



Community Development Department

MEMORANDUM

TO: Connie Kassian, CenturyLink
Mike Berg, Capital Electric Cooperative
Craig Lohstreter, MDU
Bill Boyd, Midcontinent Communications
Steve Nelson, ND Department of Transportation
Darin Scherr, Bismarck School District
Susan Rood, Office of the State Tax Commissioner
Brady Blaskowski, Building Inspections
Randy Ziegler, Police Department
Deb Goodsell, City Assessing
Mel Bullinger, City Engineer
Marcus Hall, County Engineer
Corrine Jochim, County Auditor's Office
Greg Carlson, County GIS
Joel Boespflug, Fire Department
Kelly Leben, Sheriff's Office
William Hutchings, MPO
Jami Wangler, GIS
Darrel Nucech, GIS
Jared Auch, GIS
Diane Carpenter, Fire Department
North Dakota State Tax Department
Cleary Johs, Engineering

RECEIVED
MAR 7 2016
TAX COMMISSIONER

FROM: City Community Development Department ~ Planning Division

DATE: March 3, 2016

SUBJECT: Annexation

Please be advised that the following property has recently been annexed to the corporate limits of the City of Bismarck: Various lots and tracts in Sections 21 & 22/Hay Creek Township.

(See attached ordinance and map)

The above annexation was approved by the Board of City Commissioners on February 23, 2016 and was recorded by the Recorder's Office on February 29, 2016.

If you have any questions or need any additional information on this request, please contact Daniel Nairn, the planner in our office assigned to this request, at 355-1854.





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Burleigh County

RESOLUTION

RESOLUTION EXTENDING THE BOUNDARIES OF THE CITY OF BISMARCK, NORTH DAKOTA, AND ANNEXING TRACTS OF LAND TO THE BOUNDARIES OF THE PRESENT CORPORATE LIMITS.

BE IT RESOLVED by the Board of City Commissioners of the City of Bismarck, North Dakota:

WHEREAS, it appears that the area hereinafter described contiguous with the boundaries of the City of Bismarck should be annexed to the City of Bismarck, and

WHEREAS, Section 40-51.2.07 of the NDCC as amended, permits annexation by resolution of the governing body of any municipality, and

WHEREAS, the City of Bismarck Planning and Zoning Commission considered this matter on December 16, 2015 and has recommended the annexation of said territory, and

WHEREAS, the Board of City Commissioners of the City of Bismarck, North Dakota, desires to annex property to the City for the following reasons:

The territory to be annexed is contiguous to and surrounded by the City of Bismarck, North Dakota, and the proposed annexation of said territory will contribute to and facilitate the orderly growth and development of both the City and the territory proposed to be annexed; will facilitate and contribute to the proper and orderly layout design and construction of streets, gutters, sidewalks, watermains, sanitary and storm sewer and drainage facilities, both within the City and within the territory proposed to be annexed; will eliminate confusion over jurisdiction and provide for the most efficient and effective police and fire protection; and will provide and facilitate the proper overall planning and zoning of land in said City and said territory in a manner most conducive to the welfare of the City and said territory; and

WHEREAS, pursuant to said statute made and provided, any person owning any real property within the theretofore described territory may file written protests to the Board of City Commissioners of the City of Bismarck, North Dakota, by depositing the same with the City Administrator, protesting against the proposed annexation. Such written protest shall contain the interested parties name, address together with a legal description of the property owned and the date that the property was acquired. The Board of City Commissioners shall meet on Tuesday, February 23, 2016 at the hour of 5:15 p.m., at which time and place all interested persons will be heard on said proposed resolution unless property owner or owners has waived their right of protest and/or assent to annexation.



NOW, THEREFORE, IT IS HEREBY RESOLVED that the following described territory be annexed to the City of Bismarck, North Dakota, to-wit:

A tract of land lying in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 21, Township 139N, Range 80W, Burleigh County, North Dakota, more particularly described as: Commencing at the NW corner of Gateway Addition which is the point of beginning; thence S 0-26-23 W along the West line of said Gateway Addition a distance of 757.02 feet to the NE corner of Gateway 3rd Addition; thence N 90-00-00 W along the North line of said Gateway 3rd Addition a distance of 15.93 feet; thence N 00-00-00 E a distance of 757 feet; thence N 90-00-00 E a distance of 21.74 feet to the point of beginning, containing 0.3273 acres more or less;

