

ORDINANCE NO. 900

AN ORDINANCE ANNEXING TO THE CITY OF WILLISTON, WILLIAMS COUNTY, NORTH DAKOTA, THAT CERTAIN TERRITORY CONTIGUOUS THERETO AND NOT EMBRACED WITHIN THE LIMITS THEREOF, LOCATED IN THE EAST ½ OF THE NORTHEAST ¼ OF SECTION 22, TOWNSHIP 154 NORTH, RANGE 101 WEST OF THE FIFTH PRINCIPAL MERIDIAN, WILLIAMS COUNTY, NORTH DAKOTA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST ONE QUARTER OF THE NORTHEAST ONE QUARTER (NE¼NE¼) OF SECTION 22; THEN S0°12'23"W, ON AND ALONG THE CITY OF WILLISTON CORPORATE LIMITS LINE, A DISTANCE OF 751.23 FEET TO THE POINT OF BEGINNING; THEN N31°30'15"E, A DISTANCE OF 106.92 FEET TO A POINT ON SAID CORPORATE LIMITS; THEN S89°55'42", ON AND ALONG SAID CORPORATE LIMITS, A DISTANCE OF 356.93 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF U.S. HIGHWAYS 2 AND 85; THEN S03°28'02"W, ON AND ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 536.19 FEET TO A FOUND RIGHT OF WAY MONUMENT; THEN SOUTHERLY ALONG SAID WESTERLY RIGHT-OF-WAY, ON AND ALONG A SPIRAL OFFSET OF 130.00FEET WESTERLY OF A 300.00 FOOT CENTERLINE SPIRAL CURVE, HAVING A SPIRAL ANGLE OF 5°15'00", SAID SPIRAL OFFSET HAS A CHORD BEARING OF S 5°09'33" W, AND A CHORD LENGTH OF 288.91 FEET, AND A LENGTH OF 289.00 FEET ALONG SAID DESCRIBED OFFSET SPIRAL TO A FOUND RIGHT-OF-WAY MONUMENT; THEN CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY, ON AND ALONG A CIRCULAR CURVE TO THE RIGHT, HAVING A RADIUS OF 1507.28 FEET, AND AN ARC LENGTH OF 244.06 FEET, AND A CHORD BEARING OF S13°24'12"W, AND A CHORD LENGTH OF 243.79 FEET TO A FOUND IRON PIN; THEN N89°59'29"W, ALONG THE NORTH LINE OF THE VO SUBDIVISION, IN THE CITY OF WILLISTON, A DISTANCE OF 301.46 FEET TO A FOUND IRON PIN; THEN N00°12'23"E, A DISTANCE OF 403.43 FEET TO A FOUND IRON PIN; THEN CONTINING N00°12'23"E, A DISTANCE OF 565.82 FEET TO THE POINT OF BEGINNING, CONTAINING 9.07 ACRES MORE OR LESS IN ACCORDANCE WITH THE ATTACHED PLAT.

ONCE PLATTED TO BE KNOWN AS SUNDOWN SUBDIVISION;

SEE EXHIBIT "A" ATTACHED.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF WILLISTON, NORTH DAKOTA, AS FOLLOWS:



653869
Page: 1 of 6
04/14/2008 11:26A

Section 1: Petition presented. A petition signed by the owner of not less than three-fourths (3/4ths) in assessed value of the property in the territory contiguous or adjacent to the City of Williston, Williams County, North Dakota, and not embraced within the limits thereof described as follows, to-wit:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST ONE QUARTER OF THE NORTHEAST ONE QUARTER (NE $\frac{1}{4}$ NE $\frac{1}{4}$) OF SECTION 22; THEN S0°12'23"W, ON AND ALONG THE CITY OF WILLISTON CORPORATE LIMITS LINE, A DISTANCE OF 751.23 FEET TO THE POINT OF BEGINNING; THEN N31°30'15"E, A DISTANCE OF 106.92 FEET TO A POINT ON SAID CORPORATE LIMITS; THEN S89°55'42", ON AND ALONG SAID CORPORATE LIMITS, A DISTANCE OF 356.93 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF U.S. HIGHWAYS 2 AND 85; THEN S03°28'02"W, ON AND ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 536.19 FEET TO A FOUND RIGHT OF WAY MONUMENT; THEN SOUTHERLY ALONG SAID WESTERLY RIGHT-OF-WAY, ON AND ALONG A SPIRAL OFFSET OF 130.00FEET WESTERLY OF A 300.00 FOOT CENTERLINE SPIRAL CURVE, HAVING A SPIRAL ANGLE OF 5°15'00", SAID SPIRAL OFFSET HAS A CHORD BEARING OF S 5°09'33" W, AND A CHORD LENGTH OF 288.91 FEET, AND A LENGTH OF 289.00 FEET ALONG SAID DESCRIBED OFFSET SPIRAL TO A FOUND RIGHT-OF-WAY MONUMENT; THEN CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY, ON AND ALONG A CIRCULAR CURVE TO THE RIGHT, HAVING A RADIUS OF 1507.28 FEET, AND AN ARC LENGTH OF 244.06 FEET, AND A CHORD BEARING OF S13°24'12"W, AND A CHORD LENGTH OF 243.79 FEET TO A FOUND IRON PIN; THEN N89°59'29"W, ALONG THE NORTH LINE OF THE VO SUBDIVISION, IN THE CITY OF WILLISTON, A DISTANCE OF 301.46 FEET TO A FOUND IRON PIN; THEN N00°12'23"E, A DISTANCE OF 403.43 FEET TO A FOUND IRON PIN; THEN CONTINING N00°12'23"E, A DISTANCE OF 565.82 FEET TO THE POINT OF BEGINNING, CONTAINING 9.07 ACRES MORE OR LESS IN ACCORDANCE WITH THE ATTACHED PLAT.

ONCE PLATTED TO BE KNOWN AS SUNDOWN SUBDIVISION;

SEE EXHIBIT "A" ATTACHED.

was presented to the Board of City Commissioners of the City of Williston on August 28, 2007; Notice of Presentation of Petition was given by the Petitioner by publication in the Williston Daily and Sunday Herald, the official newspaper of said City of Williston on the 20th day of December, 2007.

Section 2: Proceedings and Petition Sufficient. Said Petition for annexation of the territory described in Section 1 hereof and the proceedings had thereon are legally sufficient in



all respects. That no legal cause has been shown why said Petition for annexation should not be in all things granted and said territory annexed.

Section 3: Territory annexed. Pursuant to said Petition for Annexation, that certain territory contiguous or adjacent to the City of Williston, Williams County, North Dakota, and not embraced within the limits thereof, described as follows, to-wit:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST ONE QUARTER OF THE NORTHEAST ONE QUARTER (NE $\frac{1}{4}$ NE $\frac{1}{4}$) OF SECTION 22; THEN S0°12'23"W, ON AND ALONG THE CITY OF WILLISTON CORPORATE LIMITS LINE, A DISTANCE OF 751.23 FEET TO THE POINT OF BEGINNING; THEN N31°30'15"E, A DISTANCE OF 106.92 FEET TO A POINT ON SAID CORPORATE LIMITS; THEN S89°55'42", ON AND ALONG SAID CORPORATE LIMITS, A DISTANCE OF 356.93 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF U.S. HIGHWAYS 2 AND 85; THEN S03°28'02"W, ON AND ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 536.19 FEET TO A FOUND RIGHT OF WAY MONUMENT; THEN SOUTHERLY ALONG SAID WESTERLY RIGHT-OF-WAY, ON AND ALONG A SPIRAL OFFSET OF 130.00 FEET WESTERLY OF A 300.00 FOOT CENTERLINE SPIRAL CURVE, HAVING A SPIRAL ANGLE OF 5°15'00", SAID SPIRAL OFFSET HAS A CHORD BEARING OF S 5°09'33" W, AND A CHORD LENGTH OF 288.91 FEET, AND A LENGTH OF 289.00 FEET ALONG SAID DESCRIBED OFFSET SPIRAL TO A FOUND RIGHT-OF-WAY MONUMENT; THEN CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY, ON AND ALONG A CIRCULAR CURVE TO THE RIGHT, HAVING A RADIUS OF 1507.28 FEET, AND AN ARC LENGTH OF 244.06 FEET, AND A CHORD BEARING OF S13°24'12"W, AND A CHORD LENGTH OF 243.79 FEET TO A FOUND IRON PIN; THEN N89°59'29"W, ALONG THE NORTH LINE OF THE VO SUBDIVISION, IN THE CITY OF WILLISTON, A DISTANCE OF 301.46 FEET TO A FOUND IRON PIN; THEN N00°12'23"E, A DISTANCE OF 403.43 FEET TO A FOUND IRON PIN; THEN CONTINING N00°12'23"E, A DISTANCE OF 565.82 FEET TO THE POINT OF BEGINNING, CONTAINING 9.07 ACRES MORE OR LESS IN ACCORDANCE WITH THE ATTACHED PLAT.

