

NORTH Dakota
Be Legendary.

NORTH DAKOTA GUIDE TO ANNEXATIONS

Table of Contents

I. Introduction 1

II. Types of Annexations 2

A. **Regular Annexation** 2

1. Eligibility 2

a. The property must be a single area that is contiguous to the school district; 2

b. The property must border the proposed school district, and the property must NOT make up an entire school district; 2

c. The petition must be approved by two-thirds of the electors living on the property; .. 2

d. The petition must be filed with the couty superintendent whose jurisdiction includes the headquarters of the annexing school district;..... 3

e. A public hearing is held by the County Committee or committees; and 3

f. The petition is approved by the State Board 3

2. Petition Requirements 3

3. County Committee Hearing 4

a. Notice 4

b. Pre-hearing Requirements..... 4

c. County Committee Hearing 5

d. Findings..... 6

e. Vote to approve or deny annexation..... 9

B. **Annexation Involving Exchange of Property** 10

1. Eligibility 10

a. The property must be a single area that is contiguous to the school district; 10

b. The property must border the proposed school district, and the property must NOT make up an entire school district; 10

c. The petition must be approved by two-thirds of the electors living on the property;.... 10

d. The petition must be filed with the couty superintendent whose jurisdiction includes the headquarters of the annexing school district;..... 11

e. A public hearing is held by the County Committee or committees; and 11

f. The petition is approved by the State Board 11

2. Petition Requirements 11
3. County Committee Hearing 12
4. Approval by County Committee 12
5. Denial by County Committee 12
C. State Board Submission 12
1. Is a Hearing Required at the State Board Level? 12
2. Submission of Materials to the State Board 12
a. Agenda 13
b. Petition 13
c. Findings of Fact from the County Committee 13
d. Maps 13
e. County Committee Meeting Minutes 13
f. Affidavit of Publication 14
g. Property Tax Ownership Information 14
3. Consideration of Annexations by the State Board 14
D. Appeals from the State Board 15
E. Miscellaneous Provisions to Note 15
1. Reapplication Timeframe 15
2. Effective Date 15
Appendix 1: ANNEXATION CHECK LIST 16
Appendix 2: Template Forms 19
Appendix 3: Section M Calculations 45
Appendix 4: Sample Findings of Fact for Regular Annexations 46
Appendix 5: Sample Findings of Fact for an Annexation Involving an Exchange of Property 79
Appendix 6: Sample Maps 98
Appendix 7: Sample County Committee Meeting Minutes 101
Appendix 8: Sample Affidavits of Publication 114

I. Introduction

This manual is a guide for residents, County Superintendents, and school districts regarding the process of annexation to school districts in the State of North Dakota.

The Office of Attorney General intends for this manual to be a primary resource for a County Superintendent to use as a reference to draft the annexation petition; findings of fact of the County Committee; and submission of materials to the State Board of Public School Education for consideration.

The county State's Attorney serves as the legal counsel to the to the County Superintendent of Public Schools and the County Committee on Annexation, Reorganization, and Dissolution. They should be contacted with legal questions regarding annexations.

County officials should always seek review and input from their State's Attorney regarding the annexation process.



THE ANALYSIS AND FORMS IN THIS MANUAL ARE CONSISTENT WITH CURRENT NORTH DAKOTA CENTURY CODE. THIS MANUAL IS NOT AN ATTORNEY GENERAL'S OPINION NOR SHOULD THIS BE CONSTRUED AS LEGAL ADVICE.

II. Types of Annexations

Before the annexation process, the person seeking annexation (Petitioner) should work with the County Superintendent of Schools to determine which type of annexation is best for the Petitioner, other landowners and families, and the involved school districts. There are two types of annexation: regular annexation and annexation involving exchange of property. Once the proper annexation is determined the steps below are meant to guide the individual, the school districts, and the County Committees through the process of petitioning, hearing, and approving or denying annexations.

A. Regular Annexation

A regular annexation is simply the process by which one school district absorbs the property that is currently within the boundaries of another school district.

1. Eligibility

To be eligible for annexation the following must be present, obtained, and/or completed:

a. The property must be a single area that is contiguous to the school district;[1]

"'Contiguous' means two or more tracts of real property which share a common point or which would share a common point but for an intervening road or right of way."[2] For the purposes of annexations, lakes or rivers are included within the term "right of way." Non-taxable city, state, or federal property, such as local parks, national parks or grasslands, may be utilized to determine contiguousness. Contiguity is judged at the time the annexation is effective.[3] Therefore, a petition may be filed based upon properties for which annexations have been approved, but are not yet effective.

b. The property must border the proposed school district, and the property must NOT make up an entire school district;[4]

If the Petitioner wishes to annex an entire school district, that would more appropriately be considered under N.D.C.C. § 15.1-12-10 or N.D.C.C. § 15.1-12-26 as a reorganization or dissolution, respectively.

c. The petition[5] ***must be approved by two-thirds of the electors***[6] ***living on the property;***[7]

A qualified elector is an eighteen-year-old, citizen of the United States, who has been a resident of the area affected by the petition. Any qualified elector living on the petitioned property count towards the total number of qualified electors. Please note that the standard is whether the individual is living on the petitioned property; it is not whether the individual owns the petitioned property. Therefore, for rental properties, the appropriate signature for the petition would be the renter who resides at the property, not the owner.

---

[1] N.D.C.C. § 15.1-12-03(1).
[2] N.D.C.C. § 15.1-12-01(2).
[3] New Pub. Sch. Dist. No. 8 v. State Bd. of Pub. Sch. Educ., 2016 ND 163, 883 N.W.2d 460. Annexations are effective July 1 following the final approval of the annexation by the state board. N.D.C.C. § 15.1-12-06.
[4] N.D.C.C. § 15.1-12-03(2).
[5] N.D.C.C. § 15.1-12-04; Petition requirements are listed in this section.
[6] N.D.C.C. § 1-01-51. A qualified elector is an eighteen-year-old, citizen of the United States, who has been a resident of the area affected by the petition.
[7] N.D.C.C. § 15.1-12-03(3).

Each qualified elector, individually, must sign the petition. For couples who live on a property, each individual has to sign the petition. One individual cannot sign for both, or the non-signing individual will be considered to have not approved the petition and will not count towards the 2/3 required by law.

d. ***The petition must be filed with the County Superintendent whose jurisdiction includes the headquarters of the annexing school district;***[8]
For the purposes of this section, the headquarters of the annexing school district would be the administrative building or the building where the school district superintendent's office is located.

e. ***A public hearing is held by the County Committee or Committees;***[9] ***and***
See Section II(A)(3) below.

f. ***The petition is approved by the State Board.***[10]
See Section II(C) below.

2. **Petition Requirements**
A petition for annexation[11] is obtained from the County Superintendent of schools and must:

a. ***Prior to circulating the petition for signature, identify the entire property to be annexed.***[12]
A valid legal description is required. The legal description must be specific to the property to be annexed, and if additional property is listed due to errant legal description, the petition will not be heard by the State Board.

b. ***Identify a child who resides on the property to be annexed whose parent plans on sending the child to attend a school in the annexing district the school year following the annexation date;***[13]
The child must be attending school in the school district the property is attached to the following school year. Therefore, a petition where the only child residing on the property is a senior who is graduating at the end of the school year will not meet the statutory petition requirements.

c. ***Be signed in the presence of a person carrying the petition;***[14] ***and***

d. ***Be filed with the appropriate County Superintendent whose jurisdiction includes the headquarters of the annexing school district.***[15]
For the purposes of this section, the headquarters of the annexing school district would be the administrative building or the building where the school district superintendent's office is located.

[8] N.D.C.C. § 15.1-12-03(4).
[9] N.D.C.C. § 15.1-12-03(5).
[10] N.D.C.C. § 15.1-12-03(6). See also N.D.C.C. § 15.1-12-01. Anytime State Board is mentioned, it is in reference to the State Board of public-school education.
[11] The Petition for a Regular Annexation is SFN 17811 - PETITION FOR ANNEXATION OF PROPERTY FROM ONE PUBLIC SCHOOL DISTRICT TO ANOTHER (nd.gov).
[12] N.D.C.C. § 15.1-12-04(1)(b).
[13] N.D.C.C. § 15.1-12-04(1)(c).
[14] N.D.C.C. § 15.1-12-04(1)(d).
[15] N.D.C.C. § 15.1-12-04(1)(e).

Any individual requesting to add or remove their name from the petition must do so by 5:00 p.m., in person, before the County Superintendent, the business day prior to the public hearing by the County Committee.[16]

Note that this section does not apply annexations that involve an exchange of real property. See Section B of this document.[17]

3. County Committee Hearing

After receiving the completed petition for annexation County Committee hearings are scheduled by the County Superintendent, and notice is published by the County Superintendent.[18] If both school districts involved in the annexation have property in more than one county, the county with the bulk of the districts' property will conduct the hearing.[19] If both school districts involved in the annexation span multiple counties and the majority of each district is in different counties, the county committees of the counties containing the majority of property from the school districts will conduct the hearing together. Each County Committee votes separately on the approval of the annexation, however, often times the County Committees will hold a joint hearing in the same location for the ease of the Petitioner and proponents or opponents of the petition who wish to testify.[20]

It should be noted that the meetings of the County Committee and the hearings held during the meeting are required to comply with open meetings law. More information regarding the requirements of open meetings law can be found on the Attorney General's website under the "Open Records & Meetings" tab.

a. *Notice*

The County Superintendent must publish notice of the hearing in the official newspaper of record in the county whose committee will hold a hearing[21] at least twenty-one days before the hearing date. In cases where multiple County Committees are required to hold hearings pursuant to N.D.C.C. § 15.1-12-05, the notice will need to be published in the official newspaper of each county.

If there is no official newspaper for the appropriate county, the notice will be published in an adjoining county within North Dakota.[22]

Real property owners involved in the annexation must recieve notice twenty-one days in advance by certified mail with retrn recepit. [23]

b. *Pre-hearing Requirements*

BEFORE the hearing, the County Committee must ensure the petition meets the requirements outlined in Subsection 2 (above), including:

- Determining the number of qualified electors that live on the property to be annexed;[24]
- Ensuring the two-thirds signature requirement of qualified electors has been met;[25] and
- Ensuring that all other requirements of the petition are met.[26]

[16] N.D.C.C. § 15.1-12-04(2).
[17] N.D.C.C. § 15.1-12-04(3).
[18] N.D.C.C. § 15.1-12-05(1).
[19] N.D.C.C. § 15.1-12-05(7).
[20] N.D.C.C. § 15.1-12-05(8).
[21] Official county newspapers can be found at www.ndna.com/newspapers/official-county-papers/.
[22] N.D.C.C. § 15.1-12-05(2).
[23] N.D.C.C. § 15.1-12-03(2).
[24] N.D.C.C. § 15.1-12-03(3).
[25] *Id.*
[26] N.D.C.C. § 15.1-12-03.

The County State's Attorney issues an opinion to the County Committee on whether the petition meets the requirements of law and may be heard by the County Committee. This opinion can either be given verbally on the record at the meeting or in writing.

c. *County Committee Hearing*

At the hearing the County Committee must accept testimony and written evidence[27] concerning the following:

a. The size and value of the property held by each affected district;[28]

b. The amount of outstanding bonded other indebtedness of the affected district;[29]

c. The future levies the property will be subjected to or exempted from after annexation;[30]

d. The taxable valuation of each affected district before and after annexation;[31]

e. The size, geographical features, and boundaries of each affected district;[32]

f. The number of students enrolled at each affected district;[33]

g. Each school in the district including the following information:
   i. Name
   ii. Location
   iii. Condition
   iv. Grade levels offered
   v. Distance needed to travel for the students living on annexed property.[34]

h. Location and condition of the following:
   i. Roads
   ii. Highways
   iii. Other natural barriers in affected districts.[35]

i. Any conditions affecting the welfare of the students to be on the annexed property.[36]

j. Boundaries of other government entities.[37]

k. Educational needs of the communities in the affected districts.[38]

l. Potential savings of the school district in administrative or transportation costs.[39]

---

[27] Definition of documentary evidence. See Black's Law Dictionary 596 (8th ed. 2004). May include items such as the petition, maps of the petitioned property and school districts, property tax statements, legal descriptions of the property, school board meeting minutes, school district policies on transportation, etc.
[28] N.D.C.C. § 15.1-12-05(4)(a).
[29] N.D.C.C. § 15.1-12-05(4)(b).
[30] N.D.C.C. § 15.1-12-05(4)(c). *See also* N.D.C.C. § 15.1-12-08.
[31] N.D.C.C. § 15.1-12-05(4)(d). *See also* N.D.C.C. § 15.1-12-08. (OR *Id.*)
[32] N.D.C.C. § 15.1-12-05(4)(e).
[33] N.D.C.C. § 15.1-12-05(4)(f).
[34] N.D.C.C. § 15.1-12-05(4)(g).
[35] N.D.C.C. § 15.1-12-05(4)(h).
[36] N.D.C.C. § 15.1-12-05(4)(i).
[37] N.D.C.C. § 15.1-12-05(4)(j).
[38] N.D.C.C. § 15.1-12-05(4)(k).
[39] N.D.C.C. § 15.1-12-05(4)(l).

m. The potential decrease of per student valuation between the affected districts.[40]

n. The potential to equalize or increase the educational opportunities for the students in the affected districts.[41]

o. The potential modification to the property tax obligation of the owners of the property to be annexed and the concerns of the property owners to be annexed.[42]

p. Any other relevant factors.[43]

Much of this information is statistical information that needs to be collected by the County Superintendent of schools and input on SFN 18858, which should be introduced into evidence at the count committee hearing.

d. Findings

After hearing and considering the testimony and written evidence of the factors above, the County Committee must make specific findings of fact regarding the following:

a. The total amount and value of the property held by each affected district;[44]

b. The amount of outstanding bonded indebtedness and other indebtedness of the affected district;[45]

c. The future levies the property will be subjected to after annexation and the future levies that the property will be exempted from;[46]

For the findings of fact related to (c), the County Committee will need to determine the allocation of the bonded indebtedness of the school district the property is detaching from and the school district the property is attaching to. The default is that the petitioned property remains subject to all of the bonded indebtedness of the school district the petitioned property is detaching from that exists at the time of the annexation, and will be subject to any future bonded indebtedness of the school district the petitioned property is attaching to.[47] Therefore, if nothing is written in Box C2 on the County Committee Finding of Fact For Annexations form,[48] the bonded indebtedness will be allocated in the default manner.

The County Committee, however, can make other elections regarding the distribution of the bonded indebtedness of the districts. Other options include making the petitioned property:

- Subject to none of the bonded indebtedness of the school district being detatched from, but subject to all preexisting and future bonded indebtedness of the school district being attached to.

- Subject to all of the bonded indebtedness of the school district being detached from and the school district being attached to.

[40] N.D.C.C. § 15.1-12-05(4)(m).
[41] N.D.C.C. § 15.1-12-05(4)(n).
[42] N.D.C.C. § 15.1-12-05(4)(o).
[43] N.D.C.C. § 15.1-12-05(4)(p).
[44] N.D.C.C. § 15.1-12-05(4)(a).
[45] N.D.C.C. § 15.1-12-05(4)(b).
[46] N.D.C.C. § 15.1-12-05(4)(c). See also N.D.C.C. § 15.1-12-08.
[47] N.D.C.C. § 15.1-12-08
[48] SFN 18856 - sfn18856.pdf (nd.gov).

The important element of this factor is that the County Committee discuss this factor and make a specific finding of fact if it wishes to deviate from the default language in N.D.C.C. § 15.1-12-08. In reviewing this element, the State Board generally looks to the minutes of the County Committee meeting to determine if the Petitioner is aware of their tax obligations moving forward and are amenable to those obligations.

d. The taxable valuation of each affected district before and after annexation;[49]

It should be noted in the County Committee's Findings of Fact whether or not the taxable valuation of the affected school districts is impacted by the inclusion of non-taxable land. The calculations for this provision occur in Section M of the Findings of Fact For Annexations form, SFN 18856. Appendix 3 includes a blank Section M showing the appropriate boxes associated with the information utilized in these sections.

It should be noted that in Section M2 the number of children in the area to be annexed spans from ages 4-17 to include children being enrolled in kindergarten the next school year, which is when the annexation would take effect. Please list what schools the children in the area to be annexed attend. For example, if there are 4 children in the area, but two attend a private school and one is enrolled in the Petitioner's school district and one is open enrolled into the other school district, this information affects the calculations and is important to consider.

If a minor child is already open enrolled into the other school district, that child does not need to be subtracted from the enrollment, if approved, of the Petitioner's school district, nor does the child need to be added to the enrollment, if approved, of the other school district.

e. The size, geographical features, and boundaries of each affected district;[50]

i. Size
For size, generally the State Board looks at the number of sections in the districts.

ii. Geographical Features
Geographical features generally refers to any rivers, hills, lakes, or unique geographic structures within the districts.

iii. Boundaries
Boundaries refers generally to the school districts, states, or other political subdivisions bordering the school district.

[49] N.D.C.C. § 15.1-12-05(4)(d).

[50] N.D.C.C. § 15.1-12-05(4)(e).

f. The number of students enrolled at each affected district;[51]

g. Each school in the district including the following information:
   i. *Name*
   ii. *Location*
   iii. *Condition*
   iv. *Grade levels offered*
   v. *Distance needed to travel for the students living on annexed property.*[52]

h. Location and condition of the following:
   i. *Roads*
   ii. *Highways*
   iii. *Other natural barriers in affected districts.*[53]

i. Any conditions affecting the welfare of the students to be on the annexed property.[54]

j. Boundaries of other government entities.[55]

k. Educational needs of the communities in the affected districts.[56]

l. Potential savings of the school district in administrative or transportation costs.[57]

m. The potential decrease of per student valuation between the affected districts.[58]

n. The potential to equalize or increase the educational opportunities for the students in the affected districts.[59]

o. The potential modification to the property tax obligation of the owners of the property to be annexed and the concerns of the owners of the property to be annexed.[60]

p. Any other relevant factors.[61]

The N.D. Legislature added factor o. as a "catch-all" provision to allow other factors relevant to the County Committee, not already included in N.D.C.C. § 15.1-12-05(4), to be considered by the County Committee or State Board. Previous items that have been appropriately considered under this prong include the following:

- The amount of land involved in the annexation. Often the State Board will refer to the petition including the "least amount of land possible" as a relevant factor in the consideration of an annexation. This is to minimize the fiscal impact of the annexation on the affected districts. In prior cases, the State Board denied an annexation because the petition unnecessarily included substantial amounts of land where students did not reside. This has been repeatedly upheld as a valid consideration by the N.D. Supreme Court.[62]

[51] N.D.C.C. § 15.1-12-05(4)(f).
[52] N.D.C.C. § 15.1-12-05(4)(g).
[53] N.D.C.C. § 15.1-12-05(4)(h).
[54] N.D.C.C. § 15.1-12-05(4)(i).
[55] N.D.C.C. § 15.1-12-05(4)(j).
[56] N.D.C.C. § 15.1-12-05(4)(k).
[57] N.D.C.C. § 15.1-12-05(4)(l).
[58] N.D.C.C. § 15.1-12-05(4)(m).
[59] N.D.C.C. § 15.1-12-05(4)(n).
[60] N.D.C.C. § 15.1-12-05(4)(o).
[61] N.D.C.C. § 15.1-12-05(4)(p).
[62] *In re Lewis & Clark Pub. Sch. Dist. No. 161 of Ward*, 2016 ND 41, 876 N.W.2d 40; *In re Annexation of a Part of Solen Pub. Sch. Dist. No. 3*, 351 N.W.2d 435 (N.D. 1989); *In re Annexation of a Part of Unity Pub. Sch. Dist. No. 80*, 540 N.W.2d 393 (N.D. 1995).

- Whether or not the districts have open enrollment.
- Transportation offered by the school districts.
- Specialized educational requirements, such as therapies, IEP programs, or other specialty education programs the student may benefit from.
- Desire of a parent to participate in the school board or to vote on school ballot referendums.

County Committees will sometimes consider whether an annexation will result in "irregular" or "illogical boundaries." Prior to a legislative amendment in 1985, the County Committee and State Board could deny annexations if there were "logical boundaries following a uniform pattern without undue irregularities."[63] This law was repealed during the 1987 Legislative Session. Certain Supreme Court cases predating the repeal are still referenced, however, the holdings related to logical boundary requirements are no longer relevant law.[64] Logical or regular boundaries are no longer a requirement under N.D.C.C. § 15.1-12-05(4).

e. ***Vote to approve or deny annexation***

The County Committee must make an affirmative vote to either approve or deny the annexation.

