

OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

ORDINANCE NO. 5279

1 AN ORDINANCE ANNEXING A CERTAIN PARCEL OF LAND
2 LYING IN THE NORTH HALF OF THE SOUTH HALF OF THE SOUTHEAST
3 QUARTER OF SECTION 11, TOWNSHIP 138 NORTH,
4 RANGE 49 WEST, IN CASS COUNTY, NORTH DAKOTA

4 WHEREAS, A Petition for Annexation has been submitted by the owners of not less than
5 three-fourths in assessed value of the property described in said Petition for Annexation to the City of
6 Fargo, Cass County, North Dakota, in accordance with Section 40-51.2-03 N.D.C.C.; and,

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

8 WHEREAS, Said Section 40-51.2-03 N.D.C.C. requires that such annexation be
9 accomplished by ordinance,

10 NOW, THEREFORE,

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

12 Section 1. The following described property located in the North Half of the South Half of
13 the Southeast Quarter of Section 11, Township 138 North, Range 49 West of the Fifth Principal
14 Meridian, Cass County, North Dakota, is hereby annexed to the City of Fargo, Cass County, North
15 Dakota:

15 Commencing at the southeast corner of said Southeast Quarter; thence on an assumed
16 bearing of North 02 degrees 16 minutes 07 seconds West along the east line of said
17 Southeast Quarter, 661.81 feet to a point of intersection with the south line of the North
18 Half of the South Half of said Southeast Quarter; thence South 89 degrees 04 minutes 25
19 seconds West along said south line, 100.02 feet to the existing City of Fargo corporate
20 limits and the point of beginning; thence continuing South 89 degrees 04 minutes 25
21 seconds West along said south line, 2,502.04 feet to the west line of said Southeast
22 Quarter; thence North 02 degrees 08 minutes 25 seconds West along said west line,
23 496.52 feet to a point of intersection with the southeasterly right-of-way line of Cass
County Drain No. 53; thence northeasterly along said southeasterly right-of-way line
84.83 feet on an arc of a non-tangential curve, concave to the southeast, having a radius
of 236.48 feet, a central angle of 20 degrees 33 minutes 08 seconds, and a long chord
which bears North 38 degrees 49 minutes 48 seconds East, 84.37 feet; thence North 49

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ORDINANCE NO. 5279

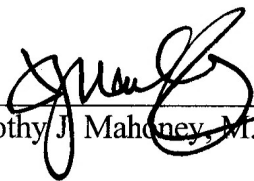
1 degrees 06 minutes 22 seconds East along said southeasterly right-of-way line 91.94 feet
2 to the southwest corner of MADELYN'S MEADOWS FIRST ADDITION, according to
3 the record plat thereof, said County; thence along the existing City of Fargo corporate
4 limits on the following courses, North 89 degrees 05 minutes 36 seconds East, along the
5 south line of said plat, 2,373.63 feet; thence South 02 degrees 16 minutes 07 seconds
6 East, 619.68 feet to the point of beginning.

7 Said tract contains 35.44 acres, more or less.


8 Section 2. Effective Date.

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

10
11 CITY OF FARGO

12 By 
13 Timothy J. Mahoney, M.D., Mayor



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17 Steven Sprague, City Auditor

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First Reading: 10/19/2020
Second Reading: 11/2/2020
Final Passage: 11/2/2020

NOTICE OF
PETITION FOR ANNEXATION

10/19/20
1st Reading 10/19/20
2nd Reading 11/2/20

Please take notice that a petition for annexation into the City of Fargo has been submitted to the City of Fargo and that said petition will be presented to the Board of City Commissioners of the City of Fargo in the Commission Chambers, City Hall, Fargo, North Dakota at its regular meeting on Monday, October 19, 2020, commencing at 5:15 p.m. for consideration and approval. The public is invited to attend and comment. The land described in the petition that is sought to be annexed is located at 7269 25th Street South in the North Half of the South Half of the Southeast Quarter of Section 11, Township 138 North, Range 49 West of the Fifth Principal Meridian, Cass County, North Dakota, more fully described as:

