CITY OF BISMARCK PLANNING ORDIN
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Burleigh County

ORDINANCE NO. 6208

First Reading	*May 10, 2016*
Second Reading	*May 24, 2016*
Final Passage and Adoption	*May 24, 2016*
Publication Date	*May 13 & 20, 2016*

AN ORDINANCE ANNEXING PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF BISMARCK, NORTH DAKOTA, DECLARING THE TERRITORY ANNEXED; DECLARING THE SAME TO BE A PART OF THE CORPORATE LIMITS OF SAID CITY.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF BISMARCK, NORTH DAKOTA.

Section 1. Territory Annexed. The territory and land hereinafter described is hereby declared and found to be a part of the corporate limits of the City of Bismarck, North Dakota, as follows:

Lots 1-2, 25-28 and 32, Block 1; Lots 1-4, Block 3; and Lots 3-13, Block 4, Promontory Point VII Addition.

The above described tract of land contains 24.09 acres, more or less.

Section 2. Provisions Applicable. From and after the final passage and adoption of this Ordinance and upon recording of this ordinance with the Burleigh County Recorder, the territory herein described shall be a part of the corporate limits of the City of Bismarck, North Dakota.

STATE OF NORTH DAKOTA)
)
COUNTY OF BURLEIGH)

I, Jason Tomanek, do hereby certify that I am the duly appointed, qualified Assistant City Administrator of the City of Bismarck, North Dakota and that the foregoing is a full, true and correct copy of an ordinance adopted by the Board of City Commissioners at its regular meeting of May 24, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the City of Bismarck, North Dakota, this 27th day of May, 2016.

(SEAL)

Jason Tomanek, Assistant City Administrator

PROMONTORY POINT VII ADDITION

All of the Northeast Quarter of the Northeast Quarter of Section 24, Township 139 North, Range 81 West

Part of the East Half of the Northwest Quarter and Part of Government Lot 1 of Section 19, Township 139 North, Range 80 West

of the Fifth Principal Meridian, City of Bismarck, Burleigh County, North Dakota

SLOPE PROTECTION RESTRICTION NOTE:

THE PURPOSE OF THESE RESTRICTIONS IS TO PROHIBIT ANY ACTIVITY THAT COULD AFFECT THE EROSIVITY OR STABILITY OF THE SLOPES. EACH OF LOTS 2-18, 20-21, 23-27 & 32, BLOCK 1, PROMONTORY POINT VII, HAS A SLOPE PROTECTION EASEMENT AND DEVELOPMENT LIMITATIONS:

1.) THE NATURAL VEGETATION WITHIN THE SLOPE PROTECTION EASEMENT SHALL BE LEFT UNDISTURBED.

2.) GRADING, EXCAVATION, FILLING, TERRACING, STOCKPILING OF MATERIAL OR EQUIPMENT, OR ANY OTHER SURFACE ALTERATIONS ARE NOT ALLOWED.

3.) IRRIGATION OF THE SLOPE PROTECTION EASEMENT IS NOT ALLOWED.

IN ADDITION TO THE SLOPE PROTECTION EASEMENT, OTHER DEVELOPMENT LIMITATIONS APPLY TO THOSE AREAS ADJACENT TO AND WITHIN 25 FEET OF THE SLOPE PROTECTION EASEMENT FOR LOTS 2-18, 20-21, 23-27 & 32, BLOCK 1 (BLUFF AREA):

A.) EXCAVATION IS NOT ALLOWED FOR FOOTINGS OF PRIMARY STRUCTURES.

SWIMMING POOLS ARE NOT ALLOWED AT ANY LOCATION IN ANY REAR YARD OF LOTS 2-18, 20-21, 23-24, BLOCK 1.

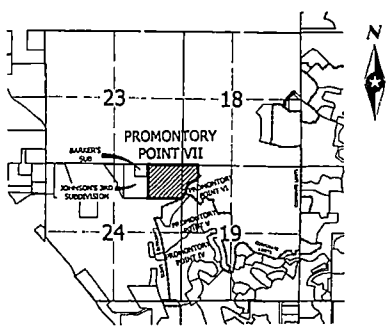
FOR INSPECTION AND MONITORING PURPOSES, CITY OF BISMARCK PERSONNEL WILL BE ALLOWED ACCESS ONTO THE SLOPE PROTECTION EASEMENT AND LIMITED DEVELOPMENT AREAS.