If a motion to approve is made, the motioning County Committee member should state the reasons supporting the motion to approve. The County Committee would then take a roll call vote.

- If the motion passes, the annexation is approved.
- If the motion ties, the motion fails, and the annexation is denied.
- If the motion fails, then one of the members voting "no" needs to motion to deny the annexation along with reasons.

If a motion to deny is made, the motioning County Committee member should state the reasons supporting the motion to deny. The County Committee would then take a roll call vote.

- If the motion passes, the annexation is denied.
- If the motion ties, the motion fails, and the annexation is denied for failure to approve utilizing the reasoning from the initial motion to deny.
- If the motion fails, then one of the members voting "no" needs to motion to approve the annexation along with reasons.

Please note, there must be passage of motion to approve or a motion to deny. Failure of either of these motions to pass is not sufficient to escalate the packet to the State Board.

[63] *N.D.C.C. § 15-53.1-20(5) (repealed by 1987 N.D. Sess. Laws ch. 211 § 1)*

[64] *These cases are In re Annexation of a Part of Solen Public School District No. 3, 351 N.W.2d 435 (N.D. 1984) and In re Annexation of a Part of Donnybrook Pub. Sch. Distr. No. 24, 365 N.W.2d 514 (N.D. 1985).*

B. Annexation Involving Exchange of Property

An individual may petition to have property in one school district annexed to another school district by an exchange of property with property of a relatively equal value in a contiguous school district. The goal of this form of annexation is to process them together instead of as individual annexations and to reduce the fiscal impact on one school district. Below is the process by which this takes place and steps individuals, school districts, and County Committees must take to initiate and complete an annexation involving an exchange of property.

1. Eligibility

To be eligible for annexation involving exchange of property the following must be present, obtained, or completed:

a. The property must be a single area that is contiguous to the school district;[65]

"Contiguous means two or more tracts of real property which share a common point or which would share a common point but for an intervening road or right of way."[66] For the purposes of annexations, lakes or rivers are included within the term "right of way." Non-taxable city, state, or federal property, such as local parks, national parks or grasslands, may be utilized to determine contiguousness. Contiguity is judged at the time the annexation is effective.[67] Therefore, a petition may be filed based upon properties for which annexations have been approved, but are not yet effective.

b. The property must border the proposed school district, and the property must NOT make up an entire school district;[68]

If the Petitioner wishes to annex an entire school district, that would more appropriately be considered under N.D.C.C. § 15.1-12-10 or N.D.C.C. § 15.1-12-26 as a reorganization or dissolution, respectively.

c. The petition[69] ***must be approved by two-thirds of the electors***[70] ***living on the property;***[71]

A qualified elector is an eighteen-year-old, citizen of the United States, who has been a resident of the area affected by the petition. Any qualified elector living on the petitioned property counts towards the total number of qualified electors. Please note that the standard is whether the individual is living on the petitioned property; it is not whether the individual owns the petitioned property. Therefore, for rental properties, the appropriate signature for the petition would be the renter who resides at the property, not the owner.

Each qualified elector, individually, must sign the petition. For couples who live on a property, each individual has to sign the petition. One individual cannot sign for both, or the non-signing individual will be considered to have not approved the petition and will not count towards the 2/3 required by law.

[65] N.D.C.C. § 15.1-12-03(1).
[66] N.D.C.C. § 15.1-12-01(2).*Sch. Distr. No. 24*, 365 N.W.2d 514 (N.D. 1985).
[67] N.D.C.C. § 15.1-12-04; New Pub. Sch. Dist. No. 8 v. State Bd. of Pub. Sch. Ed., 2016 ND 163, 883 N.W.2d 460. Annexations are effective July 1 following the final approval of the annexation by the State Board. N.D.C.C. § 15.1-12-06.
[68] N.D.C.C. § 15.1-12-03(2).
[69] N.D.C.C. § 15.1-12-04; Petition requirements are listed in this section
[70] N.D.C.C. § 1-01-51. A qualified elector is an eighteen-year-old, citizen of the United States, who has been a resident of the area affected by the petition.
[71] N.D.C.C. § 15.1-12-03(3).

d. ***The petition must be filed with the County Superintendent whose jurisdiction includes the headquarters of the annexing school district;***[72]
For the purposes of this section, the headquarters of the annexing school district would be the administrative building or the building where the school district superintendent's office is located.

e. ***A public hearing is held by the County Committee or Committees;***[73] ***and***
See Section II(A)(3), above.

f. ***The petition is approved by the State Board.***[74]
See Section II(C), above.

2. **Petition Requirements**
To be approved, the petition must satisfy the following requirements:

a. ***Petitioner must live within the boundary of the property to be exchanged.***[75]

b. ***Petitioner must get the written approval of one qualified elector***[76] ***from each of the residences within the property to be exchanged.***
For example, if the property to be annexed was a subdivision, one elector from each home within the subdivision must give written approval.[77]

c. ***Petitioner must obtain written permission from the owner of the property to be exchanged if the owner does not live on the premises.***[78]
This would specifically apply to rental properties where the person living on the property is not the owner of the property.

d. ***The difference between the valuations of the properties must be approved by both school districts involved in the exchange.***[79]

e. ***Each property involved in the exchange is contiguous to the district to which it is being annexed.***[80]
"'Contiguous' means two or more tracts of real property which share a common point or which would share a common point but for an intervening road or right of way."[81] For the purposes of annexations, lakes or rivers are included within the term "right of way." Non-taxable city, state, or federal property, such as local parks, national parks or grasslands, may be utilized to determine contiguousness. Contiguity is judged at the time the annexation is effective.[82] Therefore, a petition may be filed based upon properties for which annexations have been approved, but are not yet effective.

f. ***These annexations are subject to and must meet all other statutory requirements unless it is otherwise stated in this section.***[83]

---

[72] N.D.C.C. § 15.1-12-03(4).
[73] N.D.C.C. § 15.1-12-03(5).
[74] N.D.C.C. § 15.1-12-03(6). *See also* N.D.C.C. § 15.1-12-01. Anytime State Board is mentioned, it is in reference to the State Board of public-school education.
[75] N.D.C.C. § 15.1-12-02(1).
[76] N.D.C.C. § 1-01-51. A qualified elector is an eighteen-year-old, citizen of the United States, who has been a resident of the area affected.
[77] N.D.C.C. § 15.1-12-02(2).
[78] N.D.C.C. § 15.1-12-02(3).
[79] N.D.C.C. § 15.1-12-02(4).
[80] N.D. C.C. § 15.1-12-02(5). See N.D.C.C. § 15.1-12-01(2) for the definition of "contiguous."
[81] N.D.C.C. § 15.1-12-01(2).
[82] *New Pub. Sch. Dist. No. 8 v. State Bd. of Pub. Sch. Ed.*, 2016 ND 163, 883 N.W.2d 460. Annexations are effective July 1 following the final approval of the annexation by the State Board. N.D.C.C. § 15.1-12-06.
[83] N.D.C.C. § 15.1-12-02(6).

3. **County Committee Hearing**
   See Section II(A)(3), above. The hearing requirements for an annexation involving exchange of property are the same as the hearing requirements for a regular annexation.

4. **Approval by County Committee**
   Upon approval by the County Committee, the County Superintendent will package the materials together and submit the annexation packet to the State Board for consideration or hearing pursuant to Section II(C), below.

5. **Denial by County Committee**
   If the County Committee denies the annexation, the denial may be appealed to the State Board. If an individual wishes to appeal a denial, the individual should request an appeal, in writing, to the County Committee. A template letter requesting an appeal has been included in Appendix 2. After an appeal is requested, the County Superintendent packages the materials and submits the annexation packet to the State Board for a hearing pursuant to Section II(C), below.

C. State Board Submission

After approval from the County Committee, the State Board must approve all annexations.[84] If an annexation is denied by the County Committee and an appeal of the denial is requested, the State Board shall hold a hearing and consider the annexation *de novo*.

If a hearing is required, the hearing must be properly noticed, and the State Board will publish notice of the hearing in the official newspaper of record in the county[85] at least twenty one days before the hearing date. If there is no official newspaper for the appropriate county, the notice will be published in a bordering county within North Dakota.[86] Meetings of the State Board of Public School Education are subject to open meetings laws and are noticed on the State Board's website.

1. **Is a Hearing Required at the State Board Level?**
   A hearing by the State Board is not always required in cases where the annexation was approved by the County Committee. If there is no opposition to the annexation and the County Committee approves the annexation, the State Board may review all the materials and give final approval without a formal hearing.[87]
   An appeal of a denial of an annexation, however, always requires a hearing before the State Board.

2. **Submission of Materials to the State Board**
   To ensure that the annexation is considered by the State Board in an expedient manner, the "packet" must include all required information. Delays will occur if the packet is incomplete.

[84] N.D.C.C. § 15.1-12-05(11).
[85] Official county newspapers can be found at https://www.ndna.com/newspapers/official-county-papers/.
[86] N.D.C.C. § 15.1-12-05(2)
[87] N.D.C.C. § 15.1-12-05(6)(b).

a. *Agenda*

An Agenda of the County Committee meeting(s) where the hearing was held and the petition was considered should be included in the packet.

b. *Petition*

A copy of the fully executed Petition For Annexation of Property From One Public School District to Another must be included. The Petition is SFN 17811.[88]

c. *Findings of Fact from the County Committee*

A copy of the fully executed Findings of Fact must be sent to the State Board. Examples of completed Findings of Fact for both a regular annexation and an annexation involving an exchange of land have been attached as Appendix 5.

d. *Maps*

Maps must be included in the packet which show the following:

1. The boundaries of the involved school districts;
2. The location of the residence of the minor children residing in the petitioned property;
3. The boundary of the petitioned property.

Examples of useful maps have been included as Appendix 6. The maps are exceedingly important in the State Board's consideration of the petition.

e. *County Committee Meeting Minutes*

The minutes should be thorough and show the following:

1. The Committee members present;
2. If the State's Attorney approved and affirmed that the petition met the requirements of state law;
3. The names and general testimony of the individuals who testified in support of the petition;
4. The names and general testimony of the individuals who testified against the petition;
5. The names and general testimony of any individuals who provided neutral testimony;
6. The discussion of the Committee;
7. The affirmative motion and roll call vote of the Committee on the approval or denial of the annexation petition as indicated by Section II(A)(3)(e).

An example of County Committee minutes has been attached as Appendix 7.

[88] The Petition can be found on the DPI website - PETITION FOR ANNEXATION OF PROPERTY FROM ONE PUBLIC SCHOOL DISTRICT TO ANOTHER (nd.gov).

*f. **Affidavit of Publication***

This shows the notice and dates of publication, as well as a copy of the notice. This allows the State Board to confirm that the notice requirements were met. An example of an Affidavit of Publication has been attached as Appendix 8.

*g. **Property Tax Ownership Information***

Property tax ownership serves multiple purposes for the State Board. It shows the ownership of the property, the size of the property, and the taxable valuation of the property. It also confirms the legal description of the petitioned property.

3. Consideration of Annexations by the State Board

The State Board will hold a hearing on an annexation petition, if required by N.D.C.C. § 15.1-12-05(6), or if the annexation was denied and appealed. At a hearing, an Administrative Law Judge will appear and serve as a procedural hearing officer. The County Superintendent of schools will be sworn in and introduce the packet of County Committee materials as an exhibit. The County Superintendent will generally review the packet and answer any questions from the State Board members or its attorney. Testimony in support of the petition, including from the Petitioner, and testimony opposing the petition will be heard by the State Board. The State Board or its attorney can ask witnesses any questions it deems relevant. At the conclusion of the hearing, the State Board will consider the petition.

If a hearing is not required pursuant to N.D.C.C. § 15.1-12-05(6), the State Board will consider the petition at an open meeting.

The consideration of an annexation which was approved by the County Committee is generally the same whether a hearing is held or not. The Chair of the State Board will read the findings of fact submitted by the county at the open meeting. Any corrections are made to findings of fact that were either made in error or that the State Board believes are not relevant to the petition. Consideration by the State Board of an annexation that was approved by the County Committee is just whether to affirm or deny the annexation as approved by the County Committee. The State Board cannot change or modify any substantive portion of the County Committee's findings of fact, such as the amount of property included or the distribution of the bonded indebtedness approved by the County Committee.

The consideration of an appeal, however, is different from consideration of an annexation which was approved by the County Committee. The consideration of an appeal is a consideration *de novo* by the State Board, meaning that the State Board can alter or amend portions of the findings which otherwise the State Board would not have been able to amend. No deference is required to be given to the County Committee.

D. Appeals from the State Board

The decision of the State Board can be appealed to the district court of the judicial district in which the annexed property is located.[89]

E. Miscellaneous Provisions to Note

Below are the guidelines for reapplication in the event of a denial and the effective date for an annexation after approval.

1. Reapplication Timeframe

In the event of a denial, another petition concerning the same property or properties cannot be submitted for at least three months after the date of denial from the State Board. A petition involving the same property will not be considered by the State Board more than twice in any twelve-month period.[90]

2. Effective Date

Any annexation approved will have the effective date of July 1, after the approval by the State Board.[91]



[89] N.D.C.C. § 15.1-12-05(13). Judicial districts can be found at www.ndcourts.gov/district-court.

[90] N.D.C.C. § 15.1-12-05(9).

[91] N.D.C.C. § 15.1-12-06.

Appendix 1: ANNEXATION CHECK LIST

_____ Is the petitioned property eligible for annexation?

- ☐ Is the petitioned property a single area?
- ☐ Is the petitioned property contiguous to the school district being attached to?
- ☐ Does the petitioned property border the proposed school district?
- ☐ Does the petitioned property NOT include an entire school district?

_____ Petition – Regular Annexation

- ☐ Is there a full, accurate legal description of the petitioned property?
- ☐ Is there at least 1 child who resides on the petitioned property who is going to attend the new school district next school year?
- ☐ Have 2/3 of the qualified electors signed?
  - ☐ How many total people over 18 reside in the petitioned property? ____
  - ☐ ([number of people residing on the property] /3) x 2 = number of signatures needed.
- ☐ Has the petition been filed with the appropriate County Superintendent?

_____ Petition – Annexation Involving Exchange of Property

- ☐ Does the Petitioner live within the boundary of the property to be exchanged?
- ☐ Is there written approval of one qualified elector from each residence within the property to be exchanged?
- ☐ Is there written permission from the owner of the property to be exchanged if the owner doesn't live on the premises?
- ☐ Has the difference in taxable valuation between the properties been approved by both school districts?
- ☐ Is each property involved in the exchange contiguous to the district it is being annexed to?
- ☐ Is there a full, accurate legal description of the petitioned property?
- ☐ Is there at least 1 child who resides on the property to be exchanged who is going to attend the new school district next school year?
- ☐ Have 2/3 of the qualified electors signed?
  - ☐ How many total people over 18 reside in the petitioned property? ____
  - ☐ ([number of people residing on the property] /3) x 2 = number of signatures needed.
- ☐ Has the petition been filed with the appropriate County Superintendent?

County Committee Hearing

- ☐ Notice
  - ☐ Is the bulk of BOTH school districts in a single county?
    - ☐ If so, has notice been provided in the county's official newspaper at least 21 days prior to the hearing?
  - ☐ Is the bulk of BOTH school districts in multiple counties?
    - ☐ If so, has notice been provided in each county's official newspaper at least 21 days prior to the hearing(s)?
  - ☐ Have the real property owners been notified twenty-one days in advance of the hearing by certified mail with return receipt?
- ☐ Has the State's Attorney for each county hearing the petition certified that the petition meets the requirements of law?
- ☐ Has the County Committee meeting(s) been noticed appropriately pursuant to N.D.C.C. ch. 44-04?
- ☐ Has the county accepted testimony and written evidence in support of and/or in opposition of the petition?
- ☐ Findings of Fact:
  - ☐ Has the County Committee made specific findings on each of the following areas?
    - ☐ The size and value of the property held by each affected district;
    - ☐ The amount of outstanding bonded other indebtedness of the affected district;
    - ☐ The future levies the property will be subjected to or exempted from after annexation;
      - ☐ Has the County Committee made an affirmative statement in Box C2?
    - ☐ The taxable valuation of each affected district before and after annexation;
    - ☐ The size, geographical features, and boundaries of each affected district;
    - ☐ The number of students enrolled at each affected district;
    - ☐ Each school in the district including the following information:
      - ☐ Name
      - ☐ Location
      - ☐ Condition
      - ☐ Grade levels offered
    - ☐ Distance needed to travel for the students living on annexed property.
    - ☐ Location and condition of the following:
      - ☐ Roads
      - ☐ Highways
      - ☐ Other natural barriers in affected districts.

- ☐ Any conditions affecting the welfare of the students to be on the annexed property.
- ☐ Boundaries of other government entities.
- ☐ Educational needs of the communities in the affected districts.
- ☐ Potential savings of the school district in administrative or transportation costs.
- ☐ The potential decrease of per student valuation between the affected districts.
- ☐ The potential to equalize or increase the educational opportunities for the students in the affected districts.
- ☐ The concerns of the property owner concerning their change in tax obligations.
- ☐ Any other relevant factors.

☐ Was there a motion and vote to either approve or deny the annexation?

- ☐ Did it pass?
- ☐ If not was there an opposing motion?
- ☐ Was the motion supported by reasons?

☐ If denied, was a written request to appeal the denial received by the county superintendent?

Submission of Materials to State Board

☐ Agenda of County Committee Meeting(s)

☐ Petition for Annexation

☐ Findings of Fact from the County Committee(s)

☐ Maps

- ☐ Do the maps clearly show the boundaries of the involved school districts?
- ☐ Do the maps clearly show the boundary of the petitioned property?
- ☐ Do the maps clearly show the location of the residence of the minor children residing in the petitioned property?

☐ County Committee(s) Meeting Minutes

☐ Affidavit of Publication(s)

☐ Property Tax Ownership information of the petitioned property

☐ Accurate contact information for all property information for all property owners, specifically addresses where they can receive certified mail

Appendix 2: Template Forms

Sample Appeal Form Letter

County Superintendent of Public Schools
[Insert Address]

Re: The Annexation of Property from [Detaching District] to [Annexing District], the [Insert Petitioner's Last Name] Petition

To Whom It May Concern,

I am the [insert standing relationship to Petition] in the above-referenced Petition which was denied by the County Committee on [Insert Date of County Committee Hearing]. I am appealing the denial of the above-referenced annexation to the State Board of Public School Education pursuant to N.D.C.C. § 15.1-12-05(10).

Sincerely,

[Insert name of Appellant]

PETITION FOR ANNEXATION OF PROPERTY FROM ONE PUBLIC SCHOOL DISTRICT TO ANOTHER

NORTH DAKOTA DEPARTMENT OF PUBLIC INSTRUCTION
SCHOOL FINANCE AND ORGANIZATION
SFN 17811 (11-26)

To the County Committee(s) of _____County or Counties in North Dakota:

The undersigned hereby petition for annexation of property from the _____ Public School District No. ____ of _____Counties in North Dakota to the _____ Public School District No._____ of _____ Counties in North Dakota.

This annexation involves the following property upon which the petitioners reside, which is currently in the _____ Public School District:

Property Description: ALL Property Owners' Mailing Addresses (Attach additional sheet if necessary)

This property constitutes a single area that is contiguous to _____ Public School District.

Identify one child who resides on the petitioned property whose parent has stated an intention to send the child to a public school, in the school district receiving the petitioned property, during the school year following the effective date of this annexation:

Child's name

The undersigned constitute two-thirds or more of the qualified electors residing on the property described above. The undersigned hereby petition that the above-described property be annexed to _____ Public School District in accordance with NDCC chapter 15.1-12.

Date Signed:			Name of Elector:	Address:
Month	Day	Year		

Date Signed:			Name of Elector:	Address:
Month	Day	Year		

FINDINGS OF FACT FOR ANNEXATIONS

NORTH DAKOTA DEPARTMENT OF PUBLIC INSTRUCTION
SCHOOL FINANCE AND ORGANIZATION
SFN 18856 (11-26)

To be completed by the County Committee after the County Hearing

☐ Regular Annexation ☐ Annexation involving an Exchange of Property	Petitioner to Contact		
	Mailing Address		
	City	State	Zip Code
County Hearing Date	Telephone		

After the hearing, the County Committee makes Findings of Fact on every one of the following factors A through P, pursuant to NDCC section 15.1-12-05(4), to which testimony or documentary evidence was directed at the hearing. These Findings of Fact must be based on information provided at the hearing, including the Informational Sheet (SFN 18858) submitted at the hearing by the county superintendent. These Findings of Fact of the County Committee must be included in the packet of information provided to the State Board of Public School Education by the County Committee.

