

**RESOLUTION OF ANNEXATION**

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

WHEREAS, the City of Fargo, Cass County, North Dakota, is a municipal corporation, organized and existing under the laws of the State of North Dakota, with about ninety-five thousand (95,000) inhabitants; and

WHEREAS, there is contiguous and adjacent to the City of Fargo, a tract or parcel of land hereinafter specifically described, containing approximately 130.65 acres, more or less, which tract or parcel of land is not presently a part of the City of Fargo.

NOW, THEREFORE BE IT RESOLVED, By the Board of City Commissioners of the City of Fargo, North Dakota, that the boundaries of the City of Fargo be, and they hereby are, extended so as to include and incorporate within the corporate limits of the City of Fargo, Cass County, North Dakota, the following described land:

TRACT ONE: That portion of Section Thirty-Four (34), Township One Hundred Thirty-Nine (139) North, Range Forty-Nine (49) West, not previously annexed into the city of Fargo, more particularly described as a 5.64 acre parcel, more or less, situate in the SE  $\frac{1}{4}$  of Section Thirty-Four (34), described more fully as:

Beginning at the southeast corner of Section Thirty-Four (34), thence west along the south section line a distance of 616.64 feet, more or less, to the southerly extension of the west right-of-way line of Interstate 29, the point of beginning; thence North  $26^{\circ}14'27''$  East on said west line of Interstate 29 a distance of 510.50 feet to a point on a line parallel to and 450 feet north of the south line of Section 34; thence South  $88^{\circ}03'49''$  West parallel to the south line of Section 34 a distance of 784.22 feet; thence South  $01^{\circ}56'11''$  East a distance of 450 feet to the south line of Section 34; thence east along the south line of Section 34 to the point of beginning.

AND

TRACT TWO: That part of the Northeast Quarter (NE $\frac{1}{4}$ ) of Section Three (3), Township One Hundred Thirty-Eight (138) North, Range Forty-Nine (49) West described more fully as:

Beginning at the Northwest corner of the Northeast Quarter (NE  $\frac{1}{4}$ ) of Section Three (3), thence South  $02^{\circ}05'48''$  East (assumed bearing) along the westerly line of the Northeast Quarter (NE $\frac{1}{4}$ ) for a distance of 75 feet, thence North  $88^{\circ}03'49''$  East parallel to the Northeast Quarter (NE $\frac{1}{4}$ ) for a distance of 401.14 feet to the true point of beginning, thence continuing North  $88^{\circ}03'49''$  East parallel to the northerly line of Northeast Quarter (NE $\frac{1}{4}$ ) for a distance of 832.93 feet, thence North  $01^{\circ}56'11''$  West for a distance of 10 feet to a point of intersect with the westerly right-of-way line of Interstate Highway 29 (I-29), thence North  $88^{\circ}03'49''$  East parallel to the northerly line of the Northeast Quarter (NE $\frac{1}{4}$ ) and along the westerly right-of-way line of Interstate Highway 29 (I-29) for a distance of 251.01 feet, thence North  $88^{\circ}33'17''$  East along the westerly right-of-way line of Interstate Highway 29 (I-29) for a distance of 197.81

feet, thence South 87°14'34" East along the westerly right-of-way line of Interstate Highway 29 (I-29) for a distance of 400.50 feet, thence South 32°28'34" East along the westerly right-of-way line of Interstate Highway (I-29) for a distance of 801.90 feet, thence South 19°36'34" East along the westerly right-of-way line of Interstate Highway 29 (I-29) for a distance of 262.50 feet, thence south 01°51'34" East along the westerly right-of-way line of Interstate Highway 29 (I-29) for a distance of 150 feet, thence North 88°08'26" East along the westerly right-of-way line of Interstate Highway 29 (I-29) for a distance of 76.30 feet to a point of intersect with the easterly line of the Northeast Quarter (NE1/4) of Section 3, thence South 01°58'41" East along the easterly line of the Northeast Quarter (NE1/4) of Section 3 for a distance of 1154.73 feet to a point lying 165 feet, thence northerly of (as measured perpendicular to) the southerly line of the Northeast Quarter (NE1/4), thence South 88°20'37" West parallel with the southerly line of the Northeast Quarter (NE1/4) for a distance of 2245.02 feet, thence North 01°56'11" West for a distance of 2259.11 feet to the true point of beginning.

Including the right-of-way of Interstate 29 and 52 Avenue South located within the Northeast Quarter of Section Three (3), Township One Hundred Thirty-Eight (138) North, Range Forty Nine (49) West.