Commencing at the southeast corner of said Southeast Quarter; thence on an assumed bearing of North 02 degrees 16 minutes 07 seconds West along the east line of said Southeast Quarter, 661.81 feet to a point of intersection with the south line of the North Half of the South Half of said Southeast Quarter; thence South 89 degrees 04 minutes 25 seconds West along said south line, 100.02 feet to the existing City of Fargo corporate limits and the point of beginning; thence continuing South 89 degrees 04 minutes 25 seconds West along said south line, 2,502.04 feet to the west line of said Southeast Quarter; thence North 02 degrees 08 minutes 25 seconds West along said west line, 496.52 feet to a point of intersection with the southeasterly right-of-way line of Cass County Drain No. 53; thence northeasterly along said southeasterly right-of-way line 84.83 feet on an arc of a non-tangential curve, concave to the southeast, having a radius of 236.48 feet, a central angle of 20 degrees 33 minutes 08 seconds, and a long chord which bears North 38 degrees 49 minutes 48 seconds East, 84.37 feet; thence North 49 degrees 06 minutes 22 seconds East along said southeasterly right-of-way line 91.94 feet to the southwest corner of MADELYN'S MEADOWS FIRST ADDITION, according to the record plat thereof, said County; thence along the existing City of Fargo corporate limits on the following courses, North 89 degrees 05 minutes 36 seconds East, along the south line of said plat, 2,373.63 feet; thence South 02 degrees 16 minutes 07 seconds East, 619.68 feet to the point of beginning.

Said tract contains 35.44 acres, more or less.

(October 7, 2020)

INSTRUCTIONS TO THE FORUM

Please publish as a legal on Wednesday, October 7, 2020
I will need an affidavit of publication.

Bill to: City Auditor's Office
Attn: Michelle
P.O. Box 2471
Fargo, ND 58107

Please call Albert at 297-7783 with any questions.

ORDINANCE NO. 1024**AN ORDINANCE ANNEXING LANDS
TO THE CITY OF WAHPETON, NORTH
DAKOTA****(Part of the NE ¼ and the E ½ of the NW ¼ of Section 7,
Township 132 N, Range 47, West of the 5th Principal Meridian)**

BE IT ORDAINED, that the following tracts, upon written petition signed by the owners of not less than three-fourths in assessed value of the property contiguous and adjacent to the city limits of the City of Wahpeton and not embraced within the limits thereof, upon notice as required by law, be annexed to the City of Wahpeton, Richland County, North Dakota:

That part of the NE¼ and the E ½ of the NW¼ of Section 7, Township 132 N, Range 47, West of the 5th Principal Meridian, Richland County, North Dakota, as more fully described on attached Exhibit A.

Said tract contains 39.95 acres, more or less and is subject to easements and rights of way of record.

Dated at Wahpeton, North Dakota this 3rd day of May, 2021.

CITY OF WAHPETON

By Steve Dale
Steve Dale, Mayor

ATTEST:

Darcie Huwe
Darcie Huwe, Finance Director/Auditor

First Reading: April 5th, 2021
Second Reading: May 3rd, 2021
Adoption: May 3rd, 2021

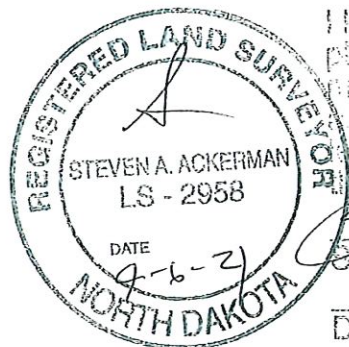
Proposed Plat Description

All that part of the East Half of the Northwest Quarter, the South Half of the Northeast Quarter, and the Northwest Quarter of the Northeast Quarter, Section 7, Township 132 North, Range 47 West of the 5th Principal Meridian, Richland County, North Dakota described as follows:

Commencing at the iron monument marking the Southeast Corner of the Southwest Quarter of the Northeast Quarter of said Section 7, (ND Land Survey Monument Record No 1162); thence on an assumed bearing of North 00°42'17" East, on and along the east line of the said Southwest Quarter of the Northeast Quarter, a distance of 75.03 feet to its intersection with the north right of way line of State Highway 13; thence continuing North 00°42'17" East, along last said line, a distance of 290.42 feet (record = 290.16 feet) to an existing iron monument marking the northwest corner of tract described in Document No. 340067, said Document, and all following recited Documents are recorded in the Office of the County Recorder in and for said County and State, and to the **POINT OF BEGINNING**; thence continuing North 00°42'17" East a distance of 104.55 feet to an existing iron monument marking the northeast corner of the tract described in Document No. 337684, said corner point being 470 feet northerly (on Line) from the said southeast corner of the Southwest Quarter of the Northeast Quarter; thence South 89°34'09" West a distance of 1386.15 feet (record = 1383.3 feet to the southwest corner of the tract described in the Judgement recorded as Document No. 172660; thence North 00°28'55" East, along the said west line of the tract described in the Judgement as Document No. 172660, a distance of 1418.46 feet to its intersection with the southerly right of way line of the Red River Valley and Western Railroad; thence South 64°51'40" East, on and along said south right of way line, a distance of 1528.27 feet to its intersection with the said east line of the Southwest Quarter of the Northeast Quarter of Section 7; thence continuing along said south right of way line of the Red River Valley and Western Railroad, South 64°50'11" East a distance of 432.86 feet to the iron monument marking the northwest corner of the tract described in Document No. 321976; thence South 25°04'02" West, along the west line of said tract described in Document No. 321976, a distance of 300.04 