

**ORDINANCE NO. 1258**

**AN ORDINANCE ANNEXING LAND INTO THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA**

WHEREAS, Tesoro Refining and Marketing Company LLC intends to construct a new administration building on their refinery property along Old Red Trail; and

WHEREAS, Tesoro desires to have this new administration building served with city potable water and sanitary sewer; and

WHEREAS, property to be served with city potable water and sanitary sewer must be within the corporate limits of the city; and

WHEREAS, a new plat has been created in order to separate the administration building from the refinery; and

WHEREAS, the southern portion of the property is within the corporate limits of the City of Mandan, and

WHEREAS, all of a property must be within one corporate jurisdiction in order to record a plat; and

WHEREAS, Tesoro Refining and Marketing Company LLC has petitioned the City to annex all the property located along Old Red Trail within Section 22, T139N, R81W for a distance from Old Red Trail of four Hundred fifteen (415) feet in order to bring all of this new parcel within city limits and provide a uniform boundary along Old Red Trail that is within the city; and

WHEREAS, North Dakota Century Code Section 40-51.2-03 provides that if the owners of at least three-fourths of the assessed value of the property being requested for annexation request such action in writing that no protest period is required; and

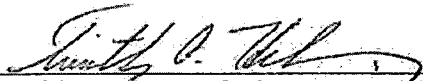
WHEREAS, notice was published in a newspaper of general circulation within the City of Mandan on 3/17/2017 and a certified letter announcing the intent to annex was delivered by the USPS to Morton County on 3/14/2017 as required by North Dakota Century Code 40-51.2-05.

NOW THEREFORE BE IT RESOLVED by the Board of City Commissioners of the City of Mandan, Morton County, North Dakota as follows:

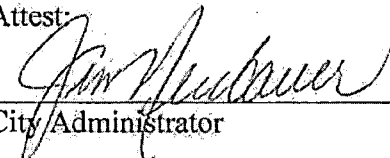
**Section 1. Description of Parcel of Land being Annexed.** All that land not currently within the corporate limits of the City of Mandan located along Old Red Trail east of Collins Avenue, being the land located outside the first 200 feet north of Old Red Trail and the MDU Collins Substation parcel (County Parcel 650182900) in the southwest corner, that is described as follows:

Commencing at a point on the western boundary of Tract 9 within the northeast quarter of Section 22, Township 139 North, Range 81 West of the fifth Principal Meridian, Morton County, North Dakota, located a distance of two hundred sixty (260) feet north of the north boundary of the right-of-way of Old Red Trail, thence along the western boundary of Tract 9 to a point that is four hundred fifteen (415) feet north of Old Red Trail measured perpendicular to the right-of-way of Old Red Trail, thence east parallel to the north right-of-way line of Old Red Trail 575 feet past the east boundary of Section 22 to a point in Section 23, Township 139 North, Range 81 West that is west of Tesoro's Gate 1, thence south two hundred fifteen (215) feet on a line perpendicular to the north right-of-way line of Old Red Trail to a point two hundred (200) feet north of the north right-of-way line of Old Red Trail, thence west parallel to the north right-of-way line of Old Red trail to the Collins Subdivision parcel, thence north along the east boundary of said parcel to the northeast corner of said parcel, thence west along the north boundary of said parcel to the POINT OF BEGINNING.

*41-0147000 41-0158000*  
**Section 2. City actions.** The proper officials of the city are hereby directed to file the necessary paperwork with Morton County documenting the annexation, post the notices required by the North Dakota Century Code and take such further action as they may deem necessary or desirable.


