

RESOLUTION NO. 15-076

Commissioner Cymbaluk introduced the following Resolution and moved its adoption:

RESOLUTION DECLARING NECESSITY OF AN IMPROVEMENT IN **WATER, SEWER, AND STREET IMPROVEMENT DISTRICT 15-11.**

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 **WATER, SEWER, AND STREET IMPROVEMENT DISTRICT 15-11** and determines that it is necessary to make the following improvements:

- a. Area 1: Constructing water and road improvements with asphalt surfacing on 4th Ave E from 38th St to 42nd St, and on 38th, 40th St from half way between 3rd Ave E and 4th Ave E to half way between 4th Ave E and University Avenue.
- b. Area 2: Constructing sewer, water, and road improvements with asphalt surfacing on 4th Ave E from 34th St to 38th St, and on 36th St from half way between 3rd Ave E and 4th Ave E to half way between 4th Ave E and University Avenue.
- c. Area 3: Constructing water, sewer, and road improvements with asphalt surfacing on 3rd Ave E from 34th St to 42nd St, and on 36th, 38th, 40th St from half way between 2nd Ave E and 3rd Ave E to half way between 3rd Ave E and 4th Ave E
- d. Area 4: Constructing sewer, water, and road improvements with asphalt surfacing on 2nd Ave E from 34th St to 42nd St, and on 36th, 38th, 40th St from half way between 1st Ave E and 2nd Ave E to half way between 2nd Ave E and 3rd Ave E
- e. Area 5: Constructing sewer, water, and road improvements with asphalt surfacing on 1st Ave E from 34th St to 42nd St, and on 36th, 38th St from half way between 1st Ave E and 1st Ave W to half way between 2nd Ave E and 1st Ave E
- f. Area 6: Constructing sewer, water, and road improvements with asphalt surfacing on 1st Ave W from 36th St to 42nd St, and on 36th St from 1st Ave W to half way between 1st Ave W and 1st Ave E, and on 38th St from 270-Ft west of 1st Ave W to half way between 1st Ave W and 1st Ave E, and on 40th St from 1st Ave W to half way between 1st Ave E and 2nd Ave E.

As shown on the attached map

That the boundaries of said improvement District are as follows:

- a. Area 1— Section 12, Township 154 North, Range 101 West, 5th P.M.- All of Lots 2 and 3 of Block 11; Torgrimsons Outlet #2; Lots 1 and 2 of Block 12; Lots 1 and 2 of Block 13; Lot 2 of Block 14; Colebank OutLots 2, 3, and 6 of Block 14 as shown on the Wegley Green Acres Second Subdivision Recorded on May 12, 1964 as Document Number 317734.
- b. Area 2— Section 12, Township 154 North, Range 101 West, 5th P.M. - All of Lots 2 and 3 of Block 1; Lots 1 and 4 of Block 2; Lots 1 and 4 of Block 9; Lot 2 of Block 10 as shown on the Wegley Green Acres Subdivision recorded on September 10, 1959 as Document Number 294652; Lot 2 of Block 1 as shown on the Monica Johnson Subdivision recorded on February 18, 2000 as Document Number 589753.
- c. Area 3— Section 12, Township 154 North, Range 101 West, 5th P.M. – All of Lots 1-4 of Block 1; Lots 1-4 Block 2; Lots 1-3 Block 3; Outlet of Block 3; Lots 1-4 of Block 4 as shown on the Wegely Green Acres Third Subdivision recorded on August 13th 1969 as Document Number

342836. Lots 2 and 3 of Block 2; Lots 1 and 4 of Block 3; Lots 1 and 4 of Block 8; Lots 2 and 3 of Block 9 as shown on the Wegley Green Acres Subdivision recorded on September 10, 1959 as Document Number 294652.

- d. Area 4— Section 12, Township 154 North, Range 101 West, 5th P.M. – All of Lots 4-7 of Block 3; Lots 5-8 of Block 4 as shown on the Wegely Green Acres Third Subdivision recorded on August 13th 1969 as Document Number 342836. Lots 1-4 of Block 1; Lots 1-4 of Block 2 as shown on the Wegley Green Acres Fourth Subdivision recorded on July 16th, 1976 as Document Number 374083; Lots 2 and 3 of Block 3; Lots 1 and 4 of Block 4; Lots 1 and 4 of Block 7; Lots 2 and 3 of Block 8 as shown on the Wegley Green Acres Subdivision recorded on September 10, 1959 as Document Number 294652.
- e. Area 5— Section 12, Township 154 North, Range 101 West, 5th P.M. – All of Lots 5-8 of Block 2; Lots 1-4 of Block 3 as shown on the Wegley Green Acres Fourth Subdivision recorded on July 16th, 1976 as Document Number 374083; Lots 2 and 3 of Block 4; Lots 1 and 4 of Block 5; Lots 1 and 4 of Block 6; Lots 2 and 3 of Block 7 as shown on the Wegley Green Acres Subdivision recorded on September 10, 1959 as Document Number 294652.
- f. Area 12, Section 12, Township 154 North, Range 101 West, 5th P.M - All of Lots 5-7, and Outlot of Block 3 as shown on the Wegley Green Acres Fourth Subdivision recorded on July 16th, 1976 as Document Number 374083; Lots 2 and 3 of Block 5 as shown on the Wegley Green Acres Subdivision recorded on September 10, 1959 as Document Number 294652; Lots 19-24 of Block 2; Lots 13 – 24 of Block 1 as shown on the Sunny Acres Subdivision recorded on March 21, 1952 as Document Number 251525. Lot 1 of Block 1 as shown on the Williston Gardens Subdivision recorded on May 23, 2011 as Document Number 711553.

As shown on the attached map.


That the City Auditor is hereby authorized and directed to cause the Resolution Declaring Necessity of an improvement in **WATER, SEWER, AND STREET IMPROVEMENT DISTRICT 15-11** 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 **June 9, 2015** 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 Brostuen, and upon vote being taken thereon, the following Commissioners voted "AYE": Piesik, Cymbaluk, Brostuen and Klug and the following voted "NAY": None. Absent and not voting: Bekkedahl. Whereupon said motion was declared duly passed and adopted this **28TH Day of April, 2015**.

ATTEST:


John Kautzman, City Auditor


Board of City Commissioners
Howard Klug, President

Publish:
May 3, 2015
May 10, 2015