The _____County (s) hereby makes the following Findings of Fact based upon the testimony and documentary evidence received at the hearing on _____, 20_____, and in accordance with NDCC section 15.1-12-05.

If this annexation involves an exchange of property, state whether the following requirements of NDCC section 15.1-12-02 are met:		
1. Does the signer of the petition reside upon the property sought to be annexed?	☐ Yes	☐ No
2. Has the approval of one qualified elector from each residence within the property to be annexed been obtained?	☐ Yes	☐ No
3. Does the owner of the property in the adjacent district agree to the exchange of property?	☐ Yes	☐ No
4. Has the difference in taxable valuation of the properties involved in the exchange been approved by both school districts?	☐ Yes	☐ No
5. Is each property involved in the exchange contiguous to the school district to which it would be annexed?	☐ Yes	☐ No
6. Have the property owners received notice of hearing, 21 days prior to hearing, by certified mail with return receipt?	☐ Yes	☐ No

Please provide ALL property owners' mailing addresses used for notice:

	Petitioners' School District:	Other School District:
A. Value of School Property 1. Sites	$	$
2. Buildings	$	$
3. Equipment	$	$
B. 1. Outstanding Bonded Indebtedness	$	$
2. Other Outstanding Indebtedness	$	$

Page 2 (11-26)

C 1. Mill Levies		
Fund Group I - General Fund	Petitioners' School District:	Other School District:
General Fund – District Property Tax		
Tuition Levy		
Safety Levy		
Miscellaneous Levy		

Fund Group 2 – Special Reserve

Special Reserve Levy		

Fund Group 3 – Capital Projects

Building Fund Levy		
Special Assessments Fund Levy		

Fund Group 4 – Debt Service

Sinking & Interest Fund Levy		
Judgment Bonding Levy		
TOTAL LEVIES		

C 2. The levies for bonded indebtedness to which the petitioned property will be subjected, or from which the petitioned property will be exempted, as provided in NDCC section 15.1-12-08, if the annexation is approved. (Include here a statement addressing what taxes will apply to the petitioned property if the annexation is approved. For example, will the petitioners be responsible for paying all taxes in the district attached to and no taxes in the district detached from, or will the petitioners continue to be responsible for payment on the bonded debt of the district detached from in addition to all the taxes in the district attached to, etc.? Consider NDCC section 15.1-12-08.)

	Petitioners' School District:	Other School District:
D. 1. Current Taxable Valuation	$	$
2. Taxable Valuation of Petitioned Property Number of Sections or Acres: (_____)	$	$
3. Taxable Valuation of Property to be Exchanged, if any	$	$
4. Taxable Valuation, If Approved	$	$
E. 1. Number of Sections in the Districts		
2. Geographical Features		
3. Boundaries		

F. Students Attending School (i.e., Enrollment):	Petitioners' School District:	Other School District:
Kindergarten		
Elementary (grades 1-6)		
Junior High (grades 7-8)		
High School (grades 9-12)		
Total Enrollment		

G. School Buildings:		
1. Name, Location (what town?), and Grade Levels Offered		
2. Condition		
3. Distance Students Living in Petitioned Area would have to Travel to Attend Schools		

H. Location and Condition of:

1. Roads		
2. Highways		
3. Natural Barriers		

I.1. Names and ages of all children residing on the property to be annexed (by family):
I. 2. Conditions affecting the welfare of students residing on the property to be annexed:

	Petitioners' School District:	Other School District:
J. Boundaries of other Governmental Entities		
K. Educational needs of communities in each affected district:		

L. Potential savings in:

1. Transportation services		
2. Administrative services		

M. Change in disparity in per student valuation: 1. Current per student valuation (Current Taxable Valuation divided by Enrollment)	Difference: $ $ $
2. There are _____ children in the area sought to be annexed, _____ of whom are ages 4-17.	Taxable valuation , if approved / Enrollment, if approved = Per student valuation if approved Use the above formula to determine the per student valuation, if approved, for each school district: Petitioners' School District: Other School District: _____ / _____ - _____ = _____ (Per student valuation, if approved) _____ / _____ + _____ = _____ (Per student valuation, if approved)
3. Per student valuation, if approved (resulting from computations above, right)	Difference: $ $ $
4. Approval of the annexation will result in an increase/decrease (cross out one) in the difference in per student valuation by:	$_____
5. Petitioned property's per student valuation	Taxable valuation of petitioned property / Number of students, ages 4-17 living on petitioned property = Per student valuation of petitioned property _____ = _____
N. Potential to equalize or increase the educational opportunities for students in each affected district	

O. The potential modification to the property tax obligation of the owners of the real property to be annexed, and the concerns of the property owners to be annexed:

P. All other relevant information:

Based upon the following reasons, which weighed most importantly to the _____County Committee, the County Committee (approves/disapproves) (cross out one) (check one of the items listed below):

☐ 1. The annexation of a part of the _____ Public School District to the _____ Public School District.

☐ 2. The annexation involving an exchange of property between the _____Public School District and the _____Public School District.

Reasons: (The reasons stated here must be included as a part of the motion to either approve or disapprove the annexation. Also, the Findings of Fact in the foregoing A through P must support the reasons.)

Date:

County Committee Member Signature
County Committee Member Signature
County Committee Member Signature
County Committee Member Signature
County Committee Member Signature
County Committee Member Signature
County Committee Member Signature
County Committee Member Signature

INFORMATIONAL SHEET FOR ANNEXATIONS
NORTH DAKOTA DEPARTMENT OF PUBLIC INSTRUCTION
SCHOOL FINANCE AND ORGANIZATION
SFN 18858 (11-26)

To be completed by the County Superintendent of Schools and submitted as evidence at the County Hearing

☐ Regular Annexation ☐ Annexation involving an Exchange of Property	Petitioner to Contact		
	Mailing Address		
	City	State	Zip Code
County Hearing Date	Telephone		

The County Superintendent should fill out this Informational Sheet with any relevant information. The County Superintendent need not fill in certain parts of the Informational Sheet if the information would not be relevant to the determination whether to approve or disapprove the annexation. This Informational Sheet must be offered by the County Superintendent as evidence at the county hearing, therefore the County Superintendent should be confident the information provided is correct. This form does not need to be included in the packet of information provided to the State Board by the County Committee.

If this annexation involves an exchange of property, state whether the following requirements of NDCC section 15.1-12-02 are met:		
1. Does the signer of the petition reside upon the property sought to be annexed?	☐ Yes	☐ No
2. Has the approval of one qualified elector from each residence within the property to be annexed been obtained?	☐ Yes	☐ No
3. Does the owner of the property in the adjacent district agree to the exchange of property?	☐ Yes	☐ No
4. Has the difference in taxable valuation of the properties involved in the exchange been approved by both school districts?	☐ Yes	☐ No
5. Is each property involved in the exchange contiguous to the school district to which it would be annexed?	☐ Yes	☐ No
6. Have the property owners received notice of hearing, 21-days prior to the hearing, by certified mail with return receipt?	☐ Yes	☐ No

Please provide ALL property owners' mailing addresses used for notice:

	Petitioners' School District:	Other School District:
A. Value of School Property 1. Sites	$	$
2. Buildings	$	$
3. Equipment	$	$
B. 1. Outstanding Bonded Indebtedness	$	$
2. Other Outstanding Indebtedness	$	$

C 1. Mill Levies		
Fund Group I - General Fund	Petitioners' School District:	Other School District:
General Fund – District Property Tax		
High School Tuition Levy		
High School Transportation Levy		
Judgment Levy		
Asbestos Levy		
Technology Levy		
Remodeling Levy		
Alternative Education Program Levy		

Fund Group 2 – Special Reserve

Special Reserve Levy		

Fund Group 3 – Capital Projects

Building Fund Levy		
Special Assessments Fund Levy		

Fund Group 4 – Debt Service

Sinking & Interest Fund Levy		
Asbestos Bonding Levy		
Judgment Bonding Levy		
Remodeling Bonding Levy		
Alternative Ed Program Bonding Levy		
HVAC Levy		
TOTAL LEVIES		

C 2. The levies for bonded indebtedness to which the petitioned property will be subjected, or from which the petitioned property will be exempted, as provided in NDCC section 15.1-12-08, if the annexation is approved. (Include here a statement addressing what taxes will apply to the petitioned property if the annexation is approved. For example, will the petitioners be responsible for paying all taxes in the district attached to and no taxes in the district detached from, or will the petitioners continue to be responsible for payment on the bonded debt of the district detached from in addition to all the taxes in the district attached to, etc.? Consider NDCC section 15.1-12-08.)

	Petitioners' School District:	Other School District:
D. 1. Current Taxable Valuation	$	$
2. Taxable Valuation of Petitioned Property (Number of Sections or Acres: _____)	$	
3. Taxable Valuation of Property to be Exchanged, if any		$
4. Taxable Valuation, If Approved	$	$
E. 1. Number of Sections in the Districts		
2. Geographical Features		
3. Boundaries		

F. Students Attending School (i.e., Enrollment):	Petitioners' School District:	Other School District:
Kindergarten		
Elementary (grades 1-6)		
Junior High (grades 7-8)		
High School (grades 9-12)		
Total Enrollment		

G. School Buildings:

1 Name, Location (what town?), and Grade Levels Offered		
2. Condition		
3. Distance Students Living in Petitioned Area would have to Travel to Attend Schools		

H. Location and Condition of:

1. Roads		
2. Highways		
3. Natural Barriers		

I. 1. Names and ages of all children residing on the property to be annexed (by family):

I. 2. Conditions affecting the welfare of students residing on the property to be annexed:

	Petitioners' School District:	Other School District:
J. Boundaries of other Governmental Entities		
K. Educational needs of communities in each affected district:		

L. Potential savings in:

1. Transportation services		
2. Administrative services		

	Petitioners' School District:	Other School District:
M. Change in disparity in per student valuation: 1. Current per student valuation (Current Taxable Valuation divided by Enrollment)	Difference: $ _____ $	$
2. There are _____ children in the area sought to be annexed, _____ of whom are ages 4-17.	Taxable valuation , if approved / Enrollment, if approved = Per student valuation if approved Use the above formula to determine the per student valuation, if approved, for each school district: Petitioners School District: _____ / _____ - _____ = _____ (Per student valuation, if approved)	Other School District: _____ / _____ + _____ = _____ (Per student valuation, if approved)
3. Per student valuation, if approved (resulting from computations above, right)	$_____	Difference: $ _____ $ _____
4. Approval of the annexation will result in an increase/decrease (cross out one) in the difference in per student valuation by:	$_____	
5. Petitioned property's per student valuation	Taxable valuation of petitioned property / Number of students, ages 4-17 living on petitioned property = Per student valuation of petitioned property _____ = _____	
N. Potential to equalize or increase the educational opportunities for students in each affected district		

O. The potential modification to the property tax obligation of the owners of the real property to be annexed, and the concerns of the property owners to be annexed.

P. All other Relevant Factors:

Appendix 3: Section M Calculations

The following template shows where within the information form and findings of fact the data required to perform the calculations required to complete Section M of the Findings of Fact form.

<table>
<tr><td>M. Change in disparity in per student valuation:

1. Current per student valuation
(Current Taxable Valuation divided by Enrollment)</td><td>D1/F
$

Difference:
$

D1/F
$</td></tr>
<tr><td>2. There are I.1. children in the area sought to be annexed, I.1. of whom are ages 4-17.

List what schools the kids are currently attending.</td><td>Taxable valuation , if approved / Enrollment, if approved = Per student valuation if approved

Use the above formula to determine the per student valuation, if approved, for each school district:

Petitioners' School District:
D4 / (F - M2) = (Per student valuation, if approved)

Other School District:
D4 / (F + M2) = (Per student valuation, if approved)

** If the children are open enrolled in Other School District there is no change in enrollment if approved.</td></tr>
<tr><td>3. Per student valuation, if approved (resulting from computations above, right)</td><td>Difference:
$
$
$</td></tr>
<tr><td>4. Approval of the annexation will result in an increase/decrease (cross out one) in the difference in per student valuation by:</td><td>$ M3 Difference - M1 Difference</td></tr>
<tr><td>5. Petitioned property's per student valuation</td><td>Taxable valuation of petitioned property / Number of students, ages 4-17 living on petitioned property = Per student valuation of petitioned property

D2 / M2 =</td></tr>
<tr><td colspan="2">N. Potential to equalize or increase the educational opportunities for students in each affected district</td></tr>
</table>

Appendix 4: Sample Findings of Fact for Regular Annexations

Sample 1: Findings of Fact for Regular Annexation in a Single County

FINDINGS OF FACT FOR ANNEXATIONS
NORTH DAKOTA DEPARTMENT OF PUBLIC INSTRUCTION
SCHOOL FINANCE AND ORGANIZATION
SFN 18856 (1-14)

To be completed by the County Committee after the County Hearing

☒ Regular Annexation ☐ Annexation involving an Exchange of Property	Petitioners' Name(s) [redacted]		
	Mailing Address: [redacted]		
	City Williston	State ND	Zip Code 58801
County Hearing Date November 10, 2022	Telephone [redacted]		

After the hearing, the County Committee makes Findings of Fact on every one of the following factors A through P, pursuant to NDCC section 15.1-12-05(4), to which testimony or documentary evidence was directed at the hearing. These Findings of Fact must be based on information provided at the hearing, including the Informational Sheet (SFN 18858) submitted at the hearing by the county superintendent. These Findings of Fact of the County Committee must be included in the packet of information provided to the State Board of Public School Education by the County Committee.

The Williams County (s) hereby makes the following Findings of Fact based upon the testimony and documentary evidence received at the hearing and in accordance with NDCC section 15.1-12-05.

If this annexation involves an exchange of property, state whether the following requirements of NDCC section 15.1-12-02 are met:		
1. Does the signer of the petition reside upon the property sought to be annexed?	☐ Yes	☐ No
2. Has the approval of one qualified elector from each residence within the property to be annexed been obtained?	☐ Yes	☐ No
3. Does the owner of the property in the adjacent district agree to the exchange of property?	☐ Yes	☐ No
4. Is the difference in taxable valuation of the properties involved in the exchange, $1000 or less?	☐ Yes	☐ No
5. Is each property involved in the exchange contiguous to the school district to which it would be annexed?	☐ Yes	☐ No

	Petitioners' School District: Williston Basin #7	Other School District: Eight Mile #6
A. Value of School Property 1. Sites	$ 36,926,350	$ 800,000
2. Buildings	$ 187,454,518	$ 24,404,733
3. Equipment	$ 21,045,785	$ 3,313,056
B. 1. Outstanding Bonded Indebtedness	$ 31,355,000	$ 6,835,399.15
2. Other Outstanding Indebtedness	$ 25,069,276.70	$

Page 2 (12-12)

C 1. Mill Levies

Fund Group I - General Fund	Petitioners' School District: Williston Basin #7	Other School District: Eight Mile #6
General Fund – District Property Tax	70.00	62.00
High School Tuition Levy	0.40	4.48
Miscellaneous Fund Levy	12.00	12.00
Fund Group 2 – Special Reserve		
Special Reserve Levy		
Fund Group 3 – Capital Projects		
Building Fund Levy	10.00	8.97
Special Assessments Fund Levy	2.69	
Fund Group 4 – Debt Service		
Sinking & Interest Fund Levy	Old SD#1- 25.00	53.81
Judgment Bonding Levy		
TOTAL LEVIES	Old SD#8- 95.09 Old SD#7-120.09	141.26

******Includes mills necessary to pay principal and interest on any bonded debt incurred under NDCC 57-15-17.1 before July 1, 2013.**

2. The levies for bonded indebtedness to which the petitioned property will be subjected, or from which the petitioned property will be exempted, as provided in NDCC section 15.1-12-08, if the annexation is approved. (Include here a statement addressing what taxes will apply to the petitioned property if the annexation is approved. For example, will the petitioners be responsible for paying all taxes in the district attached to and no taxes in the district detached from, or will the petitioners continue to be responsible for payment on the bonded debt of the district detached from in addition to all the taxes in the district attached to, etc.? Consider NDCC section 15.1-12-08.)

If the annexation is approved that the petitioners will be responsible for paying all taxes in the school district attached to and no taxes to the school district detached from. The petitioners would not be responsible for the bonded indebtedness from the school district detached from but responsible for bonded indebtedness of the school district attached to.

	Petitioners' School District: **Williston Basin #7**	Other School District: **Eight Mile #6**
D. 1. Current Taxable Valuation	$ 241,992,155	$ 11,150,168
2. Taxable Valuation of Petitioned Property Number of Acres: 1.55	$ 10,156	$
3. Taxable Valuation of Property to be Exchanged, if any	$	$ 0
4. Taxable Valuation, If Approved	$ 241,981,999	$11,160,324
E. 1. Number of Sections in the Districts	687.59	92.36
2. Geographical Features	The Williston Basin S. D. #7 is flat with areas surrounding the Missouri River containing hills and valleys.	The Eight Mile S.D. #6 is flat with the south area following the Missouri River & Trenton Lake containing hills and valleys.
3. Boundaries	The Williston Basin S. D. #7 is located in the northwest area of North Dakota and has a shared border with the state of Montana with the school district being in Williams County.	The Eight Mile S. D. #6 is located in northwest North Dakota and shares a border with the state of Montana with the school district being in Williams County.

F. Students Attending School (i.e., Enrollment):	Petitioners' School District: Williston Basin #7	Other School District: Eight Mile #8
Kindergarten	477	22
Elementary (grades 1-6)	2,548	149
Junior High (grades 7-8)	657	66
High School (grades 9-12)	1378	95
Total Enrollment	5,060	332

G. School Buildings:		
1. Name, Location (what town?), and Grade Levels Offered	Most of the buildings of Williston Basin are located in the city of Williston, ND. There are other buildings outside the city of Williston: Round Prairie, Missouri Ridge, and Garden Valley. They offer K-12th grade education.	The building of Eight Mile S.D. is located in the city of Trenton, ND and offers K-12th grade education.
2. Condition	The buildings are thought to be in good condition.	The buildings are thought to be in good condition.
3. Distance Students Living in Petitioned Area would have to Travel to Attend Schools	It would be 9.2 miles to Round Prairie (Grades K-5) and 16.6 miles to Garden Valley (Grades K-2). Missouri Ridge is 12.2 miles (Grades 3-8). 7.6 miles to 8.1 miles to the school buildings in the city of Williston. According to google maps.	It would be less than 6.7 miles to the school building in the Eight Mile School District. According to google maps.

H. Location and Condition of:		
1. Roads	Roads are pavement with highways running N, S, E and W. There are gravel roads throughout the district.	Roads are pavement with highways running N, S, E and W. There are gravel roads throughout the district.
2. Highways	Highway 85 runs north and south and Highway 2 runs east and west.	Main Highway is 1804 which runs north, south, east, and west and a small portion of Hwy 58.
3. Natural Barriers	Snow and flood waters may be a temporary barrier at times.	Snow and flood waters may be a temporary barrier at times.

I.1. Names and ages of all children residing on the property to be annexed on 02/24/2022

[redacted]-12 years old-7th Grade-attending Trenton Middle School (Eight Mile S.D. #6)

I. 2. Conditions affecting the welfare of students residing on the property to be annexed:

- **The student ([redacted]) who is involved in this annexation has attended this school (Trenton School in Eight Mile School District #6) his entire school life.**
- **The Trenton School is his ([redacted]) community.**
- **The Trenton School is a smaller school than what would be the school he would attend in Williston Basin School District #7.**
- **The Trenton bus comes right to their door and there is no busing for them if they were in District #7.**
- **The parent ([redacted]) likes the smaller class size and feels that is relevant.**

	Petitioners' School District: **Williston Basin #7**	Other School District: **Eight Mile #6**
J. Boundaries of other Governmental Entities	Grenora, Nesson, McKenzie, Alexander, Williston, and Eight Mile School Districts	Williston Basin School District #7, Alexander School District #2, and Yellowstone School District #14.
K. Educational needs of communities in each affected district:	They can attend grades K-12 in the district. There is vocational training in Williston and a college.	They can attend K-12 grades in the district.

L. Potential savings in:

O. Transportation services	None projected.	A potential savings of transportation services to District #6 because they would be reimbursed for the miles if the annexation is approved
2. Administrative services	None projected. The same administrative structure will continue if the annexation is approved.	None projected. The same administrative structure will continue if the annexation is approved.