feet (record = 300') to an existing iron monument marking the southwesterly corner of said tract described in Document No. 321976; thence North 64°54'41" West, along the northerly right of way line of Industrial Avenue as described in Document No. 196848, a distance of 296.71 feet to the northwest corner of said Industrial Avenue, being on the said east line of the Southwest Quarter of the Northeast Quarter of Section 7; thence South 00°42'17" West, along the said east line of the Southwest Quarter of the Northeast Quarter, a distance of 87.84 feet to the southwesterly corner of said Industrial Avenue; thence South 64°54'41" East, along the southerly line of said Industrial Avenue, a distance of 402.22 feet to its intersection with the westerly right of way line of 13th Street South, as described in Document No. 258043; thence South 25°14'07" West, along the said westerly right of way line of 13th Street South, a distance of 145.76 feet to an existing iron monument marking an angle point of said 13th Street South; thence South 00°53'40" West, and continuing along the said westerly right of way line of 13th Street South, a distance of 145.08 feet to an existing iron monument marking the northeast corner of the tract described in Document No. 366117; thence North 89°41'50" West, along the north line of said tract described in Document No. 366117, a distance of 157.22 feet to the iron monument marking the northeast corner of the tract described in Document No. 340067; thence North 89°32'37" West, along the north line of the tract described in Document No. 340067, a distance of 148.13 feet, (record = 147.90 feet) to the point of beginning.

The above-described tract contains 39.95 acres, more or less, and is subject to easements, reservations, restrictions, and rights of way, if any.

LIES, BULLIS & HATTING PLLP - WAHPETON



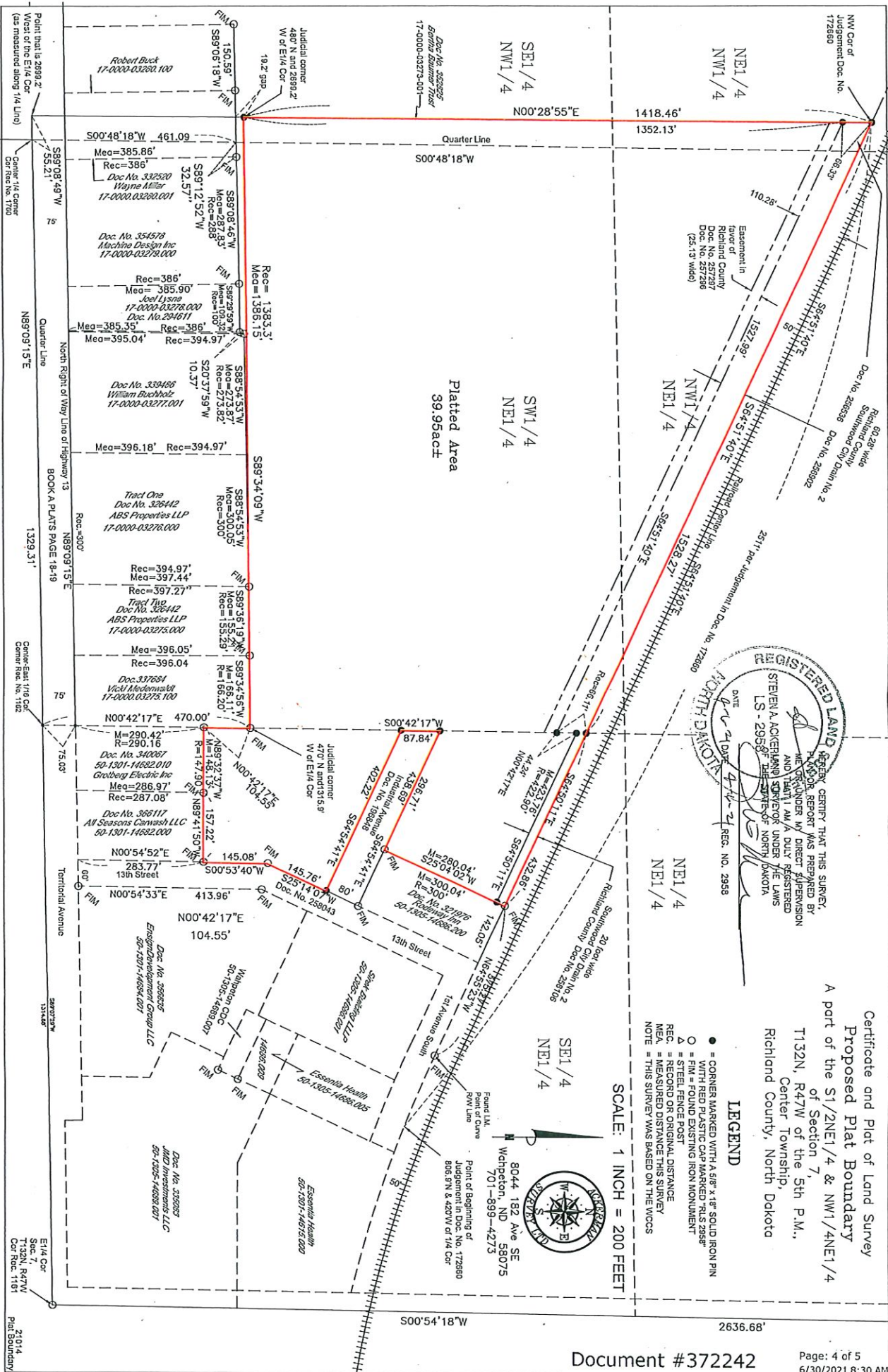
I hereby certify that this survey,
plan or report was prepared by
me or under my direct supervision
and that I am a duly registered
land surveyor under the laws of
the State of North Dakota.

