

RESOLUTION 255
(At its Regular Meeting on Monday, September 12, 2016.)

Introduced by Danny Schuchard who moved its adoption;

September 12, 2016

Be it resolved by the City Council of Carrington, to wit:

Whereas, the City of Carrington, Foster County, North Dakota is a municipal corporation, organized and existing under the laws of the State of North Dakota; and

Whereas, Section 40-51.2-07 of the North Dakota Century Code provides that the "governing body of any city may adopt a resolution to annex contiguous or adjacent territory;" and

Whereas, the City Council of the City of Carrington, North Dakota has hereby proposed the annexation of the following described lands:

Southwest quarter (1/4) of Section Eighteen (18), Township One Hundred and Forty-Six (146), Range Sixty-Six (66), Foster County, North Dakota

And

The East thirty-three (33) feet of the Southeast quarter (1/4) of Section Thirteen (13), Township One Hundred and Forty-Six (146), Range Sixty-Seven (67), Foster County, North Dakota comprised of the County Right of Way for 66th Avenue Northeast.

Said annexation description contains 161 acres more or less; and

Whereas, the City of Carrington is desirous of annexing the aforescribed land so that it may become a part of the City of Carrington; and

Whereas, the City Auditor of the City of Carrington, as instructed by the City Council of the City of Carrington, shall publish in the Foster County Independent at least once each week for two successive weeks a copy of this resolution proposing such annexation, along with a notice of the time and place the City Council of the City of Carrington will meet to hear and determine the sufficiency of any written protests against the proposed annexation; and

Whereas, the City Council of the City of Carrington has set for the next City Council Meeting set for the 12th day of September, 2016 at 7:30 p.m. at the Carrington City Hall to hear such protests if any; and

Whereas, the City Auditor of the City of Carrington, as instructed by the City Council of the City of Carrington, shall mail at least seven days before the meeting, by certified mail, a notice to the owner of each parcel of real property within the area to be annexed at the person's last-known mailing address informing them of the resolution, the time and place of the hearing, and the requirement that protests must be filed in writing, so that the owners of any real property within the territory proposed to be annexed within thirty days of the first publication of the resolution may file written protests with the City Auditor protesting against the proposed annexation; and

Whereas, the City Auditor of the City of Carrington, as instructed by the City Council of the City of Carrington, shall mail at least seven days before the meeting, by certified mail, a notice to the governing body of each city, county, or township directly affected by the land area proposed to be annexed, noticing them of the proposed annexation, the time and place of the meeting, and the requirement that all protests must be filed in writing; and

Whereas, after the expiration of the time for filing the protests, the City Council of the City of Carrington, at its regularly scheduled City Council Meeting set for September 12, 2016 shall hear and determine the sufficiency of the protests, if any; and

Whereas, in the absence of protests filed by the owners of more than one-fourth of the territory proposed to be annexed as of the date of the adoption of the resolution, the territory described in this resolution shall become a part of the City of Carrington, Foster County, North Dakota when a copy of this resolution and an accurate map of the annexed area, certified by the executive officer of the City of Carrington, are filed and recorded with the county recorder, the annexation becomes effective; and

Whereas, if the owners of one-fourth or more of the territory proposed to be annexed protest, the City of Carrington may, at such regularly scheduled City Council Meeting, set for September 12, 2016, either decide to stop its pursuit of the annexation or submit the matter to a committee for mediation as provided in Section 40-51.2-07.1 of the North Dakota Century Code.

Now, Therefore, Be It Resolved, by the City Council of the City of Carrington, North Dakota that the City Auditor shall: (1) publish a copy of this Resolution with a Notice of Meeting in the Foster County Independent at least once each week for two consecutive weeks and (2) timely mail the Notices as detailed herein; and

Now, Therefore, Be It Resolved, by the City Council of the City of Carrington, North Dakota that the City Council shall meet on Monday, November 14, 2016, at its regularly scheduled City Council Meeting, to determine the sufficiency of the protests, if any; and

Now, Therefore, Be It Resolved, by the City Council of the City of Carrington, North Dakota that in the absence of protests filed by the owners of more than one-fourth of the territory

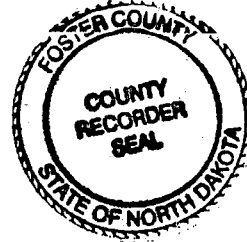
FOSTER COUNTY RECORDER DOC #115808

I hereby certify that the within instrument was filed in this office for record on 11/30/2016 at 11:15 AM, and was duly recorded as Document No. 115808 in Book F1 MISC on Page 591.

Lynelle Lyman-Hoppe, Recorder _____

By Olga Scanson Deputy

Recording Fee \$ 19.00

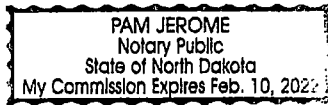


STATE OF NORTH DAKOTA)

) ss.

COUNTY OF FOSTER)

On this 29th day of Nov., 2016, before me, personally appeared Neil Fandrich and Easton Page, to me known to be the Mayor and Auditor of the City of Carrington, and who executed the within and foregoing instrument, and acknowledged to me that they executed the same.