Lot A of the NE $\frac{1}{4}$ of Section 22, Township 139N, Range 80W, Burleigh County, North Dakota;

A tract of land in the NW $\frac{1}{4}$ of Section 22, Township 139N, Range 80W, Burleigh County, North Dakota beginning at the NW $\frac{1}{4}$ of Lot 3, Pollock's Addition; thence East along the lot line a distance of 75 feet; thence South a distance of 25 feet; thence West a distance of 75 feet; thence North a distance of 25 feet to the point of beginning;

A tract of land in the NE $\frac{1}{4}$ of Section 22, Township 139N, Range 80W, Burleigh County, North Dakota, and more particularly described as follows: All that portion of Lots 1 and 2 of Pollock's Addition to the City of Bismarck, and the North 136.31 feet of vacated Pollock Street in said Pollock's Addition, containing 4.13 acres, more or less;

Lot A of Lot 6 and Lot A of Lot 7, Pollock's Addition to the City of Bismarck, Burleigh County, North Dakota;

Lot 3, Pollock's Addition to the City of Bismarck, Burleigh County, North Dakota, less a parcel described as follows: Beginning in the NW corner of said Lot 3; thence East along the lot line a distance of 75 feet; thence South a distance of 25 feet; thence West a distance of 75 feet; thence North a distance of 25 feet to the point of beginning; and less a parcel described as beginning at the SW $\frac{1}{4}$ of said Lot 3, thence North 89-43-05 East along the South line of Lot 3 a distance of 280.45 feet to the true point of beginning; thence North 68-23-25 East a distance of 372.84 feet to the East line of Lot 3; thence South along the East line of Lot 3 to the SE corner of Lot 3; thence West along the South line of Lot 3 to the point of beginning;

A strip of land 115 feet in width comprising all that part of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 22, Township 139N, Range 80W, Burleigh County, North Dakota,



which is included between the Westerly line of the Canadian Pacific Railway's present right of way (formerly owned by Minneapolis, St. Paul and Sault Ste. Marie Railroad Company) and a line running parallel with and 165 feet distant Westerly (measured at right angles) from the center line of the main track of the Canadian Pacific Railway's railroad (formerly owned by Minneapolis, St. Paul and Sault Ste. Marie Railroad Company) as the same is now located, maintained, and operated over and across said Section 22, containing 3.8 acres, more or less;

A tract of land in the NE $\frac{1}{4}$ of Section 22, Township 139N, Range 80W, Burleigh County, North Dakota described as: beginning at a point 655.52 feet south of the NE quarter of said NE $\frac{1}{4}$; thence South along the East section line a distance of 622 feet; thence west a distance of 350 feet parallel to the South section line to the Canadian Pacific Railroad tracks (formerly owned by Soo Line); thence Northwesterly 694 feet along the Canadian Pacific Railroad tracks (formerly owned by Soo Line); thence East a distance of 565 feet to the point of beginning;