Steven A. Ackerman

Signature

4-6-21
Date

Reg No. 2958



Certificate and Plat of Land Survey
 Proposed Plat Boundary
 of Section 7,
 T132N, R47W of the 5th P.M.,
 Richland County, North Dakota

LEGEND

- = CORNER MARKED WITH A 5/8" x 1/8" SOLID IRON PIN
- = WITH RED PLASTIC CAP MARKED "R.S. 29558"
- = F.M. = FOUND EXISTING IRON MONUMENT
- △ = STEEL FENCE POST
- REC. = RECORD OR ORIGINAL DISTANCE
- MEAS. = MEASURED DISTANCE THIS SURVEY
- NOTE = THIS SURVEY WAS BASED ON THE WCCS

SCALE: 1 INCH = 200 FEET





Document Number: 372242

RECORDER'S OFFICE, RICHLAND COUNTY, ND 6/30/2021 8:30 AM
I CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD THIS DATE.
JACKIE BABBITT, COUNTY RECORDER

by Jackie Babbitt

Document #372242

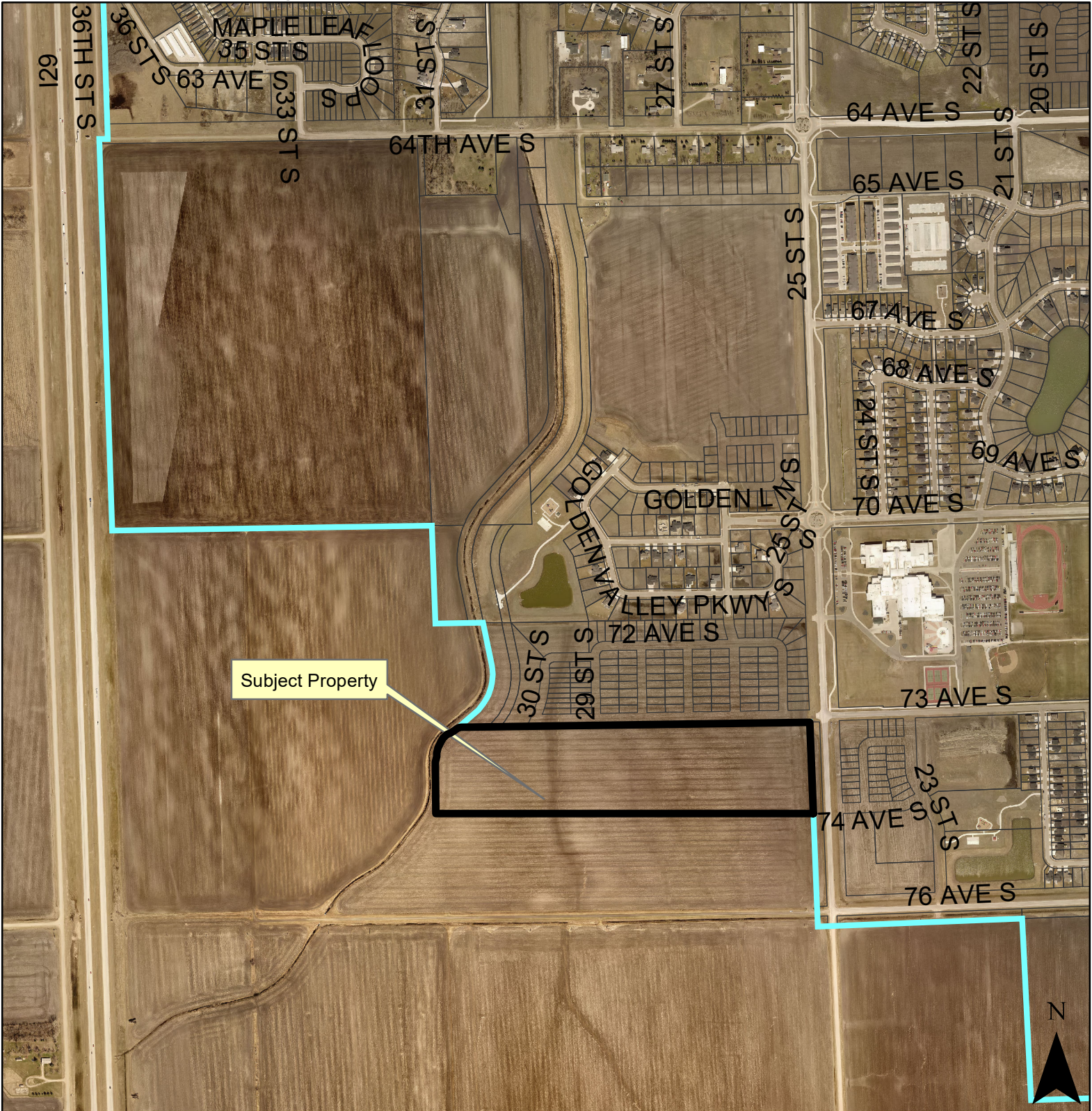
Page: 5 of 5
6/30/2021 8:30 AM
\$30.00

LIES, BULLIS & HATTING PLLP - WAHPETON

Annexation

Portion of SE 1/4 of Sec. 11, T138N, R49W

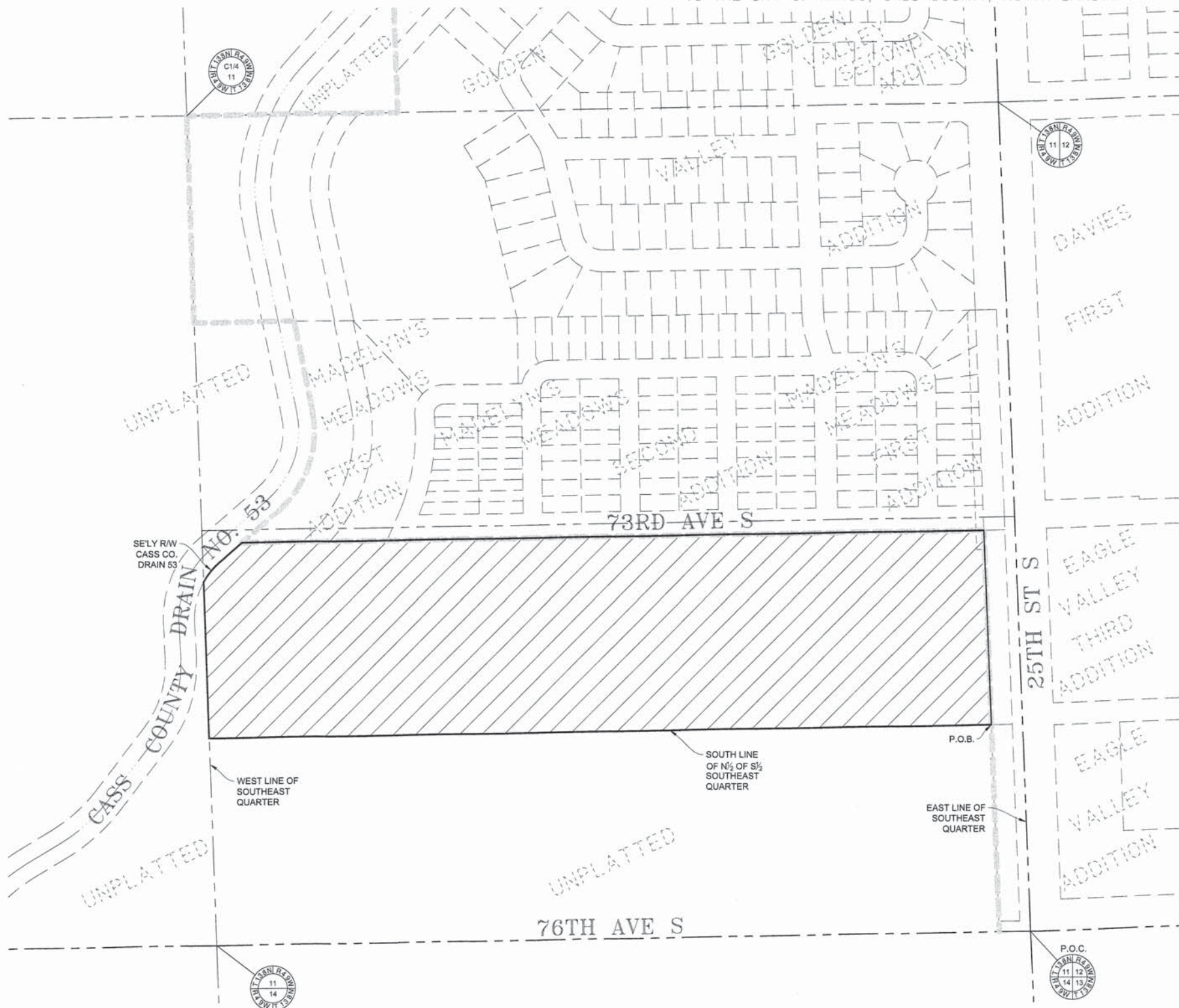
7269 25 St S



Subject Property

ANNEXATION PLAT

TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA



ANNEXATION PLAT OF:
That part of the North Half of the South Half of the Southeast Quarter of Section 11, Township 138 North, Range 49 West, of the Fifth Principal Meridian, Cass County, North Dakota, described as follows:
Commencing at the southeast corner of said Southeast Quarter; thence on an assumed bearing of North 02 degrees 16 minutes 07 seconds West along the east line of said Southeast Quarter, 661.81 feet to a point of intersection with the south line of the North Half of the South Half of said Southeast Quarter; thence South 89 degrees 04 