

ORDINANCE NO. 1362

**AN ORDINANCE TO EXERCISE THE POWERS OF THE CITY AS
OUTLINED IN THE CODE OF ORDINANCES OF THE CITY OF
MANDAN, NORTH DAKOTA PART 1, ARTICLE 3 (O) RELATED TO
ANNEXATION**

AND

**AMEND AND REENACT SECTION 105-2-2 RELATING TO DISTRICT
BOUNDARIES AND ZONING MAP.**

BE IT ORDAINED By the Board of City Commissioners of the City of
Mandan, Morton County, North Dakota, as follows:

SECTION 1. EXERCISE OF THE POWERS OF THE CITY - ANNEXATION

Auditor's Lot B in the SW1/4 SE1/4 of Section 35, Township 139 North,
Range 81 West of the 5th Principal Meridian, Morton County, North Dakota, shall be
incorporated into the City of Mandan, North Dakota:

the above described tract contains 3.45 acres, more or less.

SECTION 2. AMENDMENT. Section 105-2-2 of the Mandan Code of Ordinances is
amended as follows:

The following described property, Auditor's Lot B shall be changed from Ag
(Agricultural) to CB (Commercial):

Auditor's Lot B in the SW1/4 SE1/4 of Section 35, Township 139 North,
Range 81 West of the 5th Principal Meridian, Morton County, North Dakota, shall be
incorporated into the City of Mandan, North Dakota:

the above described tract contains 3.45 acres, more or less.

SECTION 3. RE-ENACTMENT. Section 105-2-2 of the Mandan Code of Ordinances is
hereby re-enacted as amended. The city Principal Planner is authorized and directed to make
the necessary changes upon the official zoning map of the city in accordance with this section.



Tim Helbling, President, City Commission



Jim Neubauer, City Administrator

Planning & Zoning public hearing
First Consideration
Second Consideration

June 28, 2021
August 17, 2021
September 7, 2021

COUNTY RECORDER, MORTON COUNTY, ND

505788

I certify that this instrument was filed and recorded.
Nancy Seefeldt, County Recorder Fee \$20.00

