

City of Stanley

CITY OF STANLEY

PO BOX 249  
STANLEY ND 58784



**444447**  
County Recorder  
Mountrail County  
Stanley ND  
Page 1 of 16



208 S Main  
PO Box 249  
Stanley, ND 58784  
701-628-2225

RE: "Country Estates"

I, Allyn Sveen, Stanley City Auditor, do hereby certify this to be a true and correct copy of the Minutes of the Stanley City Council Meeting that was held on January 14, 2020, February 11, 2020 and March 10, 2020 a copy of which is attached hereto.

This certification is for the purpose of placing of record the official action of the City of Stanley to annex into the corporate limits of the City of Stanley. Description of the property to be annexed is as follows:

**TOWNSHIP 156 NORTH, RANGE 91 WEST:**

Section 27: Lots C, D, E, F, G, H, I and J of Outlot 1 of the W $\frac{1}{2}$ NW $\frac{1}{4}$  (7.63 Acres, more or less) as shown on attached plat recorded in the Office of the Mountrail County Recorder on June 1, 1977 as Document #224742

Section 27: Lots 1, 2, 3, 4, and 5 of Sublot A of the Subdivision of Outlot 1 of W $\frac{1}{2}$ NW $\frac{1}{4}$  (5.17 Acres, more or less) as shown on attached plat recorded in the Office of the Mountrail County Recorder on November 15, 2007 as Document #333855

Annexation includes all streets dedicated to the public as shown on attached plat of Outlot 1 of the W $\frac{1}{2}$ NW $\frac{1}{4}$  recorded in the Office of the Mountrail County Recorder on June 1, 1977 as Document #224742. Further, the City of Stanley does assume ownership and/or jurisdiction of said streets under Annexation Ordinance #96-34.

CITY OF STANLEY

  
\_\_\_\_\_  
Allyn Sveen, City Auditor



STATE OF NORTH DAKOTA, COUNTY OF MOUNTRAIL

On this day, personally appeared before me

Allyn Sveen

To me known to be the person(s) described in and who executed the within and foregoing instrument, and acknowledged that he/she signed the same as his/her voluntary act and deed, for the uses and purposes therein mentioned.

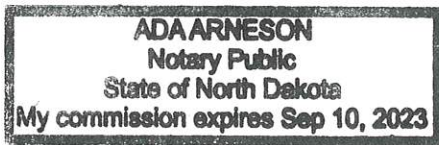
Witness my hand and official seal hereto affixed

This 15<sup>th</sup> day of May, 2020

Ada Arneson

Notary Public in and for the State of North Dakota

Commission expires 09-10-2023



TRANSFER ENTERED

DATE: May 15, 2020

Stephanie A. Pappas by  
Leathner Greenlee

AUDITOR, MOUNTRAIL, N.D.



## **ORDINANCE NO. 96-34**

**AN ORDINANCE RELATING TO THE ANNEXATION OF REAL PROPERTY PRESENTLY LOCATED OUTSIDE THE CORPORATE BOUNDARIES OF THE CITY OF STANLEY:**

**“Country Estates” -**

**Lots C, D, E, F, G, H, I and J of Outlot 1 of W $\frac{1}{2}$ NW $\frac{1}{4}$  and  
Lots 1, 2, 3, 4 and 5 of Sublot A of the Subdivision of Outlot 1 of W $\frac{1}{2}$ NW $\frac{1}{4}$   
of Section 27, Township 156N, Range 91W consisting of 12.80 acres, more or less,  
including the streets platted and dedicated to the public as shown in  
Outlot 1 of the W $\frac{1}{2}$ NW $\frac{1}{4}$  of Section 27, Township 156N, Range 91 W**

---

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF STANLEY,  
MOUNTRAIL COUNTY, NORTH DAKOTA:**

The City Council of the City of Stanley, North Dakota, pursuant to Chapter 40-51.2 of the North Dakota Century Code, states that:

- 1) Not less than three-fourths ( $\frac{3}{4}$ ) of the owners of the following described real property have signed a written petition for annexation into the corporate boundaries of the City of Stanley, North Dakota; and
- 2) All of the below-described real property is lands that are contiguous or adjacent real property which is within the corporate limits of the City of Stanley;
- 3) The real property to be annexed into the City of Stanley as approved by the City Council is fully described as follows, to-wit:

**TOWNSHIP 156 NORTH, RANGE 91 WEST:**

Section 27: Lots C, D, E, F, G, H, I and J of Outlot 1 of the W $\frac{1}{2}$ NW $\frac{1}{4}$  (7.63 Acres, more or less) as shown on attached plat recorded in the Office of the Mountrail County Recorder on June 1, 1977 as Document #224742

Section 27: Lots 1, 2, 3, 4, and 5 of Sublot A of the Subdivision of Outlot 1 of W $\frac{1}{2}$ NW $\frac{1}{4}$  (5.17 Acres, more or less) as shown on attached plat recorded in the Office of the Mountrail County Recorder on November 15, 2007 as Document #333855

Annexation includes all streets dedicated to the public as shown on attached plat of Outlot 1 of the W $\frac{1}{2}$ NW $\frac{1}{4}$  recorded in the Office of the Mountrail County Recorder on June 1, 1977 as Document #224742. Further, the City of

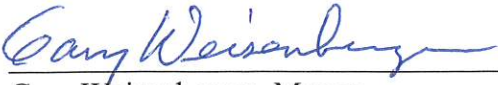


Stanley does assume ownership and/or jurisdiction of said streets under this Annexation Ordinance #96-34.

