

**ORDINANCE NO. 339**

**AN ORDINANCE, AMENDING AND RE-ENACTING, CHAPTER NINETEEN ORDINANCES, ARTICLE 1—ANNEXATION, SECTION 19.0108, OF THE CITY CODE OF THE CITY OF BELFIELD, NORTH DAKOTA.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BELFIELD, NORTH DAKOTA, PURSUANT TO THE HOME RULE CHARTER OF THE CITY OF BELFIELD, AS FOLLOWS:**

**CHAPTER 19, ARTICLE 1, SECTION 19.0108, OF THE CITY CODE OF THE CITY OF BELFIELD, NORTH DAKOTA IS HEREBY AMENDED TO READ:**

19.0108- EXTENSION OF BELFIELD CROSSING SUBDIVISION: A Petition having been filed and presented to the City Council of the City of Belfield by the owner of the territory therein described together with a Plat of said territory including the Right of Way to Highway 85 with approval from the North Dakota Department of Transportation, praying that said territory be annexed to and made a part of the City of Belfield, North Dakota and which territory is described as follows to wit:

A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 32, TOWNSHIP 140N, RANGE 99 W, 5TH PRINCIPAL MERIDIAN, STARK COUNTY, NORTH DAKOTA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 32, THENCE SOUTH 01°57'38" WEST ALONG THE EAST LINE OF SECTION 32 A DISTANCE OF 1324.24 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 01°57'38" WEST ALONG THE EAST LINE OF SECTION 32 A DISTANCE OF 314.75 FEET; THENCE NORTH 87°57'14" WEST A DISTANCE OF 100.00 FEET TO THE WEST RIGHT OF WAY LINE OF US HIGHWAY 85; THENCE NORTH 87°57'14" WEST A DISTANCE OF 804.69 FEET ALONG THE NORTH LINE OF THE CYPRESS CAPITAL VI, LLC PARCEL; THENCE NORTH 01°58'43" EAST A DISTANCE OF 315.00 FEET; THENCE SOUTH 87°57'14" EAST A DISTANCE OF 804.59 FEET TO THE WEST RIGHT OF WAY LINE OF US HIGHWAY 85; THENCE SOUTH 87°48'41" EAST A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING.

CONTAINS 6.54 ACRES.

Said Ordinance extends and adds the above described parcel to the Belfield Crossing Subdivision, previously referenced in Ordinance 329 and 338, to the City of Belfield, Stark County, North Dakota.

And notice of the filing and presentation of said Petition and Plat having been given by publication in the Dickinson Press once each week for two successive weeks;

And no objections having been filed to the annexation of said territory;

And said territory being contiguous to the City of Belfield and not embraced therein; and said territory having been platted, and an accurate map of said territory having been filed with the City Auditor.

**3118195**

05/21/2014 12:42:15 PM Page: 1 of 7  
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Kathy Schwab, Stark County, ND Recorder



NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BELFIELD:

That the Territory above described be and the same hereby is annexed to and hereby made a part of the City of Belfield and included within the corporate limits thereof.

That said territory so annexed be and the same shall be designated and added to to the Belfield Crossing Subdivision, to the city of Belfield, Stark County, North Dakota.

**AN ORDINANCE, AMENDING AND RE-ENACTING VARIOUS SECTIONS OF CHAPTER 18 THE BELFIELD ZONING ORDINANCE OF THE CITY CODE OF THE CITY OF BELFIELD, NORTH DAKOTA.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BELFIELD, NORTH DAKOTA, PURSUANT TO THE HOME RULE CHARTER OF THE CITY OF BELFIELD, AS FOLLOWS:**

**Chapter 18 The Belfield Zoning Ordinance of the City Code of the City of Belfield, North Dakota, is hereby amended to add the following paragraph:**

A parcel of land containing 5.82 acres, located at the northwest quadrant of Interstate 94 and Highway 85, within the Northeast 1/4 of Section 32, Township 140 N, Range 99 W, 5th principal meridian, Stark County, North Dakota.

Zoning for the above described parcel of land is to be amended from Agricultural to 5.82 acres of Commercial.

Said Ordinance extends and adds the above described parcel to the Belfield Crossing Subdivision (previously referenced in Ordinance 329 and 338, to the City of Belfield, Stark County, North Dakota.