AND

TRACT THREE: The north 311.10 feet of the following: Commencing at the northeast corner of the Northwest Quarter of Section 3, thence South 02°05'48" East along the easterly line of the Northwest Quarter of Section 3 for a distance of 75 feet to the true point of beginning, thence South 88°03'49" West parallel to the northerly line of the Northwest Quarter for a distance of 81.16 feet, thence South 01°56'11" East for a distance of 2256.74 feet to a point on a line lying 165 feet northerly of (as measured perpendicular to) the southerly line of the North Half of Section 3, thence North 88°20'37" East parallel with the southerly line of the North Half of Section 3 for a distance of 87.47 feet to a point of intersect with the easterly line of the Northwest Quarter, thence continuing North 88°20'37" East parallel with the southerly line of the North Half of Section 3 for a distance of 394.84 feet, thence North 01°56'11" West for a distance of 2259.11 feet to a point on a line lying 75 feet southerly of (as measured perpendicular to) the northerly line of the Northwest Quarter, thence South 88°03'49" West, parallel with the northerly line of the Northeast Quarter for a distance of 401.14 feet to the true point of beginning.

BE IT FURTHER RESOLVED, By the Board of City Commissioners of the City of Fargo, North Dakota, that this Resolution be published in the official newspaper for the City of Fargo once each week for two successive weeks, and a hearing be held on the 9<sup>th</sup> day of October, 2006, at 5:15 p.m., in the City Commission Room, City Hall, North Dakota.

CERTIFICATE

STATE OF NORTH DAKOTA    )  
  )ss.  
COUNTY OF CASS                )

I, Dennis R. Walaker, the duly elected, qualified and acting Mayor of the City of Fargo, North Dakota; and


I, Steven Sprague, the duly appointed, qualified, and acting City Auditor of the City of Fargo, North Dakota,

DO HEREBY CERTIFY:

That the foregoing is a full, true, and correct copy of the original Resolution and the whole thereof annexing a tract of land consisting of approximately 130.65 acres, which Resolution was duly adopted by the Board of City Commissioners of the City of Fargo, North Dakota, at the meeting of the Board held August 28, 2006, at which meeting all members of the board were present and all members present voted in favor of the adoption of the Resolution; and

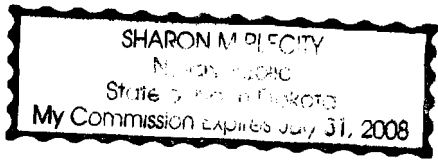
That such Resolution is now a part of the permanent records of the City of Fargo, as filed in the office of the City Auditor.

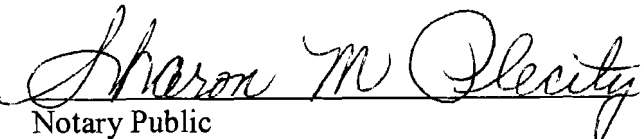
(SEAL)

  
\_\_\_\_\_  
Dennis R. Walaker, Mayor  
City of Fargo, North Dakota

ATTEST:  
  
\_\_\_\_\_  
Steven Sprague, City Auditor

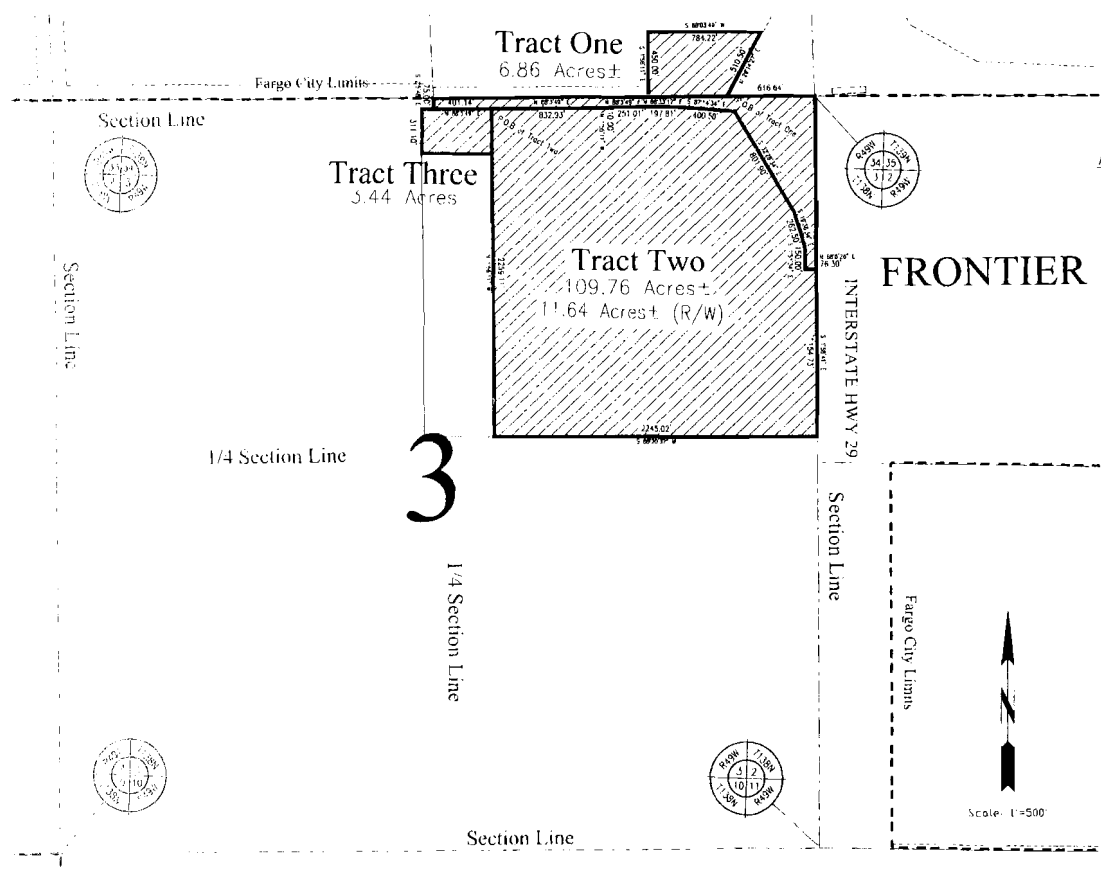
On this 28 day of August, 2006, before me, Sharon M  
Plecity, a Notary Public in and for Cass County in the State of North Dakota, personally appeared DENNIS R. WALAKER, known to me to be the Mayor of the Board of City Commissioners and STEVEN SPRAGUE, known to me to be the City Auditor of the City of Fargo, a municipal corporation under the laws of the State of North Dakota, and they acknowledged to me that they executed the foregoing instrument.