Page 6 (12-12)	Williston Basin #7	Eight Mile #6
M. Change in disparity in per student valuation: 1. Current per student valuation (Current Taxable Valuation divided by Enrollment)	$241,992,155/ 5,060 $ 47,824.54	$11,150,168 / 332 $33,584.84 Difference: $ 14,239.70
2. There is 1 child in the area sought to be annexed, he is between the ages of 4-17. Not School Age- 0 Attending: Williston #7- 0 District #6- 1	Taxable valuation, if approved / Enrollment, if approved = Per student valuation if approved Use the above formula to determine the per student valuation, if approved, for each school district: Petitioners' School District: $241,981,999 / 5,060 – 0 = 5,060 = $ 47.822.53 (Per student valuation, if approved)	Other School District: $11,160,324 / 332+0= 332 = $33.615.43 (Per student valuation, if approved)
3. Per student valuation, if approved (resulting from computations above, right)	$ 47,822.53	$ 33,615.43 Difference: $ 14,207.10
O. Approval of the annexation will result in a decrease in the difference in per student valuation by:	$32.60	
5. Petitioned property's per student valuation	Taxable valuation of petitioned property / Number of students, ages 4-17 living on petitioned property = Per student valuation of petitioned property $10,156/1 = $10,156	
N. Potential to equalize or increase the educational opportunities for students in each affected district		

Page7 (12-12)

O. All other Relevant Factors:

- **There was no opposition.**
- **The petitioner ([redacted]) wanted her tax dollars to go to the school district her child ([redacted]) was attending.**
- **The petitioner ([redacted]) would like to be able to vote on school issues.**
- **The petitioner ([redacted]) would possibly like to run for school board.**

Page 8 (12-12)

Based upon the following reasons, which weighed most importantly to the Williams County Committee, the County Committee (**approves/disapproves**) (cross out one) the annexation of a part of the Williston Basin School District #7 to the Eight Mile School District #6.

Reasons: (The reasons stated here must be included as a part of the motion to either approve or disapprove the annexation. Also, the Findings of Fact in the foregoing A through P must support the reasons.)

Ryan Gilstad moved to approve the Yeiter annexation based on the findings of fact. Chrissy second.

5 in favor
0 against
Motion Passes

Date: November 10, 2022

County Committee Member Signature

County Committee Member Signature

County Committee Member Signature

County Committee Member Signature

County Committee Member Signature

County Committee Member Signature

County Committee Member Signature

County Committee Member Signature

Sample 2: Findings of Fact for Regular Annexation in Multiple Counties, separate Findings

FINDINGS OF FACT FOR ANNEXATIONS
NORTH DAKOTA DEPARTMENT OF PUBLIC INSTRUCTION
SCHOOL FINANCE AND ORGANIZATION
SFN 18856 (10-15)

To be completed by the County Committee after the County Hearing

☐ **Regular Annexation** ☐ Annexation involving an Exchange of Property	Petition Carrier: [redacted]		
	Mailing Address: [redacted]		
	City: Willow City	State: ND	Zip Code: 58384
County Hearing Date:	Telephone: [redacted]		

After the hearing, the County Committee makes Findings of Fact on every one of the following factors A through P, pursuant to NDCC section 15.1-12-05(4), to which testimony or documentary evidence was directed at the hearing. These Findings of Fact must be based on information provided at the hearing, including the Informational Sheet (SFN 18858) submitted at the hearing by the county superintendent. These Findings of Fact of the County Committee must be included in the packet of information provided to the State Board of Public-School Education by the County Committee.

The Bottineau County Board hereby makes the following Findings of Fact based upon the testimony and documentary evidence received at the hearing and in accordance with NDCC section 15.1-12-05.

If this annexation involves an exchange of property, state whether the following requirements of NDCC section 15.1-12-02 are met:		
1. Does the signer of the petition reside upon the property sought to be annexed?	☐ Yes	☐ No
2. Has the approval of one qualified elector from each residence within the property to be annexed been obtained?	☐ Yes	☐ No
3. Does the owner of the property in the adjacent district agree to the exchange of property?	☐ Yes	☐ No
4. Is the difference in taxable valuation of the properties involved in the exchange, $1000 or less?	☐ Yes	☐ No
5. Is each property involved in the exchange contiguous to the school district to which it would be annexed?	☐ Yes	☐ No

	Petitioners' School District: **Bottineau**	Other School District: **Rugby**
A. Value of School Property 1. Sites	$	$
2. Buildings	$ 38,099,270.00	$ 35,969,964
3. Equipment	$ 4,833,393.00	$ 5,540,072
B. 1. Outstanding Bonded Indebtedness	$ 120,000.00	$ 8,820,000
2. Other Outstanding Indebtedness	$ 7,085,671.02	$

Page 2 (12-12)

C 1. Mill Levies 2022	Petitioners' School District: **Bottineau**	Other School District: **Rugby**
Fund Group I - General Fund		
General Fund – District Property Tax	60.59	69.97
Miscellaneous Fund	10.10	12.0

Fund Group 2 – Special Reserve		
Special Reserve Levy		3.0

Fund Group 3 – Capital Projects		
Building Fund Levy	8.36	5.00
Special Assessments Fund Levy		.24

Fund Group 4 – Debt Service		
Sinking & Interest Fund Levy		21.11
Judgment Bonding Levy	13.93	
TOTAL LEVIES	92.98	111.32

Page 3 (12-12)

C 2. The levies for bonded indebtedness to which the petitioned property will be subjected, or from which the petitioned property will be exempted, as provided in NDCC section 15.1-12-08, if the annexation is approved. (Include here a statement addressing what taxes will apply to the petitioned property if the annexation is approved. For example, will the petitioners be responsible for paying all taxes in the district attached to and no taxes in the district detached from, or will the petitioners continue to be responsible for payment on the bonded debt of the district detached from in addition to all the taxes in the district attached to, etc.? Consider NDCC section 15.1-12-08.)

	Petitioners' School District: **Bottineau**	Other School District: **Rugby**
D. 1. Current Taxable Valuation	$ 35,891,736	$ 31,264,541
2. Taxable Valuation of Petitioned Property Number of Acres: 640	$ 347,900	
3. Taxable Valuation of Property to be Exchanged, if any		N/A
4. Taxable Valuation, If Approved	$ 35,543,836	$ 31,612,441
E. 1. Number of Sections in the Districts	16	868
2. Geographical Features	The Bottineau School District is flat with areas surrounding the Turtle Mountains containing hills.	The Rugby School District consists mainly of flat land.
3. Boundaries	The Bottineau District is located in Haram, Dalen, Roland, Homen, a portion of Scandia, Peabody, Pickering, Whitteron, Cordelia, Oak Valley, Amity, Lordsburg, Oak Creek, Willow Vale, Cecil and Wellington, Townships in Bottineau County.	The Rugby School District is in located in Barton, E. Barton, Spring Lake, Juniata, Wolford, Union, Dewey, Walsh, Torgerson, Tofte, Rush Lake, Hurricane Lake, Ness, Christenson, Meyer, Jefferson, Tuscarora, Reno Valley, Sandale, Balta, Elverum, Elling, Girard, Rosedale, Hillside, Alexanter in Pierce County, Pleasant Lake, Iowa, Twin Lake and Impark Township in Benson County and South Valley and Finnegan Township in Rolette County.

Page 4 (12-12)

F. Students Attending School (Fall Enrollment):	Petitioners' School District: **Bottineau**	Other School District: **Rugby**
Kindergarten	45	30
Elementary (grades 1-6)	300	248
Junior High (grades 7-8)	117	108
High School (grades 9-12)	193	188
Total Enrollment	**655**	**574**

G. School Buildings:		
1. Name, Location (what town?), and Grade Levels Offered	The Bottineau School District offers Kindergarten through Twelfth Grade. Locations are elementary through high school at 301 Brander Street; Bottineau, ND 58318.	The Rugby School District offers Pre-K through Twelfth Grade. Locations are elementary 207 2nd St SW and High School at 1123 S Main Ave; Rugby, ND 58368.
2. Condition	The buildings are in good condition. They have low or level thresholds. They have wheelchair accessible bathrooms and ramps where needed.	The buildings are in good condition. They have low or level thresholds. They have wheelchair accessible bathrooms and ramps where needed.
3. Distance students living in petitioned area would have to travel to attend Schools	38.1 miles and 39 minutes to Bottineau Public School Grades K-12. 32.4 miles and 40 minutes to Bottineau Public School Grades K-12. 38.6 mile and 44 minutes to Bottineau Public School Grades K-12. Google Maps.	17.4 miles and 22 minutes to Rugby Elementary School Grades K-6. 18.1 miles and 23 minutes to Rugby High School Grades 7-12. Google Maps.

H. Location and Condition of:		
1. Roads	Roads are pavement with Highways running N, S, E and W. There are gravel roads in the school district that are outside the city limits.	Roads are pavement with Highways running N, S, E and W. There are gravel roads in the school district that are outside the city limits.
2. Highways	Highway 60 runs N & S. Highway 3 runs N & S. Highway 5 runs E & W.	Highway 60 runs E & W. Highway 3 runs N & S.
3. Natural Barriers	Snowfall may be a temporary barrier at times	Snowfall may be a temporary barrier at times.

Page 5 (12-12)

I.1. Names and ages of all children residing on the property to be annexed (by family): On January 13, 2023

[redacted] [redacted]

I.2. Conditions affecting the welfare of students residing on the property to be annexed:

	Petitioners' School District: **Bottineau**	Other School District: **Rugby**
J. Boundaries of other Governmental Entities	None	Bottineau School District, Towner Granville Upham, Drake Anamoose North Star, Harvey, Leeds, Maddock, Rolette.
K. Educational needs of communities in each affected district:	The City of Bottineau has education from pre-school, K-12th grade, with special education services, and college.	The City of Rugby has education from Pre-K-12th grade with special education services.

L. Potential savings in:

1. Transportation services		Would transport the students if they resided within the Rugby School District.
2. Administrative services	None projected. Bottineau would continue the same administrative structure if the annexation was approved.	None projected. Rugby would continue the same administrative structure if the annexation was approved.

Page 6 (12-12)	Bottineau	Rugby
M. Change in disparity in per student valuation: 1. Current per student valuation (Current Taxable Valuation divided by Enrollment)	Difference: $ 3,328 $ 35,891,736/655 $ 57,796	$ 31,264,541/574 $ 54,468
2. There are **two** children in the area sought to be annexed and **two are** between the ages of 6-8. Both children have attended school in Rugby and are already counted in the enrollment.	Taxable valuation, if approved / Enrollment, if approved = Per student valuation if approved Use the above formula to determine the per student valuation, if approved, for each school district: Petitioners' School District: 35,543,836/655 = $54,265 (Per student valuation, if approved) Other School District: 31,612/574 = $55.074 (Per student valuation, if approved)	
3. Per student valuation, if approved (resulting from computations above, right)	Difference: **$ 809** $ 54,265	$ 55,074
4. Approval of the annexation will result in a **decrease** in the difference in per student valuation by:	$	
5. Petitioned properties per student valuation	Taxable valuation of petitioned property / Number of students, ages 6-8 living on petitioned property = Per student valuation of petitioned property 347,900/2	**$ 173,950**
N. Potential to equalize or increase the educational opportunities for students in each affected district		

Page7 (12-12)

O. All Other Relevant Factors:

Reasons for disapproving of [redacted] Annexation:

1) Equitable solution / Land Swap

2) Loss of tax base

3) small amount of acres to accomplish bus route

Page 8 (12-12)

Based upon the following reasons, which weighed most importantly to the Bottineau County Committee, the County Committee (**approves**/~~**disapproves**~~) (cross out one)

1. The annexation of a part of the Bottineau Public School District to the Rugby Public School District.

Reasons: (The reasons stated here must be included as a part of the motion to either approve or disapprove the annexation. Also, the Findings of Fact in the foregoing A through P must support the reasons.)

Based on the testimony and the findings of facts [redacted] annexation committee moves to disapprove the annexation 3-1. Motion failed.

Date: 3/14/23

County Committee Member Signature	No
County Committee Member Signature	NO
County Committee Member Signature	No
County Committee Member Signature	Yes
County Committee Member Signature	
County Committee Member Signature	
County Committee Member Signature	
County Committee Member Signature	

FINDINGS OF FACT FOR ANNEXATIONS

NORTH DAKOTA DEPARTMENT OF PUBLIC INSTRUCTION
SCHOOL FINANCE AND ORGANIZATION
SFN 18856 (10-15)

To be completed by the County Committee after the County Hearing

☐ **Regular Annexation** ☐ Annexation involving an Exchange of Property	Petition Carrier: [redacted]		
	Mailing Address: [redacted]		
	City: Willow City	State: ND	Zip Code: 58384
County Hearing Date:	Telephone: [redacted]		

After the hearing, the County Committee makes Findings of Fact on every one of the following factors A through P, pursuant to NDCC section 15.1-12-05(4), to which testimony or documentary evidence was directed at the hearing. These Findings of Fact must be based on information provided at the hearing, including the Informational Sheet (SFN 18858) submitted at the hearing by the county superintendent. These Findings of Fact of the County Committee must be included in the packet of information provided to the State Board of Public-School Education by the County Committee.

The Pierce County Board hereby makes the following Findings of Fact based upon the testimony and documentary evidence received at the hearing and in accordance with NDCC section 15.1-12-05.

If this annexation involves an exchange of property, state whether the following requirements of NDCC section 15.1-12-02 are met:		
1. Does the signer of the petition reside upon the property sought to be annexed?	☐ Yes	☐ No
2. Has the approval of one qualified elector from each residence within the property to be annexed been obtained?	☐ Yes	☐ No
3. Does the owner of the property in the adjacent district agree to the exchange of property?	☐ Yes	☐ No
4. Is the difference in taxable valuation of the properties involved in the exchange, $1000 or less?	☐ Yes	☐ No
5. Is each property involved in the exchange contiguous to the school district to which it would be annexed?	☐ Yes	☐ No

	Petitioners' School District: **Bottineau**	Other School District: **Rugby**
A. Value of School Property 1. Sites	$	$
2. Buildings	$ 38,099,270.00	$ 35,969,964
3. Equipment	$ 4,833,393.00	$ 5,540,072
B. 1. Outstanding Bonded Indebtedness	$ 120,000.00	$ 8,820,000
2. Other Outstanding Indebtedness	$ 7,085,671.02	$

Page 2 (12-12)

C 1. Mill Levies 2022		
Fund Group I - General Fund	Petitioners' School District: **Bottineau**	Other School District: **Rugby**
General Fund – District Property Tax	**60.59**	**69.97**
Miscellaneous Fund	**10.10**	**12.0**

Fund Group 2 – Special Reserve		
Special Reserve Levy		**3.0**

Fund Group 3 – Capital Projects		
Building Fund Levy	**8.36**	**5.00**
Special Assessments Fund Levy		**.24**

Fund Group 4 – Debt Service		
Sinking & Interest Fund Levy		**21.11**
Judgment Bonding Levy	**13.93**	
TOTAL LEVIES	**92.98**	**111.32**

Page 3 (12-12)

C 2. The levies for bonded indebtedness to which the petitioned property will be subjected, or from which the petitioned property will be exempted, as provided in NDCC section 15.1-12-08, if the annexation is approved. (Include here a statement addressing what taxes will apply to the petitioned property if the annexation is approved. For example, will the petitioners be responsible for paying all taxes in the district attached to and no taxes in the district detached from, or will the petitioners continue to be responsible for payment on the bonded debt of the district detached from in addition to all the taxes in the district attached to, etc.? Consider NDCC section 15.1-12-08.)

	Petitioners' School District: **Bottineau**	Other School District: **Rugby**
D. 1. Current Taxable Valuation	$ 35,891,736	$ 31,264,541
2. Taxable Valuation of Petitioned Property Number of Acres: 640	$ 347,900	
3. Taxable Valuation of Property to be Exchanged, if any		N/A
4. Taxable Valuation, If Approved	$ 35,543,836	$ 31,612,441
E. 1. Number of Sections in the Districts	16	868
2. Geographical Features	The Bottineau School District is flat with areas surrounding the Turtle Mountains containing hills.	The Rugby School District consists mainly of flat land.
3. Boundaries	The Bottineau District is located in Haram, Dalen, Roland, Homen, a portion of Scandia, Peabody, Pickering, Whitteron, Cordelia, Oak Valley, Amity, Lordsburg, Oak Creek, Willow Vale, Cecil and Wellington, Townships in Bottineau County.	The Rugby School District is in located in Barton, E. Barton, Spring Lake, Juniata, Wolford, Union, Dewey, Walsh, Torgerson, Tofte, Rush Lake, Hurricane Lake, Ness, Christenson, Meyer, Jefferson, Tuscarora, Reno Valley, Sandale, Balta, Elverum, Elling, Girard, Rosedale, Hillside, Alexanter in Pierce County, Pleasant Lake, Iowa, Twin Lake and Impark Township in Benson County and South Valley and Finnegan Township in Rolette County.

F. Students Attending School (Fall Enrollment):	Petitioners' School District: **Bottineau**	Other School District: **Rugby**
Kindergarten	45	30
Elementary (grades 1-6)	300	248
Junior High (grades 7-8)	117	108
High School (grades 9-12)	193	188
Total Enrollment	**655**	**574**

G. School Buildings:		
1. Name, Location (what town?), and Grade Levels Offered	The Bottineau School District offers Kindergarten through Twelfth Grade. Locations are elementary through high school at 301 Brander Street; Bottineau, ND 58318.	The Rugby School District offers Pre-K through Twelfth Grade. Locations are elementary 207 2nd St SW and High School at 1123 S Main Ave; Rugby, ND 58368.
2. Condition	The buildings are in good condition. They have low or level thresholds. They have wheelchair accessible bathrooms and ramps where needed.	The buildings are in good condition. They have low or level thresholds. They have wheelchair accessible bathrooms and ramps where needed.
3. Distance students living in petitioned area would have to travel to attend Schools	38.1 miles and 39 minutes to Bottineau Public School Grades K-12. 32.4 miles and 40 minutes to Bottineau Public School Grades K-12. 38.6 mile and 44 minutes to Bottineau Public School Grades K-12. Google Maps.	17.4 miles and 22 minutes to Rugby Elementary School Grades K-6. 18.1 miles and 23 minutes to Rugby High School Grades 7-12. Google Maps.

H. Location and Condition of:

1. Roads	Roads are pavement with Highways running N, S, E and W. There are gravel roads in the school district that are outside the city limits.	Roads are pavement with Highways running N, S, E and W. There are gravel roads in the school district that are outside the city limits.
2. Highways	Highway 60 runs N & S. Highway 3 runs N & S. Highway 5 runs E & W.	Highway 60 runs E & W. Highway 3 runs N & S.
3. Natural Barriers	Snowfall may be a temporary barrier at times	Snowfall may be a temporary barrier at times.

I.1. Names and ages of all children residing on the property to be annexed (by family): On January 13, 2023

[redacted]

I.2. Conditions affecting the welfare of students residing on the property to be annexed:

	Petitioners' School District: **Bottineau**	Other School District: **Rugby**
J. Boundaries of other Governmental Entities	None	Bottineau School District, Towner Granville Upham, Drake Anamoose North Star, Harvey, Leeds, Maddock, Rolette.
K. Educational needs of communities in each affected district:	The City of Bottineau has education from pre-school, K-12, with special education services, and college.	The City of Rugby has education from pre-K-12 with special education services.

L. Potential savings in:

1. Transportation services		Would transport the students if they resided within the Rugby School District.
2. Administrative services	None projected. Bottineau would continue the same administrative structure if the annexation was approved.	None projected. Rugby would continue the same administrative structure if the annexation was approved.

Page 6 (12-12)	Bottineau	Rugby
M. Change in disparity in per student valuation: 1. Current per student valuation (Current Taxable Valuation divided by Enrollment)	Difference: $ 3,328 $ 35,891,736/655 $ 57,796	$ 31,264,541/574 $ 54,468
2. There are **two** children in the area sought to be annexed and **two are** between the ages of 6-8. Both children have attended school in Rugby and are already counted in the enrollment.	Taxable valuation, if approved / Enrollment, if approved = Per student valuation if approved Use the above formula to determine the per student valuation, if approved, for each school district: Petitioners' School District: 35,543,836/655 = $54,265 (Per student valuation, if approved) Other School District: 31,612/574 = $55,074 (Per student valuation, if approved)	
3. Per student valuation, if approved (resulting from computations above, right)	Difference: **$ 809** $ 54,265	$ 55,074
4. Approval of the annexation will result in a **decrease** in the difference in per student valuation by:	$	
5. Petitioned properties per student valuation	Taxable valuation of petitioned property / Number of students, ages 6-8 living on petitioned property = Per student valuation of petitioned property 347,900/2	**$ 173,950**
N. Potential to equalize or increase the educational opportunities for students in each affected district		

Page7 (12-12)

O. All Other Relevant Factors:

Page 8 (12-12)

Based upon the following reasons, which weighed most importantly to the ~~Bottineau~~ Pierce County Committee, the County Committee (**approves/~~disapproves~~**) (cross out one)

1. The annexation of a part of the Bottineau Public School District to the Rugby Public School District.

Reasons: (The reasons stated here must be included as a part of the motion to either approve or disapprove the annexation. Also, the Findings of Fact in the foregoing A through P must support the reasons.)

motion to approve the Petition for Annexation of Property from One Public School District to Another. [redacted] land to Rugby School District from Bottineau School District.