**EFFECTIVE DATE.**

This Ordinance shall take effect and be in force from and after final passage, and due publication according to law.

Dated this 10<sup>th</sup> day of March, 2020.

  
\_\_\_\_\_  
Gary Weisenberger, Mayor

ATTEST:

  
\_\_\_\_\_  
Allyn Sveen, City Auditor

First Reading:	January 14, 2020
Publication of Public Hearing:	January 29, 2020
Public Hearing:	February 11, 2020
Second Reading & Final Passage:	March 10, 2020
Publication Date:	March 18 and 25, 2020



224742

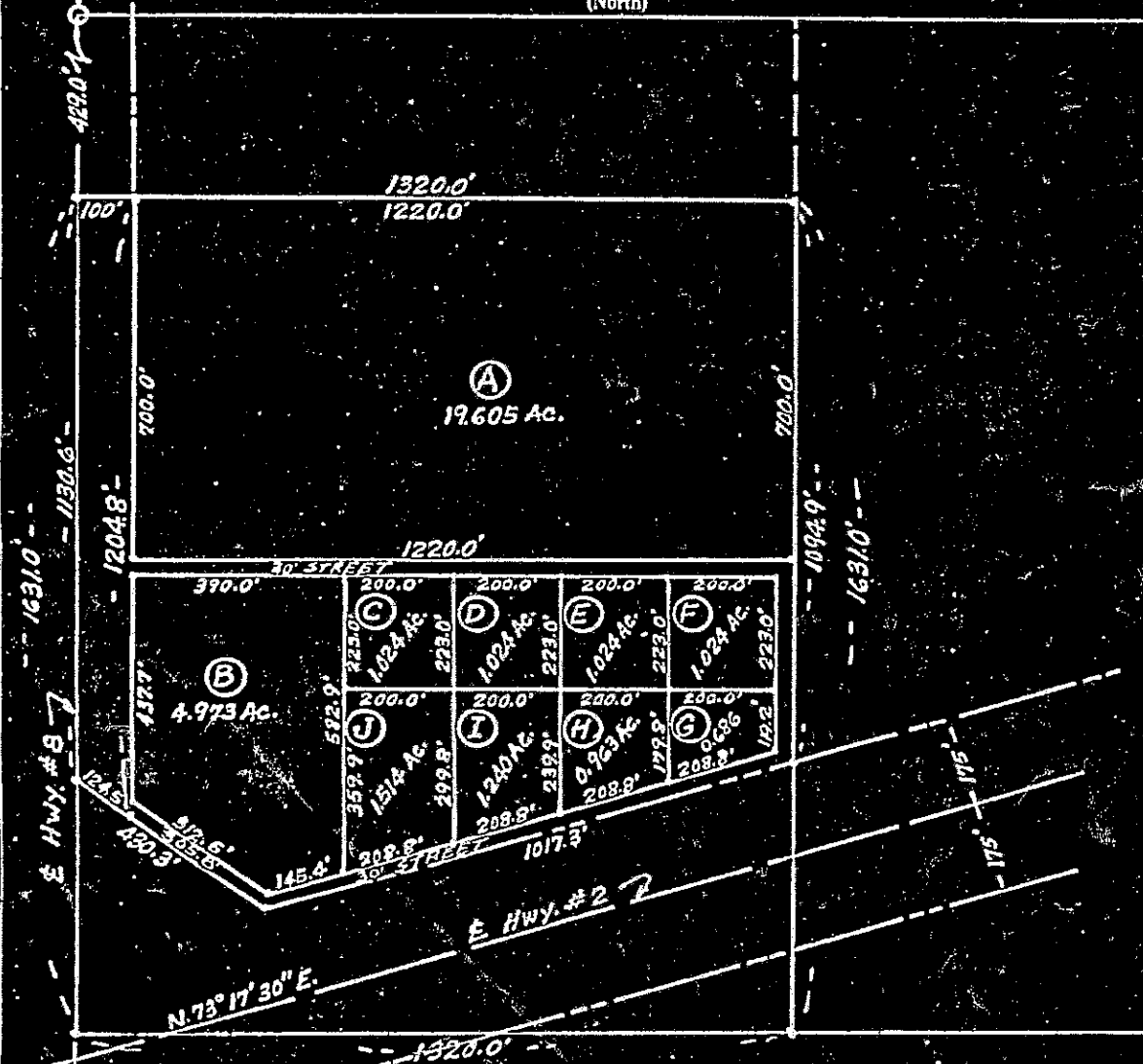
**PLAT OF OUT LOT ONE**  
( Lots A thru J )

of  $W\frac{1}{2}NW\frac{1}{4}$  Section 27 Township 156 N, Range 91 W.

Owner Marvin O. Rambel

S.H.D. sec. con Zmpl.