DESCRIPTION:

All of the Northeast Quarter of the Northeast Quarter of Section 24, Township 139 North, Range 81 West and Part of the East Half of the Northwest Quarter and Part of Government Lot 1 of Section 19, Township 139 North, Range 80 West of the Fifth Principal Meridian, City of Bismarck, Burleigh County, North Dakota described as follows:

Beginning at the northeast corner of Section 24, said point being the Point of Beginning; thence South 88 degrees 31 minutes 59 seconds East along the north line of Section 19 a distance of 708.33 feet to the northwest corner of Lot 1, Block 3, PROMONTORY POINT VI ADDITION; thence South 00 degrees 22 minutes 14 seconds West along the westerly line of PROMONTORY POINT VI ADDITION, 363.40 feet; thence South 48 degrees 11 minutes 02 seconds West along said westerly line 262.15 feet; thence South 63 degrees 13 minutes 33 seconds West along said westerly line 166.13 feet; thence South 51 degrees 35 minutes 52 seconds West along said westerly line 152.46 feet; thence South 28 degrees 03 minutes 05 seconds West along said westerly line 126.94 feet; thence South 10 degrees 34 minutes 00 seconds West along said westerly line 205.29 feet; thence South 39 degrees 29 minutes 31 seconds West along said westerly line 205.34 feet; thence South 32 degrees 34 minutes 52 seconds East along said westerly line 34.05 feet; thence South 37 degrees 24 minutes 44 seconds West along said westerly line 81.04 feet to the southwest corner of the Northwest Quarter of the Northeast Quarter of Section 24; thence North 89 degrees 23 minutes 02 seconds West 1310.74 to the southwest corner of the Northwest Quarter of the Northwest Quarter of Section 24; thence North 00 degrees 32 minutes 28 seconds East 1321.42 feet to the northwest corner of the Northwest Quarter of the Northeast Quarter of Section 24; thence South 89 degrees 09 minutes 14 seconds East along the north line of Section 24 a distance of 1317.56 feet, to the Point of Beginning.

Containing 91.95 acres, more or less.



VICINITY MAP

NOT TO SCALE

OWNERS'S CERTIFICATE AND DEDICATION

KNOW ALL PERSONS BY THESE PRESENTS: That Santa Fe, LLP., owner of the following described property:

PROMONTORY POINT VII ADDITION, as described and shown hereon, being ALL OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 139 NORTH, RANGE 81 WEST AND PART OF THE EAST HALF OF THE NORTHWEST QUARTER AND PART OF GOVERNMENT LOT 1 OF SECTION 19, TOWNSHIP 139 NORTH, RANGE 80 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA.

Has caused the same to be surveyed and platted as PROMONTORY POINT VII ADDITION and does hereby dedicate to the public for public use the public ways and utility easements as created by the plat.

In witness whereof said Santa Fe, LLP., has caused these presents to be signed by its proper officers this 30th day of November 2017.

Lance Wachter, Managing Partner

Gail Wachter, Managing Partner

STATE OF NORTH DAKOTA)
COUNTY OF BURLEIGH) SS

Be it known on this 30th day of November, 2017, before me personally appeared Lance Wachter, Managing Partner and Gail Wachter, Managing Partner and acknowledged the execution and signing of the above Certificate to be their voluntary act and deed.

Toni Haider
Notary Public, Burleigh County, North Dakota
My Commission Expires: September 20th 2022

TONI HAIDER
Notary Public
State of North Dakota
My Commission Expires Sep 20, 2022

APPROVAL OF CITY ENGINEER

I, Gabriel Scheil, City Engineer of the City of Bismarck, North Dakota, hereby approve "PROMONTORY POINT VII ADDITION" Bismarck, North Dakota, as shown on the annexed plat.

Gabriel J Scheil - City Engineer

APPROVAL OF BOARD OF CITY COMMISSIONERS

The Board of City Commissioners of the City of Bismarck, North Dakota, has approved the subdivision of land as shown on the annexed plat and has approved the grounds as shown on the annexed plat as an amendment to the Master Plan to the City of Bismarck, North Dakota, and does hereby vacate any previous platting within the boundary of the annexed plat.

The foregoing action of the board of City Commissioners of Bismarck, North Dakota was taken by resolution approved the 24th day of May 2016.

Keith L. Hunter
City Administrator

APPROVAL OF CITY PLANNING COMMISSION

The subdivision of land as shown on the annexed plat has been approved by the Planning Commission of the City of Bismarck, on the 27th day of April 2016, in accordance with the laws of the State of North Dakota, ordinances of the City of Bismarck and regulations adopted by said Planning Commission. In witness whereof are set the hands and seals of the Chairman and the Secretary of the Planning Commission of the City of Bismarck.

