



RESOLUTION NO.15-163

Annexation

City Attorney Jordon J. Evert introduced the Resolution, and Commissioner BEKKEDAHL moved the adoption and Commissioner BROSTUEN seconded the motion of the following Resolution:

WHEREAS, the Board of City Commissioners for the City of Williston duly passed Resolution 15-056 of Annexation at a regular meeting of the City Commission on April 14, 2015, a copy of which is marked exhibit "B", attached hereto and by reference made a part hereof as much as if the same were recited herein in its entirety; and

WHEREAS, said Resolution 15-056 was published in the official newspaper of the City of Williston, North Dakota on April 17, 2015, and April 24, 2015; and

WHEREAS, notice of said Resolution 15-056 was mailed to the owner of each parcel of real property within the area to be annexed at the person's last known mailing address; and

WHEREAS, thirty days has now elapsed from the date of the first publication of Resolution 15-056 as evidenced by the attached Affidavit of Publication; and

WHEREAS, said Resolution 15-056 came for hearing in the City Hall on May 26, 2015, at 6:00 p.m.; and

WHEREAS, prior to the hearing date of May 26, 2015, the Board of City Commissioners for the City of Williston received written protests signed by the Fretlands, Slingsbys, and Benthys, totaling 27.57% and exceeding more than 25% of the total annexation area;

WHEREAS, on May 26, 2015, the Board of City Commissioners for the City of Williston held its regular scheduled meeting and had a public hearing on the annexation of the Section 15 properties, and during the hearing the City acknowledged the protests received exceeded the statutory percentage but still voted to confirm the Resolution for annexation;

WHEREAS, after receiving the written protests by the various property owners for the Section 15 properties, mediation sessions were held and attended by Mediator, Sandra K. Kuntz; Darlene and Larry D. Slingsby; Rodney and Nyla Fretland; and the following City representatives: Mayor Howard Klug, Principal City Planner Donald Kress, Engineer Bob Hanson, and City Attorneys Jordon J. Evert and Kate Preusse;

WHEREAS, as a result of the mediation sessions and in consideration of the various obligations and duties the City of Williston has agreed to undertake, on November 16, 2015, Larry D. Slingsby and Darlene Slingsby executed a written Compromise, Settlement, and Release Agreement which specifically included withdrawal of protest for annexation; and



WILLIAMS COUNTY, ND

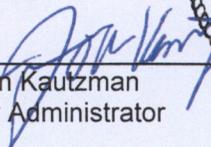
WHEREAS, due to the Slingsbys withdrawal of protest for annexation the written protests received by the City of Williston do not constitute more than one fourth (1/4) of the territory proposed to be annexed;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the City of Williston, North Dakota, that the property hereinbefore described in Exhibit "A" shall and is hereby declared to be annexed to the City of Williston, North Dakota, in accordance with and pursuant to Section 40-51.2-07 of the North Dakota Century Code.

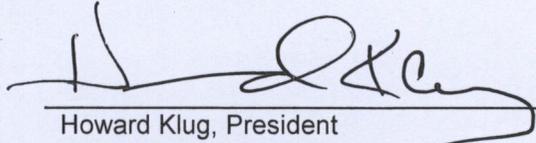
On roll call the following Commissioners voted in favor of said motion: Bekkedahl, Piesik, Cymbaluk, Brostuen and Klug. The following Commissioners voted nay: NONE. The following members were absent and not voting: NONE. The majority having voted AYE, the motion carried and the Resolution was duly adopted. Approved the 8th day of December, 2015.



ATTEST:



John Kautzman
City Administrator



Howard Klug, President
Board of City Commissioners

A tract of land situated in the NW1/4, SW1/4, & SE1/4 of Section 15 and the NW1/4 & NE1/4 of Section 22, T. 154 N., R. 101 W., 5th P.M., Williams County, North Dakota; said tract being more particularly described as follows, to-wit:

