

ORDIN

1614864

City of Fargo - Planning

12/7/2020 9:17 AM

\$20.00

RECORDER'S OFFICE, CASS COUNTY, ND 12/7/2020 9:17 AM
I CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD THIS DATE

I CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN THE PUBLIC RECORDS OF THE COUNTY OF LOS ANGELES, CALIFORNIA, ON 01/25/2019, AT 10:00 AM, BY DEBORAH A. MOELLER, COUNTY RECORDER.

by Teresa A. Kirlus, Dep. 1614864

Recorded Electronically



CERTIFICATE

I, Steven Sprague, the duly appointed City Auditor of the City of Fargo, North Dakota, do hereby certify that attached hereto is a full, true, and correct copy of ORDINANCE NO. 5283 - AN ORDINANCE EXCLUDING A CERTAIN PARCEL OF LAND LYING IN PART OF GOVERNMENT LOT 4 OF SECTION 5, TOWNSHIP 138 NORTH, RANGE 49 WEST, IN CASS COUNTY, NORTH DAKOTA - adopted by the Board of City Commissioners of the City of Fargo at its meeting held on Monday, November 16th, 2020, and that such ORDINANCE is now part of the permanent records of the City of Fargo, North Dakota, as such records are filed in the office of the City Auditor.

Dated this 1st day of December, 2020.

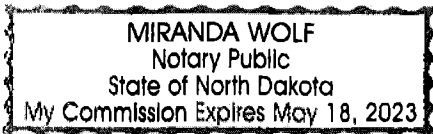

City Auditor

[illegible]

On this 1st day of December, 2020, before me, a notary public in and for said county and state, personally appeared STEVEN SPRAGUE, to me known to be the City Auditor for the CITY OF FARGO, NORTH DAKOTA, a municipal corporation, the person described in and who executed the within and foregoing instrument and acknowledged to me that he executed the same.

Miranda Wolf
Notary Public
Cass County, North Dakota

(SEAL)



OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

ORDINANCE NO. 5283

AN ORDINANCE EXCLUDING A CERTAIN PARCEL OF LAND
LYING IN PART OF GOVERNMENT LOT 4 OF SECTION 5, TOWNSHIP 138 NORTH,
RANGE 49 WEST, IN CASS COUNTY, NORTH DAKOTA

WHEREAS, A Petition for Exclusion (De-Annexation) has been submitted by the owners of not less than three-fourths in assessed value of the property described in said Petition for Exclusion (De-Annexation) and signed by not less than three-fourths of the qualified electors to the City of Fargo, Cass County, North Dakota, in accordance with Section 40-51.2-04 N.D.C.C.; and,

WHEREAS, Said property has neither been platted nor have any municipal improvements been made or constructed therein or adjacent thereto in accordance with Section 40-51.2-04 N.D.C.C.; and,

WHEREAS, Public notice of the submission of such Petition has been given by publication in The Forum as required by Section 40-51.2-05 N.D.C.C.; and,

WHEREAS, Section 40-51.2-06 N.D.C.C. requires that such exclusion be accomplished by ordinance,

NOW, THEREFORE,

Be It Ordained by the Board of City Commissioners of the City of Fargo:

Section 1. The following described property located in part of Government Lot 4 of Section 5, Township 138 North, Range 49 West of the Fifth Principal Meridian, Cass County, North Dakota, is hereby excluded from the City of Fargo, Cass County, North Dakota:

Commencing at the Northwest Corner of Section 5; thence North 87°23'43" East on the north line of said Section 5 a distance of 658.14 feet to the west line of the parcel described as Tract 2 in Doc. No. 451449, records of Cass County; thence South 33°34'45" East on said west line a distance of 151.61 feet to the Point of Beginning; thence North 87°23'43" East parallel with, and 130.00 feet south of, said north line of Section 5 a distance of 339.59 feet; thence South 47°36'17" East a distance of 50.32 feet; thence South 2°36'17" East perpendicular to said north line a distance of 453.42 feet to the intersection of the east line of said Tract 2 with the south line of the North Half (N1/2) of Gov't Lot 4 of said Section 5; thence South 86°21'43" West on said south line a distance of 80.78 feet to said west line

OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

ORDINANCE NO. 5283

1 of Tract 2; thence North 33°34'45" West on said west line of Tract 2 a distance of 572.03
2 feet to the Point of Beginning.