(North)



(Scale: 1" = 300')

Out lot 1 of  $W\frac{1}{2}NW\frac{1}{4}$  Section 27 Township 156 N, Range 91 W. described as follows: beginning at a point 429.0 feet South and 100.0 feet East of the Northwest corner of said  $W\frac{1}{2}NW\frac{1}{4}$ , said point being on the East right of way line of State Highway No. 8, thence East a distance of 1220.0 feet to the East line of said  $W\frac{1}{2}NW\frac{1}{4}$ , thence South a distance of 1094.9 feet to the Northerly right of way line of US Highway No. 2, thence in a Southwesterly direction along said right of way line a distance of 1017.3 feet, thence in a Northwesterly direction along a sight distance triangle a distance of 305.8 feet to a point on the East right of way line of State Highway No. 8, thence North along said right of way line a distance of 1204.8 feet to the point of beginning. Outlot contains 35.04 acres, more or less.



580

THE UNDERSIGNED, owner... of the within described property, in accordance with the provisions of Section 57-02-39 of the North Dakota Century Code, and upon demand of the County Auditor of Mountrail County, North Dakota, has... caused to be made the within and foregoing plat of said land, with the lots as therein described, and hereby donate and dedicate all the streets and alleys hereon shown to the public for public use.

IN TESTIMONY WHEREOF the said owner... has hereunto set his hand... and seal this 1st day of June 1977.

Signed in presence of *Marvin O. Rambel* (Seal)

(Seal)

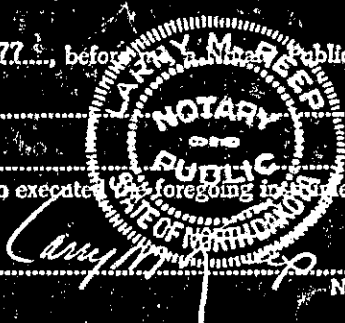
(Seal)

STATE OF NORTH DAKOTA }  
County of Mountrail.....}

On this 1st day of June in the year 1977, before me a Notary Public in and for said County and State, personally appeared Marvin O. Rambel

known to me to be the person who described in, and who executed the foregoing instrument and acknowledged that he executed the same.

My Commission Expires:  
LARRY M. REEP  
Notary Public, MOUNTRAIL CO., N. DAK.  
My Commission Expires APRIL 6, 1983



SURVEYOR'S CERTIFICATE

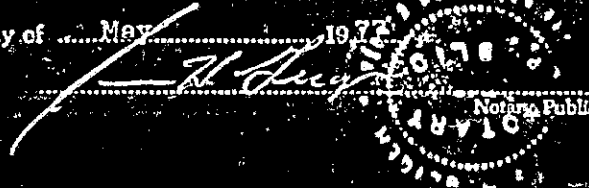
I, Maurice N. Ackerman, Surveyor, do hereby certify that at the request of Marvin O. Rambel

within and foregoing plat and description of the land as herein described, and the lots, distances, area and location, as indicated on said plat and contained in said description, are true and correct.

*Maurice N. Ackerman*  
Surveyor

Subscribed and sworn to before me this 31st day of May 1977

My Commission Expires:  
JAMES H. GEIGER, Notary Public  
Ward County, North Dakota  
My commission expires Dec. 11, 1977



Approved ..... 19.....

Approved ..... 19.....

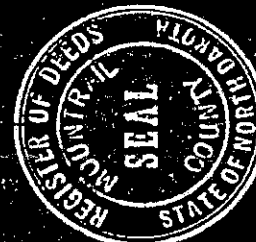
Delinquent taxes and special assessments or installments of special assessments paid and transfer entered  
JUN 1 1977  
Auditor, Mountrail Co., N.D.

PLAT OF OUT LOT  
Sec. .... Twp. .... Rge. ....  
OFFICE OF REGISTER OF DEEDS  
County of Mountrail, North Dakota

I hereby certify that the within instrument was filed for record in this office on the ... day of ... 19... at ... o'clock... M., and was duly recorded on page ... of Book ... of Irregular Plats.

