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.
CERTIFICATE

STATE OF NORTH DAKOTA)

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 74.23 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.

Kristin Sylskar
Notary Public
Cass County, North Dakota
My Commission Expires: 11-30-2010
ANNEXATION PLAT
TO THE CITY OF FARGO, NORTH DAKOTA, CASS COUNTY

Annexation Plat of:

Section 4, Township 137 North, Range 8 West, Cass County, North Dakota, 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, Township 137, Range 8 West, Cass County, North Dakota, lying north of the north line of the Burlington Northern Santa Fe Railroad, thence north along said railroad line to the southwest corner of the same quarter, thence west along said railroad line to the west line of said section, thence south along said east line of said section to the southeast corner of said section, thence east along said southeast line of said section to the beginning, a distance of 74.23 acres, more or less.

Prepared by:
Fargo Engineering Department
FARGO, NORTH DAKOTA

CITY ENGINEER'S APPROVAL:
Mark H. Butter
Fargo Engineering Department
FARGO, NORTH DAKOTA

CITY COMMISSION APPROVAL:
Approved by the City Commission on June 22, 1987

RECORDS CERTIFICATE:
Deed Book 1217 at page 8

FARGO, NORTH DAKOTA