

**ORDINANCE NO. 1186**

**AN ORDINANCE ANNEXING LAND INTO THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA**

WHEREAS, the owners of land described as Government Lots 3 & 4 and part of the SW ¼ of the NW ¼ of Section 3, Township 138N, Range 81W of the 5<sup>th</sup> Principal Meridian, Morton County, North Dakota have requested that the City annex this property; and

WHEREAS, this action will allow creation of an assessment district for the funding of drainage improvements that benefit the area; and

WHEREAS, North Dakota Century Code Section 40-51.2-03 provides that if the owners of at least three-fourths of the assessed value of the property being requested for annexation request such action in writing; and

WHEREAS, the Planning and Zoning Commission has recommended proceeding with this annexation; and

WHEREAS, notice was published in a newspaper of general circulation within the City of Mandan on 6/13/2014 and a certified letter announcing the intent to annex was delivered by the USPS to Morton County as required by North Dakota Century Code 40-51.2-05.

NOW THEREFORE BE IT RESOLVED by the Board of City Commissioners of the City of Mandan, Morton County, North Dakota as follows:

**Section 1. Description of Parcel of Land being Annexed.** The following described land is situated in the County of Morton, State of North Dakota, and contiguous to the corporate limits of the City of Mandan, Morton County, North Dakota, is hereby added to, annexed and made part of the City of Mandan, namely;

All of Government Lots 3 & 4 and part of the SW ¼ of the NW ¼ of Section 3, Township 138N, Range 81W, of the 5<sup>th</sup> Principal Meridian, City of Mandan, Morton County, North Dakota, being more particularly described as follows:

Beginning at the southwest corner of Keidel's South Heart Terrace 3<sup>rd</sup> Addition of the City of Mandan, Morton County North Dakota; thence along the south boundary line of said Keidel's South Heart Terrace 3<sup>rd</sup> Addition the following thirteen courses; thence South 89° 34' 23" East for 40.00 feet; thence North 81° 51' 22" East for 152.95 feet; thence North 52° 34' 28" East for 77.43 feet; thence North 86° 30' 28" East for 204.21 feet; thence North 00° 25' 56" West for 95.00 feet; thence North 89° 36' 09" East for 1328.17 feet; thence South 07° 57' 38" West for 238.62 feet; thence South 25° 56' 04" East for 61.93 feet; thence South 47° 53' 22" East for 123.32 feet; thence South 69° 12' 14" East for 71.14 feet; thence North 42° 42' 22" East for 66.01 feet; thence South 47° 17' 38" East for 104.04 feet to the southeast corner of said Keidel's South Heart Terrace 3<sup>rd</sup> Addition; thence South 40° 31' 50" West for 219.38 feet; thence South 43° 49' 05" East for 113.41 feet; thence South 04° 43' 37" East for 124.14 feet to a point on the south boundary of Government Lot 3 of Section 3, T138N-R81W; thence South 89° 45' 55" West along said south boundary line for 683.89 feet to the northeast corner of the SW ¼ of the NW ¼ of said section 3; thence South 00° 15' 03" West along the east boundary line of said SW ¼ for 617.67 feet;

County Recorder **458517**  
Morton County  
Mandan ND 58554  
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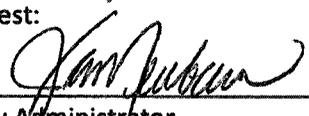
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CITY OF MANDAN  
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MANDAN ND 58554

thence North 89° 28' 39" West for 509.15 feet; thence South 40° 14' 45" West for 357.79 feet; thence North 68° 40' 57" West for 242.86 feet to a point of a curve to the right having a radius of 390.00 feet; thence along said curve to the right (the chord of which bears South 66° 00' 16" West 102.85 feet) an arc length of 103.15 feet to the P.T. (point of tangency) of said curve to the right; thence South 73° 34' 52" West for 84.13 feet to the P.C. (point of curvature) of a curve to the right having a radius of 393.00 feet; thence along said curve to the right (the chord of which bears South 81° 47' 26" West 111.38 feet) an arc length of 111.76 feet to the P.T. of said curve to the right; thence South 90° West for 76.69 feet to a point on the west boundary line of said Section 3; thence North 00° 25' 37" East for 1491.42 feet to the point of beginning. Said tract of land contains 55.56 acres, more or less.

