

I certify that this instrument was filed and recorded.

Nancy Seefeldt, County Recorder Fee \$20.00

By *Nancy Seefeldt* July 26, 2024 10:59:59 AM

Return to:  
CITY OF MANDAN  
205 2ND AVE NW  
MANDAN ND 58554

County Recorder **520681**  
Morton County  
Mandan ND 58554  
Page 1 of 2



**ORDINANCE NO. 1450**

**AN ORDINANCE ANNEXING CERTAIN ADJOINING LANDS TO THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA, AND EXTENDING THE CORPORATE BOUNDARIES THEREOF.**

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

WHEREAS, the City of Mandan, Morton County, North Dakota has determined it to be its interests to annex the hereinafter described property, which is contiguous to the City of Mandan, Morton County, North Dakota, but not embraced within the limits thereof, and has met all requirements as directed by Section 40-51.2-03 of the North Dakota Century Code.

**SECTION 1. PROPERTY ANNEXED.** The following described land is situated in the County of Morton, State of North Dakota, and contiguous to the corporate limits of the City of Mandan, North Dakota, and is hereby added to, taken into, annexed and made part of the City of Mandan, namely:


ALL OF ROCK PRAIRIE ESTATES ADDITION TO THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA IN SECTION 7, TOWNSHIP 139N, RANGE 81W.

AND

ALL THAT PART OF AUDITOR'S LOT H OF THE SW 1/4 OF SECTION 7, TOWNSHIP 139 NORTH, RANGE 81 WEST, MANDAN, MORTON COUNTY, NORTH DAKOTA—A STRIP OF LAND 30.00 FEET WIDE, 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT THE TERMINATION OF THE WESTERN CENTERLINE OF THE BLACKSTONE LANE NW RIGHT-OF-WAY OF ROCK PRAIRIE ESTATES ADDITION; THENCE NORTH 88 DEGREES 23 MINUTES 36 SECONDS WEST, A DISTANCE OF 876.79 FEET; THENCE SOUTH 66 DEGREES 42 MINUTES 24 SECONDS WEST, A DISTANCE OF 190.35 FEET; THENCE NORTH 23 DEGREES 17 MINUTES 36 SECONDS WEST, A DISTANCE OF 243.68 FEET, EXTENDING AND TRIMMING THE SIDELINES TO INTERSECT THE EAST LINE OF SAID ROCK PRAIRIE ESTATES.

**SECTION 2. CORPORATE BOUNDARY EXTENDED.** Upon the taking effect of this Ordinance, the corporate limits and boundary lines of the City of Mandan shall thereafter include said lands.

  
James Froelich, President  
Board of City Commissioners

Attest:

  
\_\_\_\_\_  
Jim Neubauer  
City Administrator

First Consideration:  
Second Consideration and Final Passage:  
Recording Date:

July 2, 2024  
July 16, 2024  
\_\_\_\_\_

Return to:  
CITY OF MANDAN  
205 2ND AVE NW  
MANDAN ND 58554

County Recorder **523148**  
Morton County  
Mandan ND 58554  
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AFFIDAVIT OF CORRECTION

The Board of City Commissioners of the City of Mandan, having approved Ordinance No. 1400, filed as Document #511292, and Ordinance No. 1450, filed as Document #520681 in the Morton County Recorder's office, hereby certifies the following:

Ordinance No. 1400 contained a metes and bounds legal description intended to match that of Rock Prairie Estates Addition to the City of Mandan, filed as Document #519258. As the boundary for Rock Prairie Estates Addition to the City of Mandan was altered after Ordinance No. 1400 was filed, Ordinance No. 1450 was filed to correct the annexation. The Affidavit of Correction certifies that Ordinance No. 1450, is the correct annexation route and Ordinance no. 1400 should be disregarded.

The annexation legal description for Ordinance No. 1450 is as follows:

ALL OF ROCK PRAIRIE ESTATES ADDITION TO THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA IN SECTION 7, TOWNSHIP 139 N., RANGE 81 W.

