

**RESOLUTION NO. 13-028**

Commissioner Cymbaluk introduced the following Resolution and moved its adoption:

**RESOLUTION DECLARING NECESSITY OF AN IMPROVEMENT IN STREET IMPROVEMENT DISTRICT 13-5.**

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

That the Board of City Commissioners has received the Engineer's Report for the **STREET IMPROVEMENT DISTRICT 13-5** and determines that it is necessary of constructing an asphalt overlay in:

**Section 1- 1st Avenue West.**

- 1st Avenue West from 22nd St. to 36th St.
- 24th St. going east from 1st Avenue West.
- 25th St. going east from 1st Avenue West.
- 30th St. between 1st and 2nd Avenue West.
- 34th St. between 2nd Avenue West and 2nd Avenue East.

**Section 2- West Broadway.**

- West Broadway from 8<sup>th</sup> Avenue West to 13<sup>th</sup> Avenue West.
- 11th Avenue West from 2nd St. to 4th St.
- 12th Avenue West from West 2nd St. to 4th St.

**Section 3- Bison Drive and Fox Glen Addition**

- 19th Avenue West from Bison Drive going south for 200 ft.
- 20th Avenue West from Bison Drive to 22nd St.
- 21st Avenue West from Bison Drive to 22nd St.
- 22<sup>nd</sup> Street West from 19<sup>th</sup> Ave. West to the cul-de-sac west of Pheasant Run Parkway.
- Bison Drive from 16th Ave. West going west to the end of its urban section.
- Sand Creek Drive from 19th Ave. West to Pheasant Run Parkway.

**Section 4- Knoll Crest St.**

- 11th Ave. West from US Highway 2&85 going north for 250 ft.
- 12th Ave. West from Knoll St. going north for 400 ft.
- Knoll St. from 11th Ave. West to 13th Ave. West.

**Section 5- 6th St.**

- 6th St. from University Ave. to 11th Ave. West.

That the boundaries of said improvement District are as follows:

**Section 1- 1st Avenue West.**

The A & B Rearrangement, the Bank Subdivision, the Bank 2nd Subdivision, the west 280 feet and the south 138 feet of the Block 1 and the south 138 feet of Block 2 of the C & W Addition, Lot 1 & 2 of Block 1R and Block 2R of the Crow Fly High Subdivision Rearrangements, the Febco Subdivision, Kellys' 1st Addition, Block 1 of the Kreiger's 2nd Addition, Lots 9 to 17 of Block 1 of the Monroe Subdivision, Lot 18R of the Monroe Rearrangement, Prairie Green Estates Subdivision, Lots 12 to 18 of the Sunny Acres Subdivision, Lot 1 and Lots 12 to 24 of the Thomas Subdivision, the Thomas 2nd Subdivision, Lots 2 and 3 of Block 6 of the Wegley Green Acres Subdivision, a 3.57 Acre Tract in the NWSW of the unplatted portion of Section 12, T144N, R101W, and a 100 foot X 260 foot Tract in the N2NW of the unplatted portion of Section 13, T144N, R101W.

**Section 2- West Broadway.**

Lots 7 to 12 of Block 4 and Los 1 to 6 of Block 5 of the Wittmeier Addition and Lots 7 to 12 of Block 1, Lots 6 to 12 of Block 2, Lot 1 and Lots 6 to 12 of Block 3, Lot 1 and Lots 5 to 8 of Block 4, Lots 1 to 4 and Lot 8 of Block 5, Lots 1 to 7 and Lot 12 of Block 6, Lots 1 to 7 of Block 7 and Lots 1 to 6 of Block 8 of the Wittmeier 2nd Addition.