30-0054000

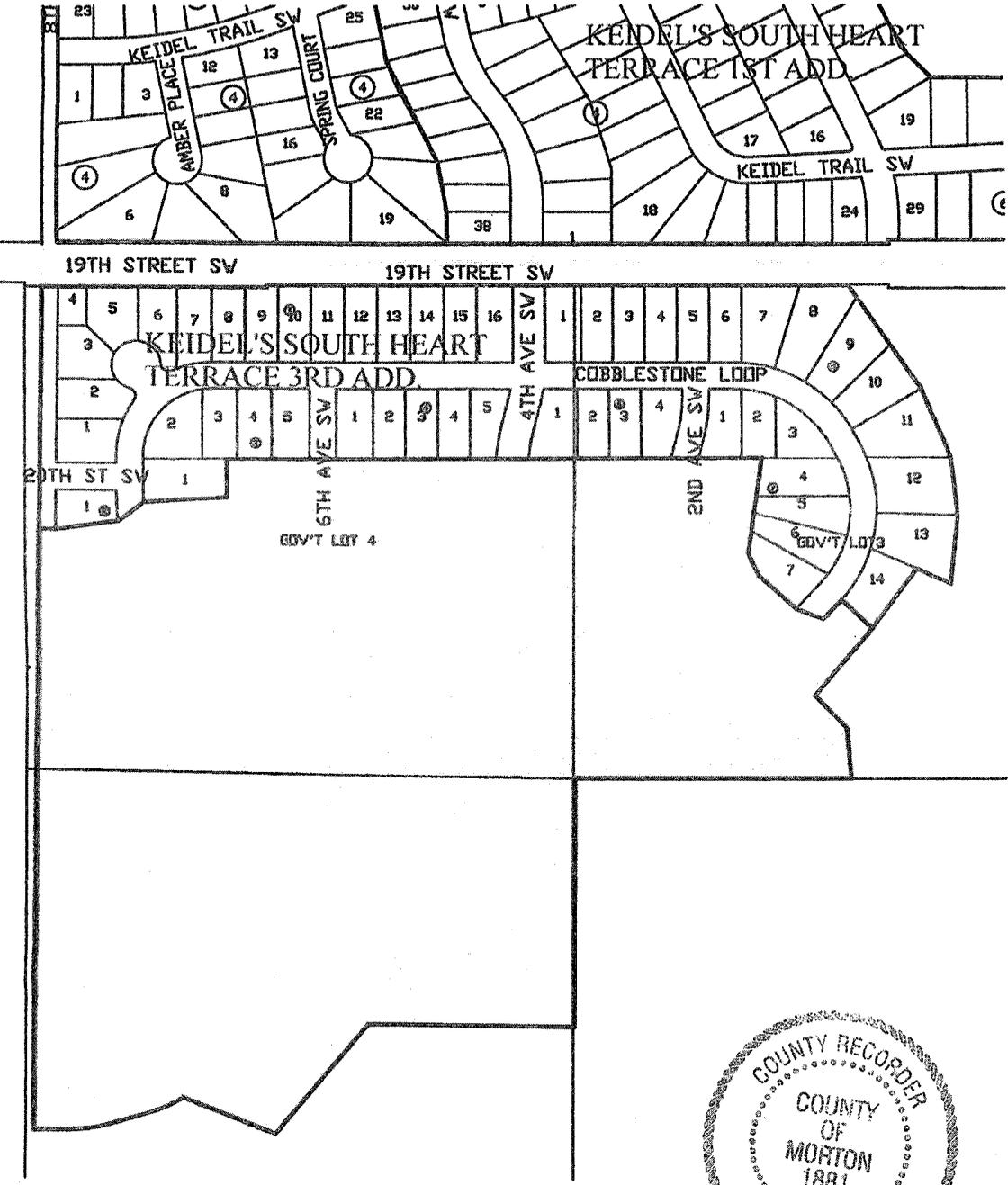
**Section 2. Notice.** The proper officials of the city are hereby directed to publish a copy of this ordinance in the Mandan News, the official newspaper, for two successive weeks and take such further action as they may deem necessary or desirable.

  
\_\_\_\_\_  
President, Board of City Commissioners

Attest:  
  
\_\_\_\_\_  
City Administrator

Publication Date: 6/13/2014  
First Consideration: 6/30/2014  
Second Consideration and Final Passage: 7/8/2014  
Publication Dates: 7/18/2014  
Recording Date: \_\_\_\_\_

Auditor's Office Morton Co., ND  
TRANSFER ACCEPTED  
7-22-14  
DAWN R. RHONE, County Auditor  
By Bum Pittman Deputy



County Recorder  
 Morton County  
 Mandan ND 58554

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COUNTY RECORDER, MORTON COUNTY, ND **458517**  
 I certify that this instrument was filed and recorded.  
 Carole Schaner, County Recorder, Fee \$16.00  
 By *[Signature]* July 22, 2014 10:03:16 AM