Beginning at the SW1/16 corner of Section 15, T. 154 N., R. 101 W., 5th P.M., Williams County, North Dakota; said corner also being the northwest corner of the SE1/4SW1/4 of said Section 15; thence, from said Point of Beginning, in an easterly direction along the north line of said SE1/4SW1/4 to the northeast corner of said SE1/4SW1/4, said corner also being the southeasterly corner of Creekside Ridge Subdivision, as recorded in the office of the Recorder of Williams County, North Dakota under Document No. 646917; thence in a southeasterly direction along the southerly boundary line of said Creekside Ridge Subdivision to the westernmost corner of Lot 10, Block 1 of Dublin Estates Subdivision, as recorded under Document No. 674772; thence in a southeasterly direction along the southwesterly and southerly boundary lines of said Dublin Estates Subdivision to the southeasterly corner of said Dublin Estates Subdivision, said corner also being the southwesterly corner of Lot 2, Block 1 of Daybreak Subdivision, as recorded under Document No. 652993; thence in a southeasterly direction along the southerly line of said Daybreak Subdivision to the southwest corner of Lot 5, Block 1 of said Daybreak Subdivision, said corner also be on the east line of the SW1/4SE1/4 of said Section 15; thence in a southerly direction along said east line of the SW1/4SE1/4 to the southeast corner of said SW1/4SE1/4, said corner also being the northeast corner of the NW1/4NE1/4 of Section 22, T. 154 N., R. 101 W., 5th P.M.; thence in southerly direction along the east line of said NW1/4NE1/4 to the southeast corner of said NW1/4NE1/4; thence in a westerly direction along the south line of said NW1/4NE1/4 to the southwest corner of said NW1/4NE1/4, said corner also being the southeast corner of the NE1/4NW1/4 of said Section 22; thence in a westerly direction along the south line of said NE1/4NW1/4 to the intersection of said south line with the boundary line of the existing limits of the City of Williston, as recorded under Resolution No. 748236; thence, leaving said south line of the NE1/4NW1/4, in a northerly and westerly direction along said boundary line to the intersection of said boundary line with the west line of said NE1/4NW1/4; thence in a northerly direction along said west line of the NE1/4NW1/4 to the northwest corner of said NE1/4NW1/4, said corner also being the southeast corner of the SW1/4SW1/4 of said Section 15; thence in a westerly direction along the south line of said SW1/4SW1/4 to the intersection of said south line with the boundary line of the existing limits of the City of Williston, as recorded under Resolution No. 716681; thence in a northerly, westerly and northerly direction along said boundary line to the intersection of said boundary line with the south line of the NW1/4SW1/4 of said Section 15; thence in a northerly direction along said boundary line to the intersection of said boundary line with the north line of the Hagan Parcel, described as the "South 344.8' of the SW1/4NW1/4 of Section 15", as recorded under Document No.



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Resolution 15-163 Exhibit A
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692808; thence in an easterly direction along said north line of the Hagan Parcel to the northeast corner of said Hagan Parcel; thence in a southerly direction to the southeast corner of said Hagan Parcel, said corner also being the northeast corner of said NW1/4SW1/4 of Section 15; thence in a southerly direction along the east line of said NW1/4SW1/4 to the southeast corner of said NW1/4SW1/4, said corner also being the SW1/16 corner of Section 15, the Point of Beginning;

Said described tract having an area of 226 acres, more or less.



