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

RESOLUTION 11-60

WHEREAS, the City of Williston duly passed a Resolution of Annexation at a regular meeting of the City Commission held on June 28, 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 July 8 and July 26, 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 known 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 August 9, 2011 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;
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: Klug, Cymbaluk, Bogar, Bekkedahl, 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 10th 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
EXHIBIT "A"

RESOLUTION NO. 11-52

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 48.24 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 August 8th, 2011, 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 Bogar. On roll call vote of the Commissioners, the following Commissioners voted “AYE”: Bekkedahl, Klug, Cymbaluk, Bogar, Koeser and the following Commissioners voted “NAY”: None. Absent and not voting: None.
WHEREUPON, the motion was passed and the Resolution declared adopted this 28th day of June, 2011.

[Seal]

E. WARD KOESER, President
Board of City Commissioners

ATTEST:

[Signature]
JOHN KAUTFMAN, City Auditor

722632
Page: 4 of 8
11/18/2011 9:36 AM
RES $31.00
Scott Johnson  
Annexation Plat Application to the City of Williston, North Dakota  
S ¼, NW ¼, Sec 2, T.154N, R.101W, 5th PM and  
E 33 Feet of NE ¼, SW ¼, Sec 2, T.154N, R.101W, 5th PM  
June 23, 2011  

LEGAL DESCRIPTION  

Tract 1  
A Tract of land generally located within the South Half (S 1/2) of the Northwest Quarter (NW 1/4) of Section 2, Township 154 North, Range 101 West of the Fifth Principal Meridian, Williams County, North Dakota; more particularly described as follows:  

Beginning at a point on the East-West Quarter of Section line of said Section, 33.00 feet East of the Southwest Corner of said South Half (S 1/2); thence North 00°00'10" East and parallel to the West Section line of said Section, 765.15 feet; thence due East a distance of 645.80 feet; thence North 04°50'00" East, 151.73 feet; thence North 89°50'40" East, 620.48 feet to the East line of the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4) of said Section; thence South 00°14'00" West along said East line, 166.89 feet; thence departing said line, North 89°54'13" East, 1327.33 feet to the North-South Quarter of Section line of said Section; thence South 00°00'15" East along said Quarter line, 747.87 feet to the Center Quarter Corner of said Section; thence South 89°52'10" West along the aforementioned East-West Quarter of Section line, 2605.00 feet to the Point of Beginning.  

Containing 47.24 acres, more or less.  

Said Tract 1 contains a total 47.24 acres, more or less.  

Tract 2  
A Tract of land being the East 33.00 feet of the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of Section 2, Township 154 North, Range 101 West of the Fifth Principal Meridian, Williams County, North Dakota.  

Said Tract 2 contains a total 1.00 acres, more or less.  

TOTAL ANNEXED AREA: 48.24 ACRES, MORE OR LESS.
CITY OF WILLISTON, NORTH DAKOTA
ANNEXATION APPLICATION

**PROPERTY INFORMATION**

Name of plat: Annexation Plat to the City of Williston

Legal description of property (lot, block, addition):

Tract 1

A Tract of land generally located within the South Half (S 1/2) of the Northwest Quarter (NW 1/4) of Section 2, Township 154 North, Range 101 West of the Fifth Principal Meridian, Williams County, North Dakota; more particularly described as follows:

Beginning at a point on the East-West Quarter of Section line of said Section, 33.00 feet East of the Southwest Corner of said South Half (S 1/2); thence North 00°00'13" East and parallel to the West Section line of said Section, 765.15 feet; thence due East a distance of 645.80 feet; thence North 04°56'00" East, 151.73 feet; thence North 89°50'40" East, 630.48 feet to the East line of the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4) of said Section; thence South 00°14'00" West along said East line, 165.89 feet; thence departing said line, North 89°54'13" East, 1327.33 feet to the North-South Quarter of Section line of said Section; thence South 00°00'13" East along said Quarter line, 747.87 feet to the Center Quarter Corner of said Section; thence South 89°52'13" West along the aforesaid East-West Quarter of Section line, 265.00 feet to the Point of Beginning,

Said Tract 1 containing 47.24 acres, more or less.

