

RESOLUTION 16-023

RESOLUTION ACCEPTING THE DEDICATION OF LOT 4, MICHAEL J. WELLS SUBDIVISION, CITY OF WILLISTON, WILLIAMS COUNTY, NORTH DAKOTA.

The following Resolution was offered by Commissioner Piesik and seconded by Commissioner Brostuen, who moved its adoption.

WHEREAS, The City of Williston, on the 10th day of May, 2016, entertained a request from Michael J. Wells and Tate Wells, to dedicate the following described property to the City of Williston for drainage purposes:

Lot 4, Michael J. Wells Subdivision, excepting and reserving unto Grantor all oil, gas and all other minerals of whatsoever nature or kind in and under and that may be produced from said property, together with the right of ingress and egress thereto for the purpose of exploring for, drilling, mining, storing and transporting the same, and granting to the City a 60-foot wide access easement on behalf of Lot 2,

WHEREAS, Michael J. Wells and Tate Wells are the current owners of the above-described Property; and

WHEREAS, the dedication of the above-described Lot 4 is in the City of Williston's best interests as the dedication will help enable the City of Williston to plan and ensure there is adequate drainage in the area of this property,

WHEREAS, it appeared to the Board of City Commissioners of the City of Williston, North Dakota that accepting said dedication 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 City of Williston accepts the public dedication from Michael J. Wells and Tate Wells, for the following described property:

Lot 4, Michael J. Wells Subdivision, excepting and reserving unto Grantor all oil, gas and all other minerals of whatsoever nature or kind in and under and that may be produced from said property, together with the right of ingress and egress thereto for the purpose of exploring for, drilling, mining, storing and transporting the same, and granting to the City a 60-foot wide access easement on behalf of Lot 2,


ON ROLL CALL VOTE, the following Commissioners vote "AYE Brostuen, Piesik and Klug; and the following Commissioners vote "NAY": None; Absent and not voting: Bekkedahl, Cymbaluk.

THEREUPON, the Resolution was declared and adopted and carried. Approved the 10th day of May, 2016.

ATTEST:


John Kautzman, City Auditor




Howard Klug, President
Board of City Commissioners

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RES \$22.00



WILLIAMS COUNTY, ND

When recorded, return to:

City of Williston
P.O. Box 1306
Williston, ND 58802-1306

DEDICATION OF PUBLIC
RIGHT-OF-WAY

THIS AGREEMENT, made this 5 day of May, 2016, by and between Michael J. Wells and Tate J. Wells, herein after referred to as *Grantor*, and **City of Williston** ("City"), North Dakota, a municipal corporation, whose post office address is P.O. Box 1306, Williston, North Dakota, 58802-1306, herein after referred to as *Grantee*.

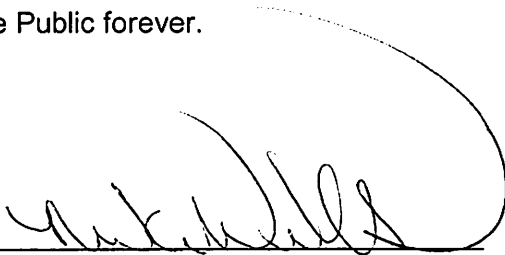
WITNESSETH, that said Grantor, being the Owner of the property described as Lot 4 of the Michael J. Wells Subdivision, Williston, ND, excepting and reserving unto Grantor all oil, gas and all other minerals of whatsoever nature or kind in and under and that may be produced from said property, together with the right of ingress and egress thereto for the purpose of exploring for, drilling, mining, storing and transporting the same, and granting to the City a 60-foot wide access easement on behalf of Lot 2, hereby voluntarily consents and dedicates to said Grantee, their successors and assigns, a public right of way for the above described property which is more fully described in the attached Exhibit "A". (Exhibit A to include a drawing of the dedicated area and the legal description)

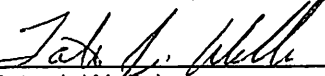
This Dedication of Public Right-of-Way dedicates to Grantee and the Public, their successors and assigns, the above-described Property to the Public for their use forever.