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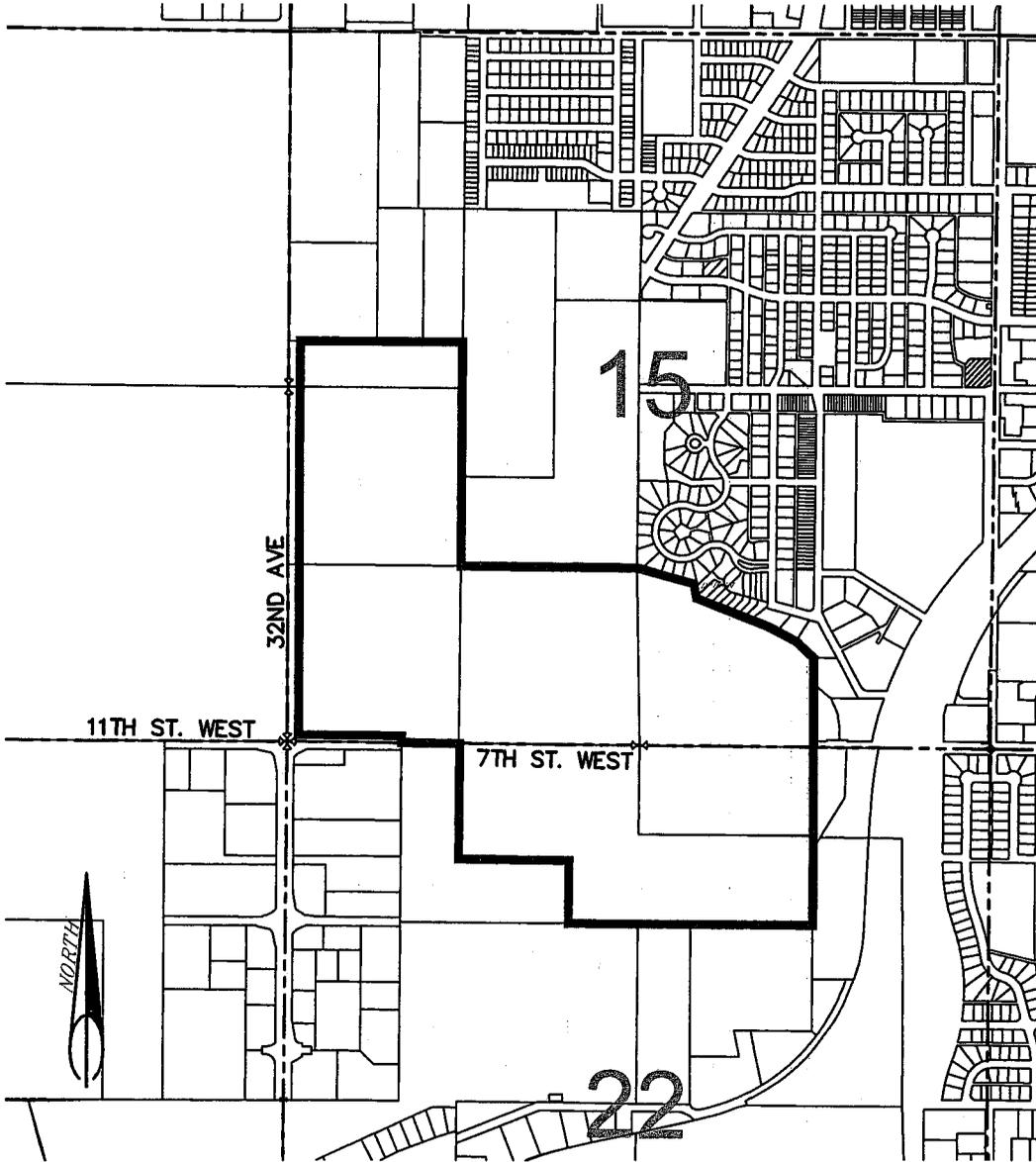
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WILLIAMS COUNTY, ND

State of North Dakota)
:ss.
County of Williams)

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

**Resolution No. 15-056
Board of City Commissioners
of the City of Williston**

was printed and published correctly in the regular and
entire issue of said WILLISTON HERALD FOR 2
issues, that the first was made on the 17th day of
April 20 15 that said publication
was made on each of the following dates to wit:

4/17/15 4/24/15

Request of

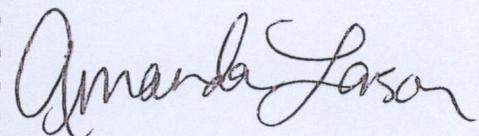
City of Williston

Williston Herald

By 

Subscribed sworn to before me this 24th day of
April 20 15





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



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Legal Rate \$.90 per line or \$8.86 per column inch.

#411 \$504.60



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*Exhibit B
Resolution
15-163 pg 1*

WILLIAMS COUNTY, ND

RESOLUTION NO. 15-056

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

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

WHEREAS, there is contiguous and adjacent to the City of Williston a tract or parcel of land hereinafter specifically described, containing approximately 353.52 acres, more or less, which tract or parcel of land is not presently a part of the City of Williston;

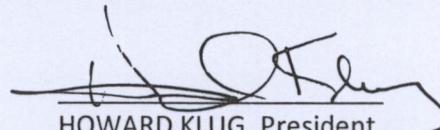
NOW, THEREFORE, BE IT RESOLVED, by the Board of City Commissioners of the City of Williston, North Dakota, that the boundaries of the City of Williston be, and they are hereby extended to as to include and incorporate within the corporate limits of the City of Williston, Williams County, North Dakota,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