AND


ALL THAT PART OF AUDITOR'S LOT H OF THE SW 1/4 OF SECTION 7, TOWNSHIP 139 NORTH, RANGE 81 WEST, MANDAN, MORTON COUNTY, NORTH DAKOTA—A STRIP OF LAND 30.00 FEET WIDE, 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT THE TERMINATION OF THE WESTERN CENTERLINE OF THE BLACKSTONE LANE NW RIGHT-OF-WAY OF ROCK PRAIRIE ESTATES ADDITION; THENCE NORTH 88 DEGREES 23 MINUTES 36 SECONDS WEST, A DISTANCE OF 876.79 FEET; THENCE SOUTH 66 DEGREES 42 MINUTES 24 SECONDS WEST, A DISTANCE OF 190.35 FEET; THENCE NORTH 23 DEGREES 17 MINUTES 36 SECONDS WEST, A DISTANCE OF 243.68 FEET, EXTENDING AND TRIMMING THE SIDELINES TO INTERSECT THE EAST LINE OF SAID ROCK PRAIRIE ESTATES.




I, James Froelich, President of the Board of City Commissioners of the City of Mandan, declare, under the penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

STATE OF North Dakota )  
 ) SS  
COUNTY OF Morton )

  
\_\_\_\_\_  
JAMES FROELICH, PRESIDENT  
BOARD OF THE CITY COMMISSIONS  
CITY OF MANDAN  
205 2<sup>ND</sup> AVE NW  
MANDAN, ND 58554

On this 7<sup>th</sup> day of January, 2025, before me appeared JAMES FROELICH, known to me to be the person that is described in and that he executed the foregoing instrument, and acknowledged that he executed the same.

NANCY R MOSER  
Notary Public  
State of North Dakota  
My Commission Expires June 12, 2027

  
\_\_\_\_\_  
Notary Public, Morton County, ND  
My Commission Expires: June 12, 2027

COUNTY RECORDER, MORTON COUNTY, ND

**523148**

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

By Nancy Seefeldt January 21, 2025 8:34:09 AM

County Recorder

**523148**

Morton County

Mandan ND 58554

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# ROCK PRAIRIE ESTATES ADDITION

BEING PART OF AUDITOR'S LOT H AND PART OF THE SW 1/4  
OF SECTION 7, TOWNSHIP 139 NORTH, RANGE 81 WEST OF  
THE FIFTH PRINCIPAL MERIDIAN,  
TO THE CITY OF

## MANDAN, MORTON COUNTY, NORTH DAKOTA

### DESCRIPTION

BEING PART OF AUDITOR'S LOT H AND PART OF THE SW 1/4 OF SECTION 7, TOWNSHIP 139 NORTH, RANGE 81 WEST OF THE FIFTH PRINCIPAL MERIDIAN, TO THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SE CORNER OF SAID SW 1/4; THENCE NORTH 89 DEGREES 42 MINUTES 20 SECONDS WEST, ALONG THE SOUTH LINE OF SAID SW 1/4, A DISTANCE OF 668.49 FEET; THENCE NORTH 00 DEGREES 17 MINUTES 40 SECONDS EAST, A DISTANCE OF 98.35 FEET; THENCE NORTH 55 DEGREES 19 MINUTES 43 SECONDS EAST, A DISTANCE OF 229.95 FEET; THENCE NORTH 23 DEGREES 17 MINUTES 36 SECONDS WEST, A DISTANCE OF 276.49 FEET; THENCE WESTERLY AND TO THE RIGHT, ON A 333.00 FOOT RADIUS CURVE, THE RADIUS OF WHICH BEARS NORTH 5 DEGREES 17 MINUTES 55 SECONDS EAST, AN ARC LENGTH OF 26.27 FEET; THENCE WESTERLY, AND TO THE LEFT, ON A 367.00 FOOT RADIUS CURVE, AN ARC LENGTH OF 53.08 FEET; THENCE NORTH 01 DEGREE 31 MINUTES 55 SECONDS EAST, A DISTANCE OF 66.00 FEET; THENCE NORTH 00 DEGREES 13 MINUTES 59 SECONDS EAST, A DISTANCE OF 124.25 FEET; THENCE NORTH 89 DEGREES 46 MINUTES 01 SECOND WEST, A DISTANCE OF 84.36 FEET; THENCE SOUTH 26 DEGREES 20 MINUTES 37 SECONDS WEST, A DISTANCE OF 48.37 FEET; THENCE NORTH 23 DEGREES 19 MINUTES 05 SECONDS WEST, A DISTANCE OF 287.93 FEET; THENCE NORTH 00 DEGREES 11 MINUTES 41 SECONDS EAST, A DISTANCE OF 110.75 FEET; THENCE SOUTH 89 DEGREES 48 MINUTES 19 SECONDS EAST, A DISTANCE OF 543.00 FEET; THENCE NORTH 00 DEGREES 1 MINUTE 41 SECONDS EAST, A DISTANCE OF 307.99 FEET TO THE NORTH LINE OF SAID SW 1/4; THENCE SOUTH 89 DEGREES 48 MINUTES 16 SECONDS EAST, ALONG SAID NORTH LINE, A DISTANCE OF 338.92 FEET TO THE EAST LINE OF SAID SW 1/4; THENCE SOUTH 00 DEGREES 02 MINUTES 55 SECONDS EAST, ALONG SAID EAST LINE, A DISTANCE OF 1322.61 FEET TO THE POINT OF BEGINNING.