  
\_\_\_\_\_  
Notary Public  
Cass County, North Dakota  
My Commission Expires: 7-31-08

# ANNEXATION PLAT

## TO THE CITY OF FARGO, NORTH DAKOTA, CASS COUNTY



AREA TO BE ANNEXED (131.7 Acres)

EXISTING FARGO CITY LIMITS

### Annexation Plat of:

**TRACT ONE:** That portion of Section Thirty-Four (34), Township One Hundred Thirty-Nine (139), North, Range Forty-Nine (49) West, not previously annexed into the city of Fargo, more particularly described as a 5.64 acre parcel, more or less, situate in the SE ¼ of Section Thirty-Four (34), described more fully as

Beginning at the southeast corner of Section Thirty-Four (34), thence west along the south section line a distance of 616.64 feet, thence or less, to the southerly extension of the west right-of-way line of Interstate 29, the point of beginning, thence North 26°14'27" East on said west line of Interstate 29 a distance of 510.50 feet to a point on a line parallel to and 450 feet north of the south line of Section 34, thence South 88°03'49" West parallel to the south line of Section 34 a distance of 784.22 feet, thence South 01°56'11" East a distance of 450 feet to the south line of Section 34, thence east along the south line of Section 34 to the point of beginning

AND

**TRACT TWO:** That part of the Northeast Quarter (NE ¼) of Section Three (3), Township One Hundred Thirty-Eight (138) North, Range Forty-Nine (49) West described more fully as

Beginning at the Northwest corner of the Northeast Quarter (NE ¼) of Section Three (3), thence South 02°05'48" East (assumed bearing) along the westerly line of the Northeast Quarter (NE ¼) for a distance of 75 feet, thence North 88°03'49" East parallel to the northerly line of the Northeast Quarter (NE ¼) for a distance of 401.14 feet to the true point of beginning, thence continuing North 88°03'49" East parallel to the northerly line of the Northeast Quarter (NE ¼) for a distance of 832.93 feet, thence North 01°56'11" West for a distance of 10 feet to a point of intersect with the westerly right-of-way line of Interstate Highway 29 (I-29), thence North 88°03'49" East parallel to the northerly line of the Northeast Quarter (NE ¼) and along the westerly right-of-way line of Interstate Highway 29 (I-29) for a distance of 251.01 feet, thence North 88°33'17" East along the westerly right-of-way line of Interstate Highway 29 (I-29) for a distance of 197.81 feet, thence South 8°14'34" East along the westerly right-of-way line of Interstate Highway 29 (I-29) for a distance of 400.50 feet, thence South 32°28'34" East along the westerly right-of-way line of Interstate Highway 29 (I-29) for a distance of 801.90 feet, thence South 19°36'34" East along the westerly right-of-way line of Interstate Highway 29 (I-29) for a distance of 262.50 feet, thence South 01°51'34" East along the westerly right-of-way line of Interstate Highway 29 (I-29) for a distance of 150 feet, thence North 88°08'26" East along the westerly right-of-way line of Interstate Highway 29 (I-29) for a distance of 75.30 feet to a point of intersect with the easterly line of the Northeast Quarter (NE ¼) of Section 3, thence South 01°58'41" East along the easterly line of the Northeast Quarter (NE ¼) of Section 3 for a distance of 1154.73 feet to a point lying 165 feet thence northerly of (as measured perpendicular to) the southerly line of the Northeast Quarter (NE ¼), thence South 88°20'37" West parallel to the southerly line of the Northeast Quarter (NE ¼) for a distance of 2245.02 feet, thence North 01°56'11" West for a distance of 2259.11 feet to the true point of beginning