Reasons for approval is busing for the [redacted] children.

If the annexation would be approved the Rugby School District would be reimbursed for transportation of the children.

Date: 3-14-23

County Committee Member Signature: Michael E Hadlebrook

County Committee Member Signature

County Committee Member Signature

County Committee Member Signature: Donna Hague

County Committee Member Signature

County Committee Member Signature

County Committee Member Signature

Sample 3: Findings of Fact for Regular Annexation in Multiple Counties, a singular Finding

FINDINGS OF FACT FOR ANNEXATIONS
NORTH DAKOTA DEPARTMENT OF PUBLIC INSTRUCTION
SCHOOL FINANCE AND ORGANIZATION
SFN 18856 (10-15)

To be completed by the County Committee after the County Hearing

☒ Regular Annexation ☐ Annexation Involving an Exchange of Property	Petitioner to Contact [redacted]		
	Mailing Address [redacted]		
	City FAIRDALE	State ND	Zip Code 58229
County Hearing Date AUGUST 7TH, 2019	Telephone [redacted]		

After the hearing, the County Committee makes Findings of Fact on every one of the following factors A through P, pursuant to NDCC section 15.1-12-05(4), to which testimony or documentary evidence was directed at the hearing. These Findings of Fact must be based on information provided at the hearing, including the Informational Sheet (SFN 18858) submitted at the hearing by the county superintendent. These Findings of Fact of the County Committee must be included in the packet of information provided to the State Board of Public School Education by the County Committee.

The RAMSEY & CAVALIER County (s) hereby makes the following Findings of Fact based upon the testimony and documentary evidence received at the hearing on AUGUST 7TH, 2019, and in accordance with NDCC section 15.1-12-05.

If this annexation involves an exchange of property, state whether the following requirements of NDCC section 15.1-12-02 are met:		
1. Does the signer of the petition reside upon the property sought to be annexed?	☐ Yes	☐ No
2. Has the approval of one qualified elector from each residence within the property to be annexed been obtained?	☐ Yes	☐ No
3. Does the owner of the property in the adjacent district agree to the exchange of property?	☐ Yes	☐ No
4. Is the difference in taxable valuation of the properties involved in the exchange, $1000 or less?	☐ Yes	☐ No
5. Is each property involved in the exchange contiguous to the school district to which it would be annexed?	☐ Yes	☐ No

	Petitioners' School District: EDMORE #2	Other School District: LANGDON #23
A. Value of School Property 1. Sites	$ 0	$ 650,000
2. Buildings	$ 6,500,000	$ 16,228,463
3. Equipment	$ 1,700,000	$ 3,464,346
B. 1. Outstanding Bonded Indebtedness	$	$
2. Other Outstanding Indebtedness	$	$

C 1. Mill Levies

Fund Group I - General Fund	Petitioners' School District: EDMORE #2	Other School District: LANGDON #23
General Fund – District Property Tax	90.00	69.65
High School Tuition Levy		
High School Transportation Levy		
Judgment Levy		
Asbestos Levy		
Technology Levy		
Remodeling Levy		
Alternative Education Program Levy		
Fund Group 2 – Special Reserve		
Special Reserve Levy	3.00	
Fund Group 3 – Capital Projects		
Building Fund Levy	3.00	3.00
Special Assessments Fund Levy		
Fund Group 4 – Debt Service		
Sinking & Interest Fund Levy		
Asbestos Bonding Levy		
Judgment Bonding Levy		
Remodeling Bonding Levy		
~~Alternative Ed Program Bonding Levy~~ MISC.	6.00	8.00
HVAC Levy		
TOTAL LEVIES	102.00	80.65

C 2. The levies for bonded indebtedness to which the petitioned property will be subjected, or from which the petitioned property will be exempted, as provided in NDCC section 15.1-12-08, if the annexation is approved. (Include here a statement addressing what taxes will apply to the petitioned property if the annexation is approved. For example, will the petitioners be responsible for paying all taxes in the district attached to and no taxes in the district detached from, or will the petitioners continue to be responsible for payment on the bonded debt of the district detached from in addition to all the taxes in the district attached to, etc.? Consider NDCC section 15.1-12-08.)

	Petitioners' School District: EDMORE #2 (WALSH)	Other School District: LANGDON #23
D. 1. Current Taxable Valuation	$ 1,577,882	$ 37,018,086
2. Taxable Valuation of Petitioned Property Number of Sections or Acres: (953.90)	$ (34,317)	$ 34,317
3. Taxable Valuation of Property to be Exchanged ,if any	$	$
4. Taxable Valuation, If Approved	$ 1,543,565	$ 37,052,403
E. 1. Number of Sections in the Districts	395.25	919.75
2. Geographical Features	EDMORE SCHOOL DISTRICT IS FLAT AND PRIMARILY IN RAMSEY COUNTY	LANGDON SCHOOL DISTRICT IS FLAT AND PRIMARILY IN CAVALIER COUNTY
3. Boundaries	EDMORE SCHOOL IS IN RAMSEY, WALSH, CAVALIER	LANGDON IS IN CAVALIER COUNTY

F. Students Attending School (i.e., Enrollment):	Petitioners' School District: EDMORE #2	Other School District: LANGDON #23
Kindergarten	2	27
Elementary (grades 1-6)	22	178
Junior High (grades 7-8)	8	59
High School (grades 9-12)	17	128
Total Enrollment	49	392

G. School Buildings:		
1. Name, Location (what town?), and Grade Levels Offered	EDMORE PK-12	LANGDON PK-12
2. Condition	GOOD	GOOD
3. Distance Students Living in Petitioned Area would have to Travel to Attend Schools	15 MILES TO EDMORE	26 MILES TO LANGDON

H. Location and Condition of:

1. Roads		COUNTY RD GOOD-CONDITION
2. Highways	HIGHWAY #1 & #17 GOOD CONDITION	HIGHWAY #1 GOOD CONDITION
3. Natural Barriers	NONE	NONE

I.1. Names and ages of all children residing on the property to be annexed (by family):

[redacted]

I. 2. Conditions affecting the welfare of students residing on the property to be annexed:

1. CHILDREN ARE CURRENTLY ATTENDING DAYCARE IN LANGDON
2. MOM WORKS FULL TIME IN LANGDON
3. CHILDREN HAVE STORM HOMES IN LANGDON
4. SON IS ATTENDING PRESCHOOL IN LANGDON/WILL ATTEND PRE-K THIS FALL
5. SON PARTICIPATES IN EXTRACIRRICULAR ACTIVITIES IN LANGDON
6. EDMORE IS CURRENTLY CO-OPING IN SPORTS WITH LANGDON
7. LANGDON HAS MORE SERVICES FOR CHILDREN IF NEEDED

	Petitioners' School District:	Other School District:
	~~E.D MOR.. #2~~	~~LANGDON #23~~
J. Boundaries of other Governmental Entities	EDMORE SCHOOL SHARES BOUNDARIES WITH STARKWEATHER, LANGDON ~~PARK RIVER, LAKOTA, DL~~	LANGDON SCHOOL SHARES BOUNDARIES WITH MUNICH, EDMORE PARK RIVER, NORTH BORDER/PEMBI
K. Educational needs of communities in each affected district:	EDMORE HAS PRESCHOOL-12TH GRADE	LANGDON HAS PRESCHOOL-12TH GRADE

L. Potential savings in:

1. Transportation services	NONE PROJECTED	NONE PROJECTED
2. Administrative services	NONE PROJECTED	NONE PROJECTED

M. Change in disparity in per student valuation:

1. Current per student valuation (Current Taxable Valuation divided by Enrollment)

$ 32,201.67 — Difference: $ 62,232.23 — $ 94,433.90

2. There are 2 children in the area sought to be annexed, 1 of whom are ages 4-17.

Taxable valuation, if approved / Enrollment, if approved = Per student valuation if approved

Use the above formula to determine the per student valuation, if approved, for each school district:

Petitioners' School District: 1,543,565 / 49 = 31,501.32 (Per student valuation, if approved)

Other School District: 37,052,403 / 392 = 94,521.44 (Per student valuation, if approved)

3. Per student valuation, if approved (resulting from computations above, right)

$ 31,501.32 — Difference: $ 63,020.12 — $ 94,521.44

4. Approval of the annexation will result in an increase/decrease (cross out one) in the difference in per student valuation by:

$ 787.89

5. Petitioned property's per student valuation

Taxable valuation of petitioned property / Number of students, ages 4-17 living on petitioned property = Per student valuation of petitioned property

34,317 / 1 = 34,317

N. Potential to equalize or increase the educational opportunities for students in each affected district

Page7 (12-12)

O. All other **Relevant** Factors:

Page 8 (12-12)

Based upon the following reasons, which weighed most importantly to the RAMSEY/CAVALIER County Committee, the County Committee (approves/disapproves) (cross out one) (check one of the items listed below):

☒ 1. The annexation of a part of the EDMORE Public School District to the LANGDON Public School District.

☐ 2. The annexation involving an exchange of property between the _____ Public School District and the _____ Public School District.

Reasons: (The reasons stated here must be included as a part of the motion to either approve or disapprove the annexation. Also, the Findings of Fact in the foregoing A through P must support the reasons.)

Date: 8/7/2019

County Committee Member Signature

County Committee Member Signature

County Committee Member Signature

County Committee Member Signature

County Committee Member Signature

County Committee Member Signature

County Committee Member Signature

County Committee Member Signature

Date:

County Committee Member Signature
County Committee Member Signature
County Committee Member Signature
County Committee Member Signature
County Committee Member Signature
County Committee Member Signature
County Committee Member Signature
County Committee Member Signature

Appendix 5: Sample Findings of Fact for an Annexation Involving an Exchange of Property

Sample 1: Findings of Fact for Annexation involving an Exchange of Property

FINDINGS OF FACT FOR ANNEXATIONS — **Nelson County**
NORTH DAKOTA DEPARTMENT OF PUBLIC INSTRUCTION
SCHOOL FINANCE AND ORGANIZATION
SFN 18856 (10-15)

To be completed by the County Committee after the County Hearing

☐ Regular Annexation ☒ Annexation involving an Exchange of Property	Petition Carrier(s) [redacted]			
	Mailing Address [redacted] Larimore, ND 58251			
	City Larimore	State ND	Zip Code 58251	
County Hearing Date **March 27, 2018**	Telephone [redacted]			

After the hearing, the County Committee makes Findings of Fact on every one of the following factors A through P, pursuant to NDCC section 15.1-12-05(4), to which testimony or documentary evidence was directed at the hearing. These Findings of Fact must be based on information provided at the hearing, including the Informational Sheet (SFN 18858) submitted at the hearing by the county superintendent. These Findings of Fact of the County Committee must be included in the packet of information provided to the State Board of Public School Education by the County Committee.

The **County Committees of Nelson and Grand Forks** County (s) hereby makes the following Findings of Fact based upon the testimony and documentary evidence received at the hearing on March 27, 2018, and in accordance with NDCC section 15.1-12-05.

If this annexation involves an exchange of property, state whether the following requirements of NDCC section 15.1-12-02 are met:

1. Does the signer of the petition reside upon the property sought to be annexed?	☒ Yes	☐ No
2. Has the approval of one qualified elector from each residence within the property to be annexed been obtained?	☒ Yes	☐ No
3. Does the owner of the property in the adjacent district agree to the exchange of property?	☒ Yes	☐ No
4. Is the difference in taxable valuation of the properties involved in the exchange, $1000 or less?	☒ Yes	☐ No
5. Is each property involved in the exchange contiguous to the school district to which it would be annexed?	☒ Yes	☐ No

	Petitioners' School District: **Dakota Prairie #1**	Other School District: **Larimore #44**
A. Value of School Property 1. Sites	$ 8,000	$ 163,625
2. Buildings	$ 11,397,000	$ 16,743,056
3. Equipment	$ 2,828,985	$ 3,671,377
B. 1. Outstanding Bonded Indebtedness	$ 0	$ 1,415,000
2. Other Outstanding Indebtedness	$ 0	$ 0

Page 2 (12-12)

C 1. Mill Levies **2017**		
Fund Group I – General Fund	Petitioners' School District: **Dakota Prairie #1**	Other School District: **Larimore #44**
General Fund – District Property Tax	**68.86**	**70.00**
Miscellaneous Levy	**1.97**	**12.00**
High School Tuition Levy		
High School Transportation Levy		
Judgment Levy		
Asbestos Levy		
Technology Levy		
Remodeling Levy		
Alternative Education Program Levy		
Fund Group 2 – Special Reserve		
Special Reserve Levy		**3.00**
Fund Group 3 – Capital Projects		
Building Fund Levy		**10.00**
Special Assessments Fund Levy		
Fund Group 4 – Debt Service		
Sinking & Interest Fund Levy		**2.88**
Asbestos Bonding Levy		
Judgment Bonding Levy		
Remodeling Bonding Levy		
Alternative Ed Program Bonding Levy		
HVAC Levy		
TOTAL LEVIES	**70.83**	**97.88**

C 2. The levies for bonded indebtedness to which the petitioned property will be subjected, or from which the petitioned property will be exempted, as provided in NDCC section 15.1-12-08, if the annexation is approved. (Include here a statement addressing what taxes will apply to the petitioned property if the annexation is approved. For example, will the petitioners be responsible for paying all taxes in the district attached to and no taxes in the district detached from, or will the petitioners continue to be responsible for payment on the bonded debt of the district detached from in addition to all the taxes in the district attached to, etc.? Consider NDCC section 15.1-12-08.)

MOTION: Kristi Berdal moved that the petitioners assume the tax levies of the district to which the petitioned land is attached, including levies for bonded indebtedness. The petitioners will not be responsible for tax levies of the district from which the petitioned land is detached, including levies for bonded indebtedness.

SECOND: Motion seconded by Naomi Ferguson

VOTE:
David Morken Yes
Kristi Berdal Yes
Naomi Ferguson Yes
Karen Retzlaff Yes

Motion carried by a unanimous vote.

	Petitioners' School District: **Dakota Prairie #1**	Other School District: **Larimore #44**
D. 1. Current Taxable Valuation	$ 21,673,248	$ 14,603,771
2. Taxable Valuation of Petitioned Property (Number of Sections or Acres: 240 Acres)	$ – 8,390	
3. Taxable Valuation of Property to be Exchanged, if any (320 acres)		$ – 9,205
4. Taxable Valuation, If Approved	+ 9,205 $ 21,674,063	+ 8,390 $ 14,602,956
E. 1. Number of Sections in the Districts	907.30	329.50
2. Geographical Features	Dakota Prairie School District is basically flat and primarily located in Nelson County; parts of it extend into 7 other counties.	Larimore School District is basically flat and primarily located in Grand Forks County west of the Emerado School District.
3. Boundaries	Dakota Prairie's boundaries extend into Walsh, Grand Forks, Griggs, Steele, Eddy, Benson, and Ramsey Counties. It is surrounded by the Fordville-Lankin, Park River Area, Lakota, Devils Lake, Warwick, Midkota, Griggs County Central, Finley-Sharon, Northwood, & Larimore school districts.	Larimore School District is primarily located in Grand Forks County; part extends into Nelson County. It is surrounded by the Midway, Fordville-Lankin, Dakota Prairie, Northwood, Emerado, & GF Air Force Base school districts.

F. Students Attending School (i.e., Enrollment):	Petitioners' School District: **Dakota Prairie #1**	Other School District: **Larimore #44**
Kindergarten	**21**	**31**
Elementary (grades 1-6)	**130**	**173**
Junior High (grades 7-8)	**52**	**55**
High School (grades 9-12)	**85**	**102**
Total Enrollment	**288**	**361**

G. School Buildings:

1 Name, Location (what town?), and Grade Levels Offered	~~Dakota~~ Prairie Elementary, McVille PK-Gr 6 Dakota Prairie High School, Petersburg Gr 7-12	Larimore Elementary PK-Gr 6 Larimore High School Gr 7-12
2. Condition	Good	Good
3. Distance Students Living in Petitioned Area would have to travel to Attend Schools	Dakota Prairie Elementary 38 miles Dakota Prairie High School 11 miles	Larimore Elementary 16 miles Larimore High School 16 miles

H. Location and Condition of:

1. Roads	County Road 35 – Paved, Good Condition Rural location of the route to the Dakota Prairie Public Schools, less traveled roads, harder access to children in case of transportation breakdowns or storms, fewer occupied residences along the route	Roads are pavement with highways east & west & south. There is one mile of gravel from property to pavement.
2. Highways	US Hwy 2, ND Hwy 32, ND Hwy 15: Paved, Good Condition	Co Rd 11, US Hwy 2, ND Hwy 18: Paved, Good Condition
3. Natural Barriers	Winter weather conditions Distance from petitioners' home to Dakota Prairie Elementary School is about 40 miles	Snowfall may be problem every once in a while. Distance to Larimore Elementary School is closer to petitioners 15-16 miles

not in other county's of Findings

Page 5 (12-12)

I.1. Names and ages of all children residing on the property to be annexed (by family):

[redacted]

I. 2. Conditions affecting the welfare of students residing on the property to be annexed:

[redacted] is/open enrolled into the Larimore School District, and will continue to attend Larimore regardless of the decision of county committees.

Distance is longer to Dakota Prairie Elementary to attend school activities, parent-teacher conference, school concerts, extracurricular activities.

Larimore School District is already providing bus transportation for [redacted]

In the Larimore School District, bus service to open enrolled students isn't guaranteed (subject to approval on case-by-case basis depending on distance from school buildings)

	Petitioners' School District: **Dakota Prairie #1**	Other School District: **Larimore #44**
J. Boundaries of other Governmental Entities	Dakota Prairie shares boundaries with the Fordville-Lankin, Park River Area, Lakota, Devils Lake, Warwick, Midkota, Griggs County Central, Finley-Sharon, Northwood, & Larimore school districts.	Larimore shares boundaries with the Midway, Fordville-Lankin, Dakota Prairie, Northwood, Emerado, & GF Air Force Base school districts. Petitioners use postal services in Larimore.
K. Educational needs of communities in each affected district:	Dakota Prairie has Preschool through 12th Grade. Both school district superintendents testified to their approval of the petition.	Larimore has Preschool through 12th Grade. Both school district superintendents testified to their approval of the petition.

L. Potential savings in:

1. Transportation services	None projected	None projected
2. Administrative services	None projected	None projected

Page 6 (12-12)

M. Change in disparity in per student valuation:

1. Current per student valuation

K-12

(Current Taxable Valuation divided by Enrollment)

Difference: $ 34,800.67

$ 75,254.33 $ 40,453.66

2. There are ____3_____ children in the area sought to be annexed, ____1____ of whom are ages 4-17.

Taxable valuation , if approved / Enrollment, if approved = Per student valuation if approved

Use the above formula to determine the per student valuation, if approved, for each school district:

Petitioners' School District: Dakota Prairie #1			Other School District: Larimore #44		
$21,674,063	=	$75,257.16 (Per student valuation, if approved)	$14,602,956	=	$40,451.40 (Per student valuation, if approved)
___288___ - __0__			__361__ + __0__		

3. Per student valuation, if approved (resulting from computations above, right)

Difference: $ 34,805.76

$ 75,257.16 $ 40,451.40

4. Approval of the annexation will result in an ~~increase/decrease~~ (cross out one) in the difference in per student valuation by:

$ 5.09

5. Petitioned property's per student valuation

Taxable valuation of petitioned property / Number of students, ages 4-17 living on petitioned property = Per student valuation of petitioned property

$8,390 / 1 = $8,390

N. Potential to equalize or increase the educational opportunities for students in each affected district

No relevant testimony

Page7 (12-12)

O. All other Relevant Factors:

Petitioner testified that he and his wife do not wish to hurt the Dakota Prairie School District in any way. This why they chose to exchange property. 150 minimal neg. impact on D.P.S.)

The Dakota Prairie School Superintendent testified that he is in favor of the annexation petition, and appreciated the petitioners using the option of land exchange.

Petitioners schedule doctor, dentist and eye appointments in Grand Forks. Larimore Public School is closer and more accessible for them and their children. more convenient

Petitioners want to be able to vote in school board elections where their child attends school.

Petitioners want to be able to be elected to the school board in the future.