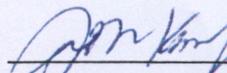
SEE ATTACHED LEGAL DESCRIPTION

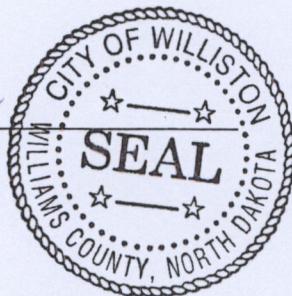
BE IT FURTHER RESOLVED, by the Board of City Commissioners of the City of Williston, North Dakota, that this Resolution be published in the official newspaper for the City of Williston once each week for two successive weeks, that notice of the Resolution be mailed to the owner of each parcel of real property within the area to be annexed at the person's last known mailing address, and a hearing be held on May 26, 2015 at 6:00 p.m. in the City Commission Room, City Hall, Williston, North Dakota. The owners of any real property within the territory proposed to be annexed, within 30 days of the first publication of such resolution, may file written protests with the City Auditor protesting against the proposed annexation.

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

WHEREUPON the motion was passed and the Resolution declared adopted this 14th day of April, 2015.


HOWARD KLUG, President
Board of City Commissioners


JOHN KAUTZMAN
City Auditor



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*Exhibit B
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LEGAL DESCRIPTION FOR RESOLUTION 15-056

A tract of land lying in Section 15, and Section 22 of Township 154 North, Range 101 West of the 5th principal meridian, City of Williston, Williams County, North Dakota, said tract being more particularly described as follows:

Beginning at the Northwest Corner of said Section 15 of Township 154 North, Range 101 West;

Thence easterly along the North line of said Section 12 to a point adjacent to the Northwest corner of the Tofte Subdivision; thence Southerly along the West line of Tofte Subdivision to a point at the Southwest corner of Lot 2R of the Tofte Subdivision; thence Easterly along the South line of the Tofte Subdivision to a point at the Northwest corner of Sublot 3 in SWNW, Section 15, T154 R101; thence Southerly along the West line of said Sublot 3 to a point at the Southwest corner of Sublot 3; thence Easterly along the South line of said Sublot 3 to a point at the Southeast corner of Sublot 3; thence Northerly along the East line of said Sublot 3 to a point at the Southwest corner the Granite Peak Subdivision; thence Easterly along the South line of the Granite Peak Subdivision to a point at the Northwest corner the Fox Glen Subdivision; thence Southerly along the West line of the Fox Glen Subdivision to a point at the Northwest corner of Lot 5 of the Raymond Lee Subdivision; thence Southerly along the West line of Lot 5 of the Raymond Lee Subdivision to a point at the Northwest corner the Creekside Subdivision; thence Southerly along the West line of the Creekside Ridge Subdivision to a point at the Southwest corner the Creekside Subdivision; thence Southeasterly along the South line of the Creekside Ridge Subdivision to a point at the Northwest corner the Daybreak Subdivision; thence Southeasterly along the Southwest line of the Daybreak Subdivision to a point at the Northwest corner the Daybreak Townhomes Subdivision; thence Southeasterly along the Southwest line of the Daybreak Townhomes Subdivision to a point at its intersection with the Southwest line of the Daybreak Subdivision; thence Southeasterly along the Southwest line of the Daybreak Subdivision to a point at the Northwest corner the Herman Subdivision; thence Southerly along the West line of the Herman Subdivision to a point at its intersection with the South line of said Section 15; thence southerly along the eastern most ¼ ¼ line of said Section 22 having a bearing of S0°12'23"W, a distance of 660.1 feet to a point; thence S89°47'37"E, a distance of 55.52 feet to a point; thence S31°30'15"W, a distance of 106.92 feet to a point; thence Southerly along the West line of the Sundown Subdivision to a point at its intersection with the most northern most ¼ ¼ line of said Section 22; thence Westerly along said northern most ¼ ¼ line to a point 2107.43 feet east of the west line of said Section 22; thence Northerly along a line 2107.43 feet East of and parallel the west line of said Section 22 a distance of 467.22 feet to a point; thence Westerly along a line 467.22 feet north of and parallel to said northern most ¼ ¼ line a distance of 750.02 feet to a point; thence Northerly along a line 1357.41 feet East of and parallel the west line of said Section 22 to its intersection with the said south line of Section 15; thence Westerly along said South line of Section 15 to the Southwest corner of said Section 15; thence Northerly along the West Section Line of Section 15 to its intersection with the Southwest corner of Sublot 4, Section 15, T154 R101; thence Easterly along the South line of said Sublot 4 to the Southeast corner of said Sublot 4; thence Northerly along the East line of said Sublot 4 to the Northeast corner of said Sublot 4; thence Westerly along the North line of said Sublot 4 to its intersection with the West line of said Section 15; thence Northerly along the West line of said Section 15 to the point of beginning.

