

**RESOLUTION # 13-112**

**RESOLUTION DISCONTINUING AND VACATING A PORTION OF A 66 FOOT RIGHT OF WAY BETWEEN LOT 1 IN BLOCK 26 AND LOT 6, BLOCK 27 OF BRUEGGERS SECOND ADDITION, CITY OF WILLISTON, ND.**

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

**WHEREAS**, Williams County, on the 3rd day of March, 2013, filed with the City Auditor of the City of Williston, North Dakota, a Petition to vacate and discontinue the street as shown in Exhibit "A", situated in the City of Williston, Williston Township, Williams County, North Dakota to wit, between:

LOT 1 IN BLOCK 26 AND LOT 7 IN BLOCK 27 OF BRUEGGERS SECOND ADDITION IN THE CITY OF WILLISTON, NORTH DAKOTA, BEING 66'X151'

Furthermore, the entire vacation area is reserved as a utility and access easement or water, sewer, gas, electric, telephone, or other public utility lines or services.

**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 25<sup>th</sup> day of June, 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, between:

LOT 1 IN BLOCK 26 AND LOT 7 IN BLOCK 27 OF BRUEGGERS SECOND ADDITION IN THE CITY OF WILLISTON, NORTH DAKOTA, BEING 66'X151'

Furthermore, the entire vacation area is reserved as a utility and access easement or water, sewer, gas, electric, telephone, or other public utility lines or services.

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

**THEREUPON**, the Resolution was declared and adopted and carried. Approved the 25<sup>th</sup> day of June, 2013.

*E. Ward Koeser*

**E. Ward Koeser**, President  
Board of City Commissioners

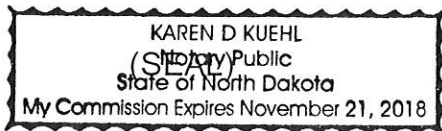
ATTEST:

*John Kautzman*  
\_\_\_\_\_  
**John Kautzman**, City Auditor



STATE OF NORTH DAKOTA    )  
  : ss.  
COUNTY OF WILLIAMS     )

The foregoing instrument was acknowledged before me this 2<sup>nd</sup> day of July 2013, by E.WARD KOESER, President of the City Commission and JOHN KAUTZMAN, City Auditor, City of Williston, ND.



*Karen D Kuehl*  
\_\_\_\_\_  
Notary Public –State of North Dakota  
Expires: \_\_\_\_\_