minutes 25 seconds West along said south line, 100.02 feet to the existing City of Fargo corporate limits and the point of beginning; thence continuing South 89 degrees 04 minutes 25 seconds West along said south line, 2,502.04 feet to the west line of said Southeast Quarter; thence North 02 degrees 08 minutes 25 seconds West along said west line, 496.52 feet to a point of intersection with the southeasterly right-of-way line of Cass County Drain No. 53; thence northeasterly along said southeasterly right-of-way line 84.83 feet on an arc of a non-tangential curve, concave to the southeast, having a radius of 236.48 feet, a central angle of 20 degrees 33 minutes 08 seconds, and a long chord which bears North 38 degrees 49 minutes 48 seconds East, 84.37 feet; thence North 49 degrees 06 minutes 22 seconds East along said southeasterly right-of-way line 91.94 feet to the southwest corner of MADELYN'S MEADOWS FIRST ADDITION, according to the record plat thereof, said County; thence along the existing City of Fargo corporate limits on the following courses, North 89 degrees 05 minutes 36 seconds East, along the south line of said plat, 2,373.63 feet; thence South 02 degrees 16 minutes 07 seconds East, 619.68 feet to the point of beginning.
Said tract contains 35.44 acres, more or less.

SURVEYOR'S CERTIFICATE AND ACKNOWLEDGEMENT
I, Joshua J. Nelson, Professional Land Surveyor under the laws of the State of North Dakota, do hereby certify that this plat is a true and correct representation of the area annexed; that said plat shows the City of Fargo Corporate limits contiguous to the annexed property.