Wayne Lee Yeager
Chairman

Carl D. Pokemoda
Secretary

SURVEYOR'S CERTIFICATE:

I, Robert M. Illg, a Registered Land Surveyor in the State of North Dakota, hereby certify that I made the within and foregoing plat which is a correct representation of the survey prepared under my direct supervision and completed on June 3rd, 2015, that all distances are correct, that the outside boundary lines are correctly designated hereon, that all dimensional and geodetic details shown hereon are true and correct to the best of my knowledge and belief and that all required monuments are placed in the ground as shown.

Robert M. Illg
Registered Professional Land Surveyor
License No. LS-6444

ROBERT M. ILLG
LS-6444
Date 11-30-17
REGISTERED PROFESSIONAL LAND SURVEYOR
NORTH DAKOTA

STATE OF NORTH DAKOTA)
COUNTY OF BURLEIGH) SS

The foregoing instrument was acknowledged before me this 30th day of November 2017.

Toni Haider
Notary Public, Burleigh County, North Dakota
My Commission Expires: September 20, 2022

TONI HAIDER
Notary Public
State of North Dakota
My Commission Expires Sep 20, 2022

AREA TABULATIONS:

S6 Lots	=	2,001,956 sf	46.02± Acres
Streets	=	348,953 sf	8.01 Acres
Total	=	2,350,907 sf	54.03± Acres
N½, N½S½ Sec. 24	=	1,733,315 sf	39.79± Acres
E½ NW¼ Sec. 19	=	53,593 sf	1.23± Acres
Gov't Lot 1 Sec 19	=	476,199 sf	10.93± Acres
Total	=	2,263,907 sf	51.95± Acres

LOT USE:

LOTS 1 & 27 BLOCK 1 AND LOT 1 BLOCK 2 TO BE RESERVED FOR PUBLIC USE

BASIS OF BEARING:

Derived from State Plane coordinates.

COORDINATE DATUM:

North Dakota State Plane Coordinate System
NAD 83 South Zone 3302 (Adjusted 86)
International Units

VERTICAL DATUM:

National Geodetic Vertical Datum of 1929

DEVELOPER:

Santa Fe, LLP.
PO Box 320
Bismarck, ND 58501

SURVEYOR:

SEH
4719 Shelburne St, Suite 6
Bismarck, ND 58503-5677

SURVEYED:

June 3, 2015

SEH
PHONE: 701.354.7121
4719 SHELBURNE ST, SUITE 6
BISMARCK, ND 58503-5677
www.sehinc.com

DATE: 4/3/17

PROMONTORY POINT VII ADDITION

All of the Northeast Quarter of the Northeast Quarter of Section 24, Township 139 North, Range 81 West

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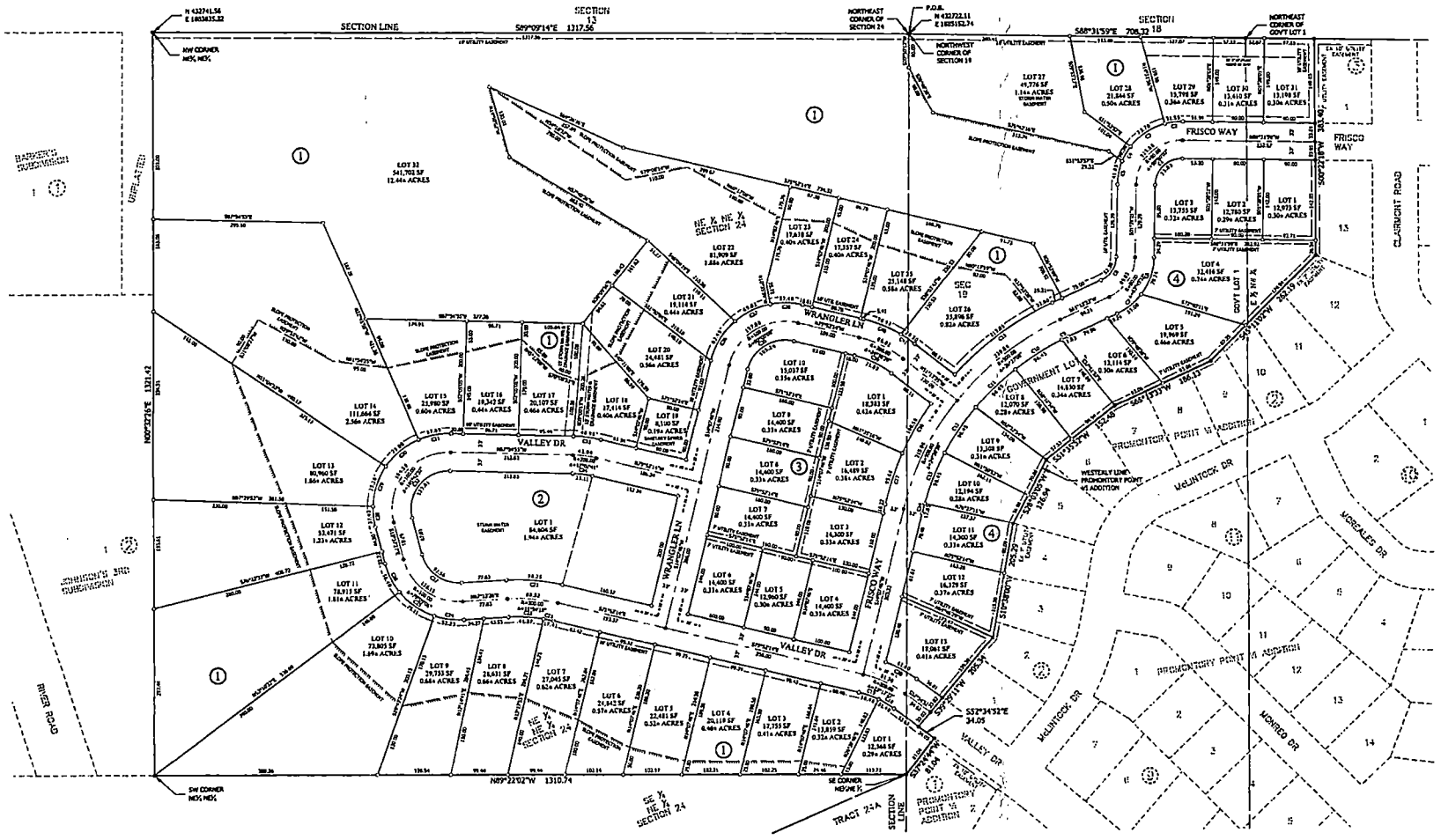