The Belfield Crossing Subdivision Final Plat, as amended herein, is approved pending all required signatures for the owners American Landmark Group on behalf of, Cyprus VI, LLC, and the engineer is authorized to record the Belfield Crossing Subdivision Plat with conditions that the developer is responsible to maintain the property according to the executed Development Agreement.

Development may take place only in compliance with all City codes and state law.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BELFIELD:

That the above described parcel is approved for Zoning to be amended from Agricultural to Commercial and approval of Final Plat as conditioned above.

Repeal of Ordinances in Conflict. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

Severability. In the event any section of this Ordinance is held invalid by a court of competent jurisdiction, the invalidity shall extend only to the section affected, and other sections of this Chapter shall continue in full force and effect.

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05/21/2014 12:42:15 PM Page: 2 of 7  
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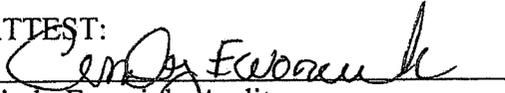


Effective Date This Ordinance shall be in full force and effect from and after publication.



Leo Schneider, Mayor

ATTEST:



Cindy Ewoniuk, Auditor

First Reading: 1-13-14  
Second Reading: 2-3-14  
Final Passage: 2-3-14

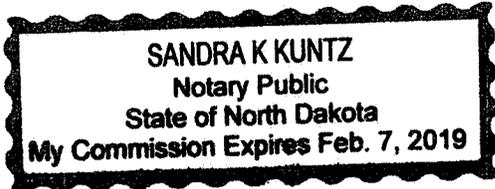
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05/21/2014 12:42:15 PM Page: 3 of 7  
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STATE OF NORTH DAKOTA     )  
  : ss.  
COUNTY OF STARK            )

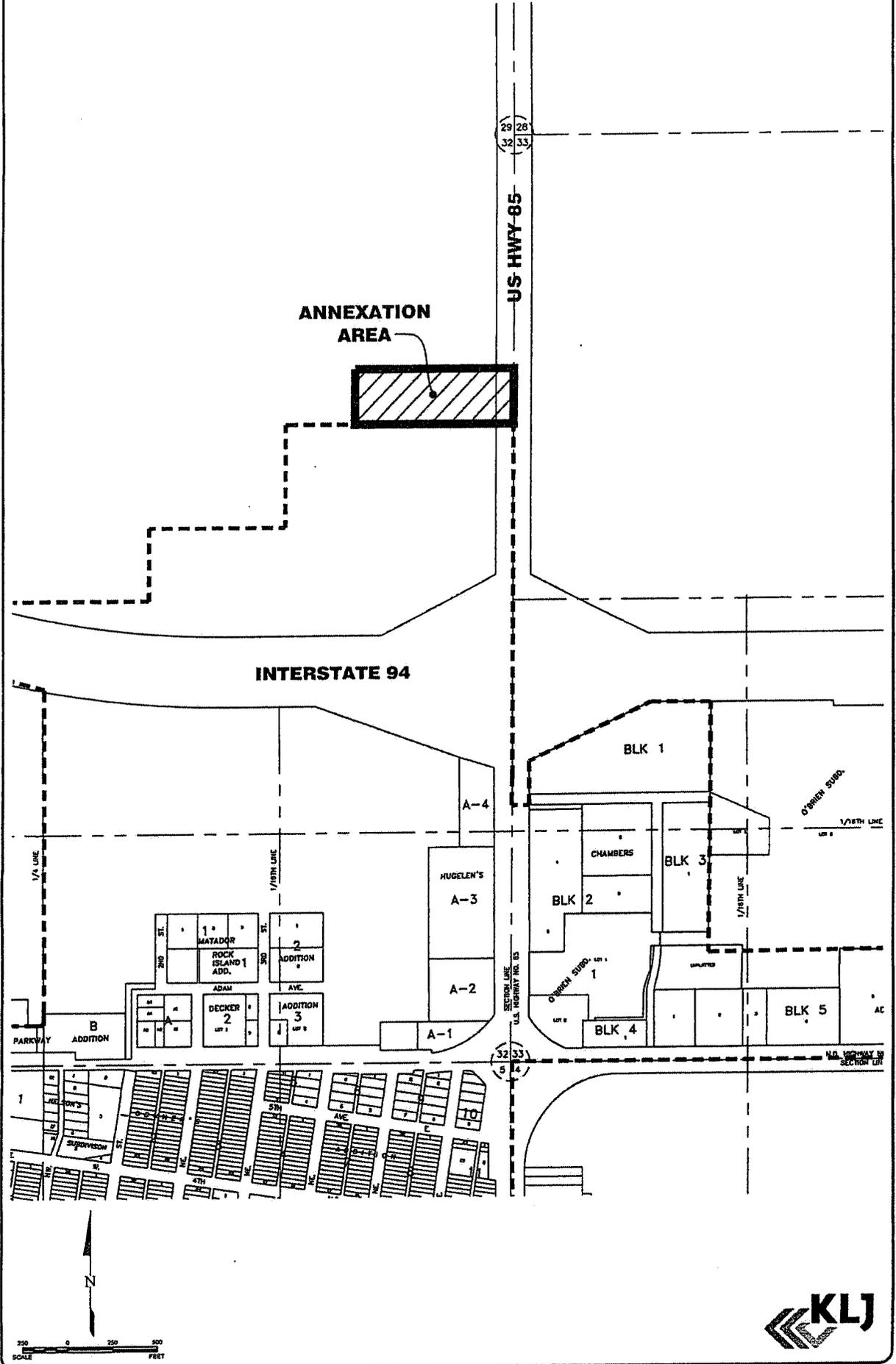
Subscribed, sworn to, and acknowledged before me by Leo Schneider, Mayor of the City of Belfield, and Cindy Ewoniuk, Auditor for the City of Belfield on the 3<sup>rd</sup> day of February, 2014.