By .....  
Register of Deeds  
Deputy

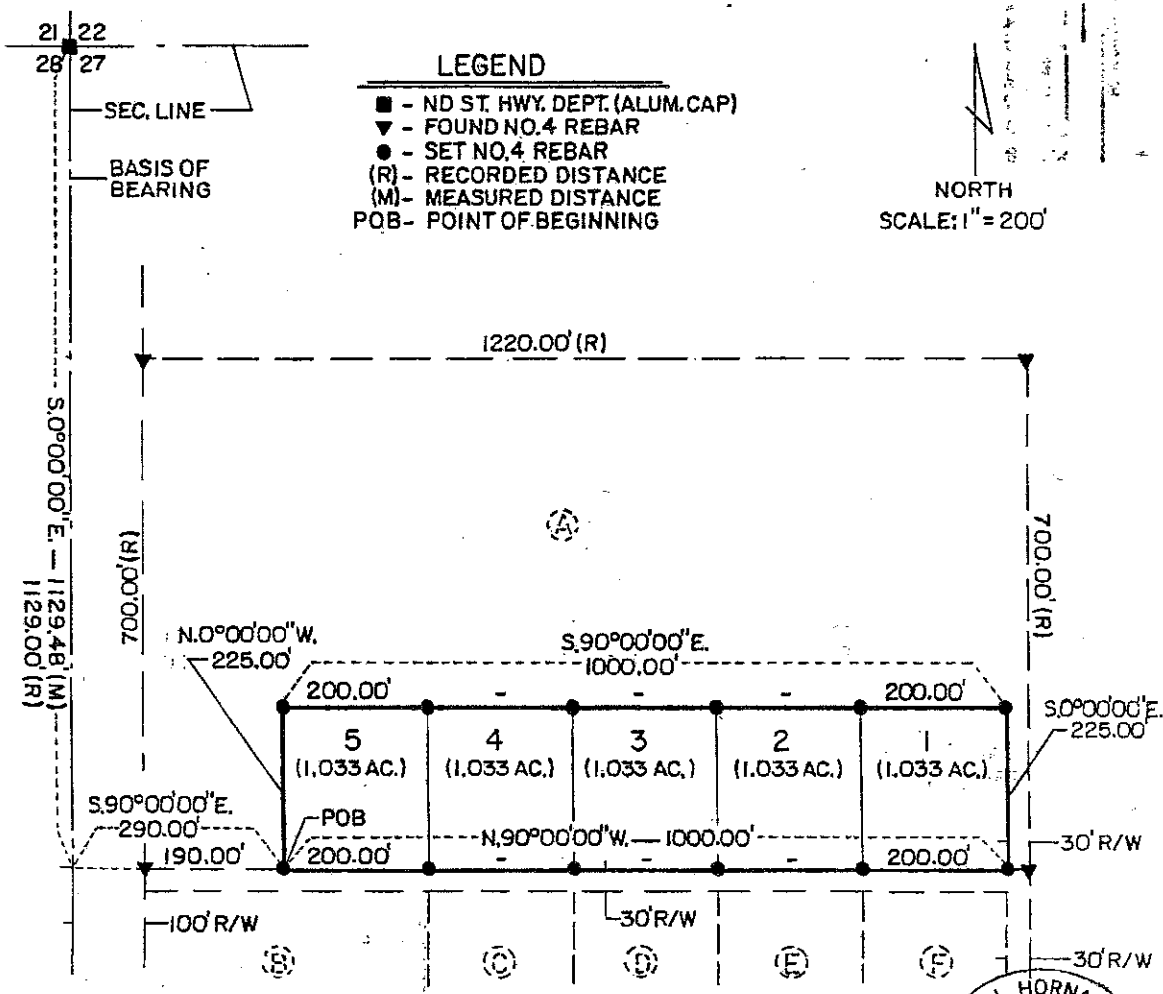
Office of Register of Deeds  
Mountrail County, North Dakota  
Filed in this office for record on this 1st day of June, A.D. 1977 at 10:00 o'clock A.M. and was duly recorded in book 129, page 579.  
*William D. ...*  
REGISTER OF DEEDS



2000 of  
*Marvin Rambel*  
Stanley N.D.



**PLAT OF LOTS 1 THRU 5 OF SUBLLOT 'A' OF THE SUBDIVISION OF OUTLOT '1' OF THE W $\frac{1}{2}$ NW $\frac{1}{4}$ , SECTION 27, TOWNSHIP 156N, RANGE 91W. OWNER WILLIAM B. ISAACSON TRUST**



LOTS 1 THRU 5 OF SUBLLOT 'A' OF THE SUBDIVISION OF OUTLOT '1' OF THE W $\frac{1}{2}$ NW $\frac{1}{4}$ , SECTION 27, TOWNSHIP 156N, RANGE 91W DESCRIBED AS FOLLOWS:

**DESCRIPTION**

TOWNSHIP ONE HUNDRED FIFTY-SIX (156) NORTH, RANGE NINETY-ONE (91) WEST OF THE FIFTH (5th) PRINCIPAL MERIDIAN, MOUNTRAIL COUNTY, NORTH DAKOTA; THAT PART OF WEST ONE HALF OF THE NORTHWEST ONE QUARTER (W $\frac{1}{2}$ NW $\frac{1}{4}$ ) OF SECTION TWENTY-SEVEN (27), DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST (NW) SECTION CORNER OF SAID SECTION TWENTY-SEVEN (27); THEN S.0°00'00"E., ALONG THE WEST SECTION LINE OF THE NORTHWEST ONE QUARTER (NW $\frac{1}{4}$ ) OF SAID SECTION TWENTY-SEVEN (27), A DISTANCE OF 1129.48 FEET TO A POINT; THEN S.90°00'00"E., A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING, ALSO BEING THE SOUTHWEST (SW) PROPERTY CORNER OF SUBLLOT 'A' OF THE SUBDIVISION OF OUTLOT '1', A PLAT WHICH IS ON FILE AT THE MOUNTRAIL COUNTY RECORDERS OFFICE; THEN N.0°00'00"W., A DISTANCE OF 225.00 FEET TO A POINT; THEN S.90°00'00"E., A DISTANCE OF 1000.00 FEET TO A POINT; THEN S.0°00'00"E., A DISTANCE OF 225.00 FEET TO A POINT; THEN N.90°00'00"W., A DISTANCE OF 1000.00 FEET TO THE POINT OF BEGINNING; CONTAINING 5.165 ACRES MORE OR LESS AND SUBJECT TO ALL EXISTING EASEMENTS ON RECORD AND HENCEFORTH TO BE KNOWN AS LOTS ONE (1) THRU FIVE (5) OF SUBLLOT 'A' OF THE SUBDIVISION OF OUTLOT ONE (1) OF THE W $\frac{1}{2}$ NW $\frac{1}{4}$  OF SECTION TWENTY-SEVEN (27). THE ABOVE BEARINGS WERE DEFLECTED FROM ASSUMED S.0°00'00"E., ALONG THE WEST SECTION LINE OF THE NORTHWEST ONE QUARTER (NW $\frac{1}{4}$ ) OF SAID SECTION TWENTY-SEVEN (27).

