of North Dakota; and WHEREAS, there is contiguous and adjacent to the City of Williston a tract or parcel of land hereinafter specifically described, containing approximately 4.888 acres, more or less, which tract or parcel of land is not presently a part of the City of Williston.

NOW, THEREFORE, BE IT RESOLVED, by the Board of City Commissioners of the City of Williston, North Dakota, that the boundaries of the City of Williston be, and they are hereby extended to as to include and incorporate within the corporate limits of the City of Williston, Williams County, North Dakota, the following described land, to-wit: See Attached Map and Description

BE IT FURTHER RESOLVED, by the Board of City Commissioners of the City of Williston, North Dakota, that this Resolution be published in the official newspaper for the City of Williston once each week for two successive weeks, that notice of the Resolution be mailed by certified mail to the owner of each parcel of real property within the area to be annexed at the person's last known mailing address and notice be mailed by certified mail to the governing body of each city, township, or county directly affected by the land area proposed to be annexed, and a hearing be held on January 31, 2013 at 6:00 p.m. in the Auditorium of the Williston High School, Williston, North Dakota. The owners of any real property within the territory proposed to be annexed, within 30 days of the first publication of such resolution, may file written protests with the City Auditor protesting against the proposed annexation.

Commissioner Bogar moved the adoption of the foregoing resolution. The motion was seconded by Commissioner Klug. On roll call vote of the Commissioners, the following Commissioners voted "AYE": Bogar, Bekkedahl, Klug, Cymbaluk and Koeser, and the following Commissioners voted "NAY": None. Absent and not voting: None.

WHEREUPON the motion was passed and the Resolution declared adopted this 27th day of November, 2012.

ATTEST:
-s- JOHN KAUTZMAN
John Kautzman, City Auditor

-s- E. WARD KOESER
E. Ward Koeser, President
Board of City Commissioners

(December 17, 24, 2012)

ANNEXATION

A tract of land situated in Sections 23, 24, 25, 26, 35, & 36, T. 155 N., R. 101 W., Section 30, T. 155 N., R. 100 W., Sections 1, 2, 3, 12 & 13, T. 154 N., R. 101 W., and Section 7, T. 154 N., R. 100 W. of the 5th Principal Meridian, Williams County, North Dakota; said tract being more particularly described as follows, to-wit:

Beginning at a point which is the section corner common to Section 1, T. 154 N., R. 101 W., Section 6, T. 154 N., R. 100 W., Section 31, T. 155 N., R. 100 W., and Section 36, T. 155 N., R. 101 W., 5th P.M.; thence, from said Point of Beginning, in a southerly direction along the section line common to said Sections 1 & 6 to the section corner common to said Section 6 & Section 7, T. 154 N., R. 100 W., and said Section 1 & Section 12, T. 154 N., R. 101 W.; thence in an easterly direction along the section line common to said Sections 6 & 7 to the northeast corner of the Meisel parcel, Document No. 719870; thence in a southeasterly direction along the east line of said Meisel parcel to the southeast corner of said Meisel parcel; thence in a westerly direction along the south line of said Meisel parcel to the northeast corner of the Powers parcel, Document No. 580399; thence in a southeasterly direction along the east line of said Powers parcel to the southeast corner of said Powers parcel, said corner also being the northeast corner of the Haugen parcel, Document No. 606248; thence in a southeasterly direction along the east line of said Haugen parcel to the southeast corner of said Haugen parcel, said corner also being the northeast corner of the Johnson parcel, Document No. 587818; thence in a southeasterly direction along the east line of said Johnson parcel to the southeast corner of said Johnson parcel, said corner also being the northeast corner of the Miller parcel, being a tract in Government Lot 2 of said Section 7; thence in a southeasterly direction along the east line of said Miller parcel to the southeast corner of said Miller parcel, said corner also being the northeast corner of the McCoy parcel, Document No. 580291; thence in a southeasterly direction along the east line of said McCoy parcel to the southeast corner of said McCoy parcel, said corner also being the northeast corner of the Guniskun parcel, Document No. 566083; thence in a southeasterly direction along the east line of said Guniskun parcel to the southeast corner of said Guniskun parcel, said corner also being the northeast corner of the McFarlin parcel, Document No. 696978; thence in a southerly direction along the east line of said McFarlin parcel to the southeast corner of said McFarlin parcel, said corner also being the northeast corner of the Murray parcel, Document No. 681304; thence in a southerly direction along the east line of said Murray parcel to the southeast corner of said Murray parcel, said corner also being the northeast corner of the Shaheen parcel, Document No. 654568; thence in a southerly and westerly direction along the east line of said Shaheen parcel to the southeast corner of said Shaheen parcel, said corner also being the northeast corner of the Striden Family Trust parcel, Document No. 547791; thence in a southerly and westerly direction along the east line of said Striden parcel to a point on the south line of said Striden parcel, said point also being the northeast corner of the Ellis parcel, Document No. 549585; thence in a southeasterly direction along the easterly line of said Ellis parcel to the southwest corner of said Ellis parcel, said corner also being the northeast corner of Section 13, T. 154 N., R. 101 W.; thence in a southerly direction along the east line of said Section 13 to the easternmost corner of the Redland LLC parcel, Document No. 719956, said corner also being on the boundary line of the current City Limits of Williston; thence in a northwesterly direction along the easterly line of said Redlands LLC parcel and said boundary line to the northernmost corner of said Redlands LLC parcel, said corner also being on the south right-of-way line of 26th Street East; thence in westerly direction along said south right-of-way line and said boundary line to a point being the intersection of said south right-of-way line and the prolongation of the east line of the Schatz Home Community LLC parcel, Document No. 610921; thence in a northerly direction along said prolongation and said boundary line to the easternmost corner of said Schatz parcel; thence in a northwesterly direction along the northeast line of said Schatz parcel and said boundary line to the northeast corner of said Schatz parcel; thence in an westerly direction along the north line of said Schatz parcel and said boundary line to a point on the east right-of-way line of University Avenue; thence in a northerly direction along said east right-of-way line to a point on the north right-of-way line of 34th Street East; thence in a westerly direction along said north right-of-way line and said boundary line to a point on the east right-of-way line of 1st Avenue East; thence in a northerly direction along said east right-of-way line and said boundary line to a point on the north right-of-way line of 40th Street East; thence in a westerly direction along the west line of said Code parcel and said boundary line to a point on the east right-of-way line of 1st Avenue West; thence in a northerly direction along said east right-of-way line and said boundary line to a point on the north right-of-way line of 40th Street East; said point also being the southwest corner of Lot 1, Block 1, Williston Gardens Subdivision; thence in an easterly