ONCE PLATTED TO BE KNOWN AS SUNDOWN SUBDIVISION;

SEE EXHIBIT "A" ATTACHED.

be and the same is hereby annexed to said City of Williston.

Section 4: Zoning Designation. The territory herein before described shall be designated and included within A: Agricultural of the zoning ordinance of the City of Williston (Ordinance No. 613, as amended).


Section 5: Ordinance and Map of Annexed Territory to be Filed. A copy of this Ordinance with an accurate map of the said annexed territory certified by the President of the Board of City Commissioners as the Executive Officer of said City, shall be filed and recorded in the office of the Register of Deeds of Williams County, North Dakota, in which said annexed territory is situated.

Section 6: Ordinance Amended. Wherever any ordinance or resolution having current or prospective operation in force to the northernmost limits of the City of Williston, such ordinance or resolution, as the case may be, is hereby amended and shall be construed so as to include the said annexed territory. Provided, however, in the case of election precincts, the said territory shall be included in Precinct 76/76C of said City of Williston. (Precinct 76 in Williston School District #1 and Precinct 76C in Williston School District #8)

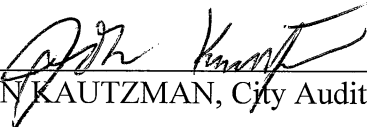
Commissioner Lawson moved the adoption of the foregoing Ordinance. The motion was seconded by Commissioner Underhill. Upon roll call vote the following Commissioners voted "AYE": Bekkedahl, Underhill, Lawson, Bogar and Koeser and the following Commissioners voted "NAY": None. Absent and not voting: None.

WHEREUPON, the motion was passed, and the Ordinance declared amended this 8th day of January, 2008.




E. WARD KOESER, President
Board of City Commissioners

ATTEST:


JOHN KAUTZMAN, City Auditor

FIRST READING: December 26, 2007

SECOND READING: January 8, 2008

PUBLISHED: N/A

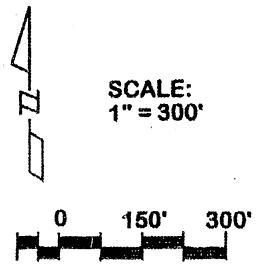
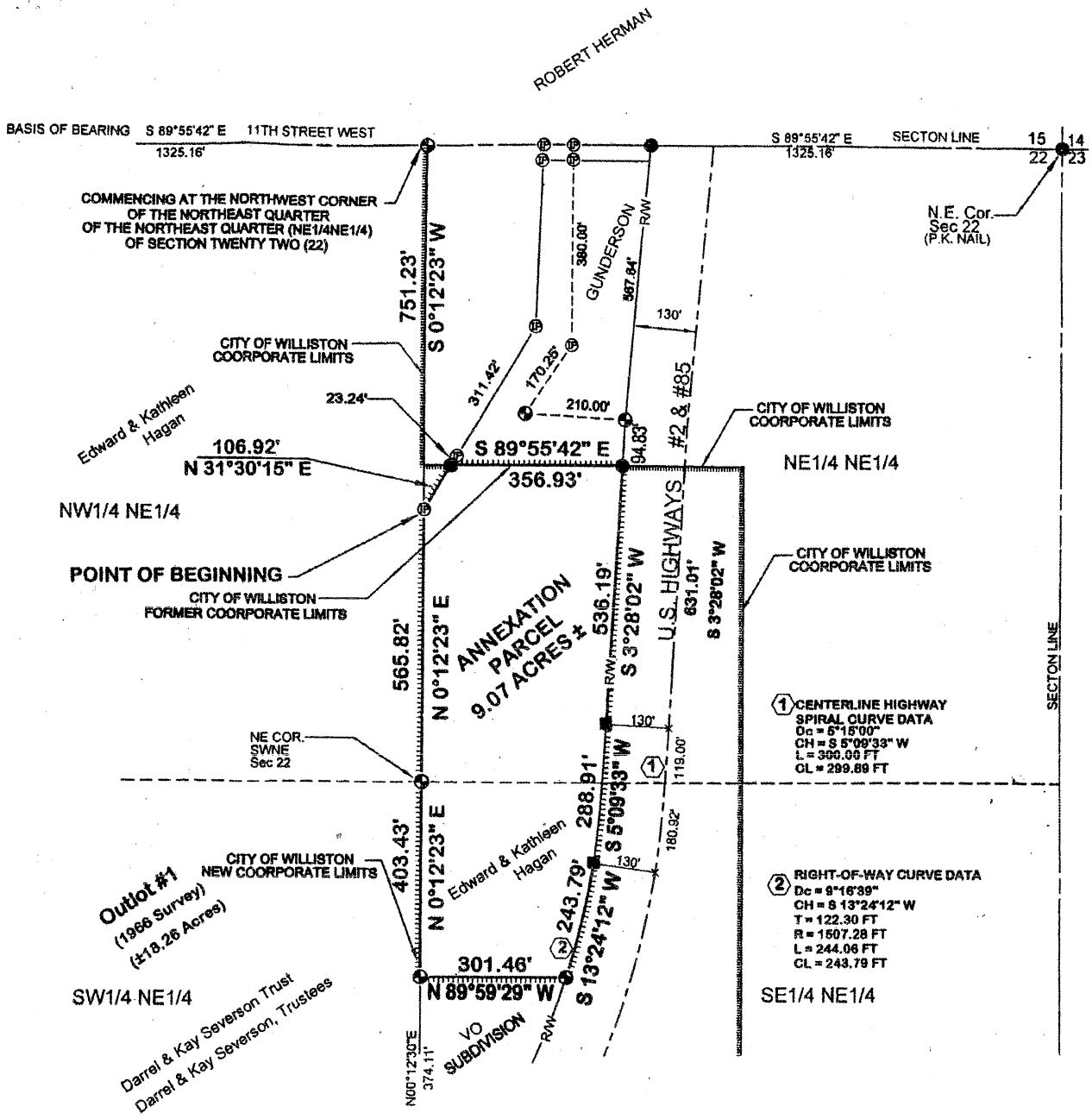
ADOPTED THE 8th DAY OF January, 2008.



653869

Page: 4 of 6

04/14/2008 11:26A



- LEGEND:**
- ⊙ SET#5 REBAR W/ CAP STAMPED RLS 1195
 - ⊕ FOUND IRON PIN
 - NO MONUMENT SET (CALCULATED POINT)
 - FOUND R/W MONUMENT

① CENTERLINE HIGHWAY SPIRAL CURVE DATA
 Dc = 6°18'00"
 CH = S 5°09'33" W
 L = 300.00 FT
 CL = 299.89 FT

② RIGHT-OF-WAY CURVE DATA
 Dc = 9°16'39"
 CH = S 13°24'12" W
 T = 122.30 FT
 R = 1507.28 FT
 L = 244.06 FT
 CL = 243.79 FT



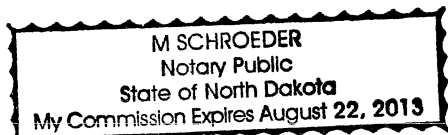
653869
 Page: 5 of 6
 04/14/2008 11:26A

STATE OF NORTH DAKOTA)

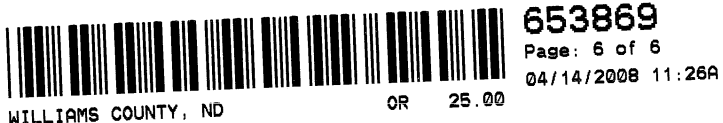
:SS.

COUNTY OF WILLIAMS)

On this 8 day of January, 2008, 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, respectively, of the corporation that is described in and that executed the foregoing instrument, and acknowledged to me that such corporation executed the same.



U. Schroeder
Notary Public
My commission expires: Aug 22, 13



COUNTY RECORDER, WILLIAMS COUNTY, ND 04/14/2008 11:26AM
I certify that this instrument was filed and recorded
Kari Evanson, County Recorder
by Tracy Gerhardt deputy 653869