3 Said parcel contains 2.55 acres, more or less.


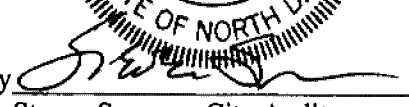
4 Section 2. Effective Date.

5 This ordinance shall be in full force and effect from and after its passage and approval.
6

7 CITY OF FARGO, a North Dakota municipal
8 corporation

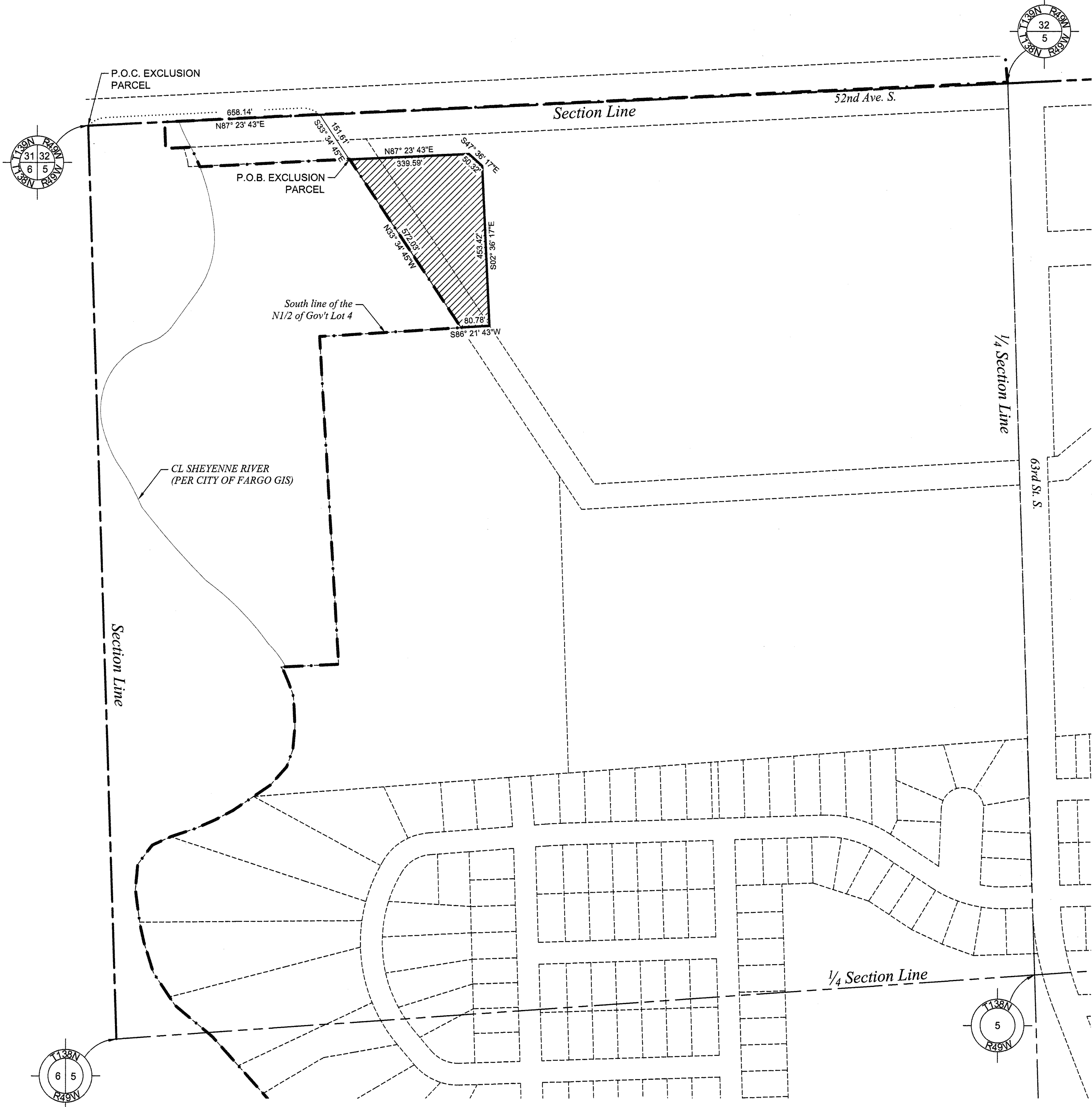
9 By 
10 Timothy J. Mahoney (M.D.), Mayor