- Met legal rqmts for exch. of prop. ✓
Both cities in favor ✓
No opposition ✓

added from Gr Fks Co. Comm. Findings

Annex appvd by both co. bds ✓

Petitioner owns both petitioned & exchanged property. ✓

Approval will ensure transportation for stud who is already open-enrolled to Larimore.

Page 8 (12-12)

Based upon the following reasons, which weighed most importantly to the _____**Nelson**_____County Committee, the County Committee (approves/disapproves) (cross out one) (check one of the items listed below):

☐ 1. The annexation of a part of the _____ Public School District to the _____ Public School District.

☒ 2. The annexation involving an exchange of property between the ____**Dakota Prairie**___Public School District and the _____**Larimore**____Public School District.

Reasons: (The reasons stated here must be included as a part of the motion to either approve or disapprove the annexation. Also, the Findings of Fact in the foregoing A through P must support the reasons.)

FINDINGS OF FACT

Motion: Karen Retzlaff moved that the Nelson County School District Annexation & Reorganization Committee accept the Findings of Fact as reviewed and agreed upon.

Second: Motion was seconded by Kristi Berdal.

Vote: David Morken - Yes, Kristi Berdal - Yes, Naomi Ferguson - Yes, Karen Retzlaff – Yes, Susan Schultz (Absent).

Motion carried.

PETITION FOR ANNEXATION

Motion: Naomi Ferguson moved that the Nelson County School District Annexation & Reorganization Committee **approves** the petition for the following reasons:

--Child is already open enrolled in the Larimore School District
--Travel more convenient for the family due to their proximity to Larimore and services accessed by the family.
--No testimony against the petition.
--Both school superintendents testified in favor of the petition.
--Least harm to each school district with the exchange of property.
--Ability of petitioners to vote in school board elections and run for school board.

Second: Motion was seconded by Karen Retzlaff.

Vote: David Morken - Yes, Kristi Berdal - Yes, Naomi Ferguson - Yes, Karen Retzlaff – Yes, Susan Schultz (Absent).

Motion carried.

Date: **March 27, 2018**

County Committee Member Signature

County Committee Member Signature

County Committee Member Signature

County Committee Member Signature

County Committee Member Signature

County Committee Member Signature

County Committee Member Signature

County Committee Member Signature

Page 8 (12-12)

Based upon the following reasons, which weighed most importantly to the _____**Nelson**_____County Committee, the County Committee (approves/disapproves) (cross out one) (check one of the items listed below):

☐ 1. The annexation of a part of the _____ Public School District to the _____ Public School District.

☒ 2. The annexation involving an exchange of property between the ____**Dakota Prairie**____Public School District and the _____**Larimore**____Public School District.

Reasons: (The reasons stated here must be included as a part of the motion to either approve or disapprove the annexation. Also, the Findings of Fact in the foregoing A through P must support the reasons.)

FINDINGS OF FACT

Motion: Karen Retzlaff moved that the Nelson County School District Annexation & Reorganization Committee accept the Findings of Fact as reviewed and agreed upon.

Second: Motion was seconded by Kristi Berdal.

Vote: David Morken Yes, Susan Schultz ~~present~~ Not present, Kristi Berdal Yes, Naomi Ferguson Yes, Karen Retzlaff Yes. Motion carried.

PETITION FOR ANNEXATION

Motion: Naomi Ferguson moved that the Nelson County School District Annexation & Reorganization Committee approves the petition for the following reasons:

- Child is already open enrolled in Larimore
- travel more convenient for the family due to their proximity to Larimore & services accessed by the family.
- No testimony against the petition
- Both School Supts. testified in favor of the petition
- Least harm to each school district with an exchange of property
- Ability to vote in school board elections & run for school board.

Second: Motion was seconded by Karen Retzlaff.

Vote: David Morken Yes, Susan Schultz ~~present~~ Not present, Kristi Berdal Yes, Naomi Ferguson Yes, Karen Retzlaff Yes.

Motion carried.

Date: **March 27, 2018**

County Committee Member Signature: Karen L. Retzlaff

County Committee Member Signature: Naomi Ferguson

County Committee Member Signature: Kristi Berdal

County Committee Member Signature: David J. Morken

County Committee Member Signature

County Committee Member Signature

County Committee Member Signature

County Committee Member Signature

FINDINGS OF FACT FOR ANNEXATIONS — **Grand Forks County**

NORTH DAKOTA DEPARTMENT OF PUBLIC INSTRUCTION
SCHOOL FINANCE AND ORGANIZATION
SFN 18856 (10-15)

To be completed by the County Committee after the County Hearing

☐ Regular Annexation ☒ Annexation involving an Exchange of Property	Petition Carrier(s) [redacted]		
	Mailing Address [redacted] **Larimore, ND 58251**		
	City **Larimore**	State **ND**	Zip Code **58251**
County Hearing Date **March 27, 2018**	Telephone [redacted]		

After the hearing, the County Committee makes Findings of Fact on every one of the following factors A through P, pursuant to NDCC section 15.1-12-05(4), to which testimony or documentary evidence was directed at the hearing. These Findings of Fact must be based on information provided at the hearing, including the Informational Sheet (SFN 18858) submitted at the hearing by the county superintendent. These Findings of Fact of the County Committee must be included in the packet of information provided to the State Board of Public School Education by the County Committee.

The **County Committees of Nelson and Grand Forks** County (s) hereby makes the following Findings of Fact based upon the testimony and documentary evidence received at the hearing on March 27, 2018, and in accordance with NDCC section 15.1-12-05.

If this annexation involves an exchange of property, state whether the following requirements of NDCC section 15.1-12-02 are met:		
1. Does the signer of the petition reside upon the property sought to be annexed?	☒ Yes	No
2. Has the approval of one qualified elector from each residence within the property to be annexed been obtained?	☒ Yes	☐ No
3. Does the owner of the property in the adjacent district agree to the exchange of property?	☒ Yes	☐ No
4. Is the difference in taxable valuation of the properties involved in the exchange, $1000 or less?	☒ Yes	☐ No
5. Is each property involved in the exchange contiguous to the school district to which it would be annexed?	☒ Yes	☐ No

	Petitioners' School District: **Dakota Prairie #1**	Other School District: **Larimore #44**
A. Value of School Property 1. Sites	$ **8,000**	$ **163,625**
2. Buildings	$ **11,397,000**	$ **16,743,056**
3. Equipment	$ **2,828,985**	$ **3,671,377**
B. 1. Outstanding Bonded Indebtedness	$ **0**	$ **1,415,000**
2. Other Outstanding Indebtedness	$ **0**	$ **0**

Page 2 (12-12)

C 1. Mill Levies **2017**		
Fund Group I – General Fund	Petitioners' School District: **Dakota Prairie #1**	Other School District: **Larimore #44**
General Fund – District Property Tax	**68.86**	**70.00**
Miscellaneous Levy	**1.97**	**12.00**
High School Tuition Levy		
High School Transportation Levy		
Judgment Levy		
Asbestos Levy		
Technology Levy		
Remodeling Levy		
Alternative Education Program Levy		
Fund Group 2 – Special Reserve		
Special Reserve Levy		**3.00**
Fund Group 3 – Capital Projects		
Building Fund Levy		**10.00**
Special Assessments Fund Levy		
Fund Group 4 – Debt Service		
Sinking & Interest Fund Levy		**2.88**
Asbestos Bonding Levy		
Judgment Bonding Levy		
Remodeling Bonding Levy		
Alternative Ed Program Bonding Levy		
HVAC Levy		
TOTAL LEVIES	**70.83**	**97.88**

C 2. The levies for bonded indebtedness to which the petitioned property will be subjected, or from which the petitioned property will be exempted, as provided in NDCC section 15.1-12-08, if the annexation is approved. (Include here a statement addressing what taxes will apply to the petitioned property if the annexation is approved. For example, will the petitioners be responsible for paying all taxes in the district attached to and no taxes in the district detached from, or will the petitioners continue to be responsible for payment on the bonded debt of the district detached from in addition to all the taxes in the district attached to, etc.? Consider NDCC section 15.1-12-08.)

MOTION: Mark Sanford moved that the petitioners assume the tax levies of the district to which the petitioned land is attached, including levies for bonded indebtedness. The petitioners will not be responsible for tax levies of the district from which the petitioned land is detached, including levies for bonded indebtedness.

SECOND: Motion seconded by John Clemens.

VOTE:
Richard Ray Yes
John Clemens Yes
Gerald DeVaal Yes
Mark Sanford Yes

Motion carried by a unanimous vote.

	Petitioners' School District: **Dakota Prairie #1**	Other School District: **Larimore #44**
D. 1. Current Taxable Valuation	$ 21,673,248	$ 14,603,771
2. Taxable Valuation of Petitioned Property (Number of Sections or Acres: 240)	$ 8,390	
3. Taxable Valuation of Property to be Exchanged, if any		$ 9,205
4. Taxable Valuation, If Approved	$ 21,674,063	$ 14,602,956
E. 1. Number of Sections in the Districts	907.30	329.50
2. Geographical Features	Dakota Prairie School District is basically flat and primarily located in Nelson County; parts of it extend into 7 other counties.	Larimore School District is basically flat and primarily located in Grand Forks County west of the Emerado School District.
3. Boundaries	Dakota Prairie's boundaries extend into Walsh, Grand Forks, Griggs, Steele, Eddy, Benson, and Ramsey Counties. It is surrounded by the Fordville-Lankin, Park River Area, Lakota, Devils Lake, Warwick, Midkota, Griggs County Central, Finley-Sharon, Northwood, & Larimore school districts.	Larimore School District is primarily located in Grand Forks County; part extends into Nelson County. It is surrounded by the Midway, Fordville-Lankin, Dakota Prairie, Northwood, Emerado, & GF Air Force Base school districts.

F. Students Attending School (i.e., Enrollment):	Petitioners' School District: **Dakota Prairie #1**	Other School District: **Larimore #44**
Kindergarten	**21**	**31**
Elementary (grades 1-6)	**130**	**173**
Junior High (grades 7-8)	**52**	**55**
High School (grades 9-12)	**85**	**102**
Total Enrollment	**288**	**361**

G. School Buildings:

1 Name, Location (what town?), and Grade Levels Offered	Dakota Prairie Elementary, McVille PK-Gr 6 Dakota Prairie High School, Petersburg Gr 7-12	Larimore Elementary PK-Gr 6 Larimore High School Gr 7-12
2. Condition	Good	Good
3. Distance Students Living in Petitioned Area would have to travel to Attend Schools	Dakota Prairie Elementary 38 miles Dakota Prairie High School 11 miles	Larimore Elementary 16 miles Larimore High School 16 miles

H. Location and Condition of:

1. Roads	County Road 35 – Paved, Good Condition	Roads are pavement with highways east & west & south. There is one mile of gravel from property to pavement.
2. Highways	US Hwy 2, ND Hwy 32, ND Hwy 15: Paved, Good Condition	Co Rd 11, US Hwy 2, ND Hwy 18: Paved, Good Condition
3. Natural Barriers	Winter weather conditions	Snowfall may be problem every once in a while.

I. 1. Names and ages of all children residing on the property to be annexed (by family):

[redacted]

I. 2. Conditions affecting the welfare of students residing on the property to be annexed:

Transportation convenience was important to the family.

One of the children is already open enrolled to Larimore.

	Petitioners' School District: **Dakota Prairie #1**	Other School District: **Larimore #44**
J. Boundaries of other Governmental Entities	Dakota Prairie shares boundaries with the Fordville-Lankin, Park River Area, Lakota, Devils Lake, Warwick, Midkota, Griggs County Central, Finley-Sharon, Northwood, & Larimore school districts.	Larimore shares boundaries with the Midway, Fordville-Lankin, Dakota Prairie, Northwood, Emerado, & GF Air Force Base school districts.
K. Educational needs of communities in each affected district:	Dakota Prairie has Preschool through 12th Grade.	Larimore has Preschool through 12th Grade.

L. Potential savings in:

1. Transportation services	None projected	None projected
2. Administrative services	None projected	None projected

Page 6 (12-12)

M. Change in disparity in per student valuation:

1. Current per student valuation
(Current Taxable Valuation divided by Enrollment) K-12

Difference: $ 34,800.67

$ 75,254.33 $ 40,453.66

2. There are ____3_____ children in the area sought to be annexed, ____1____ of whom are ages 4-17.

Taxable valuation , if approved / Enrollment, if approved = Per student valuation if approved

Use the above formula to determine the per student valuation, if approved, for each school district:

Petitioners' School District: **Dakota Prairie #1**

$21,674,063 / 288 - 0 = $75,257.16 (Per student valuation, if approved)

Other School District: **Larimore #44**

$14,602,956 / 361 + 0 = $40,451.40 (Per student valuation, if approved)

3. Per student valuation, if approved (resulting from computations above, right)

Difference: $ 34,805.76

$ 75,257.16 $ 40,451.40

4. Approval of the annexation will result in an **increase**/~~decrease~~ (cross out one) in the difference in per student valuation by:

$ 5.09

5. Petitioned property's per student valuation

Taxable valuation of petitioned property / Number of students, ages 4-17 living on petitioned property = Per student valuation of petitioned property

$8,390 / 1 = $8,390

N. Potential to equalize or increase the educational opportunities for students in each affected district

Page7 (12-12)

O. All other Relevant Factors:

The petition met all legal conditions for annexation by an exchange of property.

Both school districts were in favor of approving the annexation petition.

Petitioner made efforts to minimize negative impact to Dakota Prairie by choosing to exchange property into Dakota Prairie school district.

Because it is an exchange, the petitioners are not benefitting financially; it is more about convenience.

Superintendent from Dakota Prairie testified in favor of the annexation petition.

No opposition testimony.

Petitioners cannot currently vote for school board or run for school board.

Page 8 (12-12)

Based upon the following reasons, which weighed most importantly to the ____**Grand Forks**_____County Committee, the County Committee (approves/disapproves) (cross out one) (check one of the items listed below):

☐ 1. The annexation of a part of the _____ Public School District to the _____ Public School District.

☒ 2. The annexation involving an exchange of property between the ____**Dakota Prairie**____Public School District and the _____**Larimore**_____Public School District.

Reasons: (The reasons stated here must be included as a part of the motion to either approve or disapprove the annexation. Also, the Findings of Fact in the foregoing A through P must support the reasons.)

FINDINGS OF FACT

Motion: Gerald DeVaal moved that the Grand Forks County School District Annexation & Reorganization Committee accept the Findings of Fact as reviewed and agreed upon.

Second: Motion was seconded by Mark Sanford.

Vote: Mark Sanford - Approve, Richard Ray - Approve, John Clemens- Approve, Gerald DeVaal- Approve, Mike Hanson (Absent).

Motion carried.

PETITION FOR ANNEXATION

Motion: Gerald DeVaal moved that the Grand Forks County School District Annexation & Reorganization Committee **approve** the petition for the following reasons:

--Met all legal conditions for annexation.
--Transportation and convenience.
--Both school districts were in favor.
--Petitioner made efforts to minimize negative impact on Dakota Prairie.
--No opposition testimony.
--Child is already open enrolled to Larimore.

Second: Motion was seconded by Mark Sanford.

Vote: Mark Sanford - Approve, Richard Ray - Approve, John Clemens- Approve, Gerald DeVaal- Approve, Mike Hanson (Absent).

Motion carried.

Date: **March 27, 2018**

County Committee Member Signature

County Committee Member Signature

County Committee Member Signature

County Committee Member Signature

County Committee Member Signature

County Committee Member Signature

County Committee Member Signature

County Committee Member Signature

Page 8 (12-12)

Based upon the following reasons, which weighed most importantly to the ____**Grand Forks**_____County Committee, the County Committee (approves/disapproves) (cross out one) (check one of the items listed below):

☐ 1. The annexation of a part of the _____ Public School District to the _____ Public School District.

☒ 2. The annexation involving an exchange of property between the ____**Dakota Prairie**___Public School District and the _____**Larimore**___Public School District.

Reasons: (The reasons stated here must be included as a part of the motion to either approve or disapprove the annexation. Also, the Findings of Fact in the foregoing A through P must support the reasons.)

FINDINGS OF FACT

Motion: Gerald DeVaal moved that the Grand Forks County School District Annexation & Reorganization Committee accept the Findings of Fact as reviewed and agreed upon.

Second: Motion was seconded by Mark Sanford.

Vote: Mark Sanford Approve, Richard Ray Approve, John Clemens Approve, Gerald DeVaal Approve
Mike Hanson (Not present)
Motion carried.

PETITION FOR ANNEXATION

Motion: Gerald DeVaal moved that the Grand Forks County School District

Annexation & Reorganization Committee Approve the petition for the following reasons:

1. Met all legal conditions for annexation.
2. Transportation and convenience.
3. Both school districts were in favor.
4. Petitioner made efforts to minimize negative impact on Dakota Prairie.
5. No opposition testimony
6. Child is already open enrolled to Larimore.

Second: Motion was seconded by Mark Sanford.

Vote: Mark Sanford Approve, Richard Ray Approve, John Clemens Approve, Gerald DeVaal Approve
Mike Hanson (Not present)
Motion carried.