direction along the south line of said Lot 1 and said boundary line to the southeast corner of said Lot 1; thence in a northerly direction along the east line of said Lot 1 and said boundary line to the intersection of said east line and the prolongation of the north line of Lot 2, Block 1 of Weglay Green Acres 4th Subdivision; thence in an easterly direction along said prolongation and said boundary line to the northeast corner of said Lot 2, said corner also being on the west right-of-way line of 2nd Avenue East; thence in an easterly direction along said boundary line, across the 2nd Avenue East right-of-way to a point on the east right-of-way line of said 2nd Avenue East, said point also being the northwest corner of Lot 5, Block 3 of Weglay Green Acres 3rd Subdivision; thence in an easterly direction along the north line of said Lot 5 and said boundary line to the northeast corner of said Lot 5; thence in a southerly direction along the east line of said Lot 5 and said boundary line to the intersection of said east line and the prolongation of the south line of the Beckman parcel, Document No. 610495; thence in an easterly direction along said prolongation and said boundary line to the southeast corner of said Beckman parcel, said corner also being on the west right-of-way line of 3rd Avenue East; thence in a northerly direction along said boundary line, across said 3rd Avenue East right-of-way to a point on the east right-of-way line of said 3rd Avenue East, said point also being the southwest corner of the Ouse parcel, Document No. 556975; thence in an easterly direction along the south line of said Ouse parcel and said boundary line to the southeast corner of said Ouse parcel; thence in a northerly direction along said east line of said Ouse parcel and said boundary line to the intersection of said east line and the prolongation of the south line of the Andre parcel, Document No. 589021; thence in an easterly direction along said prolongation and said boundary line to the southeast corner of said Andre parcel; said corner also being on the west right-of-way line of 4th Avenue East; thence in a southerly direction along said west right-of-way line and said boundary line to the intersection of said west right-of-way line with the prolongation of the north line of the Routledge parcel, Document No. 628261; thence in a westerly direction along said prolongation and said boundary line to the northeast corner of said Routledge parcel; thence in a southerly direction along the east line of said Routledge parcel and said boundary line to the southeast corner of the Rehak parcel, Document No. 621346, said corner also being on the north right-of-way line of 40th Street East; thence in a southerly direction along said boundary line, across said 40th Street East right-of-way to a point on the south right-of-way line of said 40th Street East, said point also being the northeast corner of the Schubert parcel, being the north 92.3 feet of Lot 2, Block 14 of Weglay Green Acres 2nd Subdivision; thence in an easterly direction along said south right-of-way line and said boundary line to a point on the east west right-of-way line of University Avenue; thence in a southerly direction along said west right-of-way line and said boundary line to the intersection of said west right-of-way line with the prolongation of the north line of the Harstad parcel, Document No. 695282; thence in an easterly direction along said prolongation and said boundary line, across the University Avenue right-of-way to a point on the east west right-of-way line of said University Avenue, said point also being the northeast corner of said Harstad parcel; thence in an easterly direction along the north line of said Harstad parcel to the Northeast corner of said Harstad parcel, said corner also being on the west line of the Horob parcels, Document No. 676600 & 630394; thence in a southerly direction along said west line and said boundary line to the southeast corner of the Uselman parcel, Document No. 661158; thence in an westerly direction along the south line of said Uselman parcel and said boundary line to the southeast corner of said Uselman parcel; thence in a westerly direction along the prolongation of the south line of said Uselman parcel and said boundary line to the intersection of said prolongation and the westernmost line of said Horob parcel, said westernmost line being 16 feet east of and parallel to the north-south midsection line of said Section 12; thence in a southerly direction along said westernmost line and said boundary line to the southwest corner of said Horob parcels; thence in an easterly direction along the south line of said Horob parcels and said boundary line to the southeast corner of said Horob parcels; thence in a northerly direction along the east line of said Horob parcels and said boundary line to the northeast corner of said Horob parcels, said corner also being on the section line common to said Sections 1 and 12; thence in a westerly direction along the section line and said boundary line to the southwest corner of the Code parcel, Document No. 628960; thence in a northerly direction along the west line of said Code parcel and said boundary line to the northwest corner of said Code parcel, said corner