Further, this Dedication of Public Right-of-Way shall be only for the property described and illustrated in Exhibit A and not any other part of the Grantor's property.

This Dedication of Right-of-Way is supported by the attached City Resolution upon which the City acknowledges and accepts said dedication.

The dedication, grant, and other provisions of this Agreement shall constitute a covenant running with the land for the benefit of the Grantee and the Public forever.

By: 
(Michael J. Wells)

By: 
(Tate J. Wells)

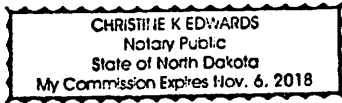
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RES \$22.00



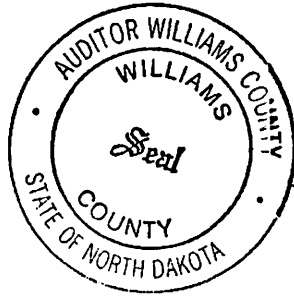
WILLIAMS COUNTY, ND

STATE OF NORTH DAKOTA)
)SS
COUNTY OF WILLIAMS)

The foregoing Dedication of Public Right-of-Way was acknowledged before me, a Notary Public, this 5TH day of May, 2016, by Michael J. Wells and Tate J. Wells, and that executed the within instrument.



Christie K Edwards
Notary Public, State of North Dakota



TRANSFER ACCEPTED this 05 day
of May, 2016.

Bonnie

Williams County Auditor

By Jerry, Deputy

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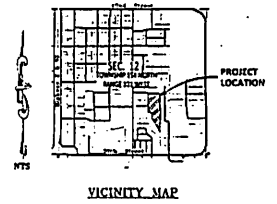
RES \$22.00



WILLIAMS COUNTY, ND

MICHAEL J. WELLS SUBDIVISION

A REARRANGEMENT OF LOT 1 AND LOT 2 BLOCK 1 WELLS SUBDIVISION, AND A TRACT IN THE NW 1/4 SE 1/4 LOCATED IN W 1/2 SE 1/4 OF SECTION 12 TOWNSHIP 154 NORTH, RANGE 101 WEST, 5TH PM CITY OF WILLISTON, WILLIAMS COUNTY, NORTH DAKOTA



LEGAL DESCRIPTIONS

Old Description
 Lot 1 and 2 Block 1 Wells Subdivision
 and
 A parcel of land in the NW 1/4 SE 1/4 of Section 12, Township 154 North, Range 101 West of the 5th Principal Meridian, Williams County, North Dakota, as follows:
 Beginning at a corner 178 feet 6 inches and 440 feet South of the corner of said Section 12; thence North 89°20' West 20.00 feet; thence South 87°17'30" West 34.50 feet; thence South 87°02'57" East 30.00 feet; thence South 87°17'27" West 144 feet; thence South 87°17'17" West 121.73 feet; thence South 87°14'20" West 231.53 feet; thence North 27°17'37" West 166.63 feet; thence North 77°17'27" West 61.26 feet; thence North 81°17'37" East 205.43 feet; thence North 87°17'27" West 121.49 feet; thence North 87°17'36" East 228.82 feet; thence North 87°17'28" East 442.81 feet; thence South 87°17'27" East 346.53 feet; thence South 87°17'17" East 90.00 feet to the point of beginning, containing an area of 4.11 acres, more or less.

New Description
 Beginning at a corner which is South 87°17'31" East 379.04 feet along the East section line; thence North 90°02'57" West 144.00 feet from the East 1/2 Corner of Section 12, Township 154 North, Range 101 West of the 5th Principal Meridian and running thence South 87°17'30" West 666.19 feet; thence North 89°20' West 20.00 feet; thence South 87°17'30" West 34.50 feet; thence South 87°02'57" East 30.00 feet; thence South 87°17'27" West 144 feet; thence South 87°17'17" West 121.73 feet; thence South 87°14'20" West 231.53 feet; thence North 27°17'37" West 166.63 feet; thence North 77°17'27" West 61.26 feet; thence North 81°17'37" East 205.43 feet; thence North 87°17'27" West 121.49 feet; thence North 87°17'36" East 228.82 feet; thence North 87°17'28" East 442.81 feet; thence South 87°17'27" East 346.53 feet; thence South 87°17'17" East 90.00 feet to the point of beginning.

