

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 74.23 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 the southeast quarter (SE ¼) of Section 4, Township 139 North, Range 49 West, Cass County, ND lying north of the north line of the Burlington Northern Santa Fe Railroad right of way and further described as follows:

Beginning at the northeast corner of the southeast quarter (SE ¼) of Section 4; thence southerly along the east line of Section 4, said line also the present corporate limit line of the City of Fargo to the north right of way line of the Burlington Northern Santa Fe Railroad; thence westerly along said BNSF right of way line, said line also the present corporate limit line of the City of West Fargo to the west line of said southeast quarter (SE ¼); thence northerly along said west line of

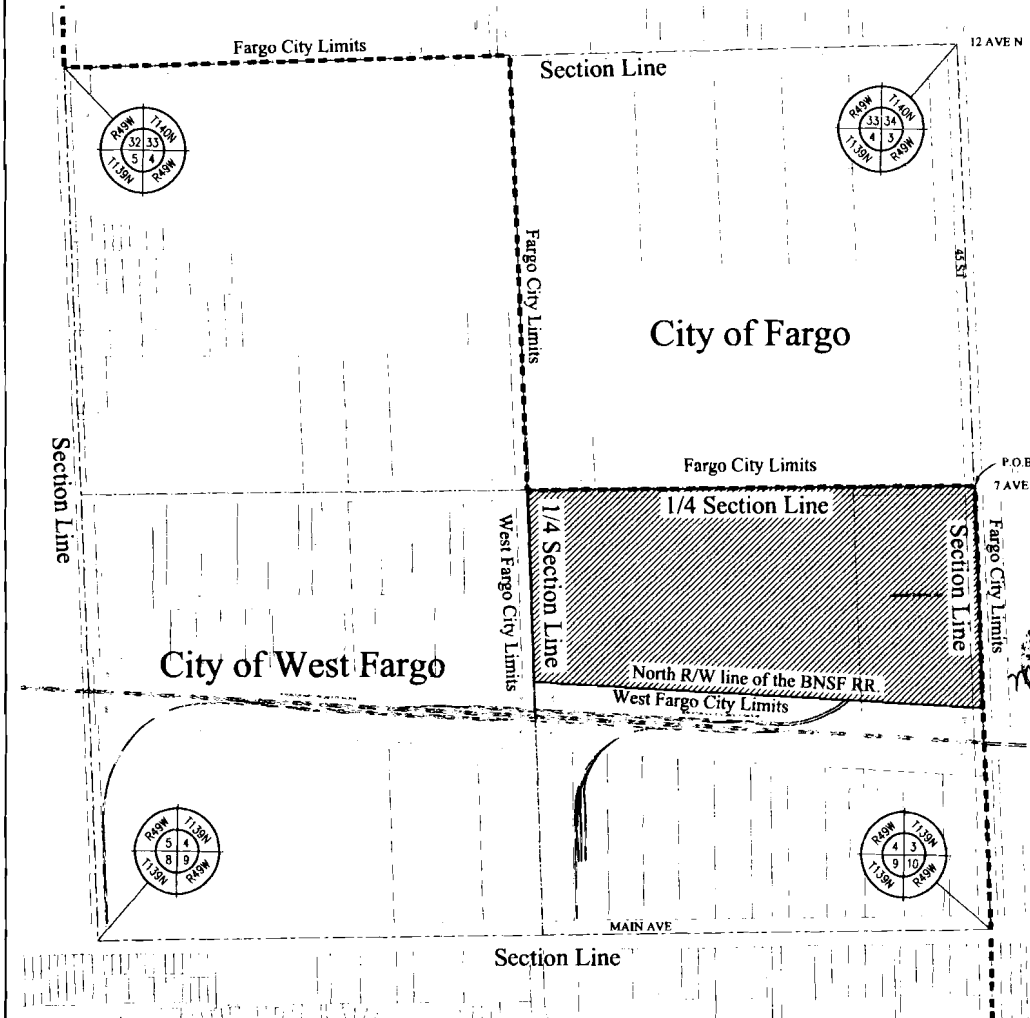
southeast quarter (SE ¼) of Section 4, said line also the corporate limit line of the City of West Fargo, to the north line of said southeast quarter (SE ¼); thence easterly along said north line of southeast quarter (SE ¼), said line also the corporate limit line of the City of Fargo, to the point of beginning.

Said tract contains 74.23 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.

ANNEXATION PLAT

TO THE CITY OF FARGO, NORTH DAKOTA, CASS COUNTY



Annexation Plat of:

All of the southeast quarter (SE 1/4) of Section 4, Township 139 North, Range 49 West, Cass County, ND lying north of the north line of the Burlington Northern Santa Fe Railroad right of way and further described as follows:

Beginning at the northeast corner of the southeast quarter (SE 1/4) of Section 4; thence southerly along the east line of Section 4, said line also the present corporate limit line of the City of Fargo to the north right of way line of the Burlington Northern Santa Fe Railroad; thence westerly along said BNSF right of way line, said line also the present corporate limit line of the City of West Fargo to the west line of said southeast quarter (SE 1/4); thence northerly along said west line of southeast quarter (SE 1/4) of Section 4, said line also the corporate limit line of the City of West Fargo, to the north line of said southeast quarter (SE 1/4); thence easterly along said north line of southeast quarter (SE 1/4); said line also the corporate limit line of the City of Fargo, to the point of beginning.

Said tract contains 74.23 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)
) Yes.
County of Cass)

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

Brenda E. Martinson
Notary Public

My commission expires 11-30-2010

CITY ENGINEER'S APPROVAL:

The annexed plat is hereby approved the 19th day of July, 2007.

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



State of North Dakota)
) Yes.
County of Cass)

The foregoing instrument was acknowledged the 19th 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.

Brenda E. Martinson
Notary Public, Cass County

My commission expires 11-30-2010

CITY COMMISSION APPROVAL:

Approved by the Board of City Commissioners of Fargo, North Dakota, and ordered filed the 4th day of June, 2007.

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

State of North Dakota)
) Yes.
County of Cass)

The foregoing instrument was acknowledged before me this 4th day of August, 2007, by Dennis R. Washburn, Mayor, and Steven H. Sprague, City Auditor, on behalf of the City of Fargo.

Kristin Svisskar
Notary Public, Cass County

My Commission Expires Nov 30, 2010

My commission expires 11-30-2010



AUDITOR'S TAX RECORD:

Delinquent taxes and special assessments or installments of special assessments paid and transferred:

Michael Montplaisir, Cass County Auditor

RECORDERS CERTIFICATE Document No. 1217569 310.00 chg.

I hereby certify that the above instrument was filed for record in this office on the 24th day of October, 2007 at 8:00 o'clock A M and was duly recorded in book W1 of Plan page 86

Janet A. Spier
Notary Public, Cass County, North Dakota



W1-86

CITY OF Fargo
Prepared by:
Fargo Engineering Department
FARGO, NORTH DAKOTA