also being on the south line of the Harger parcel, Document No. 499128; thence in an easterly direction along the south line of said Harger parcel and said boundary line to the southwest corner of said Harger parcel; thence in a northerly direction along the west line of said Harger parcel and said boundary line to the northeast corner of said Harger parcel; thence in an easterly direction along the north line of said Harger parcel and said boundary line to the northeast corner of said Harger parcel; thence in an easterly direction along the north line of said Harger parcel and said boundary line to the northeast corner of said Harger parcel, said corner also being the southeast corner of North Gate Subdivision; thence in a northerly direction along the east line of said North Gate Subdivision and said boundary line to the northeast corner of said North Gate Subdivision; thence in a westerly direction along the north line of said North Gate Subdivision and said boundary line to the southeast corner of the O'Neil Family Limited Partnership parcel, Document No. 608516; thence in a northerly direction along the east line of said O'Neil parcel and said boundary line to the easternmost corner of said O'Neil parcel; thence in a northerly and northerly direction along the easterly and easterly lines of said O'Neil parcel and said boundary line to the northeast corner of said O'Neil parcel; thence in a westerly direction along the north line of said O'Neil parcel and said boundary line to a point on the east line of Arctic Acres Subdivision; thence in a northerly direction along the east line of said Arctic Acres Subdivision and said boundary line to the northeast corner of said Arctic Acres Subdivision; thence in a westerly direction along the north line of said Arctic Acres Subdivision and said boundary line to the northeast corner of said Arctic Acres Subdivision, said corner also being the northeast corner of the Branson parcel, Document No. 724842; thence in a westerly direction along the north line of said Branson parcel and said boundary line to the northwest corner of said Branson parcel; thence in a southerly direction along the west line of said Branson parcel and said boundary line to the northeast corner of the Arctic Lands LLC parcel, Document No. 688330; thence in a westerly and southwesterly direction along the north and northwesterly lines of said Arctic Lands parcel and said boundary line to the southwest corner of said Arctic Lands LLC parcel, said corner also being the southeast corner of the Zuther parcel, Document No. 621141; thence in a westerly direction along the south line of said Zuther parcel and said boundary line to the southwest corner of said Zuther parcel, said corner also being the southeast corner of the Busch parcel, Document No. 631375; thence in a westerly direction along the south line of said Busch parcel and said boundary line to the southeast corner of said Busch parcel, said corner also being on the east right-of-way line of U.S. Highway 2 & 85; thence in a southerly direction along said east right-of-way line and said boundary line approximately 290 feet; thence in a westerly direction, leaving said east right-of-way line and continuing along said boundary line to a point on the section line common to said Sections 1 and 2; thence continuing in a westerly direction along said boundary line to a point on west right-of-way line of said Highway; thence in a southerly direction along said west right-of-way line and said boundary line to the southeast corner of the Gaudreau parcel, being a tract in the NE1/4SE1/4 of said Section 2; thence in a westerly direction along the south line of the Gaudreau parcel and said boundary line to the southwest corner of said Gaudreau parcel; thence in a northerly direction along the west line of said Gaudreau parcel and said boundary line to the southeast corner of the Badlands Power Fuel LLC parcel, Document No. 694441; thence in a westerly direction along the south line of the Badlands parcel and said boundary line to the southwest corner of said Badlands parcel; thence in a northerly direction along the west line of said Badlands parcel and said boundary line to the northwest corner of said Badlands parcel, said corner also being the southeast corner of the NW1/4SE1/4 of said Section 2; thence in a westerly direction along said south line of said NW1/4SE1/4 and said boundary line to the southeast corner of the Rose Land parcel, Document No. 711261; thence in a northerly direction along the east line of said Rose Land parcel and said boundary line to the northeast corner of said Rose Land parcel, said corner also being the southeast corner of the Joint Venture LLC parcel, Document No. 713032; thence in a northerly direction along the east line of said Joint Venture parcel to the northeast corner of said Joint Venture parcel; thence in a westerly direction along the northerly line of said Joint Venture parcel and said boundary line to the northwest corner of said Joint Venture parcel; thence in a southerly direction along the west line of said Joint Venture parcel and said boundary line to the southwest corner of said Joint Venture parcel, said corner also being on the north line of the NW1/4SW1/4 of said Section 2; thence in an easterly direction along said north line and said boundary line to the northeast corner of said NW1/4SW1/4; thence in a southerly direction along the east line of said NW1/4SW1/4 and said boundary line to the southeast corner of said NW1/4SW1/4; thence in a westerly direction along the south line of said NW1/4SW1/4 and said boundary line to the southwest corner of said