Pam Jerome
_____, NOTARY PUBLIC
Foster County, North Dakota

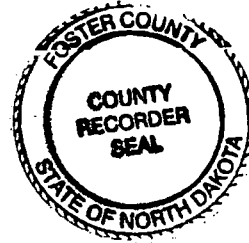
FOSTER COUNTY RECORDER DOC #115807

I hereby certify that the within instrument was filed in this office for record on 11/30/2016 at 11:00 AM, and was duly recorded as Document No. 115807 in Book F1 MISC on Page 589.

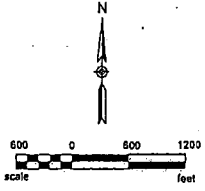
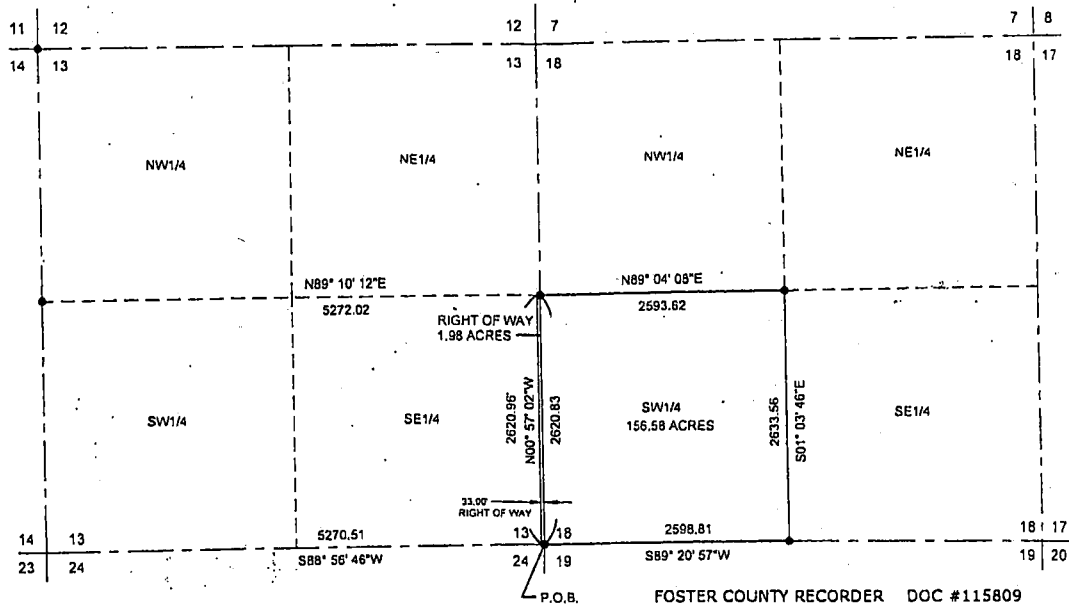
Lynelle Lyman-Hoppe, Recorder _____

By Dina Scanson Deputy

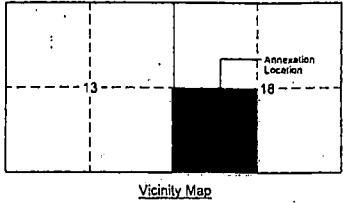
Recording Fee \$ 13.00



ANNEXATION BOUNDARY
 Within Southeast Quarter, Section 13, T146N, R67W and
 within Southwest Quarter, Section 18, T146N, R66W
 Foster County, North Dakota



Legend
 — ANNEXATION BOUNDARY
 ● EXISTING MONUMENT



FOSTER COUNTY RECORDER DOC #115809
 I hereby certify that the within instrument was filed in this office for record on 11/30/2016 at 11:30 AM, and was duly recorded as Document No. 115809 in Book F1 MISC on Page 595.

Lynelle Lyman-Hoppe, Recorder
 By *Anna Scandron* Deputy
 Recording Fee \$ 10.00



Plat Env. 71

ANNEXATION BOUNDARY DESCRIPTION

A parcel of land being the the east 33.00 feet of the SE1/4 of Section 13, T146N, R67W and all of the SW 1/4 of Section 18, T146N, R66W of the Fifth Principal Meridian, Foster County, North Dakota more particularly described as follows:

Beginning at the section corner common to Sections 13 and 24, T146N, R67W and Sections 18 and 19, T146N, R66W; Thence S88°56'46"W, along the Section line common to said Section 13 and 24, 33.00 feet; Thence N0°57'02"W parallel to and 33.00 feet distance from the east line of said SE1/4 of Section 13, 2620.98 feet to the north line of said SE1/4 of Section 13; Thence N89°10'12" E, along the north line of said SE1/4 of Section 13, 33.00 feet to the quarter corner common to said Sections 13 and 18; Thence N89°04'08"E along the north line of the said SW1/4 of Section 18, 2593.62 feet to the northeast corner of said SW1/4 of Section 18; Thence S1°03'46"E along the east line of the said SW1/4 of Section 18, 2633.56 feet to the quarter corner common to Sections 18 and 19; Thence S89°20'57"W along the south line of the said SW1/4 of Section 18, 2598.81 feet to the Point of Beginning.

Said Annexation Description contains 1.98 acres within the SE1/4 of Section 13, T146N, R67W and 156.58 acres within the SW1/4 of Section 18, T146N, R66W. Total Annexation contains 158.56 acres, more or less.

Bearings for the above description are North Dakota Lambert State Plane and ground distances are NDDOT Foster County Coordinate System.



DRAWN BY : T.E.L.
 CHECKED BY : L.H.K.
 PROJECT NUMBER: J16-03-007
 DATE: September 30, 2016

