

**RESOLUTION # 13-053**

The following Resolution was offered by Commissioner Cymbaluk and seconded by Commissioner Bekkedahl, who moved its adoption.

**RESOLUTION DISCONTINUING AND VACATING A PUBLIC RIGHT-OF-WAY OF A 24' FRONTAGE ROAD CONTAINING 1921.9 ± SQUARE FEET BETWEEN LOT 2, BLOCK 1, HOLM'S FIRST SUBDIVISION AND LOT 5, BLOCK 2, THE REARRANGEMENT OF BLOCK 2, HOLM'S FIRST SUBDIVISION AND RIGHT OF WAY FOR HIGHWAY 2 AND 85, CITY OF WILLISTON, ND.**

**WHEREAS**, The City of Williston, on the 4th day of March, 2013, filed with the City Auditor of the City of Williston, North Dakota, a Petition to vacate and discontinue the public right of way ( 24' Frontage Road) as shown in Exhibit "A", situated in the City of Williston, Williston Township, Williams County, North Dakota to wit:

A public right-of-way of a 24' frontage road containing 1921.9 ± square feet between Lot 2, Block 1, Holm's First Subdivision and Lot 5, Block 2, The Rearrangement of Block 2, Holm's First Subdivision and Right of Way for Highway 2 and 85, City of Williston, ND.

**WHEREAS**, it appears to the City of Williston, North Dakota, that said Petition is in due form and has been executed by the record title owners of all the premises above described, and

**WHEREAS**, it appears that the notice of the hearing on said petition was duly published in the official newspaper of the City of Williston, North Dakota, in accordance with the requirements of Chapter 70-39 of the North Dakota Century Code, and

**WHEREAS**, a hearing on said Petition was held on the 23<sup>rd</sup> day of April, 2013 and no one appeared in opposition to the granting of said Petition, and

**WHEREAS**, confirmation has been received from all public utility companies and acceptable, suitable arrangements have been made for utility and access easement as shown on the attached Exhibit "A", and

**WHEREAS**, it appears to the Board of City Commissioners of the City of Williston, North Dakota that said Petition should in all things be granted.

**NOW THEREFORE, BE IT RESOLVED** by the Board of City Commissioners of the City of Williston, North Dakota, to wit:

**THAT** the vacation of the following described real estate is hereby in all things vacated, discontinued, as shown on attached Exhibit "A", situated in the City of Williston, Williams County, North Dakota, to wit:


A public right-of-way of a 24' frontage road containing 1921.9 square feet ± between Lot 2, Block 1, Holm's First Subdivision and Lot 5, Block 2, The Rearrangement of Block 2, Holm's First Subdivision and Right of Way for Highway 2 and 85, City of Williston, ND.


Furthermore, the entire vacation area is reserved as a utility and access easement for public utility lines or services.

**ON ROLL CALL VOTE**, the following Commissioners vote "AYE": Cymbaluk, Bogar, Bekkedahl, Klug and Koeser. The following Commissioners vote "NAY": None. Absent and not voting: None.

**THEREUPON**, the Resolution was declared and adopted and carried. Approved the 23<sup>rd</sup> day of April, 2013.

ATTEST:

  
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John Kautzman, City Auditor

  
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E. Ward Koeser,  
President Board of City Commission

