

East Valley Rail Annexation



778581

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1/31/2014 10:40 AM

RES \$35.00

WILLIAMS COUNTY, ND

Commissioner Klug introduced and moved the adoption of the following Resolution:

RESOLUTION NO. 13-140

WHEREAS, the City of Williston duly passed a Resolution of Annexation at a regular meeting of the City Commission held on January 14th, 2014, a copy of which is marked exhibit "A", annexed hereto and by reference made a part hereof as much as if the same were recited herein in its entirety; and

WHEREAS, said Resolution was published in the official newspaper of the City of Williston, North Dakota on December 13th, 2013 and December 20th, 2013; and

WHEREAS, notice of Resolution was mailed to the owner of each parcel of real property within the area to be annexed at the person's last know mailing address; and

WHEREAS, thirty days has now elapsed from the date of the first publication of such Resolution as evidenced by the hereto for referred to Affidavit of Publication; and

WHEREAS, said Resolution came on for hearing in the City Hall on January 14th, 2014 at 6:00 p.m.; and

WHEREAS, protests were not filed by more than one fourth (1/4) of the territory proposed to be annexed;



WILLIAMS COUNTY, ND

NOW THEREFORE, BE IT RESOLVED by the Board of City Commissioners of the City of Williston, North Dakota, that the property hereinbefore described in Exhibit "A" shall and is hereby declared to be annexed to the City of Williston, North Dakota, in accordance with and pursuant to Section 40-51.2-07 of the North Dakota Century Code.

E. Ward Koeser, President
Board of City Commissioners

ATTEST:

John Kautzman, City Auditor

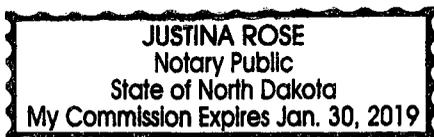
Commissioner Cymbaluk seconded the motion. On roll call, the following Commissioners voted in favor of said motion: Bekkedahl, Klug, Cymbaluk, Brostuen and Koeser. The following members voted nay: None. The following members were absent and not voting: None. The majority having voted aye, the motion was carried and the Resolution was duly adopted.

STATE OF NORTH DAKOTA)

:SS.

COUNTY OF WILLIAMS)

On this 29 day of January, 2014 before me personally appeared E. Ward Koeser and John Kautzman, known to me to be President of the Board of City Commissioners and City Auditor, respectively, of City of Williston, that is described in and that executed the within instrument, and acknowledged to me that such party executed the same.


Notary Public



RESOLUTION NO. 13-140

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

WHEREAS, the City of Williston, Williams County, North Dakota, is a municipal corporation, organized and existing under the laws of the State of North Dakota; and

WHEREAS, there is contiguous and adjacent to the City of Williston a tract or parcel of land hereinafter specifically described, containing approximately 217.22 acres, more or less, which tract or parcel of land is not presently a part of the City of Williston

NOW, THEREFORE, BE IT RESOLVED, by the Board of City Commissioners of the City of Williston, North Dakota, that the boundaries of the City of Williston be, and they are hereby extended to as to include and incorporate within the corporate limits of the City of Williston, Williams County, North Dakota, the following described land, to-wit:

See Attached Map and Description

BE IT FURTHER RESOLVED, by the Board of City Commissioners of the City of Williston, North Dakota, that this Resolution be published in the official newspaper for the City of Williston once each week for two successive weeks, that notice of the Resolution be mailed to the owner of each parcel of real property within the area to be annexed at the person's last known mailing address , and a hearing be held on January 14th, 2014 at 6:00 p.m. in the City Commission Room, City Hall, Williston, North Dakota. The owners of any real property within the territory proposed to be annexed, within 30 days of the first publication of such resolution, may file written protests with the City Auditor protesting against the proposed annexation.

Commissioner Cymbaluk moved the adoption of the foregoing resolution. The motion was seconded by Commissioner Brostuen. On roll call vote of the Commissioners, the following Commissioners voted "AYE": Brostuen, Bekkedahl, Klug, Cymbaluk & Koeser, and the following Commissioners voted "NAY": None. Absent and not voting: None.

WHEREUPON the motion was passed and the Resolution declared adopted this 10th day of December, 2013.

E. WARD KOESER, President
Board of City Commissioners

JOHN KAUTZMAN
City Auditor



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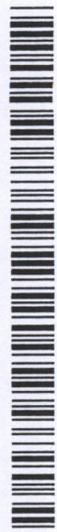
WILLIAMS COUNTY, ND

LEGAL DESCRIPTION OF EAST VALLEY RAIL ANNEXATION

A PARCEL OF LAND BEING PART OF SECTIONS 17 AND 20 OF T154N, R100 W OF THE 5TH P.M., WILLIAMS COUNTY, STATE OF NORTH DAKOTA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SECTION 20; THENCE S 02°14'48" W ALONG THE $\frac{1}{4}$ SECTION LINE 247.43 FEET TO THE POINT OF BEGINNING, SAID POINT BEING THE INTERSECTION OF THE QUARTER SECTION LINE WITH A B.N.S.F. RAILROAD RIGHT-OF-WAY LINE; THENCE N 39°22'58" E 2624.39 FEET TO THE PC OF A CURVE; THENCE 528.92 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 10°57'39", HAVING A RADIUS OF 2764.83 FEET, AND WHOSE LONG CHORD BEARS N 44°37'30" E 528.11 FEET; THENCE N 50°01'46" E 901.26 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF 133RD AVE NW, THE PRECEDING 3 COURSES BEING ALONG THE EASTERLY BOUNDARY OF A B.N.S.F. RAILROAD RIGHT-OF-WAY; THENCE S 02°10'57" W 192.82 FEET; THENCE S 02°11'31" W 2640.62 FEET; THENCE S 02°12'34" W 1801.78 FEET, THE PREVIOUS 3 COURSES BEING ALONG THE WESTERLY RIGHT-OF-WAY LINE OF 133RD AVE NW; THENCE N 87°41'01" W 84.40 FEET; THENCE S 02°18'59" W 13.90 FEET; THENCE N 87°16'18" W 583.46 FEET; THENCE S 02°19'03" W 427.00 FEET TO A POINT ON THE NORTHERN RIGHT-OF-WAY LINE OF STATE HIGHWAY 1804; THENCE 775.74 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 11°24'42", HAVING A RADIUS OF 3894.83 FEET, AND WHOSE LONG CHORD BEARS S 85°42'26" W 774.46 FEET; THENCE S 80°00'01" W 342.57 FEET; THENCE N 09°59'59" W 25.00 FEET; THENCE S 80°24'18" W 486.45 FEET TO THE PC OF A NON-TANGENT CURVE TO THE RIGHT; THENCE 368.21 FEET ALONG THE ARC OF A CURVE HAVING A CENTRAL ANGLE OF 16°42'41", HAVING A RADIUS OF 1262.43 FEET, AND WHOSE LONG CHORD BEARS N 74°54'47" W 366.91 FEET, THE PREVIOUS 5 COURSES BEING ALONG THE NORTHERN RIGHT-OF-WAY LINE OF STATE HIGHWAY 1804; THENCE N 02°14'48" E ALONG THE EXISTING WILLISTON CITY BOUNDARY 2137.95 FEET TO THE POINT OF BEGINNING.

CONTAINING 217.22 ACRES



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SCALE: 1" = 200'

