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

RESOLUTION – 12-04

WHEREAS, the City of Williston duly passed a Resolution of Annexation at a regular meeting of the City Commission held on December 27, 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 November 27, 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 December 27, 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: Bekkedahl, Klug, Cymbaluk, Bogar, 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  
COUNTY OF WILLIAMS  

On this 25th day of January, 2012 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
RESOLUTION NO. 11-76

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 293.76, 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 December 27, 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 Klug moved the adoption of the foregoing resolution. The motion was seconded by Commissioner Cymbaluk. 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 22nd day of November, 2011.

WARD KOESE, President
Board of City Commissioners

ATTEST:
JOHN KAUTZMAN, City Auditor
SUNDBY ANNEXATION
SECTION 20 AND 29, TOWNSHIP 154 NORTH, RANGE 100 WEST
WILLIAMS COUNTY, NORTH DAKOTA

ANNEXATION DESCRIPTION
A TRACT OF LAND LOCATED IN THE NORTHWEST ¾ OF SECTION 29 AND THE SOUTHWEST ¼ OF SECTION 20, TOWNSHIP 154 NORTH, RANGE 100 WEST, 5th PRINCIPAL MERIDIAN, WILLIAMS COUNTY, NORTH DAKOTA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT ON A POINT ON THE WEST RIGHT OF WAY LINE OF 133 AVENUE NW, SAID POINT LIES 75.00 FEET NORTH ALONG THE EAST LINE OF THE NORTHWEST QUARTER SECTION 29, AND 75.00 FEET WEST ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER FROM THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER SECTION 29; THENCE WESTERLY ALONG THE NORTH RIGHT OF WAY OF 45TH LANE NW 2700.48 FEET TO A POINT ON THE WEST LINE OF SAID NORTHWEST QUARTER SECTION 29; THENCE NORTHERLY 2231.03 FEET ALONG SAID WEST LINE TO THE NORTHWEST CORNER OF SAID SECTION 29; THENCE NORTHERLY 2512.33 FEET ALONG THE WEST LINE OF THE SOUTHWEST QUARTER SECTION 20 TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF NORTH DAKOTA HIGHWAY 1804; THENCE WESTERLY 25.32 FEET ALONG SAID RIGHT OF WAY LINE; THENCE NORTHERLY 273.72 FEET TO A POINT ON THE EXISTING WILLISTON CITY BOUNDARY; THENCE EASTERLY 51.40 ALONG SAID WILLISTON CITY BOUNDARY; THENCE SOUTHERLY 274.24 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF NORTH DAKOTA HIGHWAY 1804; THENCE EASTERLY ALONG SAID SOUTH RIGHT OF WAY LINE 2837.65 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF SAID 133 AVENUE NW; THENCE SOUTHERLY ALONG SAID WEST RIGHT OF WAY LINE 5155.19 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPTING: A 90.0 FOOT ROW FOR 50th ROAD NW,
CONTAINING: 293.78 ACRES +/-
SECTION 20 AND 29, TOWNSHIP 154 NORTH, RANGE 100 WEST
WILLIAMS COUNTY, NORTH DAKOTA

ANNEXATION DESCRIPTION
A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER SECTION 20 AND THE SOUTHWEST QUARTER SECTION 29, TOWNSHIP 154 NORTH, RANGE 100 WEST, WILLIAMS COUNTY, NORTH DAKOTA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE WEST RIGHT OF WAY LINE OF 153 ROAD 1/4 WEST, BAY POINT 128.84 FEET NORTH ALONG THE EAST LINE OF THE NORTHWEST QUARTER SECTION 20, AND 735.86 FEET WEST FROM THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER SECTION 20 FOR THE WEST SIDE OF THE SUNDBY PROPOSED ANNEXATION; THENCE WEST 359.86 FEET AS THE LINE OF THE SUNDBY PROPOSED ANNEXATION TO THE SOUTHWEST CORNER OF 153 ROAD 1/4 AND 350.96 FEET WEST TO THE SOUTHWEST CORNER OF THE SUNDBY ANNEXATION; THENCE SOUTH 1315.31 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF 153 ROAD 1/4; THENCE SOUTH 754.35 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF 153 ROAD 1/4; THENCE NORTH 754.35 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF 153 ROAD 1/4; THENCE NORTH 1315.31 FEET TO THE POINT OF BEGINNING.

CONTAINING 203.76 ACRES MORE.