THE ABOVE TRACT CONTAINS 18.28 ACRES, MORE OR LESS.

Parcel ID: 41-0027000 41-0028200

Auditor's Office, Morton Co., ND  
Delimited Tracts and Special Assessments  
Calculations of Special Assessments  
and Property Taxes  
Terry Baltzer  
County Auditor, County Auditor  
by Nancy Seibel, Deputy  
4/11/2024

### SURVEYOR'S CERTIFICATE

I, TERRY BALTZER, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THE ANNEXED PLAT IS A TRUE COPY OF THE NOTES OF A SURVEY PERFORMED UNDER MY SUPERVISION AND COMPLETED ON March 13, 2024, THAT ALL INFORMATION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT ALL MONUMENTS SHOWN HEREON ARE CORRECT, THAT ALL REQUIRED MONUMENTS HAVE BEEN SET, AND THAT ALL DIMENSIONAL AND GEODETIC DETAILS ARE CORRECT.



*Terry Baltzer*  
TERRY BALTZER  
PROFESSIONAL LAND SURVEYOR  
N.D. REGISTRATION NO. 3595

### APPROVAL OF CITY PLANNING COMMISSION

THE SUBDIVISION OF LAND AS SHOWN ON THE ANNEXED PLAT HAS BEEN APPROVED BY THE PLANNING COMMISSION OF THE CITY OF MANDAN, ON THE 27<sup>th</sup> DAY OF March, 2024, IN ACCORDANCE WITH LAWS OF THE STATE OF NORTH DAKOTA, ORDINANCES OF THE CITY OF MANDAN AND REGULATIONS ADOPTED BY THE SAID PLANNING COMMISSION. IN WITNESS WHEREOF ARE SET THE HANDS AND SEALS OF THE CHAIRMAN AND SECRETARY OF THE PLANNING COMMISSION OF THE CITY OF MANDAN.

*Bill Robinson*  
BILL ROBINSON - CHAIRMAN

*Nancy Moser*  
NANCY MOSER - SECRETARY

### APPROVAL OF BOARD OF CITY COMMISSIONERS

THE BOARD OF CITY COMMISSIONERS OF THE CITY OF MANDAN, NORTH DAKOTA, HAS APPROVED THE SUBDIVISION OF LAND AS SHOWN ON THE ANNEXED PLAT, HAS ACCEPTED THE DEDICATION OF ALL STREETS SHOWN THEREON, HAS APPROVED THE GROUNDS AS SHOWN ON THE ANNEXED PLAT AS AN AMENDMENT TO THE MASTER PLAN OF THE CITY OF MANDAN, NORTH DAKOTA, AND DOES HEREBY VACATE ANY PREVIOUS PLATTING WITHIN THE BOUNDARY OF THE ANNEXED PLAT.

THE FOREGOING ACTION OF THE BOARD OF CITY COMMISSIONERS OF MANDAN, NORTH DAKOTA, WAS TAKEN BY RESOLUTION APPROVED THE 18<sup>th</sup> DAY OF April, 2024

*Tim Helbling*  
TIM HELBLING - MAYOR

*Jim Neubauer*  
JIM NEUBAUER  
CITY ADMINISTRATOR

### APPROVAL OF CITY ENGINEER

I, JAREK WIGNESS, CITY ENGINEER, HEREBY APPROVE "ROCK PRAIRIE ESTATES ADDITION", MANDAN, MORTON COUNTY, NORTH DAKOTA AS SHOWN ON THE ANNEXED PLAT.