Return to:  
WILLIAM ISAACSON  
PO BOX 580  
STANLEY ND 58784

County Recorder  
Mountrail County  
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Book 793 Page 417

333055

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THE UNDERSIGNED, OWNER OF THE WITHIN DESCRIBED PROPERTY, IN ACCORDANCE WITH THE PROVISIONS OF SECTION 57-02-39 OF THE NORTH DAKOTA CENTURY CODE, AND UPON DEMAND OF THE COUNTY AUDITOR OF MOUNTRAIL COUNTY, NORTH DAKOTA, HAS CAUSED TO BE MADE THE WITHIN AND FOREGOING PLAT OF SAID LAND, WITH THE LOTS AS (HEREIN DESCRIBED, AND HAS CAUSED THE SAME TO BE PLACED ON RECORD, AS PROVIDED BY LAW.)

IN TESTIMONY WHEREOF THE SAID OWNER HAS HEREUNTO SET HIS HAND AND SEAL THIS 14<sup>th</sup> DAY OF November, 2007.

SIGNED IN THE PRESENCE OF \_\_\_\_\_ (SEAL)  
X William B Isaacson, Trustee \_\_\_\_\_ (SEAL)  
\_\_\_\_\_ (SEAL)

STATE OF NORTH DAKOTA )  
SS  
COUNTY OF MOUNTRAIL )

ON THIS 14<sup>th</sup> DAY OF November IN THE YEAR 2007, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED WILLIAM B. ISAACSON, TRUSTEE OF THE WILLIAM B. ISAACSON TRUST, KNOWN TO ME TO BE THE PERSON WHO IS DESCRIBED IN; AND WHO EXECUTED THE SAME.

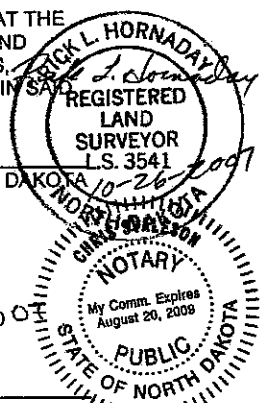
CHERLYN K BOWER  
Notary Public  
State of North Dakota  
MY COMMISSION EXPIRES: 09-12-2012  
My Commission Expires September 12, 2012

Cherlyn K Bower

SURVEYOR'S CERTIFICATE

I, RICK L. HORNADAY, REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT AT THE REQUEST OF WILLIAM B. ISAACSON, I MADE THE WITHIN AND FOREGOING PLAT AND DESCRIPTION OF THE LAND AS HEREIN DESCRIBED, AND THAT THE LOTS, ANGLES, DISTANCES, AREA AND LOCATION, AS INDICATED ON SAID PLAT AND CONTAINED IN SAID DESCRIPTIONS, ARE TRUE AND CORRECT, TO THE BEST OF MY KNOWLEDGE.

Rick L. Hornaday  
RICK L. HORNADAY RLS #3541 NORTH DAKOTA



STATE OF NORTH DAKOTA )  
SS  
COUNTY OF MOUNTRAIL )

SUBSCRIBED AND SWORN TO BEFORE ME THIS 20<sup>th</sup> DAY OF October, 2007  
MY COMMISSION EXPIRES:

Chris Swanson  
NOTARY PUBLIC

CERTIFICATE OF APPROVAL

APPROVED Nov 13, 2007 APPROVED \_\_\_\_\_, 20\_\_\_\_

Paul Olson

OFFICE OF COUNTY RECORDER \_\_\_\_\_ COUNTY, ND  
I HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WAS FILED FOR RECORD IN THIS OFFICE ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M., AND WAS DULY RECORDED ON PAGE \_\_\_\_\_ OF BOOK \_\_\_\_\_ OF PLAT \_\_\_\_\_  
COUNTY RECORDER \_\_\_\_\_ DEPUTY \_\_\_\_\_

L. Jean M. Kesteven, Auditor of Mountrail County, do hereby certify that all delinquent and current property taxes and assessments of special assessments are paid and TRANSFER ENTERED on 15th day of November, 2007  
L. Jean M. Kesteven  
MOUNTRAIL COUNTY AUDITOR





**PROTECTIVE COVENANTS**

**Plats 1 thru 5 of Sublot 'A' of the Subdivision of Outlot '1' of the  
W1/2NW1/4, Section 27, Township 156N, Range 91 W**

**Covenants for the City of Stanley, North Dakota and within the definition of the Zoning Area and Requirements for this property shall apply to all plats defined above. In addition, the following building covenants shall apply and supercede any other requirement:**

**1 - LAND USE AND BUILDING TYPE:** All lots described herein shall be known, described and used solely for residential lots, and no structure shall be erected, altered, placed, or permitted on any of the lots other than one detached single family dwelling not to exceed two stories in height and one-three car garage.