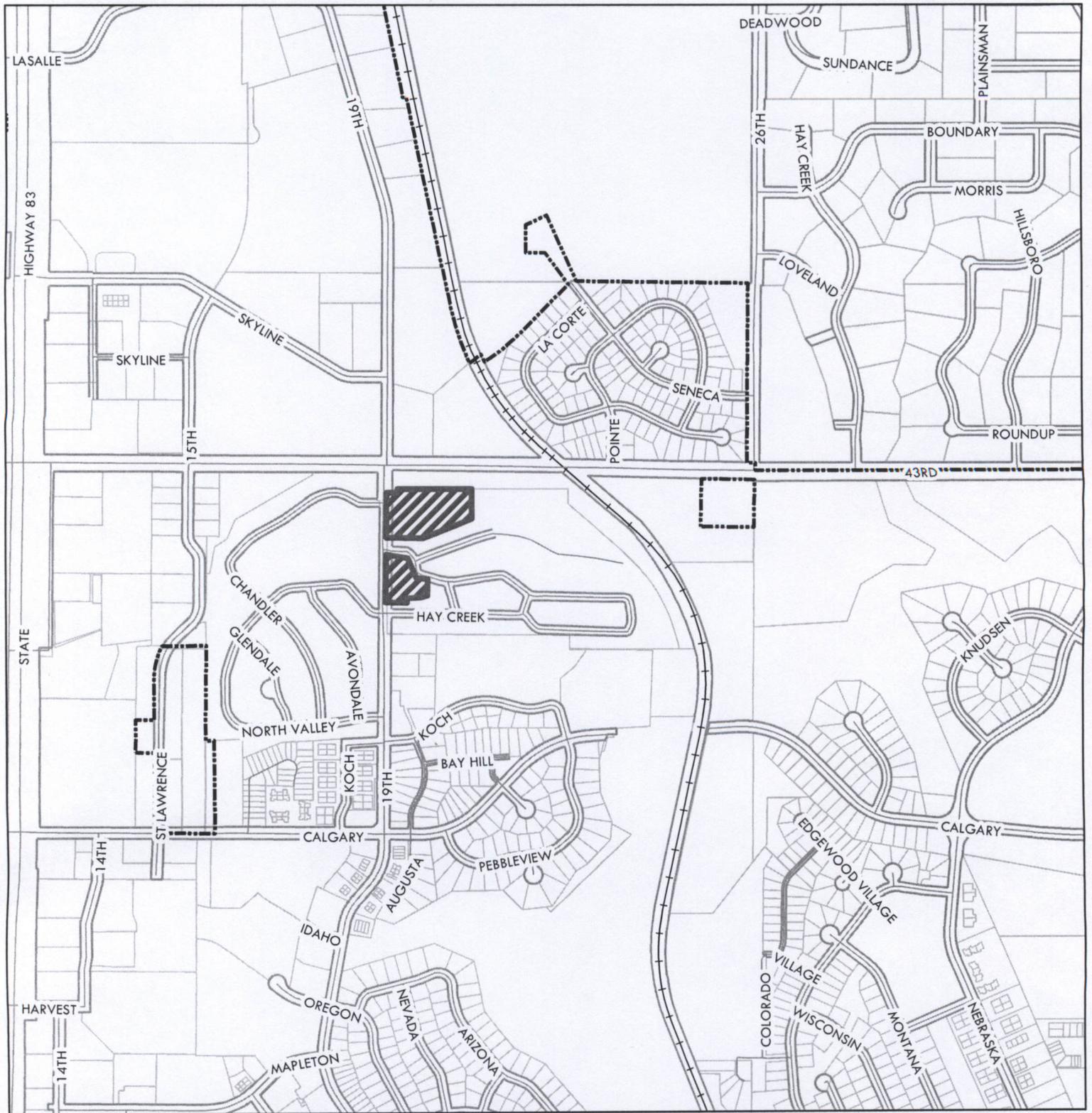
A tract of land in the NW $\frac{1}{4}$ of Section 22, Township 139N, Range 80 West, described as: beginning at a point 880 feet East of the SW corner of said NW $\frac{1}{4}$ of Section 22; thence due East along the half section line for a distance of 165 feet; thence due North at right angles a distance of 1320 feet; thence due West of a distance of 165 feet; thence due South for a distance of 1320 feet to the point of beginning; less the land platted as Buchholz Subdivision, Burleigh County, North Dakota;

All right of way currently owed by Canadian Pacific Railway in the NE $\frac{1}{4}$ of Section 22, Township 139N, Range 80 West, Burleigh County, North Dakota, containing 8.54 acres, more or less;

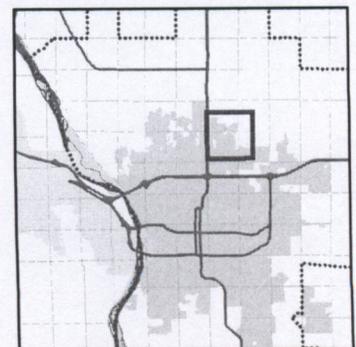
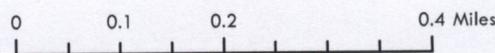
BE IT FURTHER RESOLVED that the City Administrator shall publish this resolution once each week for two (2) consecutive weeks in the official newspaper of the City.

BE IT FURTHER RESOLVED that in the absence of protests on or before February 15, 2016, which is thirty days after the first publication of this resolution, by the owners of more than one fourth of the property of the territory proposed to be annexed as of the date of the adoption of this resolution, a territory described in the resolution shall be included within and shall be a part of the City, and a certified copy of this resolution with an accurate map of the annexed area will be filed and recorded with the Burleigh County Recorders Office.