By *Nancy Seefeldt* September 13, 2021 8:38:17 A

County Recorder

505788

Morton County

Mandan ND 58554

Page 3 of 3



EXHIBIT A

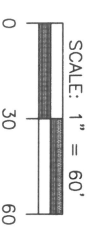
KENNETH & LUANN SOLBERG

ANNEXATION AND ZONE CHANGE

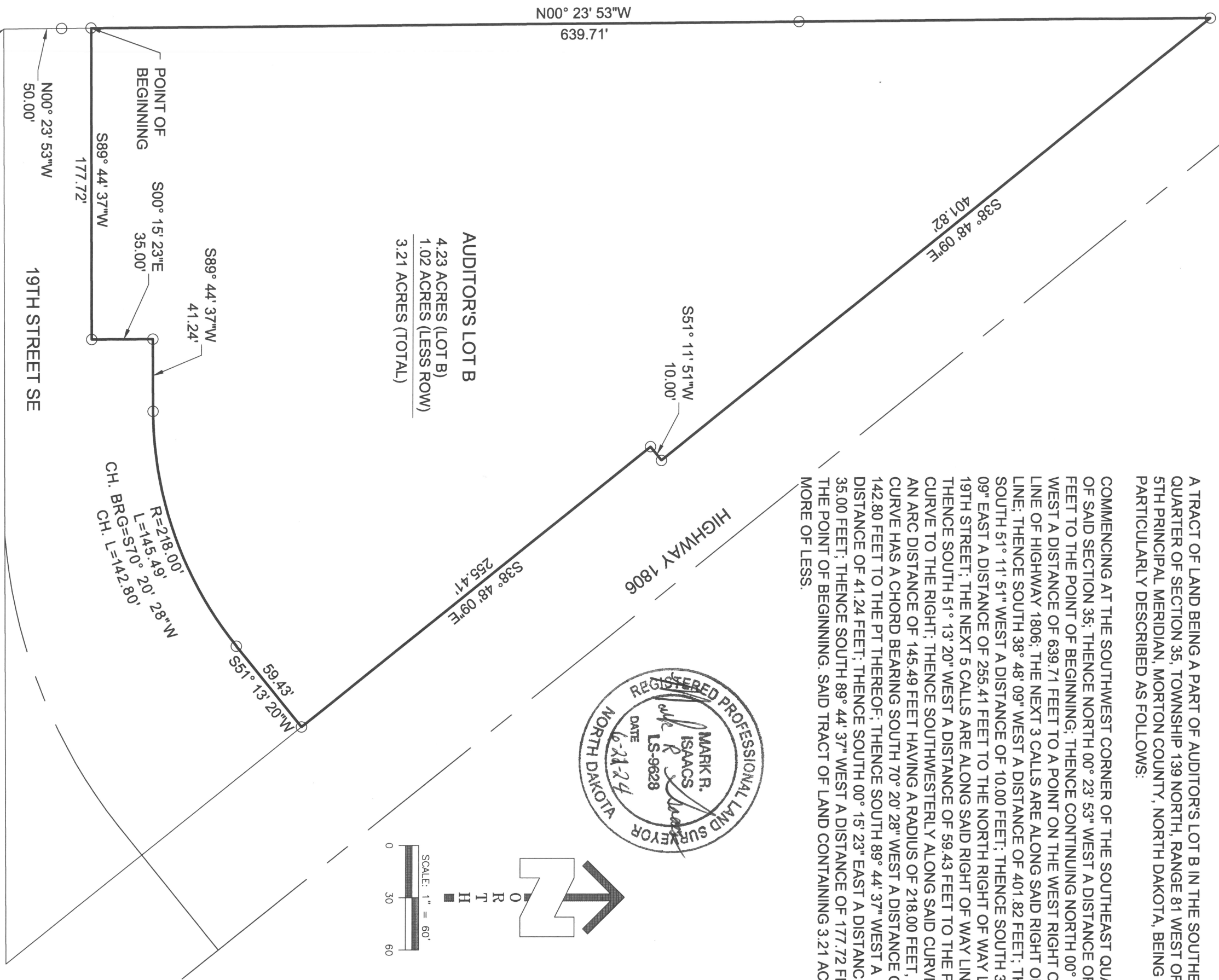
PROPERTY DESCRIPTION

A TRACT OF LAND BEING A PART OF AUDITOR'S LOT B IN THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 139 NORTH, RANGE 81 WEST OF THE 5TH PRINCIPAL MERIDIAN, MORTON COUNTY, NORTH DAKOTA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 35; THENCE NORTH 00° 23' 53" WEST A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 00° 23' 53" WEST A DISTANCE OF 639.71 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF HIGHWAY 1806; THE NEXT 3 CALLS ARE ALONG SAID RIGHT OF WAY LINE: THENCE SOUTH 38° 48' 09" WEST A DISTANCE OF 401.82 FEET; THENCE SOUTH 51° 11' 51" WEST A DISTANCE OF 10.00 FEET; THENCE SOUTH 38° 48' 09" EAST A DISTANCE OF 255.41 FEET TO THE NORTH RIGHT OF WAY LINE OF 19TH STREET; THE NEXT 5 CALLS ARE ALONG SAID RIGHT OF WAY LINE: THENCE SOUTH 51° 13' 20" WEST A DISTANCE OF 59.43 FEET; THENCE SOUTH 51° 13' 20" WEST A DISTANCE OF 142.80 FEET; THENCE SOUTH 89° 44' 37" WEST A DISTANCE OF 41.24 FEET; THENCE SOUTH 00° 15' 23" EAST A DISTANCE OF 35.00 FEET; THENCE SOUTH 89° 44' 37" WEST A DISTANCE OF 177.72 FEET TO THE POINT OF BEGINNING. SAID TRACT OF LAND CONTAINING 3.21 ACRES, MORE OF LESS.



AUDITOR'S LOT B
4.23 ACRES (LOT B)
1.02 ACRES (LESS ROW)
3.21 ACRES (TOTAL)



KEN SOLBERG AUDITOR LOT B SECTION 35, T139N, R81W CITY OF MANDAN, ND		JOB NUMBER: 21064 SHEET: 1 OF 1	
SCALE: 1" = 60' DRAWN BY: MRI DWG DATE: 6/23/21		DWG REVISION DATES - -	
4215 Old Red Trail NW Mandan, ND 58554 Phone: 701-663-5184 Cell: 701-595-2079 mark@isurveynd.com		I ndependent S urveying & E ngineering	

SOLBERG ADDITION

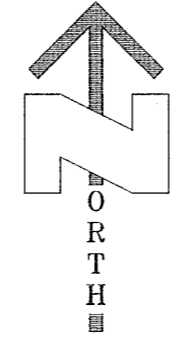
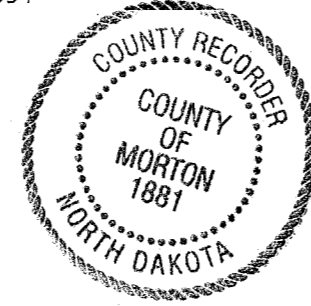
TO THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA

AUDITOR LOT B IN SECTION 35, T139N, R81W

Return to: INDEPENDENT LAND SURVEYING AND ENGINEERING
4215 OLD RED TRAIL NW
MANDAN ND 58554
Page 1 of 1

County Recorder: 508667
MANDAN ND 58554

COUNTY RECORDER, MORTON COUNTY, ND
I certify that this instrument was filed and recorded
Nancy Seefeldt, County Recorder, Fee \$20.00
By: *[Signature]* February 11, 2022 11:26:53 A



SCALE: 1" = 40'

DATE: JANUARY 26TH, 2022

DESCRIPTION

A TRACT OF LAND BEING A PART OF AUDITORS LOT B IN THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 139 NORTH, RANGE 81 WEST OF THE 5TH PRINCIPAL MERIDIAN, MORTON COUNTY, NORTH DAKOTA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 35; THENCE NORTH 00° 23' 53" WEST A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 00° 23' 53" WEST A DISTANCE OF 639.71 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF HIGHWAY 1806; THE NEXT 3 CALLS ARE ALONG SAID RIGHT OF WAY LINE; THENCE SOUTH 38° 48' 09" EAST A DISTANCE OF 401.82 FEET; THENCE SOUTH 51° 11' 51" WEST A DISTANCE OF 10.00 FEET; THENCE SOUTH 38° 48' 09" EAST A DISTANCE OF 255.41 FEET TO THE NORTH RIGHT OF WAY LINE OF 19TH STREET SE; THE NEXT 5 CALLS ARE ALONG SAID RIGHT OF WAY LINE; THENCE SOUTH 51° 13' 20" WEST A DISTANCE OF 59.43 FEET TO THE PC OF A CURVE TO THE RIGHT; THENCE SOUTHWESTERLY ALONG SAID CURVE FOR AN ARC DISTANCE OF 145.49 FEET HAVING A RADIUS OF 218.00 FEET, SAID CURVE HAS A CHORD BEARING SOUTH 70° 20' 28" WEST A DISTANCE OF 142.80 FEET TO THE PT THEREOF; THENCE SOUTH 89° 44' 37" WEST A DISTANCE OF 41.24 FEET; THENCE SOUTH 00° 15' 23" EAST A DISTANCE OF 35.00 FEET; THENCE SOUTH 89° 44' 37" WEST A DISTANCE OF 177.72 FEET TO THE POINT OF BEGINNING. SAID TRACT OF LAND CONTAINING 3.21 ACRES, MORE OR LESS.

OWNER'S CERTIFICATE OF DEDICATION

WE, THE UNDERSIGNED, BEING SOLE OWNERS OF THE LAND PLATTED HEREON, DO HEREBY VOLUNTARILY CONSENT TO THE EXECUTION OF SAID PLAT AND DO DEDICATE ALL THE STREETS, ALLEYS, PARKS, AND PUBLIC GROUNDS AS SHOWN HEREON, INCLUDING ALL SEWERS, CULVERTS, BRIDGES, WATERLINES, SIDEWALKS, AND OTHER IMPROVEMENTS ON OR UNDER SUCH STREETS, ALLEYS OR OTHER PUBLIC GROUNDS, WHETHER SUCH IMPROVEMENTS ARE SHOWN HEREON OR NOT, TO PUBLIC USE FOREVER. WE ALSO DEDICATE EASEMENTS TO RUN WITH THE LANDS FOR WATER, SEWER, GAS, ELECTRICITY, TELEPHONE, OR OTHER PUBLIC UTILITY LINES OR SERVICES UNDER, ON OR OVER THESE CERTAIN STRIPS OF LAND DESIGNATION AS "UTILITY EASEMENT".

[Signature]
KENNETH SOLBERG

[Signature]
LUANN SOLBERG

SUBSCRIBED AND SWORN BEFORE ME, AND NOTARY PUBLIC, THIS 31 DAY OF JANUARY, 2022.