**Section 3- Bison Drive and Fox Glen Addition**

Lots 1 and 2 of Block 2 and Lot 1 of Block 3 of the Creekside Ridge Subdivision, Block 2 of the Endres 1st Addition, Lots 1 to 4 of Block 2 of the Endres 2nd Addition, Blocks 1 and 2 of the Endres Townhouse Subdivision, Lot 10R and Lots 11 to 16 of Block 3, Lot 7R and Lot 12 of Block 5, Lot 1 and Lots 9 to 19 of Block 6, all of Block 7, all of Block 8, Lot 1 and Lots 11 to 22 of Block 9, all of Block 10, all of Block 11, all of Block 12 and all of Block 13 of the Fox Glenn Subdivision, Lot 10 of Block 1 of the North Meadows Subdivision, Lot 2R of Block 2 and Lot 4R of Block 3 of the North Meadows 1st Addition and a Tract in the E SE of the unplatted portion of Section 15, T154N, R101W (MDU Substation.)

**Section 4- Knoll St.**

Lots 1 to 9 of Block 2, Lots 1 to 6 of Block 3 and Lots 1 to 9 of Block 4 of the Heffernan Rearrangement and the southeast 172 feet of Lot 1 of the Rearrangement of Lot 2R of Block 1 of the Sundance. Rearrangement.

**Section 5- 6th St.**

The north 50 feet of Block 3, Lots 1 & 12 of Block 4, the north 76.05 feet of Lot 2 and Lots 3 to 9 of Block 6, Lots 6 to 11 of Block 7, Lots 6 & 7 of Block 8, and Lots 6 & 7 of Block 9 of the Bruggers Amended Addition; Lots 1 & 12 of Block 1, Lots 1 & 12 of Block 2, Lots 6 & 7 of Block 10 and Lots 6 & 7 of Block 11 of the Brueggers 2nd Addition; Lots 1 & 12 of Block 29 and Lots 6 & 7 of Block 30 of the Brueggers 3rd Addition; the north 50 feet of Lot 1 and Lot 7 of Block 36 and Lots 6 & 7 of Block 37 of the Brueggers 5th Addition; Lot 1 and the north 50 feet of Lot 10 of Block 2, Lots 6 & 7 of Block 3, Lots 6 & 7 of Block 6 and Lot 1 and the north 50 feet of Lot 10 of Block 7 of the Marmon Addition; Lot 1 and the north 50 feet of Lot 10 of Block 2 and Lots 6 to 9 of Block 3 of the Marmon 2nd Addition; Lots 1 & 7 of Block 1 and Lots 1 & 7 of Block 2 of the West Hill Addition; Lots 5 & 10 of Block 3 and Lots 5 & 10 of Block 4 of the West Hill Addition Rearrangement of Block 3; Los 1 & 12 of Block 2, Lots 6 & 7 of Block 3, Lots 6 & 7 of Block 12 and Lots 1 & 12 of Block 13 of the Westlawn Addition; and Lots 1 & 12 of Block 17, Lots 6 & 7 of Block 18, Lots 6 & 7 of Block 27 and Lots 1 & 12 of Block 28 of the Westlawn 2nd Addition.

As shown on the attached maps.

That the City Auditor is hereby authorized and directed to cause the Resolution Declaring Necessity of an improvement in **Street Improvement District 13-5** to be published once each week for two (2) consecutive weeks in the official newspaper of the City.

And the owners of property within said improvement district be afforded an opportunity to file written protests with the City Auditor at any time within 30 days after the first publication of the Resolution. The Board of City Commissioners shall meet to hear and to determine the sufficiency of any protests that are filed with the City Auditor prior to **April 9, 2013** at 6:00 p.m. at City Hall, in the Commission Room.

The motion for the adoption of the foregoing Resolution was duly seconded by Commissioner     Klug    ,

and upon vote being taken thereon, the following Commissioners voted "AYE": Cymbaluk, Bogar,


Bekkedahl, Klug and Koeser

and the following voted "NAY": None

Absent and not voting: None. Whereupon said motion was declared duly

passed and adopted this **26<sup>th</sup> day of February, 2013.**

ATTEST:

  
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John Kautzman, City Auditor  
Publish:  
**March 3, 2013**  
**March 10, 2013**

  
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Board of City Commissioners  
E. Ward Koeser, President