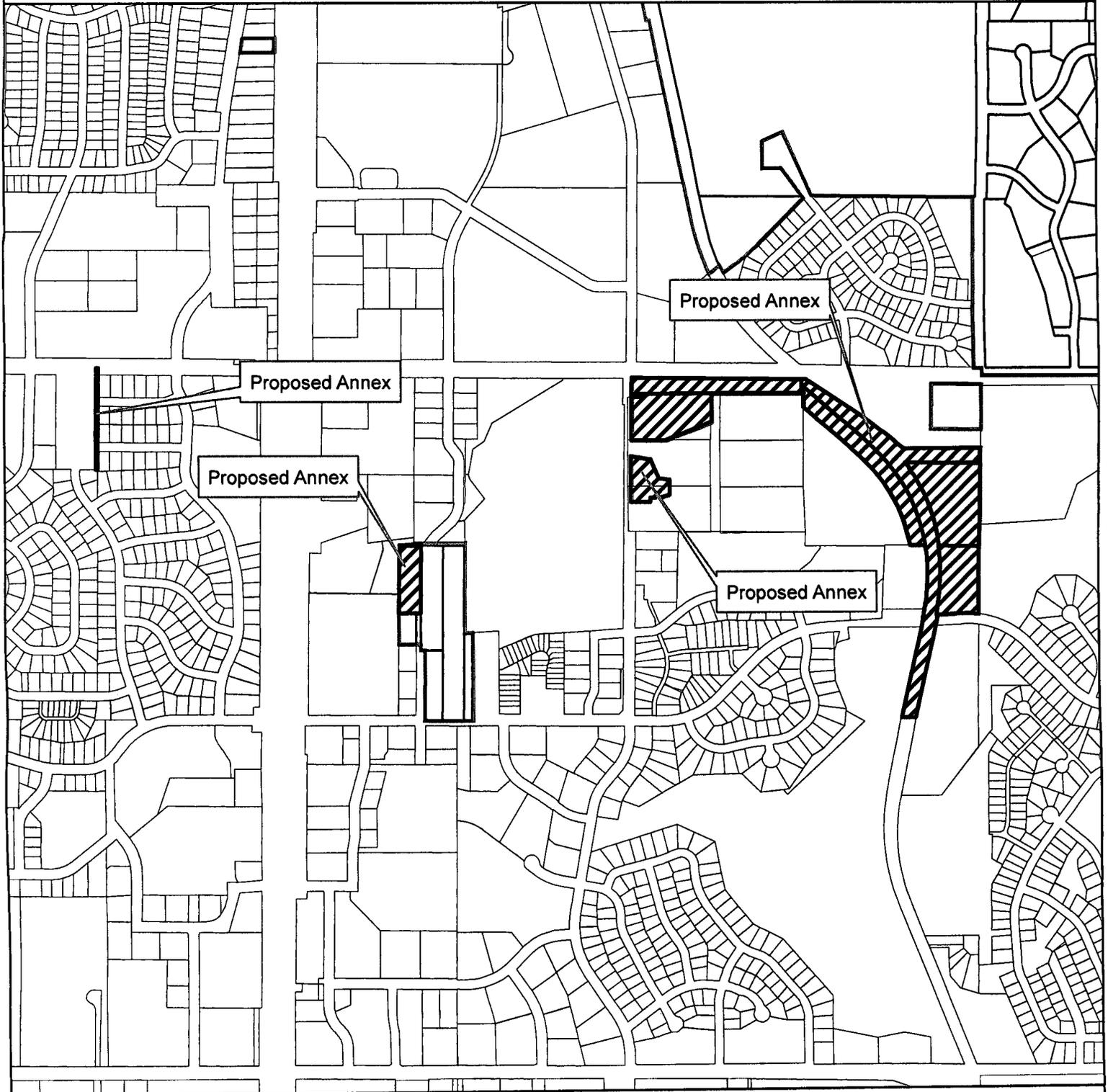
Dated this 12th day of January, 2016.



This map is for reference purpose only and is not intended as a survey or accurate representation of all map features.



**Proposed Annexation
Various Lots & Tracts in Sections 21 & 22,
T139N-R80W/Hay Creek Township, including portions of
Pollock's Addition.**



December 10, 2015 (dan)

This map is for representational use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.