JACOB JONES
Notary Public
State of North Dakota
My Commission Expires Oct 1, 2024

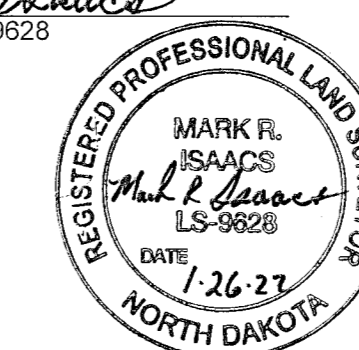
JACOB JONES NOTARY PUBLIC
MORTON COUNTY, ND
MY COMMISSION EXPIRES 10/1/24

[Signature]
Jacob Jones

SURVEYOR'S CERTIFICATE

I, MARK R. ISAACS, NORTH DAKOTA REGISTERED LAND SURVEYOR NO. 9628, HEREBY CERTIFY THAT I HAVE CAUSED TO BE SURVEYED BY MY FORCES UNDER MY SUPERVISION THE PROPERTY DESCRIBED HEREON AND I HAVE PREPARED THE ACCOMPANYING PLAT; FURTHER, THAT DISTANCE INDICATES HEREON ARE IN FEET AND HUNDREDTHS THEREOF, AND BEARINGS AND INDICATED IN QUADRANTS AND DEGREES, MINUTES, AND SECONDS THEREOF; FURTHER, THAT SAID PLAT DOES TRULY SHOW THE SURVEY TO THE BEST OF MY KNOWLEDGE AND BELIEF.

[Signature]
MARK R. ISAACS, RLS 9628



APPROVAL OF THE BOARD OF CITY COMMISSIONERS

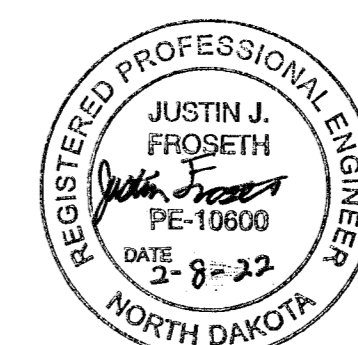
THE BOARD OF CITY COMMISSIONERS OF THE CITY OF MANDAN, NORTH DAKOTA, HAS APPROVED THE SUBDIVISION OF LAND SHOWN HEREON, HAS ACCEPTED THE DEDICATION OF ALL STREETS, ALLEYS, AND PUBLIC WAYS SHOWN HEREON LYING WITHIN THE CORPORATE LIMITS OF THE CITY OF MANDAN, HAS ACCEPTED THE DEDICATION OF ALL PARKS AND PUBLIC GROUNDS SHOWN HEREON, FURTHERMORE, SAID BOARD OF CITY COMMISSIONERS HAS APPROVED THE STREETS, ALLEYS, AND OTHER PUBLIC WAYS AND GROUNDS SHOWN HEREON AS AN AMENDMENT TO THE MASTER STREET PLAN OF THE CITY OF MANDAN, THE FOREGOING ACTION BY THE BOARD OF CITY COMMISSIONERS OF MANDAN, NORTH DAKOTA, HAS TAKEN BY RESOLUTION APPROVED THE _____ DAY OF _____, 20__.

[Signature]
JIM NEUBAUER - CITY ADMINISTRATOR

[Signature]
TIM HELBLING - PRESIDENT OF THE BOARD OF CITY COMMISSIONERS

I, JUSTIN FROSETH, CITY ENGINEER FOR THE CITY OF MANDAN, NORTH DAKOTA, HEREBY APPROVES "SOLBERG ADDITION" OF THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA AS SHOWN ON THE ANNEXED PLAT.

[Signature]
JUSTIN FROSETH, PE



AUDITOR'S OFFICE, MORTON CO., ND.
DELIQUENT TAXES AND SPECIAL ASSESSMENTS OR INSTRUMENTS OF SPECIAL ASSESSMENTS, PAID AND TRANSFER ACCEPTED.