Dated this 31st day of August, 2020

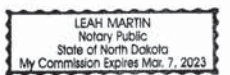
Joshua J. Nelson, PLS
Professional Land Surveyor
Registration No. LS-27292



State of North Dakota)
) SS
County of Cass)

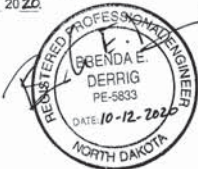
On this 31st day of August, 2020 appeared before me, Joshua J. Nelson, known to me to be the person whose name is subscribed to the above certificate and did acknowledge to me that he executed the same as his own free act and deed.

Leah Martin
Notary Public, Cass County, North Dakota



CITY OF FARGO ENGINEERING DEPARTMENT APPROVAL
Approved by the City Engineer this 12 day of October, 2020

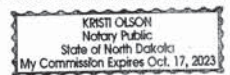
Brenda E. Derrig
Brenda E. Derrig, P.E.
City Engineer



State of North Dakota)
) SS
County of Cass)

On this 12th day of October, 2020, before me, a notary public in and for said county, personally appeared Brenda E. Derrig, City Engineer, known to me to be the person described in and who executed the same as a free act and deed.

Kristi Olson
Notary Public, Cass County, North Dakota



FARGO CITY COMMISSION APPROVAL
Approved by the Board of Commissioners and ordered filed this 19th day of October, 2020

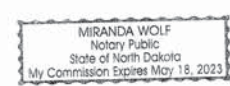
Timothy J. Mahoney
Timothy J. Mahoney
Mayor

Attest: *Steven Sprague*
Steven Sprague, City Auditor

State of North Dakota)
) SS
County of Cass)

On this 27th day of October, 2020, before me, a notary public in and for said county, personally appeared Timothy J. Mahoney, Mayor, and Steven Sprague, City Auditor, known to me to be the persons described in and who executed the same as a free act and deed.

Miranda Wolf
Notary Public, Cass County, North Dakota



SURVEYOR'S CERTIFICATE DOCUMENT NO. 1631400

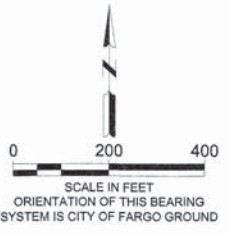
PAGE: 1 of 1 ANEXP 1630813
City of Fargo - Planning 4/30/2021 9:51 AM
Recorded Electronically \$20.00

RECORDER'S OFFICE, CASS COUNTY, ND 4/30/2021 9:51 AM
I CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD THIS DATE.
DEBORAH A. MOELLER, COUNTY RECORDER
by *Sheva Garcia*, Dep 1630813
Recorded Electronically



Phone: 701-566-6450
meadhunt.com

PROJECT NO.
4650200-200823.01
SHEET 1 OF 1



LEGEND
--- EXISTING CITY OF FARGO CORPORATE LIMITS
[Hatched Box] AREA TO BE ANNEXED

X:\4650200\2021\4650200-200823.01\ANNEX PLAT.DWG 8/31/2020 8:18:52 AM

PAGE: 1 of 2 SUCFT 1631400
City of Fargo - Planning 5/5/2021 11:00 AM
Recorded Electronically \$20.00

RECORDER'S OFFICE, CASS COUNTY, ND 5/5/2021 11:00 AM
I CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD THIS DATE.
DEBORAH A. MOELLER, COUNTY RECORDER

by Sheva Garcia, Dep 1631400
Recorded Electronically



Prepared by:
Joshua J. Nelson
Mead & Hunt, Inc.
8 Seventh Street North
Fargo, ND 58102

Surveyor's Certificate of Correction

Name of Plat: ANNEXATION PLAT TO THE CITY OF FARGO OF THE N1/2 OF S1/2 OF SE1/4 SECTION 11 TOWNSHIP 138 NORTH, RANGE 49 WEST

I, JOSHUA J. NELSON, first being duly sworn, depose and say that I am the licensed surveyor who surveyed the property as depicted, and as shown on recorded Document Number 1630813: and

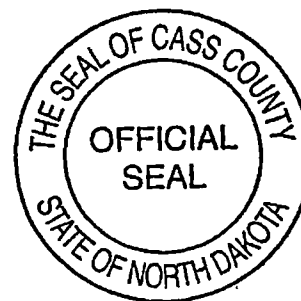
The following correction to said Annexation Plat is necessary and is as follows:

- A. On page 1 of 1, the description contains an error, the current description is as follow:
"That part of the North Half of the South Half of the Southeast Quarter of Section 11, Township 138 North, Range 49 West, of the Fifth Principal Meridian, Cass County, North Dakota, described as follows:

Commencing at the southeast corner of said Southeast Quarter; thence on an assumed bearing of North 02 degrees 16 minutes 07 seconds West along the east line of said Southeast Quarter, 661.81 feet to a point of intersection with the south line of the North Half of the South Half of said Southeast Quarter; thence South 89 degrees 04 minutes 25 seconds West along said south line, 100.02 feet to the existing City of Fargo corporate limits and the point of beginning; thence continuing South 89 degrees 04 minutes 25 seconds West along said south line, 2,502.04 feet to the west line of said Southeast Quarter; thence North 02 degrees 08 minutes 25 seconds West along said west line, 496.52 feet to a point of intersection with the southeasterly right-of-way line of Cass County Drain No. 53; thence northeasterly along said southeasterly right-of-way line 84.83 feet on an arc of a non-tangential curve, concave to the southeast, having a radius of 236.48 feet, a central angle of 20 degrees 33 minutes 08 seconds, and a long chord which bears North 38 degrees 49 minutes 48 seconds East, 84.37 feet; thence North 49 degrees 06 minutes 22 seconds East along said southeasterly right-of-way line 91.94 feet to the southwest corner of MADELYN'S MEADOWS FIRST ADDITION, according to the record plat thereof, said County; thence along the existing City of Fargo corporate limits on the following courses, North 89 degrees 05 minutes 36 seconds East, along the south line of said plat, 2,373.63 feet; thence South 02 degrees 16 minutes 07 seconds East, 619.68 feet to the point of beginning.

Said tract contains 35.44 acres, more or less."

AUDITOR'S OFFICE
COUNTY OF CASS, NORTH DAKOTA
5/5/2021
Taxes and Special Assessments paid
and transfer entered.
Michael Mathias AUDITOR
DKB DEPUTY




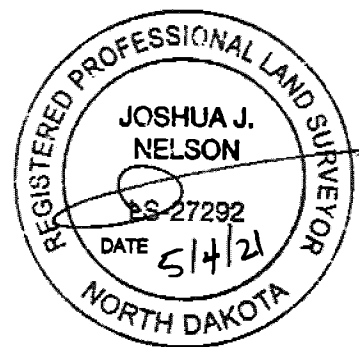
B. Said plat shall be corrected to read as follows:

"That part of the North Half of the South Half of the Southeast Quarter of Section 11, Township 138 North, Range 49 West, of the Fifth Principal Meridian, Cass County, North Dakota, described as follows:

Commencing at the southeast corner of said Southeast Quarter; thence on an assumed bearing of North 02 degrees 16 minutes 07 seconds West along the east line of said Southeast Quarter, 661.84 feet to a point of intersection with the south line of the North Half of the South Half of said Southeast Quarter; thence South 89 degrees 04 minutes 55 seconds West along said south line, 100.02 feet to the existing City of Fargo corporate limits and the point of beginning; thence continuing South 89 degrees 04 minutes 55 seconds West along said south line, 2,502.30 feet to the west line of said Southeast Quarter; thence North 02 degrees 09 minutes 40 seconds West along said west line, 487.29 feet to a point of intersection with the southeasterly right-of-way line of Cass County Drain No. 53; thence 94.67 feet on said southeasterly line and along a non-tangential curve, concave to the southeast, having a radius of 236.48 feet, a central angle of 22 degrees 56 minutes 12 seconds, the chord of said curve bears North 37 degrees 28 minutes 12 seconds East, a distance of 94.04 feet; thence North 48 degrees 56 minutes 18 seconds East, on said southeasterly line and along a line not tangent to said curve, 91.59 feet to the south line of MADELYN'S MEADOWS FIRST ADDITION, according to the record plat thereof, said County; thence along the existing City of Fargo corporate limits on the following courses, North 89 degrees 05 minutes 36 seconds East, along the south line of said plat, 2,369.86 feet; thence South 02 degrees 16 minutes 07 seconds East, 619.63 feet to the point of beginning.

Said tract contains 35.42 acres, more or less."

JOSHUA J. NELSON  DATE 5/4/21
ND PLS NO. LS-27292



State of North Dakota)
)SS
County of Cass)

On this 4th day of May in the year of 2021, before me personally appeared, JOSHUA J. NELSON, known to me to be the person who is described in and who executed the within instrument and acknowledged to me that he executed the same.


Notary Name