  
\_\_\_\_\_  
President, Board of City Commissioners

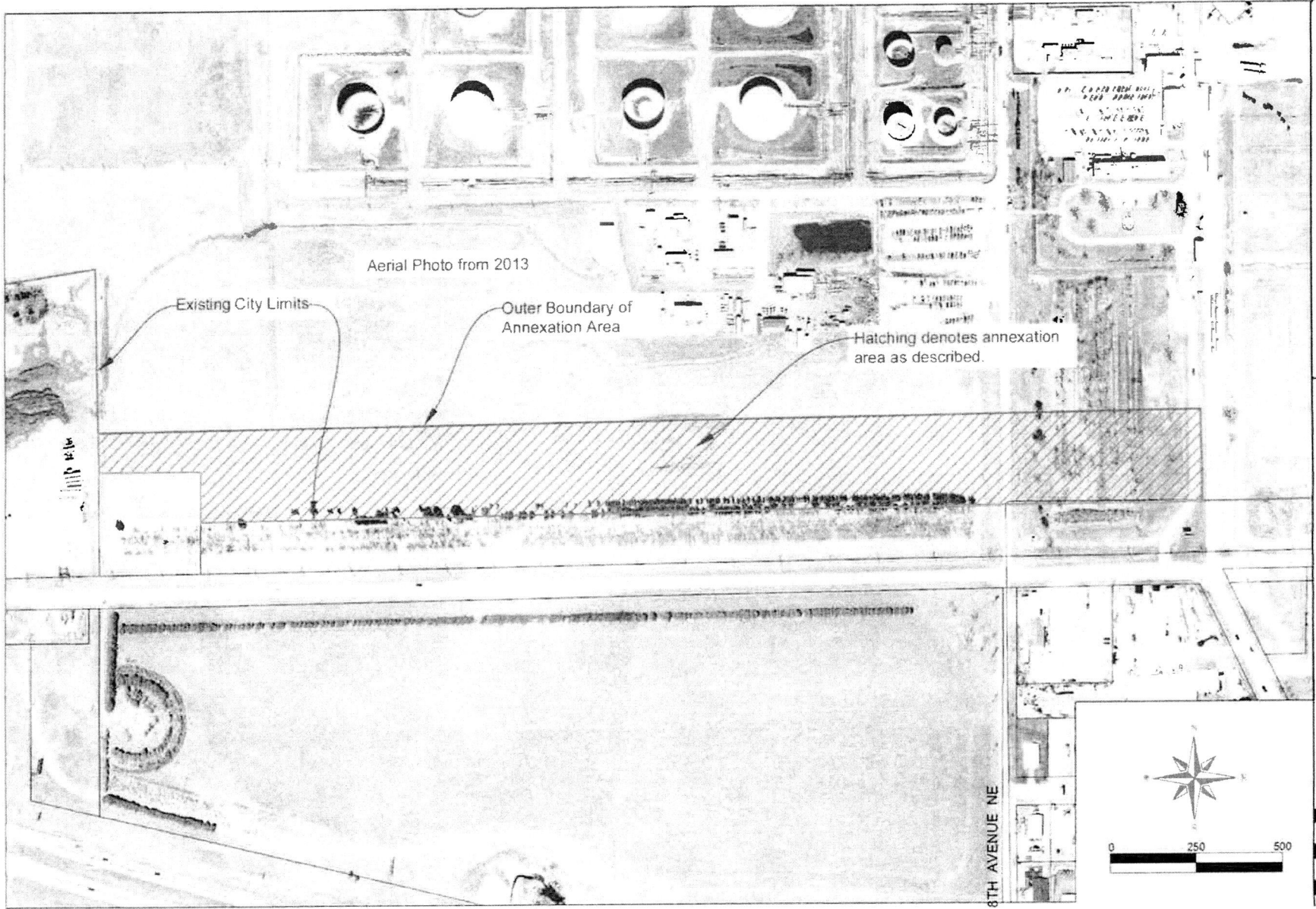
Attest:

  
\_\_\_\_\_  
City Administrator

Publication Date:	<u>3/17/2017</u>
First Consideration:	<u>3/27/2017</u>
Second Consideration and Final Passage:	<u>4/4/2017</u>
Publication Dates:	_____
Recording Date:	_____

Auditor's Office Morton Co., ND  
TRANSFER ACCEPTED

4-7-17  
DAWN R. RHONE, County Auditor  
By  Deputy



Tesoro Admin. Building  
Annexation Boundary

**Note:**  
Drawing is an exhibit created by the City of Mandan Engineering  
Department to illustrate description only. It was not drawn or

Scale
0 250 500
09/24/2017
File Name

COUNTY RECORDER, MORTON COUNTY, ND **476786**  
I certify that this instrument was filed and recorded.  
Carrole Schaner, County Recorder Fee \$16.00 Chg.  
By Carrole Schaner April 7, 2017 3:23:35 PM

County Recorder  
Morton County  
Mandan ND 58554

**476786**

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