including the right-of-way of Interstate 29 and 52 Avenue South located within the Northeast Quarter of Section Three (3), Township One Hundred Thirty-Eight (138) North, Range Forty-Nine (49) West

AND

**TRACT THREE:** The north 311.10 feet of the following (commencing at the northeast corner of the Northwest Quarter of Section 3, thence South 02°05'48" East along the easterly line of the Northwest Quarter of Section 3 for a distance of 75 feet to the true point of beginning, thence South 88°03'49" West parallel to the northerly line of the Northwest Quarter for a distance of 81.16 feet, thence South 01°56'11" East for a distance of 2256.74 feet to a point on a line lying 165 feet north of (as measured perpendicular to) the southerly line of the North Half of Section 3, thence North 88°20'37" East parallel to the southerly line of the North Half of Section 3 for a distance of 87.47 feet to a point of intersect with the easterly line of the Northwest Quarter, thence continuing North 88°20'37" East parallel to the southerly line of the North Half of Section 3 for a distance of 394.84 feet, thence North 01°56'11" West for a distance of 2259.11 feet to a point on a line lying 75 feet south of (as measured perpendicular to) the northerly line of the Northwest Quarter, thence South 88°03'49" West, parallel to the northerly line of the Northeast Quarter for a distance of 401.14 feet to the true point of beginning

### CERTIFICATE OF ACCURACY:

I, Mark H. Bitner, Registered Professional Engineer, State of North Dakota, hereby certify that the annexed plat is a true representation of resolution adopted Oct 9, 2006

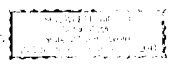
*Mark H. Bitner*  
Mark H. Bitner, R.P.E.

State of North Dakota )  
  ) ss  
County of Cass )



The foregoing instrument was acknowledged before me this 18th day of October, 2006, by Mark H. Bitner, Registered Professional Engineer

*Beverly E. Matheson*  
Notary Public  
My commission expires 7-26-2011



Scale: 1"=500'



CITY ENGINEER'S APPROVAL  
This plat was approved by me this 18th day of October, 2006

*Mark H. Bitner*  
Mark H. Bitner, City Engineer, R.P.E.



State of North Dakota )  
  ) ss  
County of Cass )

The foregoing instrument was acknowledged before me this 18th day of October, 2006, before me, a Notary Public, with full power and authority, duly appointed and sworn in and qualified as a Notary Public in and for the State of North Dakota, in and for the County of Cass, and I am satisfied that the signers of the foregoing instrument are the persons whose names are subscribed to the same and that they are duly qualified to do so.

*Beverly E. Matheson*  
Notary Public, State of North Dakota  
My commission expires 7-26-2011

### CITY COMMISSION APPROVAL

Approved by the Board of City Commissioners on this 9th day of October, 2006, and ordered filed this 9th day of October, 2006.

*Linda Coates-Cery*  
LINDA COATES-CERY, Mayor  
My commission expires 7-26-2011

State of North Dakota )  
  ) ss  
County of Cass )

The foregoing instrument was acknowledged before me this 9th day of October, 2006, before me, a Notary Public, with full power and authority, duly appointed and sworn in and qualified as a Notary Public in and for the State of North Dakota, in and for the County of Cass, and I am satisfied that the signers of the foregoing instrument are the persons whose names are subscribed to the same and that they are duly qualified to do so.

*Jane Cottrell*  
Notary Public, State of North Dakota  
My commission expires Oct-11-10

### AUDITOR'S TAX RECORD

Amount of taxes and special assessments levied on and collected from the property described in this plat for the year ending 12/31/06 is as follows:

City of Fargo \_\_\_\_\_  
Cass County \_\_\_\_\_

### RECORDERS CERTIFICATE

I hereby certify that the above instrument was filed for record in this office on this 31st day of October, 2006, at 1:23 o'clock P. It paid the duty thereon and is a true and correct copy of the original as the same appears in my files.

*Heather Hennings*  
Notary Public, Cass County Recorder  
Cass County, North Dakota  
My commission expires 7-26-2011



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