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

RESOLUTION - 12-65

WHEREAS, the City of Williston duly passed a Resolution of Annexation at a regular meeting of the City Commission held on January 10, 2012, 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 January 13 and January 20, 2012; 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 February 14, 2012 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 Cymbaluk seconded the motion. On roll call, the following Commissioners voted in favor of said motion: Bogar, Bekkedahl, Klug, Cymbaluk 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 )
COUNTY OF WILLIAMS )

On this 11th day of April, 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

Notary Public
EXHIBIT "A"

RESOLUTION NO. 12-01

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 40.0 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 FEBRUARY 14th, 2012, at 6:00p.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 Bekkeahl 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": Bogar, Klug, Cymbaluk, Bekkeahl, Kooser 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 January, 2012.

E. WARD KOESER, President
Board of City Commissioners

ATTEST:

JOHN KAUTZMAN, City Auditor
To City of Williston  
Re: Annexation Request  

Dear Mr. Kautzman  

Brutger Equities, Inc. has the following 40.0 acre parcel under contract to purchase:  

Township One Fifty-Four (154) North, Range One Hundred-One (101) West, 5th Principal Meridian, Williams County, North Dakota, the Northeast One-Quarter of the Southwest One-Quarter (NE1/4SW1/4) of Section 2 more partially described as follows:  

Commencing at the South Quarter corner of said Section 2 as the Point of Commencement, then N89°58’16”W, an assumed bearing, along the south line of said Section 2, a distance of 1319.25 feet, then N00°06’51”E for 1322.83 feet to the Point of Beginning, then N00°06’51”E a distance of 1322.83 feet, then N89°58’33”E a distance of 1318.69 feet, then S00°06’08”W a distance of 1323.44 feet, then N89°59’52”W a distance of 1318.97 feet to the Point of Beginning. This parcel contains 40.06 acres more or less.  

Brutger Equities Inc. is requesting Annexation of the above parcel into the City of Williston. Brutger Equities Inc. has the authority under its purchase agreement to request the Annexation and the existing owner has specifically agreed to cooperate with the Annexation Request.  

Thank you,  

Larry Brutger  
President  
Brutger Equities, Inc.