DAWN R. RHONE, COUNTY AUDITOR
By: *[Signature]* DEPUTY

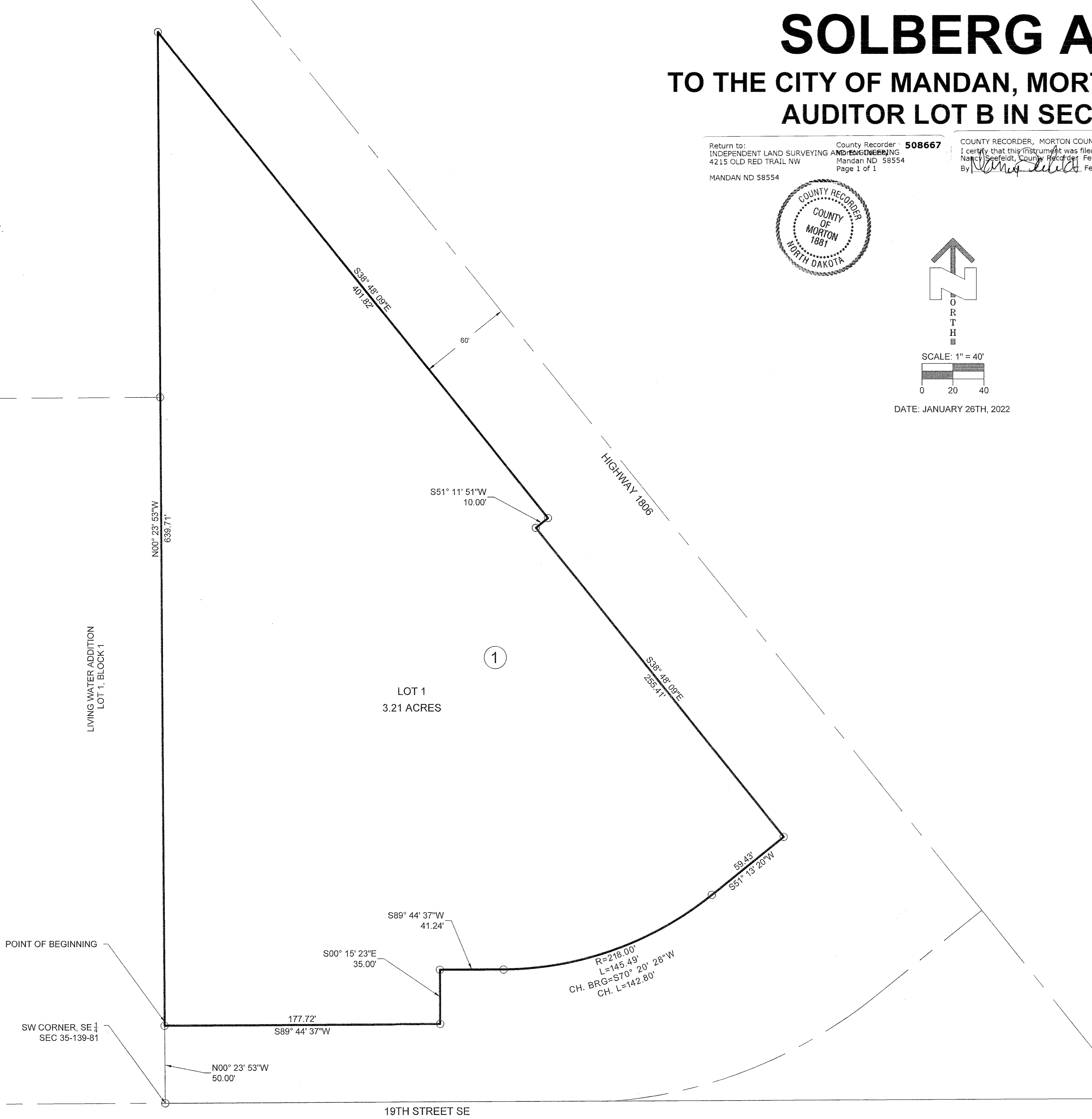
APPROVED BY COUNTY AUDITOR'S OFFICE
DAWN R. RHONE, AUDITOR
By: *[Signature]* DEPUTY
DATE: 2-11-2022

OWNER:
KENNETH & LUANN SOLBERG
208 3RD AVE SE
BELFIELD, ND 58622

BASIS OF BEARING:
WEST BOUNDARY LINE OF LOT 1

- NOTES:
- BEARINGS AND DISTANCES MAY VARY FROM PREVIOUS DOCUMENTS OF RECORD DUE TO DIFFERENT METHODS OF FIELD MEASUREMENTS.
 - SUBJECT TO ALL EASEMENTS OF RECORD WHETHER SHOWN OR NOT SHOWN.

LIVING WATER ADDITION
LOT 1, BLOCK 1



AREA TABLE

LOT 1	3.21 ACRES
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LEGEND

○ FOUND CAPPED REBAR "LS-9628"

SOLBERG ADDITION LOT 1 BLOCK 1 SECTION 35, T-139-N, R-81-W MANDAN, NORTH DAKOTA		I Independent Land Surveying & Engineering
SHEET: 1 OF 1	JOB NUMBER: 21064	
SCALE: 1" = 40'	DWG REVISION DATES	4215 Old Red Trail NW Mandan, ND 58554 Phone: 701-653-5184 Cell: 701-595-2079 mark@isurveynd.com
DRAWN BY: MR	1/26/22	
DWG DATE: 12/22/21		
DWG NAME: 21064_FINAL_PLAT.dwg		

41.029000