Said tract contains a total of 353.42 acres, more or less.



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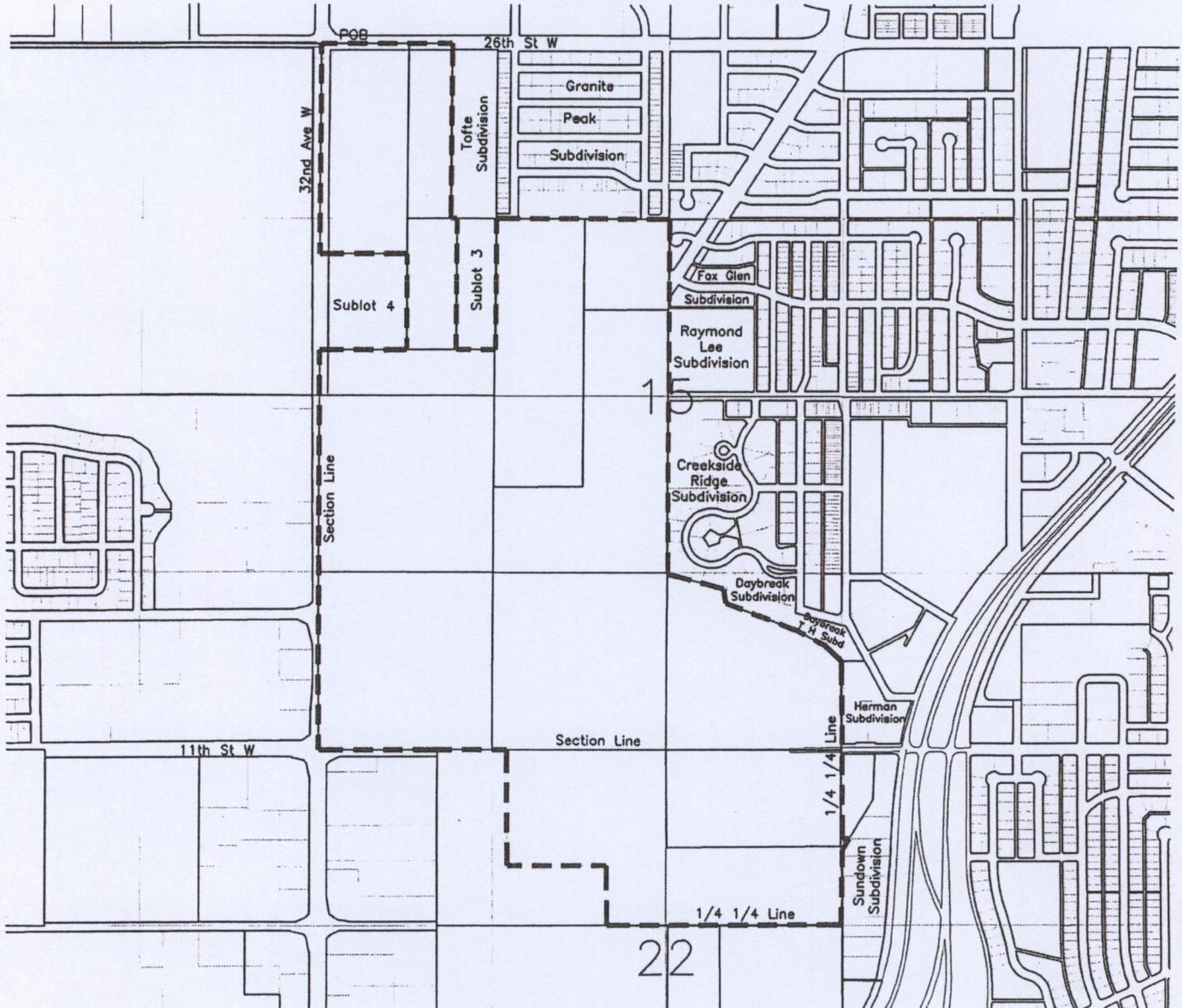
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WILLIAMS COUNTY, ND