11 ATTEST

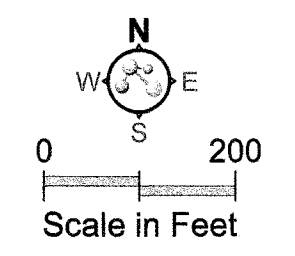
12 
13 By 
14 Steven Sprague, City Auditor

15 First Reading: 11/2/20
16 Second Reading: 11/16/20
17 Final Passage: 11/16/20
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EXCLUSION (De-Annexation) PLAT
FROM THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA



- LEGEND**
- EXISTING FARGO CITY LIMITS
 - PROPOSED FARGO CITY LIMITS
 - SECTION LINE
 - 1/4 SECTION LINE
 - EXISTING PARCEL LINE
 - PROPOSED EXCLUSION PARCEL



BASIS OF BEARING
BEARINGS AND DISTANCES BASED ON THE CITY OF FARGO
GROUND COORDINATE SYSTEM.

NOTES
"EXCLUSION" MEANS CHANGING THE CITY LIMITS BOUNDARY
SO THAT THE LAND DESCRIBED WITHIN THIS DOCUMENT IS
NO LONGER IN THE CITY OF FARGO. PER N.D.C.C. 40-51.2-04.

DESCRIPTION OF PLAT BOUNDARY

Part of Government Lot 4 of Section 5, Township 138 North, Range 49 West of the 5th Principal Meridian, Cass County, North Dakota further described as follows:

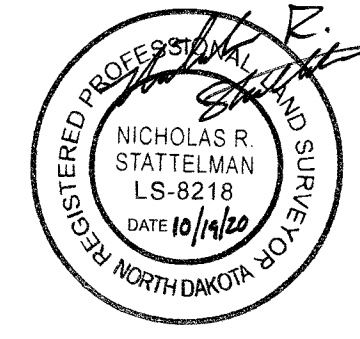
Commencing at the Northwest Corner of Section 5; thence North 87°23'43" East on the north line of said Section 5 a distance of 658.14 feet to the west line of the parcel described as Tract 2 in Doc. No. 451449, records of Cass County; thence South 33°34'45" East on said west line a distance of 151.61 feet to the Point of Beginning; thence North 87°23'43" East parallel with, and 130.00 feet south of, said north line of Section 5 a distance of 339.59 feet; thence South 47°36'17" East a distance of 50.32 feet; thence South 2°36'17" East perpendicular to said north line a distance of 453.42 feet to the intersection of the east line of said Tract 2 with the south line of the North Half (N1/2) of Gov't Lot 4 of said Section 5; thence South 86°21'43" West on said south line a distance of 80.78 feet to said west line of Tract 2; thence North 33°34'45" West on said west line of Tract 2 a distance of 572.03 feet to the Point of Beginning.

Said parcel contains 2.55 acres, more or less.