Tract 2

A Tract of land being the East 33.00 feet of the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of Section 2, Township 154 North, Range 101 West of the Fifth Principal Meridian, Williams County, North Dakota.

Said Tract 2 contains a total 1.00 acres, more or less.

**TOTAL ANNEXED AREA: 48.24 ACRES, MORE OR LESS.**

Street address of property: East of the corner of the intersection of 16th Avenue West and 51st Street West

<table>
<thead>
<tr>
<th>Existing zoning: A: Agricultural</th>
<th>Proposed zoning: R-5: Mobile Home Court</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acreage: 48.24 Acres</td>
<td>Number of lots: 160+</td>
</tr>
</tbody>
</table>

Brief description of annexation proposal, including reason(s) for the request: To plat property into lots and develop the property as a mobile home court in conformance with the City of Williston's Planning & Zoning Department's recommendations for approval of the rezoning request and to obtain City of Williston utility services.

**APPLICATIONS**

Name: Scott Johnson

Mailing Address: 125 Central Ave., Ste. 1A, Bozeman, MT 59718

**PROPERTY OWNER IS DIFFERENT THAN APPLICANT/DEVELOPER**

Name: Scott Johnson

Mailing Address: 125 Central Ave., Ste. 1A, Bozeman, MT 59718

Percentage of Ownership: 100%

Name:

Mailing Address:

Percentage of Ownership:

Name:

Mailing Address:

Percentage of Ownership:

**CONTACT PERSON/AGENT**

Name/Firm: Lowell Cutshaw, Interstate Engineering, Inc.

Mailing Address: 425 E. Main St., PO Box 648, Sidney, MT 59270-0648

(406) 433-5617

NOTE: APPLICATIONS ARE NOT COMPLETE UNTIL ALL REQUIRED SUBMITTALS HAVE BEEN RECEIVED.
This application is filed with the required information. I certify that all property owners have signed or ratified this application. I hereby request favorable consideration of the above described annexation application.

(Applicant's Signature)

6/24/11

(Case)

(Owner's Signature, if different)

(Owner's Signature, if different)

(Owner's Signature, if applicable)

(Owner's Signature, if applicable)

THE FOLLOWING MUST ACCOMPANY THE APPLICATION FORM:

Map of area to be annexed
RESOLUTION NO. 11-60

Commissioner Bogar introduced the following Resolution and moved its adoption:

RESOLUTION CREATING WATER, SEWER AND STREET IMPROVEMENT DISTRICT 11-6 OF THE CITY OF WILLISTON, NORTH DAKOTA.

BE IT RESOLVED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF WILLISTON, NORTH DAKOTA:

1. There is hereby created a Street Improvement District in the City of Williston, to be designated and known as WATER, SEWER AND STREET IMPROVEMENT DISTRICT 11-6 created for the purpose constructing the following:

   SECTION I—STREET IMPROVEMENTS:
   An urban section asphalt street along 4th Avenue West from 42nd Street to 44th Street.

   SECTION II—WATER AND SEWER IMPROVEMENTS:
   A municipal water and sewer system along 44th Street West from 4th Avenue West to 6th Avenue West.

2. That said WATER, SEWER AND STREET IMPROVEMENT DISTRICT 11-6 shall contain and involve the following described real property situated in the City of Williston, Williams County, North Dakota, described as follows:

   SECTION I—STREET IMPROVEMENTS:
   Lot One, Block One of the Archer Subdivision of the City of Williston, ND and Lot One, Block of the Archer Subdivision to the City of Williston, ND.

   SECTION II—WATER AND SEWER IMPROVEMENTS
   Lots One and Two of the Burnett Subdivision to the City of Williston, ND.

   As shown on the attached map.

The motion for the adoption of the foregoing Resolution was duly seconded by Commissioner Cymbaluk, and upon vote being taken thereon, the following Commissioners voted "AYE": Klug, Cymbaluk, Bogar, Bekkedahl, Koeser and the following voted "NAY": None Absent and not voting: None. Whereupon said motion was declared duly passed and adopted this 9th day of August, 2011.

ATTEST:

John Kautzman, City Auditor

Board of City Commissioners
E. Ward Koeser, President

Publish: August 14th & 21st, 2011