  
\_\_\_\_\_  
Sandra K. Kuntz, Notary Public  
Stark County, North Dakota  
My Commission Expires: 2/7/2019



# ANNEXATION AREA



318195  
 05/21/2014 12:42:15 PM Page: 5 of 7  
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SCALE 0 250 500 FEET



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05/21/2014 12:42:15 PM Page: 6 of 7  
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NE CORNER  
SECTION 32

**ANNEXATION BOUNDARY DESCRIPTION**

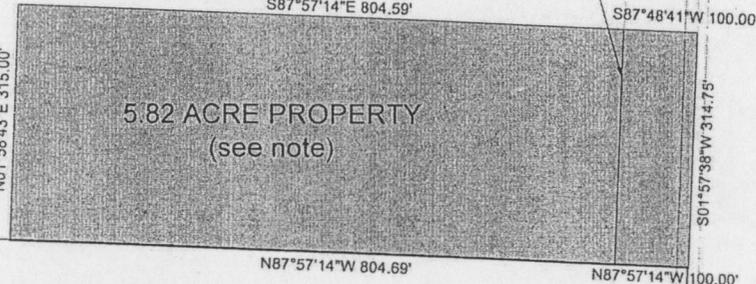
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CONTAINS 6.54 ACRES.

BASIS OF BEARING: ALL BEARINGS ARE STATE PLANE BEARINGS, NORTH DAKOTA SOUTH ZONE, NAD 83. ALL DISTANCES SHOWN IN GROUND.

**5.82 ACRE PROPERTY ANNEXATION**  
BELFIELD, ND  
PROPOSED ZONING:  
COMMERCIAL - 5.82 ACRES



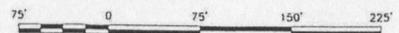
PROPOSED CITY BOUNDARY  
PER DRAFT ANNEXATION  
ORDINANCE NO. 329,  
(BELFIELD CROSSING ANNEXATION)

STATE HWY 85

NOTE:  
OVERALL ANNEXATION  
AREA EQUALS 6.54 ACRES  
WITH 1/2 OF NDDOT HWY 85  
RIGHT-OF-WAY

**5.82-ACRE PROPERTY  
ZONING AND ANNEXATION EXHIBIT**

CIVIL SCIENCE  
222 AIRPORT ROAD, SUITE A  
WILLISTON, NORTH DAKOTA 58801  
701.774.8200





RETURN TO:

**LEGAL EDGE SOLUTIONS PLLC  
536 W VILLARD STREET  
DICKINSON, ND 58601**

*Kathy Schwab*

**3118195**

05/21/2014 12:42:15 PM Page: 7 of 7  
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