CERTIFICATE OF SURVEYOR

I, Nicholas R. Stattelmann, Registered Professional Land Surveyor in the State of North Dakota, hereby certify that this map is a true and correct representation of a survey performed by me or under my direct supervision on or before October 24, 2017. All distances and measurements are true and correct to the best of my knowledge and belief, and all monuments will be placed in the ground as shown.

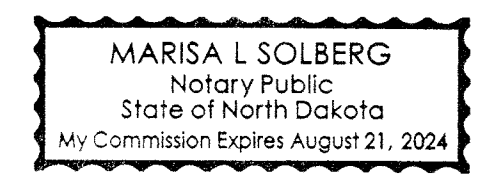
Nicholas R. Stattelmann
Nicholas R. Stattelmann, North Dakota Registered Professional Land Surveyor No. LS-8218



STATE OF NORTH DAKOTA) SS
COUNTY OF Cass

On this 19th day of Oct, 2020, before me, a Notary Public in and for said County and State, personally appeared Nicholas R. Stattelmann, known to me to be the person described in the within instrument, and acknowledged to me that he executed the same.

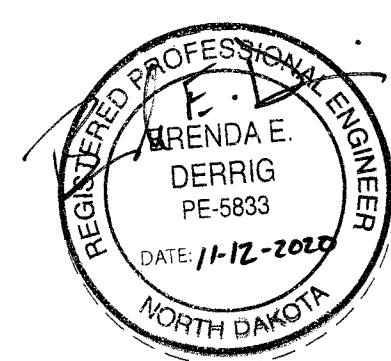
Marisa L. Solberg
Notary Public
State of North Dakota
My commission expires: Aug. 21st 2024



CITY ENGINEER APPROVAL

This plat is approved by the Fargo City Engineer on this 12th day of November, 2020.

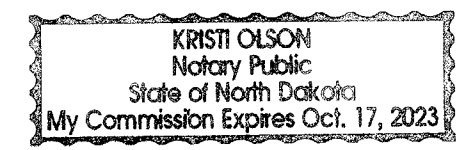
Brenda E. Derrig
Brenda E. Derrig, City Engineer



STATE OF NORTH DAKOTA) SS
COUNTY OF Cass

On this 12th day of November, 2020, before me, a Notary Public in and for said County and State, personally appeared Brenda E. Derrig, Fargo City Engineer, known to me to be the person described in the within instrument, and acknowledged to me that she executed the same.

Kristi Olson
State of North Dakota
My commission expires: October 17, 2023



CITY COMMISSION APPROVAL

This plat is approved by the Fargo City Commission on this 2nd day of November, 2020.

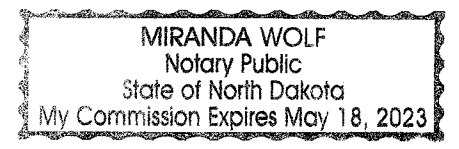
Tim Mahoney
Tim Mahoney, Mayor

Steven Sprague
Steven Sprague, City Auditor

STATE OF NORTH DAKOTA) SS
COUNTY OF Cass

On this 18th day of November, 2020, before me, a Notary Public in and for said County and State, personally appeared Tim Mahoney, Mayor, and Steven Sprague, City Auditor, known to me to be the persons described in the within instrument, and acknowledged to me that they executed the same.

Miranda Wolf
State of North Dakota
My commission expires: May 18, 2023



PAGE: 1 of 1 ANEXP 1613176
City of Fargo - Planning 11/20/2020 8:00 AM
Recorded Electronically \$20.00

RECORDER'S OFFICE, CASS COUNTY, ND 11/20/2020 8:00 AM
I CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD THIS DATE.
DEBORAH A. MOELLER, COUNTY RECORDER
by *Sheva Garcia*, Dep 1613176
Recorded Electronically



Exclusion

Part of Government Lot 4

Section 5, Township 138N, Range 49W

