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

RESOLUTION 11-55

WHEREAS, the City of Williston duly passed a Resolution of Annexation at the regular meeting of the City Commission held on April 12, 2011, 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 April 15 and 22, 2011; 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 May 24, 2011 at 7:30 p.m.; and

WHEREAS, protests were not filed by more than one fourth (1/4) of the territory proposed to be annexed;
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 Bogar seconded the motion. On roll call, the following Commissioners voted in favor of said motion: Cymbaluk, Bogar, Bekkedahl, Klug 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 4th day of August, 2011 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.

SANDRA K SOLBERG
Notary Public
State of North Dakota
My Commission Expires February 26, 2014

Notary Public

716358
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8/5/2011 11:16 AM
RES $25.00
WILLIAMS COUNTY, ND
EXHIBIT A
RESOLUTION NO. 11-25

RESOLUTION OF ANNEXATION

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 9.04 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 hereby are, extended so 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 May 24, 2011, at 7:30 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 __Klug___. On roll call vote of the Commissioners, the following Commissioners voted “AYE”: __Bogar__, __Klug__, __Cymbaluk__, __Koeser__ and the following Commissioners voted “NAY”: __None__. Absent and not voting: __Bekkedahl__.
WHEREUPON, the motion was passed and the Resolution declared adopted this 12th day of April, 2011.

E. WARD KOESER, President
Board of City Commissioners

ATTEST:

JOHN KAUTZMAN, City Auditor
Annexation Description

A tract of land lying in the southwest ¼ of Section 1, Township 154 West, Range 101 North of the 5th Principal Meridian, Williams County, North Dakota, more particularly described as follows:

Commencing at the southwest corner of said Section 1, Thence easterly along the south line of said Section 1 a distance of 85.00 feet to a point lying on the east right of way line of US Highway 2 & 85 and the Corporate limits of the City of Williston and the Point of Beginning; Thence northerly along the east right of way line of US Highway 2 & 85 and the Corporate Limits of the City of Williston a distance of 33.00 feet to the southwest corner of Lot 1, Block 1 of the Hollen Subdivision of Williams County; Thence easterly along the south line of Lot 1, Block 1 of the said Hollen Subdivision a distance of 101.00 feet to the southwest corner of Lot 1, Block 1 of said Hollen Subdivision; Thence northerly along the east line of Lot 1, Block 1 of the said Hollen Subdivision extended a distance of 217.00 feet to the south line of Lot 7, Block 7 of the Sande Subdivision of Williams County; Thence westerly along the south line of Lot 7, Block 7 of the said Sande Subdivision a distance of 26.00 feet to the southwest corner of Lot 7, Block 7 of the said Sande Subdivision; Thence northerly along the west line of Lot 7, Block 7 of the said Sande Subdivision extended along the west line of Block 7 of the said Sande Subdivision a distance of 1,072.05 feet to the north line of the said Sande Subdivision and the Corporate Limits of the City of Williston; Thence easterly along the north line of the said Sande Subdivision and the Corporate Limits of the City of Williston a distance of 280.00 feet to a point; Thence southerly along a line perpendicular to the north line of the said Sande Subdivision a distance of 30.00 feet to the northeast corner of Lot 14, Block 6 of the said Sande Subdivision; Thence southerly along the east line of said Lot 14, Block 14 of the said Sande Subdivision extended a distance of 1,052.00 feet to the southeast lot corner of Lot 18, Block 6 of the said Sande Subdivision; Thence easterly along the south line of Block 6 of the said Sande Subdivision a distance of 60.00 feet to the right of way line of 43rd Street; Thence northerly along the south line of 43rd Street a distance of 118.00 feet to a point; Thence southerly along a line perpendicular to the south right of way line of 43rd Street a distance of 176.00 feet to the north right of way line of 42nd Street; Thence westerly along the north right of way line of 42nd Street a distance of 118.00 feet to the east right of way line of Main Street; Thence southerly along a line perpendicular to the north right of way line of 42nd Street a distance of 33.00 feet to the south line of said Section 1 and the Corporate Limits of the City of Williston; Thence westerly along the south line of said Section 1 and the Corporate Limits of the City of Williston a distance of 501.00 feet, plus or minus, to the Point of Beginning.

Said description contains 9.04 Acres, more or less.
STATE OF NORTH DAKOTA  )
COUNTY OF WILLIAMS  )

On this 12th day of April, 2011, before me personally appeared E. Ward Koeser and John Kautzman, known to me to be the President of the Board of City Commissioners and City Auditor of the corporation that is described in and that executed the foregoing instrument, and acknowledged to me that they executed the same.

SANDRA K SOLBERG  
Notary Public  
State of North Dakota  
My Commission Expires February 26, 2014  

Notary Public, State of North Dakota