**2 - BUILDING LOCATION:** No building shall be erected on any lot nearer than 30 feet to front of the lot line and 10 feet to any side lot line.

**3 - LOT AREA AND WIDTH:** No lot shall be subdivided.

**4 - TEMPORARY STRUCTURES:** No trailer home, basement, tent, barn or other outbuilding erected on the lot shall at any time. One child's playhouse of size not greater than 100 square feet shall be permitted.

**5 - DWELLING SIZE:** No dwelling shall have a ground-floor area of less than 1000 square feet. No dwellings constructed in another location shall be moved to any lot within the defined addition except newly constructed and unlined in housed. No single or doublewide mobile homes will be permitted.

**6 - LIVESTOCK AND POULTRY:** No animals, livestock or poultry of any kind shall be raised, bred, or kept on any lot. Dogs, cats, or other household pets may be kept, provided they are not kept, bred, or maintained for any commercial purpose.

**7 - FENCES:** Fences are permitted of height up to six (6) feet above ground and must be in conformance with the building covenants and restriction of the City of Stanley.

**8 - SIGNS:** No signs of any kind shall be displayed to the view of the public on any lot except for one professional sign of not more than one (1) square foot. This does not pertain to signs used by the owner in offering the lot or property for sale. The size of such signs shall not exceed five (5) square feet.

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**9 - TERM:** These covenants are to be in affect until December 31, 2028.

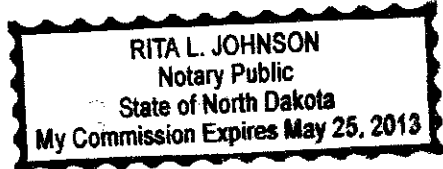
**10 - ENFORCEMENT:** Enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenant.

Dated at Stanley, North Dakota, this <sup>15<sup>th</sup> day</sup> ~~8<sup>th</sup>~~ day of November, 2007.

Owner: *William B. Isaacson*  
William B. Isaacson, Trustee  
William B. Isaacson Trust

Subscribed and sworn to before me on this <sup>15<sup>th</sup> day</sup> ~~8<sup>th</sup>~~ day of November, 2007.

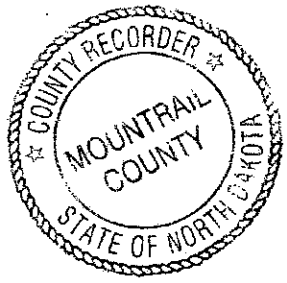
*Rita L. Johnson*  
Notary Public, Mountrail County, ND  
My Commission Expires: \_\_\_\_\_



*State of North Dakota*  
*County of Mountrail*

TRANSFER ENTERED

NOV 15 2007  
*Jean W. Hollekin*  
AUDITOR, MOUNTRAIL, N.D.



County Recorder  
Mountrail County  
Stanley ND

333855

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COUNTY RECORDER, MOUNTRAIL COUNTY, ND

I certify that this instrument was filed and recorded.

333855

By *Joanna Stanley* Joanna Stanley, County Recorder Fee \$19.00  
Nov 15, 2007 10:45 AM



**Excerpts from the January 14, 2020 Minutes – Stanley City Council**

**COUNTRY ESTATES – ANNEXATION REQUEST – 1<sup>ST</sup> READING**

A petition signed by the majority of property owners requesting annexation of property referred to as Country Estates to the City of Stanley was received. Jesse Weyrauch was present for discussion. Mayor Weisenberger commented the south side of the Country Estates is in need of water and the north side is in need of sewer. Engineer Jeff Ebsch commented on the need for two separate sewer lines with the north sewer line connecting to the Country Meadows Lift Station and the south sewer line connecting to the manhole near the new Dollar General Store. Engineer Ebsch commented on submitting a pre-application to the ND Water Commission for possible grant funding for water improvements to this subdivision. Auditor Sveen mentioned property owners would be willing to wait for water improvements if the subdivision qualified for this grant funding. Engineer Ebsch stated that proceeding with the annexation would not jeopardize potential grant funding and if the project qualified for funding, the earliest for water improvements would be the 2022 construction season. Mayor Weisenberger stated a decision would need to be made as to whether to annex all properties in Country Estates or just the property of the owners that signed the petition. Attorney Enget recommended annexing all the properties. Also, discussion was held on assessing specials at 80% landowner and 20% city share to pay for water and sewer improvements for the property proposed to be annexed.