PARCEL CURVE DATA			
CURVE	DELTA	RADIUS	ARC LENGTH
C1	090°00'00"	47.00	73.83
C2	015°59'37"	113.00	31.55
C3	037°22'01"	113.00	73.70
C4	015°23'45"	113.00	30.36
C5	021°14'17"	113.00	41.89
C6	035°52'14"	113.00	70.74
C7	027°53'16"	113.00	53.00
C8	063°45'33"	47.00	52.30
C9	001°34'28"	467.00	12.83

PARCEL CURVE DATA			
CURVE	DELTA	RADIUS	ARC LENGTH
C10	011°49'56"	467.00	96.45
C11	011°50'00"	467.00	96.45
C12	011°49'56"	467.00	96.45
C13	011°49'59"	467.00	96.45
C14	002°11'23"	467.00	17.85
C15	022°54'09"	533.00	213.05
C16	010°46'42"	533.00	100.56
C17	010°16'59"	533.00	95.56
C18	010°46'22"	187.00	31.40

PARCEL CURVE DATA			
CURVE	DELTA	RADIUS	ARC LENGTH
C19	012°31'00"	187.00	36.48
C20	015°06'30"	233.00	61.60
C21	003°44'09"	267.00	17.41
C22	013°10'11"	267.00	61.37
C23	016°54'19"	333.00	98.25
C24	022°29'57"	133.00	52.23
C25	032°21'18"	133.00	75.11
C26	024°17'50"	133.00	56.40
C27	079°09'06"	67.00	92.56

PARCEL CURVE DATA			
CURVE	DELTA	RADIUS	ARC LENGTH
C28	016°07'35"	133.00	37.43
C29	032°23'20"	133.00	75.26
C30	032°16'34"	133.00	75.00
C31	024°31'03"	133.00	57.69
C32	105°42'32"	67.00	123.61
C33	012°02'41"	233.00	48.88
C34	012°02'41"	167.00	35.11
C35	090°00'00"	67.00	105.24
C36	035°32'16"	133.00	82.48

PARCEL CURVE DATA			
CURVE	DELTA	RADIUS	ARC LENGTH
C37	029°43'57"	133.00	69.02
C38	024°43'45"	133.00	57.40
C39	024°36'39"	167.00	71.83
C40	017°28'25"	233.00	70.92
C41	007°12'15"	233.00	29.30

LEGEND:

- FOUND MONUMENT
- REBAR W/ CAP LS-8464
- ROADWAY POINT
- PLAT BOUNDARY
- NON ACCESS LINE
- UTILITY EASEMENT
- ADJACENT LOT LINE
- SECTION LINE
- SLOPE PROTECTION EASEMENT

N

SEH

PHONE: 701.354.7121
4719 SHELBURNE ST, SUITE 6
BISMARCK, ND 58503-5677
www.sehinc.com

DATE: 4/3/17