

**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, the Board of City Commissioners on February 26, 2007 resolved to annex a tract or parcel of land hereinafter specifically described, containing 4.10 acres more or less, that is contiguous and adjacent to the City of Fargo; and

WHEREAS, said Resolution called for a hearing to determine the sufficiency of protests be held on April 9, 2007; and

WHEREAS, the Board of City Commissioners on April 9, 2007 continued the public hearing to hear and determine the sufficiency of protests to June 4, 2007 due to notice issues, and

WHEREAS, the City Auditor's Office published a Notice of Hearing on said annexation in the official newspaper for the City of Fargo on May 2, 2007 and May 7, 2007 that a Hearing would be held in the City Commission Room at City Hall, Fargo, North Dakota at 5:15 o'clock p.m., June 4, 2007 to hear and determine the sufficiency of protests, and

WHEREAS, the Board of City Commissioners on June 4, 2007 finds and declares that no protests have been filed with the City Auditor's Office after publication of the Annexation Resolution adopted by the Board of City Commissioners on February 26, 2007.

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:

All of, except the west 200' and the south 200', of Auditors Lot 1 in the southeast quarter (SE ¼) of Section 28, Township 138 North, Range 49 West of the 5<sup>th</sup> Principal Meridian, Cass County, ND further described as follows:

Commencing at the southwest corner of said southeast quarter (SE ¼); thence easterly along the south line of said Section 28 a distance of 540' to the east line of Auditors Lot 1; thence northerly along said east line a distance of 200', more or less, to a point on a line parallel to and 200' north of said south line, the true point of beginning; thence continuing northerly along said east line of Lot 1 a distance of 525', more or less, to the north line of said Lot 1; thence westerly along said north

line a distance of 340' more or less, to a point on a line parallel to and 200' east of the west line of said southeast quarter (SE ¼); thence southerly along said line parallel to said west line a distance of 525', more or less, to a point on said line parallel to and 200' north of south line of Section 28, thence easterly along said line parallel to south line a distance of 340', more or less, to the point of beginning.

Said tract contains 4.10 acres, more or less.

BE IT FURTHER RESOLVED, By the Board of City Commissioners of the City of Fargo, North Dakota, that this Resolution and an accurate map of the annexed, certified by the executive office of the city, are filed and recorded with the Cass County Recorder.

CERTIFICATE

STATE OF NORTH DAKOTA)

COUNTY OF CASS                    ) ss.  
  )

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

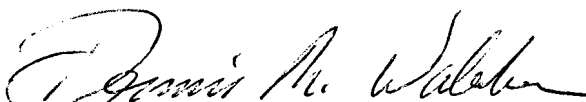
I, Steven Sprague, the duly appointed, qualified and acting City Auditor of the City of Fargo, North Dakota,

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 4.10 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 June 4, 2007, 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)

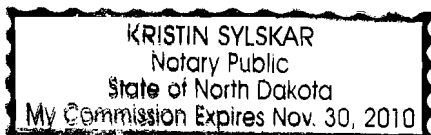


Dennis R. Walaker, Mayor  
City of Fargo, North Dakota

ATTEST:

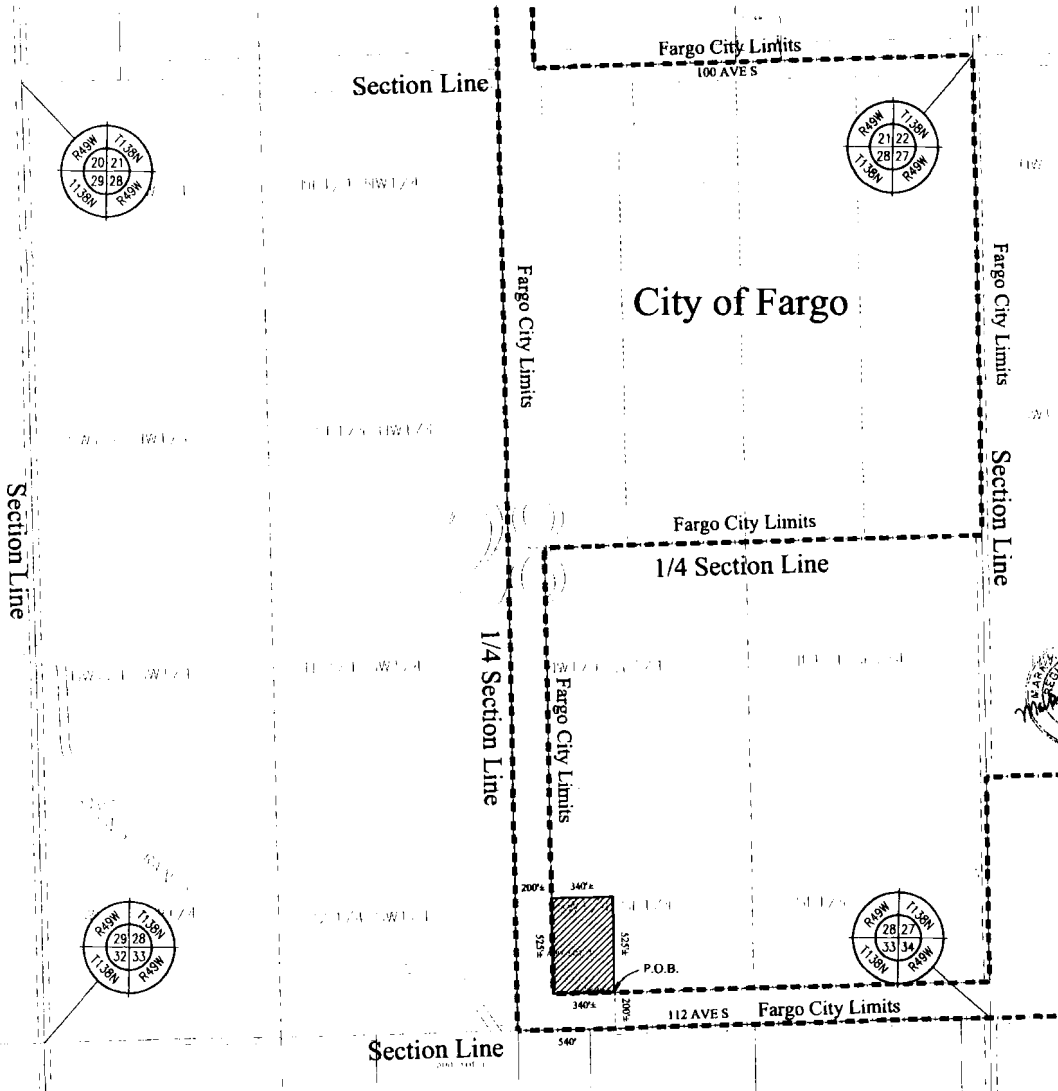
  
Steven Sprague, City Auditor

On this October 23, 2007, before me, Kristin Sylskar, 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: 11-30-2010

Oct 24, 2007

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

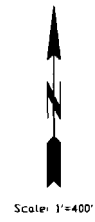


### Annexation Plat of:

All of, except the west 200' and the south 200', of Auditors Lot 1 in the southeast quarter (SE ¼) of Section 28, Township 138 North, Range 49 West of the 5th Principal Meridian, Cass County, ND further described as follows:

Commencing at the southwest corner of said southeast quarter (SE ¼); thence easterly along the south line of said Section 28 a distance of 540' to the east line of Auditors Lot 1; thence northerly along said east line a distance of 200', more or less, to a point on a line parallel to and 200' north of said south line, the true point of beginning; thence continuing northerly along said east line a distance of 525', more or less, to the north line of said Lot 1; thence westerly along said north line a distance of 340' more or less, to a point on a line parallel to and 200' east of the west line of said southeast quarter (SE ¼); thence southerly along said line parallel to said west line a distance of 525', more or less, to a point on said line parallel to and 200' north of south line of Section 28; thence easterly along said line parallel to south line a distance of 340', more or less, to the point of beginning.

Said tract contains 4.10 acres, more or less



**CERTIFICATE OF ACCURACY:**  
I, Mark H. Bittner, Registered Professional Engineer, State of North Dakota, hereby certify that the annexed plat is a true representation of resolution adopted June 4, 2007

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

State of North Dakota )  
  ) ss  
County of Cass )

The foregoing instrument was acknowledged before me this 19<sup>th</sup> day of July, 2007, by Mark H. Bittner, Registered Professional Engineer.

*Beverly E. Martinson*  
Notary Public

My commission expires

**CITY ENGINEER'S APPROVAL:**  
This annexed plat is hereby approved this 19<sup>th</sup> day of July, 2007.

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

State of North Dakota )  
  ) ss  
County of Cass )

The foregoing instrument was acknowledged this 19<sup>th</sup> day of July, 2007, before me, a notary public with and for said County, personally appeared Mark H. Bittner, City Engineer, to me known to be the person described in and who executed the same as a free act and deed.

*Beverly E. Martinson*  
Notary Public Cass County

My commission expires

**CITY COMMISSION APPROVAL:**  
Approved by the Board of City Commissioners of Fargo, North Dakota, and ordered filed this 4<sup>th</sup> day of June, 2007.

*Dennis R. Wolaker*     *Steven H. Sprague*  
Mayor                             City Auditor

State of North Dakota )  
  ) ss  
County of Cass )

The foregoing instrument was acknowledged before me this 19<sup>th</sup> day of August, 2007, by Dennis R. Wolaker, Mayor; and Steven H. Sprague, City Auditor, on behalf of the City of Fargo.

*Kristin Sleskar*  
Notary Public  
Notary Public Cass County

My commission expires 11-30-2010

1217567  
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CITY OF FARGO AUDITOR'S OFFICE     8/24/2007 08:30:33

**AUDITOR'S TAX RECORD:**  
Delinquent taxes and special assessments or installments of special assessments paid and transferred

Michael Montclair, Cass County Auditor

**RECORDERS CERTIFICATE:** Document No. 1217567 \$10.00 chg.

I hereby certify that the above instrument was filed for record in this office on the 24<sup>th</sup> day of October, 2007, at 8:00 o'clock A.M. and was duly recorded in book W1 of Plate page 85

*Jewel A. Spivey*  
Jewel A. Spivey, Cass County Recorder  
Cass County, North Dakota



W1-85

Prepared by:  
Fargo Engineering Department  
FARGO, NORTH DAKOTA

EXISTING FARGO CITY LIMITS  
 AREA TO BE ANNEXED (4.10 Acres ±)