Motion made by Minton, seconded by Gaaskjolen, to accept the petition and approve the first reading of the proposed ordinance to annex property described as follows with a public hearing set for February 11, 2020 at 7:00 P.M. to receive comments on such annexation: Lots C, D, E, F, G, H, I and J of Outlot 1 of WNW and Lots 1, 2, 3, 4 and 5 of Sublot A of the Subdivision of Outlot 1 of WNW of Section 27, Township 156N, Range 91W. ON ROLL CALL VOTE, the following Council Members voted "AYE": Hellman, Gaaskjolen, Wienbar, Holte and Minton; and no "NAYS". Motion carried.

Motion made by Wienbar, seconded by Minton, to authorize Brosz Engineering to apply for grant funding for water improvements for property referred to as Country Estates. ON ROLL CALL VOTE, the following Council Members voted "AYE": Hellman, Wienbar, Holte and Minton; and no "NAYS". Councilman Gaaskjolen abstained from voting. Motion carried.

**Excerpts from the February 11, 2020 Minutes – Stanley City Council**

**7 PM PUBLIC HEARING & 2<sup>nd</sup> READING ANNEXATION ORDINANCE – COUNTRY ESTATES**

A public hearing was held at 7:00 P.M. for the purpose of taking comments on the petition filed for the annexation of properties in Country Estates. Property owners present were Jesse Weyrauch, David Nesheim, Donella Larson and Neil & Deborah Footh. The proposed annexation includes all property in Country Estates that has not been previously annexed to the City of Stanley with ten of the twelve property owners signing the petition.

Discussion was held on the streets within the development as the ordinance as proposed states Stanley City does not assume ownership and/or jurisdiction of said streets. Attorney Enget suggested the Council consider adopting the streets if water and sewer is installed under the streets. Engineer Ebsch



indicated improvements would run under the street but there has been no final determination. If the City did not take ownership of the street, a dedication of public easement would be needed. Mr. Weyrach indicated Idaho Township currently takes care of the road maintenance with the landowners taking care of the snow removal.

Neil & Deborah Footh were not in favor of being annexed as they would like to know the cost involved to the property owner. Engineer Ebsch indicated the estimated cost for sewer and water improvements is \$400,000-\$500,000; approximately \$25,000-\$30,000 per homeowner. This would only be a rough estimate as there are many variables in the preliminary stage. Also, it was mentioned the City has submitted a grant application to the State Water Commission; if approved the grant could cover up to 60% of the water improvement which would help reduce a portion of the cost to the property owner. No work could be started on the water improvement until after confirmation is received from the State Water Commissioner as to whether or not a grant is awarded. The City could proceed with the sewer improvement in the 2020 year. In addition to the cost of improvements, Fooths' had concerns of increased property taxes and would like to weigh out if putting in their own drainfield versus being annexed into the City would be more feasible to them as property owners.

Motion made by Hellman, seconded by Minton, to table action and have further discussion on March 10, 2020 at 7:00 P.M. on Ordinance #96-34 pertaining to the annexation of property described as Lots C, D, E, F, G, H, I and J of Outlot 1 of WNW and Lots 1, 2, 3, 4 and 5 of Sublot A of the Subdivision of Outlot 1 of WNW of Section 27, Township 156N, Range 91W in Country Estates owned by Christopher & Alicia Pulver (Lot 1), Jesse & Lori Weyrauch (Lot 2), Darryl Erie (Lot 3), Brady & Jill Ellis (Lot 4), Marlin & Cindy Ranum (Lot 5), Austin & Abi Vachal (Lot C), Blair & Carol Hynek (Lot D), Donella Larson (Lot E), Neil & Deborah Footh (Lot F), David Nesheim (Lot G), Jody Uran (Lots H & I) and Cory & Jamie Rice (Lot J). ON ROLL CALL VOTE, the following Council Members voted "AYE": Hellman, Gaaskjolen, Taylor and Minton; and no "NAYS". Motion carried.

**Excerpts from the March 10, 2020 Minutes – Stanley City Council**

**7 PM PUBLIC HEARING & 2<sup>nd</sup> READING ANNEXATION ORDINANCE – COUNTRY ESTATES**

The public hearing and action on Ordinance #96-34 pertaining to the annexation of property described as Lots C, D, E, F, G, H, I and J of Outlot 1 of WNW and Lots 1, 2, 3, 4 and 5 of Sublot A of the Subdivision of Outlot 1 of WNW of Section 27, Township 156N, Range 91W in Country Estates was tabled February 11, 2020. Motion made by Hellman, seconded by Taylor, to un-table such annexation proceedings. All present voted yes. Motion carried.

The continuation of the public hearing was held at 7:00 P.M. for the purpose of taking comments on the petition filed for the annexation of properties in Country Estates. Property owners present were Donella Larson, Neil & Deborah Footh, Chris & Alicia Pulver, and Blair Hynek.