Date: **March 27, 2018**

County Committee Member Signature: Richard Ray

County Committee Member Signature: John H Clemens

County Committee Member Signature: Gerald DeVaal

County Committee Member Signature: Mark Sanford

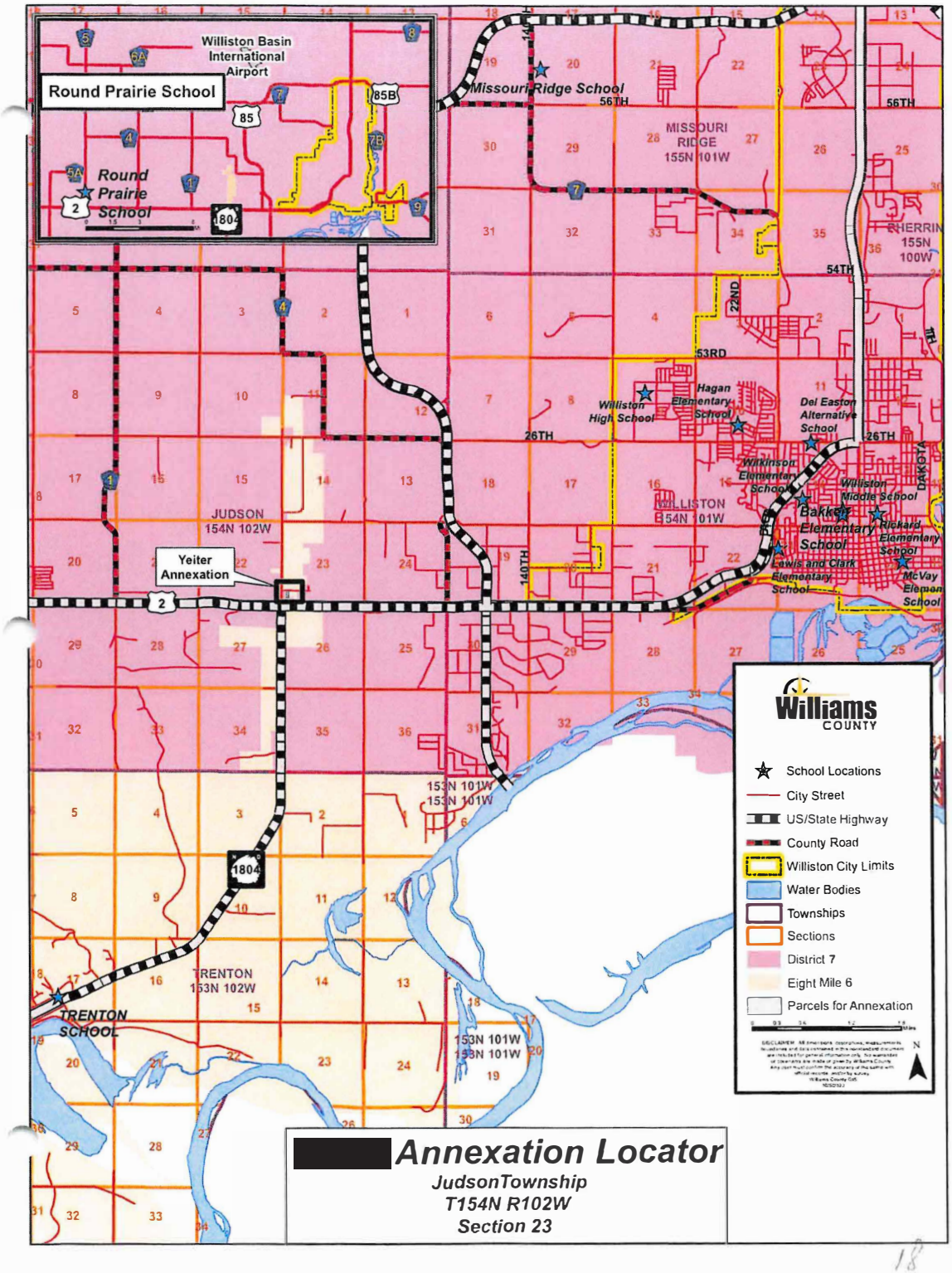
County Committee Member Signature

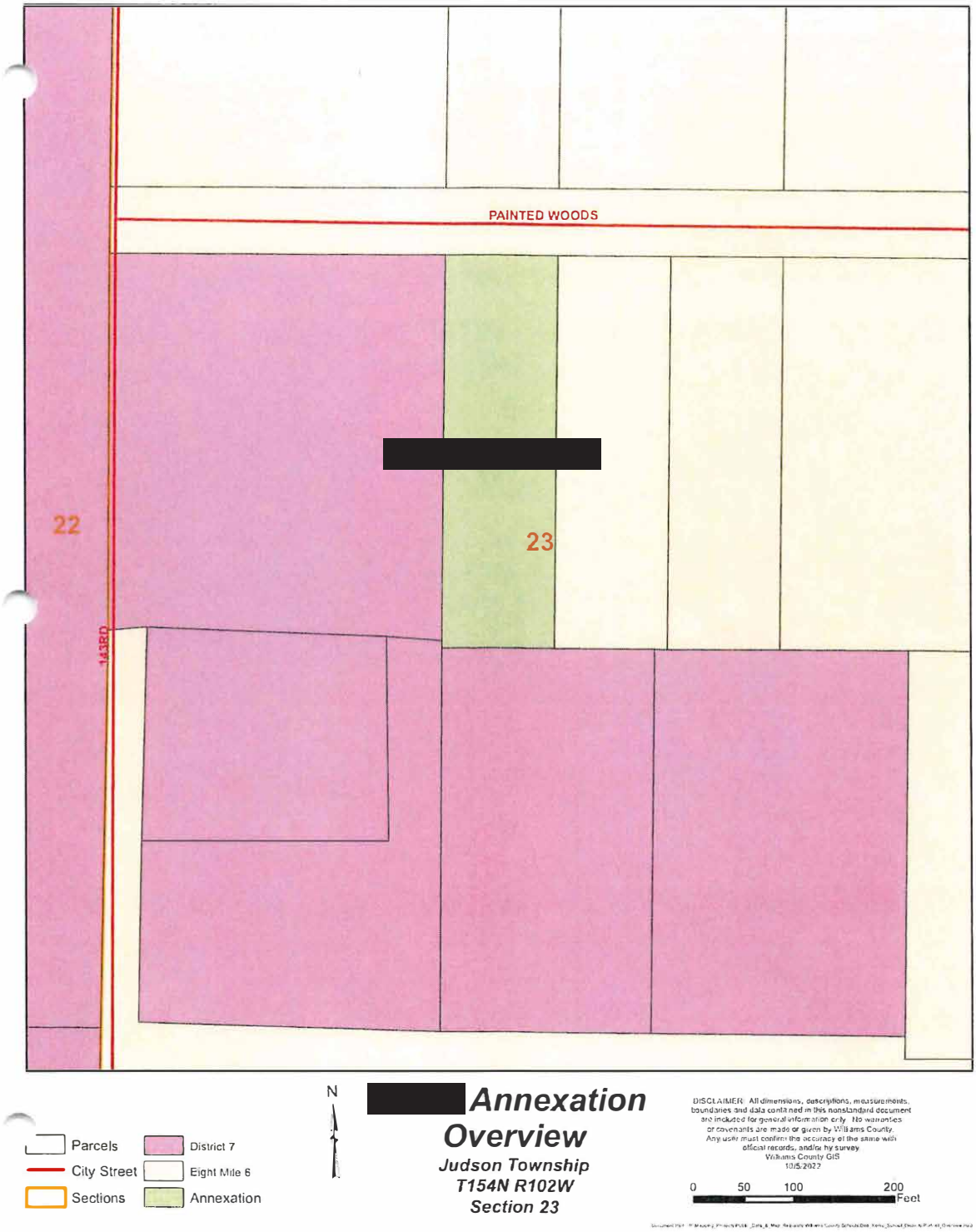
County Committee Member Signature

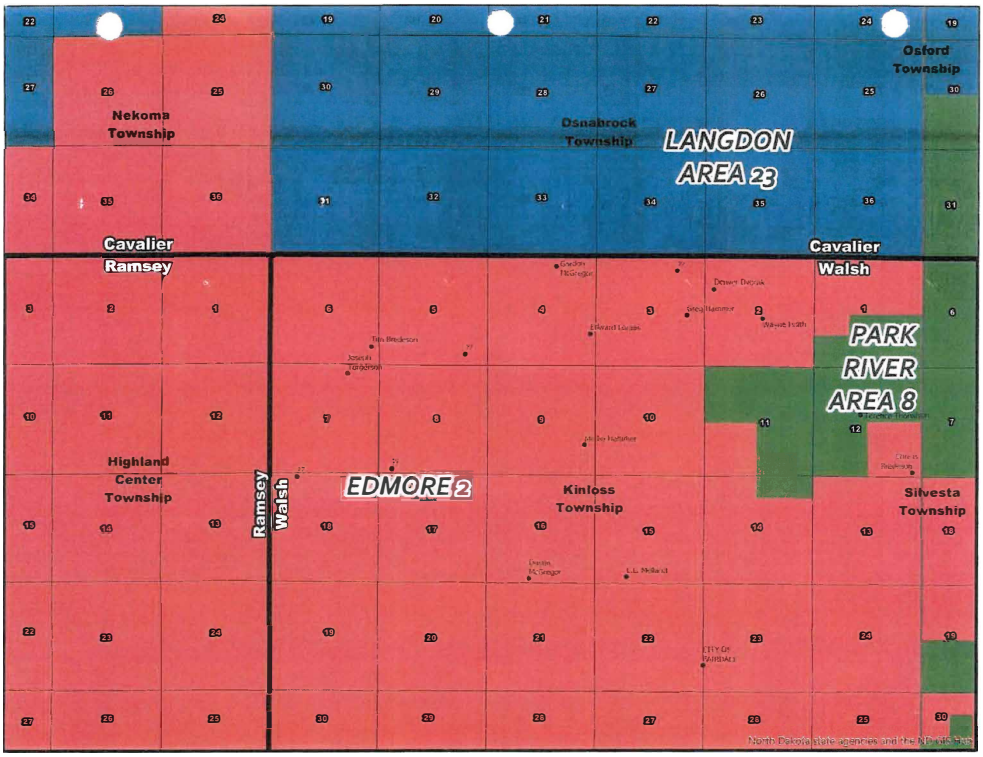
County Committee Member Signature

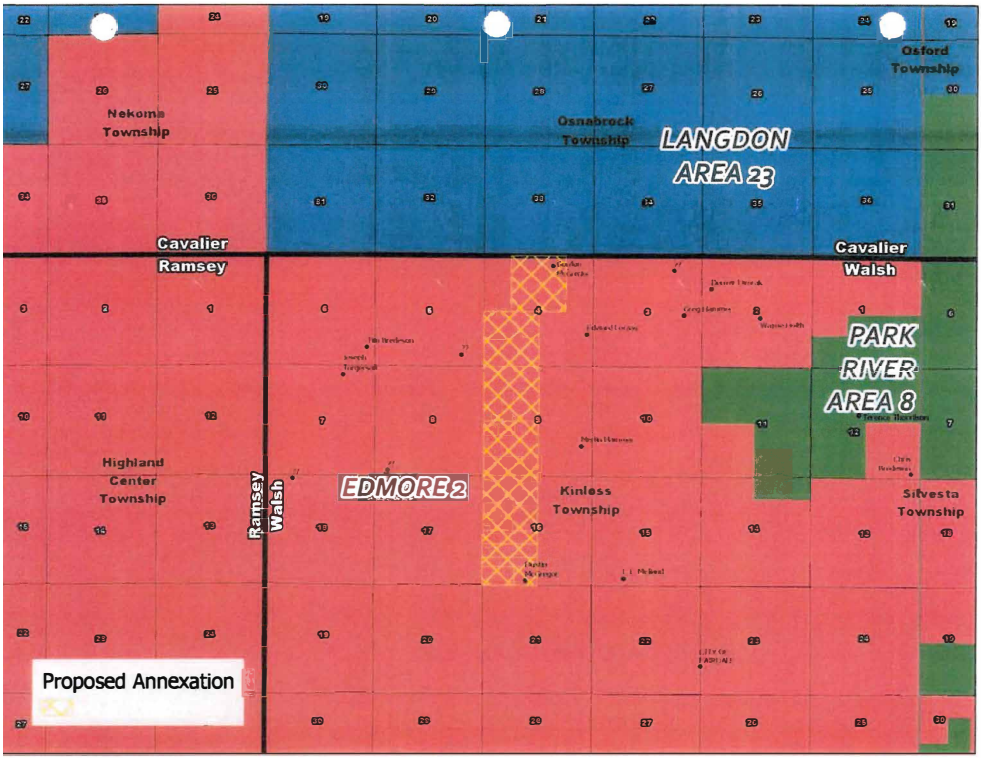
County Committee Member Signature

Appendix 6: Sample Maps




PAINTED WOODS
22
23
143RD
Parcels
City Street
Sections
District 7
Eight Mile 6
Annexation
N
[redacted] Annexation Overview
Judson Township
T154N R102W
Section 23
DISCLAIMER: All dimensions, descriptions, measurements, boundaries and data contained in this nonstandard document are included for general information only. No warranties or covenants are made or given by Williams County. Any user must confirm the accuracy of the same with official records, and/or by survey.
Williams County GIS
10/5/2023
0 50 100 200
Feet


Nekoma Township
Osnabrock Township
LANGDON AREA 23
Osford Township
Cavalier Ramsey
Cavalier Walsh
PARK RIVER AREA 8
Highland Center Township
Ramsey
Walsh
EDMORE 2
Kinloss Township
Silvesta Township


Nekoma Township
Osnabrock Township
LANGDON AREA 23
Osford Township
Cavalier Ramsey
Cavalier Walsh
PARK RIVER AREA 8
Highland Center Township
Ramsey
Walsh
EDMORE 2
Kinloss Township
Silvesta Township
Proposed Annexation

Appendix 7: Sample County Committee Meeting Minutes

Williams County
Committee for School District Annexations, Dissolutions and Reorganizations - May 06, 2022
[redacted] Annexation Hearing Minutes
1:00 - Thursday, November 10, 2022
Williams County Commission Room in the Williams County Administration Building

Ryan Geltel, Williams County Reorganization Board (Virtually) - Chairman
Barb Grev, Williams County Reorganization Board
Chrissey Naasz, Williams County Reorganization Board
Jennifer Sumners, Williams County Reorganization Board - Vice-chair
Tom Wheeler, Williams County Reorganization Board (Virtually)
Jodi Johnson, Williams County Supt. of Schools Designee (Virtually)
Deb Kemp, Williams County Schools Administrative Assistant
Karen Prout, William's County Assistant State Attorney
Petitioners: Michelle Yeiter

The Williams's County Committee for School Annexations, Dissolutions, and Reorganizations met in the Williams County Administration Building in the Williams County Commission Room on Thursday, November 10, 2022 at 1:00pm.

A. CALL TO ORDER/ROLL CALL

Barb called the meeting to order. Barb called for roll call for introductions of committee. Deb Kemp called Chrissey Naasz "Here"; Barb Grev "Here"; Jennifer Sumners "Here"; Tom Wheeler "Here"; Ryan Geltel "Here"; Jodi Johnson "Here" and Deb Kemp introduced herself.

B. ORGANIZATION OF COMMITTEE

Barb stated they have one order of business to do and that is elect a chairman and a vice-chairman for the board. Barb called for nominations for chairman of the committee. Jennifer nominated Ryan Geltel. Tom second the nomination. Barb stated they have a motion for nomination for Ryan as chairman and a second. Barb asked if there was any discussion. No discussion so Barb called for a roll call vote. Deb Kemp called Chrissey Naasz "Yes"; Barb Grev "Yes"; Jennifer Sumners "Yes"; Tom Wheeler "Yes" and Ryan Geltel "Yes". Deb stated let the record show 5 in favor 0 against. Deb stated motion passes. Ryan was attending virtually so Barb continued with the meeting.

Barb stated will call for nominations for vice-chairman. Chrissey stated would like to nominate Jennifer Sumners. Barb asked for any other nominations. Tom nominated Barb Grev. Ryan second. Barb called for a roll call vote. Deb Kemp called Chrissey Naasz "Jennifer Sumners"; Barb Grev "Jennifer Sumners"; Jennifer Sumners "Jennifer Sumners"; Tom Wheeler "Barb Grev" and Ryan Geltel "Jennifer Sumners". Deb stated let the record show 4 in favor of Jennifer Sumners and 1 in favor of Barb Grev. Jennifer Sumners is the new vice-chair.

C. INTRODUCTION OF LAWYER FROM WILLIAMS COUNTY STATE ATTORNEY'S OFFICE

Jennifer Summers (new Vice-Chair) asked for Karen Prout, William's County Assistant State's Attorney, to review the petition for compliance with the law so that the committee could consider the annexation.

Karen introduced herself. Karen stated this is a petition to have property that is in the Williston Basin School District #7 annexed to Eight Mile School District #6 in Trenton (sometimes referred to as Trenton School District). Karen stated she had reviewed the [redacted] petition, and it was filed with the Williams County Superintendent of Schools Designee, who is the administrative office for this petition. Karen stated the petition did identify all properties to be annexed before circulation.

Karen stated the petition does identify one child living in the area to be annexed, who will be school age in the upcoming school year. Karen stated the parents do intend to send the child to Eight Mile School District #6 during the school year following the effective date of this annexation if approved. Karen stated the legal notice of the hearing was published in the Williston Herald at least 14 days before todays hearing date.

Karen stated the area to be annexed is a single area contiguous to the Eight Mile School District #6 (boundary). Karen stated the property to be annexed does not constitute an entire school district. Karen stated 2 out of 2 of the qualified electors living in the area to be annexed has signed the petition so that meets the 2/3rds requirements of the law.

Karen stated a public hearing is being held today in accordance with ND law. Karen stated that she recommends that they (the committee) hear this petition as it does meet the statutory requirements under North Dakota law. Karen asked if any questions and no questions were asked. Jennifer thanked Karen.

D. INTRODUCTION OF PETITION FOR ANNEXATION

Jennifer called for Deb Kemp, Williams County School Administrative Assistant to review the Yeiter petition.

Deb introduced herself. Deb stated Jodi wasn't able to attend in person today (due to snowstorm) but is attending virtually if anyone has any questions for her. Deb stated Jodi asked for me to speak for her today. Deb stated on page 7 of the packet is the [redacted] petition. Deb stated the petitioners [redacted] are wanting to annex property from Williston Basin School District #7 to Eight Mile School District #6. Deb stated both school districts are located in Williams County.

Deb stated the petition shows the property description listed and it is a single area that is contiguous to the Eight Mile School District #6. Deb stated the legal description includes 1 lot and including 12 feet from the parcel beside it. Deb stated she included the warranty deed on pages 25 and 26 since the legal description is quite lengthy. Deb stated this is only one parcel.

Deb stated the map for this annexation is on page 18, there is an overall view of where the parcel is located. Deb stated on page 19, in that light green rectangle is the area being annexed.

Deb stated the petition identifies 1 school age child living in the area and is currently attending Trenton Middle School. Deb stated both people are qualified electors who signed the petition. There were no questions for Deb.

E. TESTIMONY FROM THE PUBLIC
Testimony for the Petition:

Jennifer stated will now go for testimony for or against the petition. Jennifer stated will start with testimony for the petition. Jennifer stated when they come up to the podium, please sign your name and mark if you are for or against and please speak into the mic for the record.

[redacted] introduced herself. [redacted] stated her husband, [redacted] couldn't be here because he couldn't get the time off for work. [redacted] stated they moved here to North Dakota in July of 2009 from Michigan. [redacted] stated she was pregnant with her son and her daughter had just turned 5. [redacted] stated their first year here they lived in town and her daughter who was in kindergarten attended Rickard Elementary School (was District #1 at the time and is now District #7).

[redacted] stated she found out there was no busing for Williston. [redacted] stated where she grew up there always was. [redacted] stated fortunately, they lived close enough to walk as they only had one vehicle. [redacted] stated in July 2010 they moved to their current location on [redacted] Drive and was happy to find out that the Trenton School (Eight Mile #6) provided busing which stopped right in front of their house.

[redacted] stated where they live is about half ways between Williston and Trenton. [redacted] stated they switched their daughter to Trenton School the following school year. [redacted] stated the option to keep her in District #7 was to drive her into town which now they were 7 miles out of town and that did not make sense.

[redacted] stated she was a stay at home mom at the time and she did that for about 3 years. [redacted] stated her husband went to work before 7:00 am. [redacted] stated so to go to school where she would drive her everyday or go to a school that

would provide busing and drop her off right in front of their house. [redacted] stated that was an easy decision for them.

[redacted] stated her husband and her both work full time and would have to drive to school twice a day. [redacted] stated it would impact them financially as she would have to leave work early and show up late. [redacted] stated their daughter who was going into first grade at that time has since graduated high school from Trenton and her son who is currently 7th grade has spent his whole school life at Trenton School.

[redacted] stated they have been an active family attending sports and socializing with other families as well. [redacted] stated knowing the staff at the school quite well, it would be quite devastating for her son to have to leave the only school he has only known, his lifelong friends and routine. [redacted] stated he is active in sports and plays basketball and football for the school. [redacted] stated her kids have attended District #6 since 2010.

[redacted] stated it makes sense that their taxes go to that school and that they could vote on issues and possibly be a school board member if she so chooses (if the annexation were to pass). [redacted] stated they love that the school is a K through 12th grade school in one building. [redacted] stated she likes that there is only 1 class for each grade. [redacted] stated that they know all their classmates. [redacted] stated she believes that there is more one on one time with the kids because of the smaller classes.

[redacted] stated the teachers have gotten to see her children grow from 6 years old and she has teachers asking her all time about how her daughter is since she graduated. [redacted] stated there is a sense of family. [redacted] stated when it is all said and done for her family it just makes sense that they are legally part of Eight Mile School District #6. [redacted] stated that she hopes that they (the committee) will see it that way also. [redacted] stated thank you. Jennifer asked if anyone had any questions for [redacted]. No questions were asked.

Jennifer asked for any more testimony for the petition and hearing none then will move onto testimony against the petition.

Testimony Against the Petition:

Jennifer asked if any testimony against the petition; asked again if any testimony against the petition. Jennifer stated hearing none will move to the testimony relative to the equitable adjustment of all property, assets, debts & liabilities among districts involved if petition is approved.

F. TESTIMONY FROM THE COMMITTEE

Jennifer called on Deb.

On page 9, Deb stated it is a regular annexation and not one involving an exchange of property. Deb stated listed below is the value of the school property sites, buildings and equipment for Williston Basin School District #7 and Eight Mile School District #6 and outstanding bonded indebtedness and other outstanding indebtedness for both school districts.

On page 10, Deb reviewed the mill levies that she received from the Williams County Finance Department. Deb stated go down to Fund Group #4-Debt Service. Deb stated the Williston Public School District #1 and Williams County School District #8 were reorganized into Williston Basin School District #7. Deb stated part of that reorganization was the agreement that the old School District #1 would pay off the debt of the Williston High School. Deb stated that is why the Old SD #1 has 25 mills and the old District #8 does not have to pay that debt off. Deb stated so they can see the totals below with old SD #8 with a total of 95.09 mills and the old SD #1 120.09 mills. Deb stated they can see the total mills for the Eight Mile School District #6 is 141.26

On page 11, Deb reviewed the taxable values and what the new values would be for each school district if the annexation was approved. Deb reviewed the sections in the district and the geographical features and boundaries.

On page 12, Deb reviewed the fall enrollment numbers and the location, condition, and distance of the school buildings. Deb reviewed the location and condition of the roads, highways, and natural barriers.

On page 13, Deb reviewed the child's name, age, what grade he is in this year and what school he is attending. Deb reviewed the boundaries of other governmental entities and the educational needs of the communities. Deb stated there isn't any transportation savings for Williston Basin #7. Deb stated there is a potential savings of transportation services to District #6 because they would be reimbursed for the miles if the annexation is approved. Deb summarized that there would not be savings projected with the approval of the annexation in administrative services for either school district.