The parcel of land shall henceforth be known as Lot 1, Lot 2, Lot 3, and Lot 4 of the tract in the NW 1/4 SE 1/4 of Section 12, Township 154 North, Range 101 West of the 5th Principal Meridian, Williams County, North Dakota, as follows:

OWNER'S CERTIFICATE

We, the undersigned, being the owners of the land placed herein, do hereby voluntarily consent to the execution of said plat, and do dedicate the road easements, utility, water, and public grounds as shown hereon, including all sewers, culverts, bridges, water distribution lines and other utility lines and structures thereon, whether shown or not, to the public use forever.

We agree not to erect any portion of this plat without the consent of the Williams County Commissioner. We also hereby dedicate easements to run with the land for water, sewer, gas, electric, telephone, or other public utility lines or structures thereon, on, or over those certain original and designated heretofore as "utility easements", whether shown or existing.

Michael J. Wells Date: 4/18/16
 Michael J. Wells
 Owner, Lots 1, 2, 3, and 4 of the
 Michael J. Wells Subdivision

Tate J. Wells Date: 4/18/16
 Tate J. Wells
 Owner, Lots 1 and 3 of the
 Michael J. Wells Subdivision

ACKNOWLEDGMENT

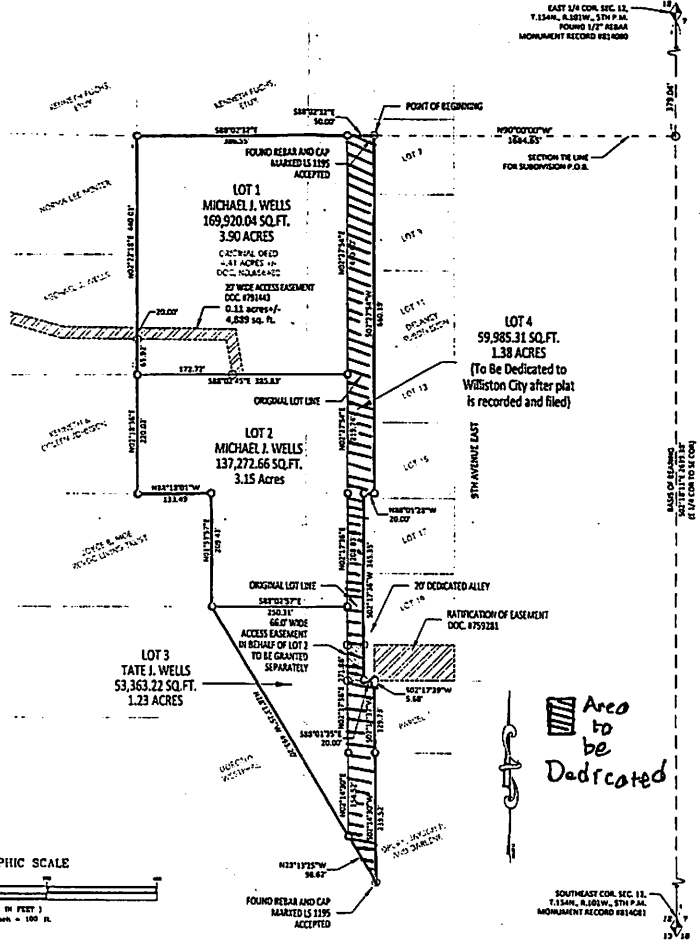
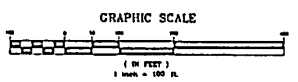
State of North Dakota
 County of Williams
 I, the undersigned, Clerk of the County of Williams, do hereby certify that the foregoing is a true and correct copy of the original as the same appears in my office, and that the same has been duly recorded in my office.

Michael J. Wells Date: 4/18/16
 Michael J. Wells
 Clerk of the County of Williams

ACKNOWLEDGMENT

State of North Dakota
 County of Williams
 I, the undersigned, Clerk of the County of Williams, do hereby certify that the foregoing is a true and correct copy of the original as the same appears in my office, and that the same has been duly recorded in my office.