Property owners received information on real estate taxes as requested last meeting. The real estate taxes will be considerably higher if annexed into the City of Stanley. Mr. Footh asked about special



assessments. Engineer Jeff Ebsch stated he did some further calculations, and the water and sewer improvement is estimated at \$600,000. Mr. Ebsch stated this is only a broad assumption. Mr. Ebsch indicated if the City contributed 20% to the project, the property owners estimated cost would be \$480,000 or \$40,000 per homeowner. This estimated cost is without grant funding; and if the City received 60% grant funding for the water portion of the project, the estimate per property owner would be around \$30,000. Mr. Ebsch stated special assessments for water and sewer can be spread over thirty years. Auditor Sveen mentioned that currently all water and sewer improvements are spread over a period of fifteen (15) years with the exception of city-wide District #36. Mayor Weisenberger stated consideration could be given to spread specials over a longer period of time if it becomes necessary to make it more affordable.

Discussion was held on ownership of the platted streets through Country Estates. Blair Hynek indicated he was in favor of the annexation but questioned why the City would not take over the streets. Engineer Ebsch stated the streets are not consistent with the minimum requirements. Mr. Pulver asked about the location of water and sewer lines. Engineer Ebsch stated the best solution has not been determined yet; easement would be needed from the property owners where necessary. Mr. Footh indicated power lines and trees could be an issue.

Motion made by Hellman, seconded by Gaaskjolen, to approve the amended second reading with the City taking over ownership of streets and final passage of Ordinance #96-34 to annex property described as Lots C, D, E, F, G, H, I and J of Outlot 1 of WNW and Lots 1, 2, 3, 4 and 5 of Sublot A of the Subdivision of Outlot 1 of WNW of Section 27, Township 156N, Range 91W in Country Estates owned by Christopher & Alicia Pulver (Lot 1), Jesse & Lori Weyrauch (Lot 2), Darryl Erie (Lot 3), Brady & Jill Ellis (Lot 4), Marlin & Cindy Ranum (Lot 5), Austin & Abi Vachal (Lot C), Blair & Carol Hynek (Lot D), Donella Larson (Lot E), Neil & Deborah Footh (Lot F), David Nesheim (Lot G), Jody Uran (Lots H & I) and Cory & Jamie Rice (Lot J) as follows:

**ORDINANCE NO. 96-34**

**AN ORDINANCE RELATING TO THE ANNEXATION OF REAL PROPERTY PRESENTLY LOCATED OUTSIDE THE CORPORATE BOUNDARIES OF THE CITY OF STANLEY:**

**“Country Estates” -**

**Lots C, D, E, F, G, H, I and J of Outlot 1 of W½NW¼ and  
Lots 1, 2, 3, 4 and 5 of Sublot A of the Subdivision of Outlot 1 of W½NW¼  
of Section 27, Township 156N, Range 91W consisting of 12.80 acres, more or less,  
including the streets platted and dedicated to the public as shown in  
Outlot 1 of the W½NW¼ of Section 27, Township 156N, Range 91 W**

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**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF STANLEY,  
MOUNTRAIL COUNTY, NORTH DAKOTA:**

The City Council of the City of Stanley, North Dakota, pursuant to Chapter 40-51.2 of the North Dakota Century Code, states that:

- 1) Not less than three-fourths ( $\frac{3}{4}$ ) of the owners of the following described real property have signed a written petition for annexation into the corporate boundaries of the City of Stanley, North Dakota; and
- 2) All of the below-described real property is lands that are contiguous or adjacent real property which is within the corporate limits of the City of Stanley;
- 3) The real property to be annexed into the City of Stanley as approved by the City Council is fully described as follows, to-wit:

**TOWNSHIP 156 NORTH, RANGE 91 WEST:**

Section 27: Lots C, D, E, F, G, H, I and J of Outlot 1 of the  $W\frac{1}{2}NW\frac{1}{4}$  (7.63 Acres, more or less) as shown on attached plat recorded in the Office of the Mountrail County Recorder on June 1, 1977 as Document #224742

Section 27: Lots 1, 2, 3, 4, and 5 of Sublot A of the Subdivision of Outlot 1 of  $W\frac{1}{2}NW\frac{1}{4}$  (5.17 Acres, more or less) as shown on attached plat recorded in the Office of the Mountrail County Recorder on November 15, 2007 as Document #333855

Annexation includes all streets dedicated to the public as shown on attached plat of Outlot 1 of the  $W\frac{1}{2}NW\frac{1}{4}$  recorded in the Office of the Mountrail County Recorder on June 1, 1977 as Document #224742. Further, the City of Stanley does assume ownership and/or jurisdiction of said streets under this Annexation Ordinance #96-34.

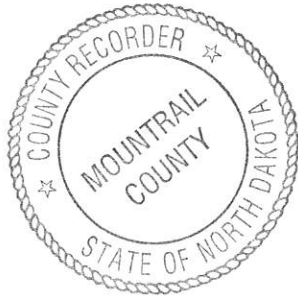
**EFFECTIVE DATE.**

This Ordinance shall take effect and be in force from and after final passage, and due



publication according to law.

ON ROLL CALL VOTE, the following Council Members voted "AYE": Hellman, Gaaskjolen, Taylor, Wienbar, Holte and Minton; and no "NAYS". Motion carried.



County Recorder  
Mountrail County  
Stanley ND

**444447**



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County Recorder, Mountrail County ND. **444447**

I certify that this instrument was filed and recorded.

Melissa Vachal, County Recorder

By Melissa Vachal Fee \$65.00  
5/15/2020 3:10 PM