On page 14, Deb went on to discuss how she found the per student valuation by dividing the taxable value and dividing it by the enrollment. Deb explained what the taxable value and per student value would be if the committee approved the annexation. Deb reviewed the differences and what each child was worth. No questions of Deb.

G. ADDITIONAL TESTIMONY FROM THE PUBLIC

Jennifer asked for any additional testimony for or against the petition. Jennifer asked again and then stated seeing none the committee will complete the findings of fact.

H. COMPLETE FINDING OF FACTS FORM BY THE COUNTY COMMITTEE

Jennifer stated that she will direct the committee through the findings of fact.

On Page 9 Jennifer asked for any changes or comments. No comments or changes.

On Page 10 Jennifer asked for any changes or comments. No comments or changes

On Page 11 Jennifer stated the committee needs to make a decision on C2 regarding the taxes of the school district. Barb stated that if the annexation is approved that the petitioners will be responsible for paying all taxes in the school district attached to and no taxes to the school district detached from. Barb stated the petitioners would not be responsible for the bonded indebtedness from the school district detached from but responsible for bonded indebtedness of the school district attached to.

On Page 12 Jennifer asked for any changes or comments. No changes or comments.

On Page 13 Jennifer asked if there were any comments of the conditions affecting the welfare of students residing on the property to be annexed. Barb stated the student ([redacted]) who is involved in this annexation has attended this school his entire life, it is his community there. Barb stated it is a smaller school than what would be in District #7. Barb stated the busing it comes right to their door and there is no busing for them if they were in District #7.

Chrissey stated smaller class size she believes is relevant and parent feels this is as well.

On Page 14 Jennifer asked for any comments of the potential to equalize or increase the educational opportunities for students in each affected district. No comments or changes

On Page 15 Jennifer asked if there were any other relevant factors. Ryan stated there was no opposition. Chrissey stated the petitioner mentioned that she wanted her tax dollars to go to the school district her child was attending, to be able to vote and to possibly run for school board which she would need to join her school district to do that. Jennifer asked for any other comments.

Jennifer stated with no other comments, she entertains a motion to accept the changes that have been made in the Findings of Fact. Ryan stated that he motions to approve all the changes that have been made in the Findings of Fact. Jennifer asked if there was a second to that motion. Barb second the motion. Jennifer asked for any discussion. No discussion. Jennifer stated all in favor say "Aye"; all opposed same sign. Jennifer stated motion carries. (Motion passes 5 in favor, 0 against).

Jennifer stated she entertains a motion to approve or disapprove the annexation. Ryan moved to approve the [redacted] annexation based on the findings of fact. Jennifer asked for a second. Chrissey second the motion. Jennifer asked for any discussion and there was no discussion. Jennifer asked for Deb to do a roll call vote. Deb called Chrissey Naasz "Yes"; Barb Grev "Yes"; Jennifer Sumners "Yes"; Tom Wheeler "Yes", and Ryan Geltel "Yes". Deb stated let the record show 5 in favor, 0 against. Deb stated motion passes.

I. NEXT STEPS

Nothing was discussed.

J. ADJOURNMENT

Meeting was adjourned at 1:26 p.m.

Public Hearing – August 7, 2019 – 10:00 AM
Ramsey County Courthouse
[redacted] – Petition for Annexation of Property
Edmore School to Langdon Area School

The following were present at the hearing:

Ramsey County Education Committee Members:
Kadie Nadeau
Elizabeth Fischer
Kristi Trottier
Kandy Christopherson
Kari Agotness – State's Attorney
Lisa Diseth – Supt. of Schools Designee

Cavalier County Committee Members:
Doug Klein
Melissa Anderson
Dwight Bassingthwaite
Dawn Roppel
Scott Stewart – State's Attorney
Lisa Gellner – Supt. of Schools Designee

Others Present:
[redacted] - Petitioner
[redacted]
Doug Freije – Edmore School Board

Kari Agotness, Ramsey County State's Attorney, started the hearing by asking Lisa Diseth if she had any opposition to the Petition filed as of August 6, 2019 at 5:00 PM. Diseth stated she did not. Agotness confirmed that the petition had been reviewed and had been properly filled out and filed with the Ramsey County Supt. of Schools.

Kadie Nadeau was selected as Chair; Dwight Bassingthwaite was selected as Vice Chair

Lisa Diseth proceeded to read the petition.

[redacted], Petitioner, testified on why he was petitioning. [redacted] stated his wife works in Langdon; that the Langdon School was a better fit for his son for developmental reasons and has already attended preschool in Langdon, and will be attending Pre-K in Langdon this fall, making it a good fit for him to enroll also start school in Langdon.

Scott Stewart, Cavalier County State's Attorney, asked Diseth if the individuals signing the petition were the only electors residing on the property to be annexed. Diseth responded "yes".

The Informational Sheet was reviewed, to include the value of the proposed property to be annexed and the reasons listed for the annexation. Scott Stewart asked if there were any factors to include under item "N." of the Informational Sheet, and Diseth stated "No".

[redacted] stated he did not want to open enroll his children in the Langdon School due to the fact that the bus would not come to their yard unless they were in the school district.

There was discussion regarding the annexation among each of the education committees prior to a roll call vote being taken. All member present representing the Cavalier County and Ramsey County Education Committees voted in favor of the annexation.

The Finding of Fact were signed by the committee members.

At 10: 30 AM the hearing was adjourned.

MEETING MINUTES - PUBLIC HEARING FOR TESTIMONY
PETITION FOR ANNEXATION BY EXCHANGE OF PROPERTY

Tuesday, March 27, 2018 Larimore High School Lunch Room, Larimore, ND

RE: ANNEXATION OF TERRITORY BY EXCHANGE OF PROPERTY BETWEEN DAKOTA PRAIRIE SCHOOL DISTRICT #1 AND LARIMORE SCHOOL DISTRICT #44

PRE-TESTIMONY

David Morken, Chairman of the Nelson County School District Annexation and Reorganization Committee called the meeting to order at 7:30 p.m. Members of the Nelson County and Grand Forks County Committees were introduced as follows:

NELSON COUNTY COMMITTEE	GRAND FORKS CO. COMMITTEE
David Morken, Chairman	Richard Ray, Chairman
Karen Retzlaff, Vice Chairperson	Mark Sanford, Member
Kristi Berdal, Member	John Clemens, Member
Naomi Ferguson, Member	Gerald DeVaal, Member
Susan Schultz, Member (absent)	Mike Johnson, Chairman (absent)
Jayme Tenneson, States Attorney	David Jones, States Attorney
Sharon Young, Co. Supt of Schools/Secretary	David Godfread, Co. Supt. of Schools/ Secretary

A quorum for both county committees was declared.

Chairman Morken asked for a motion to approve the minutes from the last meeting of the Nelson County Committee. Nelson County Committee member Naomi Ferguson moved that the minutes of the June 10, 2008 annexation hearing ([redacted] petition) be approved as distributed; motion seconded by Kristi Berdal. Motion carried.

Chairman Morken read through the handout "Guidelines for County Committee Annexation Hearing".

Jayme Tenneson, Nelson County States Attorney, spoke to the sufficiency of the petition. He certified that:

- The Petition for Annexation by Exchange of Property is covered by Chapter 15.1-12 of the ND Century Code.
- The petition was filed with the Nelson County Superintendent of Schools on February 8, 2018. The date it was signed was February 6, 2018. It was filed with Nelson County as the administrative offices for the Dakota Prairie School, where the property exists, is in Nelson County.
- The petition did identify all property to be exchanged before circulation.
- The signers of the petition ([redacted]) do reside on the property to be annexed.

- Two of the two qualified electors living in the area to be annexed signed the petition. Signatures statutorily must constitute 2/3rds of the qualified electors residing on the property to be annexed.
- The property to be exchanged must be approved by the landowner. The property in the adjacent district to be exchanged is owned by the petitioner, [redacted].
- The difference in taxable valuation of the properties involved in the exchange does not exceed $1000. The difference is $815.
- Each property involved in the exchange is contiguous with the school district to which it is being annexed.
- The area to be annexed is a single area that is contiguous to the Larimore Public School District. The area to exchanged is a single area that is contiguous to the Dakota Prairie Public School District.
- The property to be annexed does not constitute an entire school district.
- The petition identifies three children who are living in the area to be annexed with one of them being school age ([redacted]) in the upcoming 2018-2019 school year.
- The parents intend to send the children to the Larimore Public School upon approval of this petition.
- Due notice was given 14 days prior to the hearing. The notice was published March 8, 2018 in the *Lakota American* (Official Newspaper of Nelson County) and March 8, 2018 in the *Grand Forks Herald* (Official Newspaper of Grand Forks County).
- This public hearing is being held in accordance with North Dakota Century Code 15.1-12.
- It is my recommendation to hear the petition as it meets the requirements of North Dakota Law under Chapter 15.1-12 of ND Century Code.

Mark Sanford moved that the sufficiency of the petition be accepted as presented by the Nelson County States Attorney. Richard Ray seconded the motion. Motion carried.

HEARING FOR TESTIMONY

Chairman Morken opened the Hearing for Testimony on the petition for annexation. Nelson County Supt. of Schools Sharon Young read the petition for annexation and asked that it be entered into the minutes of the hearing. Richard Ray made a motion that the petition for annexation be entered into the minutes of the Hearing. Mark Sanford seconded the motion. Motion carried.

Sharon Young presented the "Informational Sheet for Annexations", Form SFN 18858, and "Affidavits of Publication of the Legal Notice of Public Hearing" and asked that they be entered into the Hearing as evidence. Kristi Berdal made a motion that the "Informational Sheet for Annexations" and "Affidavit of Publication…" be entered as evidence from Nelson County. Naomi Ferguson seconded the motion. Motion carried. Gerald DeVaal made a motion that the "Informational Sheet for Annexations" and "Affidavit of Publication…" be entered as evidence from Grand Forks County. Mark Sanford seconded the motion. Motion carried.

TESTIMONY IN FAVOR OF PETITION

[redacted], petitioner owner of property ([redacted])

(DOCUMENT ATTACHED OF TESTIMONY SUBMITTED BY LILLIE NUSVIKEN. TESTIMONY WAS READ INTO THE RECORD BY SHARON YOUNG, NELSON CO. SUPT. OF SCHOOLS.)

Wayne Nusviken, petitioner

(DOCUMENT ATTACHED OF TESTIMONY SUBMITTED BY [redacted])

QUESTION FROM COMMITTEE: It is your intention to enroll your daughter who is in Kindergarten this year in Larimore next year regardless of the decision made here tonight?

RESPONSE: Yes.

QUESTION FROM COMMITTEE: Looking down the line, you are aware that the Dakota Prairie High School, which is in Petersburg, is probably mileage-wise as close to you or closer than Larimore?

RESPONSE: Yes, I actually went to high school in Petersburg, so I realize that when they go from the elementary to high school, it will get closer. But it's so many miles in between down to the elementary school, in case of bad weather there are lots of miles with hardly any people there. Hardly any houses to stop by if the weather gets bad or the bus has problems. It's almost in the middle of nowhere. That's our biggest concern.

Jay Slade, Supt. - Dakota Prairie Public School

(DOCUMENT ATTACHED OF TESTIMONY SUBMITTED BY JAY SLADE)

Dr. Steve Swiontek, Supt. - Larimore Public School
(PROVIDED TESTIMONY VERBALLY – NO WRITTEN COPY PROVIDED)

Speaking on behalf of the Larimore Public School Board, we are in favor of this annexation exchange, and we welcome the [redacted] family to our school district if it is the desire of this board to make that happen.

QUESTION FROM COMMITTEE: Do you provide bus transportation to all students that open enroll to your school, or is it based on individual situations?

RESPONSE: It's based on individual situations depending on the distance that they are from the school buildings.

QUESTION FROM COMMITTEE: Do you have any idea the number of students open enrolled into Larimore and out of Larimore?

RESPONSE: No. I've only been here for 8 months and so I don't have all those numbers in my head.

TESTIMONY AGAINST PETITION

(None)

ADDITIONAL TESTIMONY/INFORMATION RELATIVE TO PETITION

(None)

Mark Sanford made a motion that the Hearing for Testimony be closed. Karen Retzlaff seconded the motion. Motion carried. Hearing for Testimony closed at 8:06 p.m.

POST TESTIMONY

The Nelson County Committee and the Grand Forks County Committee made independent Findings of Fact For Annexations on factors A-O pursuant to NDCC 15.1-12-05 (4). The Nelson County Committee moved to approve the petition for annexation by a vote of 4-yes, 0-no. The Grand Forks County Committee moved to approve the petition for annexation by a vote of 4-yes, 0-no. The motions and supporting reasons for the action of each committee are recorded in "Findings of Fact for Annexations", Form SFN 18856, page 8.

OTHER BUSINESS

Nelson Co. Supt. of Schools Sharon Young reviewed the next steps with regards to the petition, including a hearing at the state level or a review of the record of the county committee.

Richard Ray made a motion to adjourn, seconded by Gerald DeVaal. The meeting adjourned at 8:55 p.m.

Respectfully submitted

Sharon Young

Sharon Young, secretary
Nelson County Committee

Appendix 8: Sample Affidavits of Publication

Williston Herald

AFFIDAVIT OF PUBLICATION

Heather Mayer 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 three days a week in the county of Williams, State of North Dakota, and of gereral circulation in the City of Willistion, County of Williams, State of North Dakota and elsewhere, and the hereto attached

Yeiter Annexation

was printed and published correctly in the regular and entire issue of said Williston Herald Media for 1 issues, that the first was made on the 14th day of October 2022 that said publication was made on each of the following dates to wit:

Publication Dates:
14 Oct 2022

Request of
Deb Kemp

Williston Herald Media

Subscribed and sworn to before me this October 12, 2022

Office Assistant

VERIFICATION

STATE OF NORTH DAKOTA
COUNTY OF WILLIAMS

Signed or attested before me on this

14 day of October, A.D. 20 22.

Notary public in and for the County of Williams, State of North Dakota

SEAL

KRISTIN KENNEDY
NOTARY PUBLIC for the
State of Montana
Residing at Sidney, Montana
My Commission Expires
September 23, 2023

My Commission Expires: September 23, 2023

Public Notice
School Annexation Hearing

Notice is given that a public hearing will be held by the Williams County Committee for School District Annexations, Dissolutions, and Reorganizations, on Thursday, November 10, 2022, at 1:00 pm in the Williams County Administration Building, located at 206 E Broadway, Williston, ND, in the Williams County Commission Room (basement floor). A virtual option will be offered if you cannot or do not wish to attend in person. The public hearing will be held for the purpose of considering a petition for annexing a territory to Eight Mile School District #6 from Williston Basin School District #7. Both school districts are located primarily in Williams County

The Petition describes the territory to be annexed as the following:

The property listed below is in the Judson Township 154 North, Range 102 West, of Williams County of North Dakota. Section 23, Lot 9, Painted Woods Subdivision AND
The East 12 feet of a parcel of land situated in the SW1/4SW1/4 Section 23, Township 154 North, Range 102 West of the 5th P.M., Williams County, North Dakota:
Beginning at a point 478.0 feet North of the Southwest Section corner of said Section 23, which point being on the West line of said Section 23; thence continuing North along said West line of said Section 23 a distance of 388.0 feet; thence Easterly and parallel with the South line of said Section 23 a distance of 336.80 feet; thence South and parallel with the West line of said Section 23 a distance of 388.0 feet; thence Westerly and parallel with the South line of said Section 23 a distance of 336.80 feet to the point of beginning.

Information about how to access and/or participate in the public hearing by virtual means will be provided on the Williams County Website (williamsnd.com) as soon as this information is available, so please check the County website for updates. This hearing is held in accordance with the North Dakota Century School Code Chapter 15.1-12 and by order of the Williams County Committee for School District Annexations, Dissolutions, and Reorganizations

Jodi Johnson, Secretary of the Williams County Committee for School District Annexations, Dissolutions, and Reorganizations
Williams County School Superintendent Designee

Legal # 0022 - Published
October 14, 2022

PUBLIC HEARING NOTICE

FOR SCHOOL DISTRICT ANNEXATION

Notice is hereby given that a public hearing will be held by the Ramsey County & Cavalier County Reorganization & Annexation Boards, August 7th 2019 (Wednesday) at 10:00 a.m. in the basement meeting room of the Ramsey County Courthouse , Devils lake ND for the purpose of considering a petition for annexing a partial of land to Langdon School District #23 in Cavalier County ND

The Board will receive testimony in accordance with NDCC 15.1-12.

The petition describes the territory to be annexed as that area that lies to wit:

E1/2NW1/4,	W1/2NE1/4	4	158	59
SW1/4		4	158	59
NW1/4		9	158	59
SW1/4		9	158	59
NW1/4		16	158	59
SW1/4		16	158	59

Currently in the Edmore School District #2, Ramsey County, ND (real property in Walsh County)

This territory is contiguous to the Langdon School District #23 , Cavalier County, ND

This hearing is held in accordance with the NDCC15.1-12-05 dated at Devils Lake, ND on August 7th, 2019.

By order of the Ramsey County, Cavalier County Reorganization & Annexation Boards & Supt of schools of each County.

AFFIDAVIT OF PUBLICATION

Matter Lines	37.	lines.
First Time Line Rate	.88.	per line
Subsequent Line Rates	.....	.....
Tabulated Lines	.....	.....
First Time Line Rate	.....	.....
Subsequent Line Rates	.....	.....
Column Inches	.....	.....
First Time Inch Rates	.....	.....
Subsequent Inch Rates	.....	.....

Publication Fee $ 32.56

Received Payment _____

STATE OF NORTH DAKOTA, County of Ramsey } ss.

No. 2308

Kristi L. Olson of said State and County being first duly sworn, on oath says:

That { she / ~~he~~ } is the { Advertising Clerk ✓ / Advertising Manager / General Manager } of the DEVILS LAKE JOURNAL

publishers of the Devils Lake Journal, a daily newspaper of general circulation printed and published in the City of Devils Lake, in said County and State and has been during the time hereinafter mentioned, and that advertisement of

School District Annexation a printed copy of which is hereto annexed, was printed and published in every copy of 1 issues of said newspaper, for a period of 1 ~~consecutive~~ day, to-wit:

7-22-19

and that the full amount of the fee for the publication of the annexed notice inures solely to the benefit of the publishers of said newspaper; that no agreement or understanding for a division thereof has been made with any other person and that no part thereof has been agreed to be paid to any person whomsoever and the amount of said fee is $ 32.56;

That said newspaper was, at the time of the aforesaid publication, qualified in accordance with the law of the State of North Dakota to do legal printing in said County and State.

Kristi L Olson

Subscribed and sworn to before me this 22nd day of July A. D. 2019

Jolette Korb

Notary Public, Devils Lake, N. D.

JOLETTE KORB
Notary Public
State of North Dakota
My Commission Expires May 21, 2020

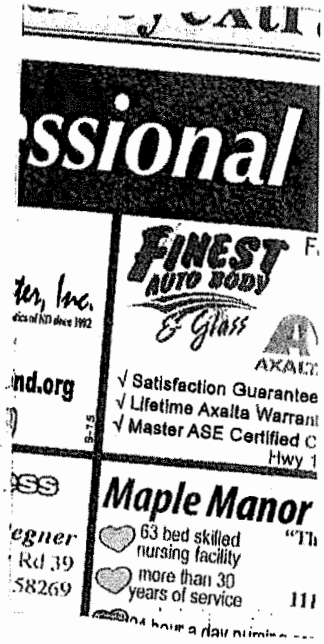
Affidavit of Publication

STATE OF NORTH DAKOTA, } ss.
County of Cavalier

Melissa Anderson, being first duly sworn, says that she is a typesetter of that certain newspaper known as Cavalier County Republican, that said newspaper is a paper of general circulation, is printed and published weekly at Langdon, North Dakota, in said county of Cavalier, and is qualified to do legal printing; that the printed copy of

PUBLIC HEARING
CAVALIER COUNTY AUDITOR

to which this affidavit is annexed was printed and published in each copy of every issue of said paper for and during the period of ONE successive weeks, the time when publication of such notice was made being as follows, to-wit:



First Publication July 22, 2019 (.69 per line)

Second Publication 2019 (.69 per line)

Third Publication 2019 (.69 per line)

Fourth Publication 2019 (.69 per line)

Fifth Publication 2019 (.69 per line)

Sixth Publication 2019 (.69 per line)

Melissa Anderson

Subscribed and sworn to before me this 22nd day of July, 2019

Publication fee $28.98

Notary Public for Cavalier County, N.D.

My commission expires APRIL 15, 2020.

LORI PETERSON
Notary Public
State of North Dakota
My Commission Expires Apr 15, 2020