NW1/4SW1/4, said corner also being on the line common to said Sections 2 & 3; thence in a southerly direction along said section line and said boundary line to the section corner common to said Sections 2 & 3 and S 10 & 11, T. 155 N., R. 101 W.; thence in a direction along the section line common to said Sections 3 & 10 and said boundary line in a southwesterly direction along the City of Williston parcel, Document No. 501615; thence in a northwesterly direction along the south line of said City parcel and said boundary line in a westerly direction along the west line of said City parcel in a northerly direction along the west line of said boundary line to the northwest or said City parcel, said corner also being the southwest line of Borsheim Subdivision; thence in a northerly direction along said south line and said boundary line to the west corner of said Borsheim Subdivision; thence in a northerly direction along the west line of said Borsheim Subdivision and said boundary line to the northwest corner of said Borsheim Subdivision; thence in a northerly direction along the north line of said Borsheim Subdivision and said boundary line to a point on the east line of Arctic Acres Subdivision and said boundary line to the northeast corner of said Arctic Acres Subdivision; thence in a westerly direction along the north line of said Arctic Acres Subdivision and said boundary line to the northeast corner of said Arctic Acres Subdivision, said corner also being the northeast corner of the Branson parcel, Document No. 724842; thence in a westerly direction along the north line of said Branson parcel and said boundary line to the northwest corner of said Branson parcel; thence in a southerly direction along the west line of said Branson parcel and said boundary line to the northeast corner of the Arctic Lands LLC parcel, Document No. 688330; thence in a westerly and southwesterly direction along the north and northwesterly lines of said Arctic Lands parcel and said boundary line to the southwest corner of said Arctic Lands LLC parcel, said corner also being the southeast corner of the Zuther parcel, Document No. 621141; thence in a westerly direction along the south line of said Zuther parcel and said boundary line to the southwest corner of said Zuther parcel, said corner also being the southeast corner of the Busch parcel, Document No. 631375; thence in a westerly direction along the south line of said Busch parcel and said boundary line to the southeast corner of said Busch parcel, said corner also being on the east right-of-way line of U.S. Highway 2 & 85; thence in a southerly direction along said east right-of-way line and said boundary line approximately 290 feet; thence in a westerly direction, leaving said east right-of-way line and continuing along said boundary line to a point on the section line common to said Sections 1 and 2; thence continuing in a westerly direction along said boundary line to a point on west right-of-way line of said Highway; thence in a southerly direction along said west right-of-way line and said boundary line to the southeast corner of the Gaudreau parcel, being a tract in the NE1/4SE1/4 of said Section 2; thence in a westerly direction along the south line of the Gaudreau parcel and said boundary line to the southwest corner of said Gaudreau parcel; thence in a northerly direction along the west line of said Gaudreau parcel and said boundary line to the southeast corner of the Badlands Power Fuel LLC parcel, Document No. 694441; thence in a westerly direction along the south line of the Badlands parcel and said boundary line to the southwest corner of said Badlands parcel; thence in a northerly direction along the west line of said Badlands parcel and said boundary line to the northwest corner of said Badlands parcel, said corner also being the southeast corner of the NW1/4SE1/4 of said Section 2; thence in a westerly direction along said south line of said NW1/4SE1/4 and said boundary line to the southeast corner of the Rose Land parcel, Document No. 711261; thence in a northerly direction along the east line of said Rose Land parcel and said boundary line to the northeast corner of said Rose Land parcel, said corner also being the southeast corner of the Joint Venture LLC parcel, Document No. 713032; thence in a northerly direction along the east line of said Joint Venture parcel to the northeast corner of said Joint Venture parcel; thence in a westerly direction along the northerly line of said Joint Venture parcel and said boundary line to the northwest corner of said Joint Venture parcel; thence in a southerly direction along the west line of said Joint Venture parcel and said boundary line to the southwest corner of said Joint Venture parcel, said corner also being on the north line of the NW1/4SW1/4 of said Section 2; thence in an easterly direction along said north line and said boundary line to the northeast corner of said NW1/4SW1/4; thence in a southerly direction along the east line of said NW1/4SW1/4 and said boundary line to the southeast corner of said NW1/4SW1/4; thence in a westerly direction along the south line of said NW1/4SW1/4 and said boundary line to the southwest corner of said

EXCEPTING therefrom, that portion c Sections 25 and 36 previously annexed by City of Williston, North Dakota, under Res #12-71, Document No. 734113, said or etc having an area of 130 acres, more or less. Said described tract having an area of 4.888 more or less.