Michael J. Wells Date: 4/18/16
 Michael J. Wells
 Clerk of the County of Williams



LEGEND:

◆	FOUND MONUMENTATION AS SHOWN AND RECORDED
○	NOT FOUND
⊙	FOUND REBAR AND CAP AS DESCRIBED
⊙	SET 5/8" REBAR AND PLASTIC CAP STAMPED LB PRELUMES OTHER PIVOT MONUMENT
---	SECTION LINES
---	ADJACENT LOT LINES
---	SECTION TIE LINE
---	NEW LOT LINES
---	EXISTING EASEMENT AS DESCRIBED
---	NEW EASEMENT AS DESCRIBED
---	NEW SUBDIVISION BOUNDARY

NOTES

- The South of bearing is North Dakota State Plane, North Zone 32SL, North American Datum of 1983. Distances are reported as ground distances between the East 1/4 Corner of the SE Corner of Section 12, Township 154 North, Range 101 West, 5th P.M.
- The Vertical Datum is North American Vertical Datum of 1985.
- The Field Survey was completed on September 30, 2015.

PLANNING AND ZONING COMMISSION APPROVAL

The Subdivision of land shown herein has been approved by the Planning and Zoning Commission of the City of Williston on March 23, 2016, in accordance with the laws of the State of North Dakota, Ordinance of the City of Williston, and regulations of said Planning and Zoning Commission.

Michael J. Wells
 Planning and Zoning Commission

STATE OF NORTH DAKOTA
 COUNTY OF WILLIAMS
 On the 27th day of April, A.D. 2016, before me appeared Michael J. Wells, Vice-Chairman, Planning and Zoning Commission, and he acknowledged the execution and signing of the above.

Michael J. Wells
 County Clerk

AUDITOR'S CERTIFICATE OF TAXES

I, Beth M. Ivins, Auditor of Williams County, do hereby certify that current taxes, delinquent taxes, or delinquent special assessments or instalments of special assessments on said subdivision property described in the attached instrument are unpaid in the amount of \$ 0.00 plus penalty and interest.

Certified on the 28th day of April, A.D. 2016.

Beth M. Ivins
 Auditor

Michael J. Wells
 County Clerk

SURVEYOR'S CERTIFICATE

I, Michael W. Bradshaw, do hereby certify that I am a Professional Land Surveyor as prescribed by the laws of the State of North Dakota and that I hold certificates of registration (License number LS-7962). I further certify that as authority of the Bureau of Survey, I have made a survey of the tract of land as shown on this plat, field surveyed on September 30, 2015.

4/18/16
 Date

Michael W. Bradshaw, P.L.S.
 Michael W. Bradshaw, P.L.S.
 Surveyor

CERTIFICATE OF WILLIAMS COUNTY RECORDER

This plat was filed and recorded in the office of the Williams County Recorder, in the State of North Dakota on 11/19 at 10:43 A.M. on the 27th day of April, A.D. 2016, and was recorded as Document No. 722092.

Kari Erickson
 County Recorder

Jenni Paulson
 Deputy, Williams County Recorder



DATE: 10-18-15
 JOB NUMBER: 5029
 SCALE: 1" = 100'
 DRAWN BY: JWC
 CHECKED BY: JWC
 DATE: 11/18/15

ALLIANCE CONSULTING
 A Planning and Engineering Firm
 2008 17th Ave. SW, Ste. 808
 Williston, ND 58801
 Phone: (701) 837-8000 • Fax: (701) 837-8001 • Email: info@allianceconsulting.com

MICHAEL J. WELLS SUBDIVISION
 W 1/2 SE 1/4 OF SECTION 12
 TOWNSHIP 154 NORTH, RANGE 101 WEST, 5TH PM
 CITY OF WILLISTON, WILLIAMS COUNTY, NORTH DAKOTA

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 RES \$22.00

WILLIAMS COUNTY, ND

SHEET 1 OF 1 SHEETS