EXHIBIT A ANNEXATION MAP

Exhibit B-Res. 15-0373
Resolution 15-056



A tract of land lying in Section 15, and Section 22 of Township 154 North, Range 101 West of the 5th principal meridian, City of Williston, Williams County, North Dakota, said tract being more particularly described as follows:

Beginning at the Northwest Corner of said Section 15 of Township 154 North, Range 101 West;

Thence easterly along the North line of said Section 12 to a point adjacent to the Northwest corner of the Tofte Subdivision; thence Southerly along the West line of Tofte Subdivision to a point at the Southwest corner of Lot 2R of the Tofte Subdivision; thence Easterly along the South line of the Tofte Subdivision to a point at the Northwest corner of Sublot 3 in SWNW, Section 15, T154 R101; thence Southerly along the West line of said Sublot 3 to a point at the Southwest corner of Sublot 3; thence Easterly along the South line of said Sublot 3 to a point at the Southeast corner of Sublot 3; thence Northerly along the East line of said Sublot 3 to a point at the Southwest corner the Granite Peak Subdivision; thence Easterly along the South line of the Granite Peak Subdivision to a point at the Northwest corner the Fox Glen Subdivision; thence Southerly along the West line of the Fox Glen Subdivision to a point at the Northwest corner of Lot 5 of the Raymond Lee Subdivision; thence Southerly along the West line of Lot 5 of the Raymond Lee Subdivision to a point at the Northwest corner the Creekside Subdivision; thence Southerly along the West line of the Creekside Ridge Subdivision to a point at the Southwest corner the Creekside Subdivision; thence Southeasterly along the South line of the Creekside Ridge Subdivision to a point at the Northwest corner the Daybreak Subdivision; thence Southeasterly along the Southwest line of the Daybreak Subdivision to a point at the Northwest corner the Daybreak Townhomes Subdivision; thence Southeasterly along the Southwest line of the Daybreak Townhomes Subdivision to a point at its intersection with the Southwest line of the Daybreak Subdivision to a point at the Northwest corner the Herman Subdivision; thence Southerly along the West line of the Herman Subdivision to a point at its intersection with the South line of said Section 15; thence southerly along the eastern most 1/4 1/4 line of said Section 22 having a bearing of S0°12'23"W, a distance of 660.1 feet to a point; thence S89°47'37"E, a distance of 55.52 feet to a point; thence S31°30'15"W, a distance of 106.92 feet to a point; thence Southerly along the West line of the Sundown Subdivision to a point at its intersection with the most northern most 1/4 1/4 line of said Section 22; thence Westerly along said northern most 1/4 1/4 line to a point 2107.43 feet east of the west line of said Section 22; thence Northerly along a line 2107.43 feet East of and parallel the west line of said Section 22 a distance of 467.22 feet to a point; thence Westerly along a line 467.22 feet north of and parallel to said northern most 1/4 1/4 line a distance of 750.02 feet to a point; thence Northerly along a line 1357.41 feet East of and parallel the west line of said Section 22 to its intersection with the said south line of Section 15; thence Westerly along said South line of Section 15 to the Southwest corner of said Section 15; thence Northerly along the West Section Line of Section 15 to its intersection with the Southwest corner of Sublot 4, Section 15, T154 R101; thence Easterly along the South line of said Sublot 4 to the Southeast corner of said Sublot 4; thence Northerly along the East line of said Sublot 4 to the Northeast corner of said Sublot 4; thence Westerly along the North line of said Sublot 4 to its intersection with the West line of said Section 15; thence Northerly along the West line of said Section 15 to the point of beginning.

Said tract contains a total of 353.42 acres, more or less.



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WILLIAMS COUNTY, ND

COUNTY RECORDER, WILLIAMS COUNTY, ND
I certify that this instrument was filed and recorded
Kari Evenson, County Recorder

12/28/2015 2:41 PM

by Kari Evenson Deputy

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WILLIAMS COUNTY, ND

COUNTY RECORDER, WILLIAMS COUNTY, ND
I certify that this instrument was filed and recorded
Kari Evenson, County Recorder

12/28/2015 2:51 PM

by Kari Evenson Deputy

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When recorded, return to:

City of Williston
PO Box 1306
Williston, ND 58802-1306