*Jarek Wigness*  
JAREK WIGNESS  
CITY ENGINEER

### OWNER'S CERTIFICATE & DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT RED TRAIL HOLDINGS, LLC, BEING THE OWNER AND PROPRIETOR OF THE PROPERTY SHOWN HEREON HAVE CAUSED THAT PORTION DESCRIBED HEREON TO BE SURVEYED AND PLATTED AS "ROCK PRAIRIE ESTATES ADDITION", MANDAN, MORTON COUNTY, NORTH DAKOTA, AND DO SO DEDICATE STREETS AS SHOWN HEREON INCLUDING ALL SEWER, CULVERTS, WATER AND OTHER PUBLIC UTILITY LINES WHETHER SHOWN HEREON OR NOT TO THE PUBLIC USE FOREVER.

THEY ALSO DEDICATE EASEMENTS TO THE CITY OF MANDAN TO RUN WITH THE LAND, FOR GAS, ELECTRIC, TELEPHONE OR OTHER PUBLIC UTILITIES OR SERVICES ON OR UNDER THOSE CERTAIN STRIPS OF LAND DESIGNATED HEREON AS UTILITY EASEMENTS.

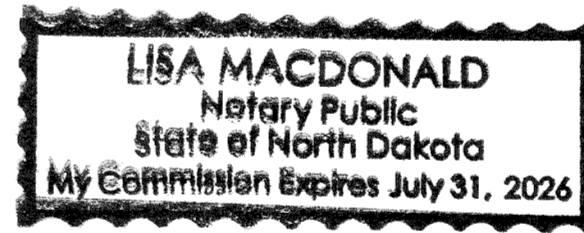
THEY FURTHERMORE DEDICATE UNTO THE CITY OF MANDAN "STORM WATER AND DRAINAGE EASEMENTS" TO RUN WITH THE LAND FOR THE PURPOSE OF STORM SEWER AND SURFACE WATER DRAINAGE UNDER, OVER, THROUGH AND/OR ACROSS THOSE AREAS DEDICATED HEREON AS "STORM WATER AND DRAINAGE EASEMENTS" FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTION, REPAIR, ENLARGING AND MAINTAINING STORM WATER MANAGEMENT FACILITIES TOGETHER WITH NECESSARY APPURTENANCES THERETO FOR STORM WATER, STORM SEWER AND SURFACE WATER DRAINAGE AND MANAGEMENT OF SAID STORM WATER FLOW IN A MANNER THAT WILL PERMIT THE FREE AND UNOBSTRUCTED FLOW OF WATER UNDER, OVER AND/OR ACROSS THE EASEMENT AREA.

THEY FURTHER DEDICATE TEMPORARY TURNAROUND EASEMENTS TO THE CITY OF MANDAN FOR THE PURPOSES OF EMERGENCY VEHICLE ACCESS, TO BE VACATED AT THE TIME OF RIGHT-OF-WAY EXTENSIONS OF AFFECTED ROADS BY EASEMENT OR PLATTING AND THE CONSTRUCTION OF APPROVED ROADWAYS.

STATE OF NORTH DAKOTA)  
COUNTY OF Burdick SS

*Derek Zander*  
DEREK ZANDER  
RED TRAIL HOLDINGS, LLC  
5012 37TH AVE NW  
MANDAN, ND 58554

ON THIS 27<sup>th</sup> DAY OF March, 2024, BEFORE ME PERSONALLY APPEARED DEREK ZANDER OF RED TRAIL HOLDINGS, LLC, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.



*Lisa MacDonald*  
NOTARY PUBLIC  
BURLEIGH COUNTY, NORTH DAKOTA  
MY COMMISSION EXPIRES July 31, 2026

# ROCK PRAIRIE ESTATES ADDITION

BEING PART OF AUDITOR'S LOT H AND PART OF THE SW 1/4 OF SECTION 7, TOWNSHIP 139 NORTH, RANGE 81 WEST OF THE FIFTH PRINCIPAL MERIDIAN, TO THE CITY OF

## MANDAN, MORTON COUNTY, NORTH DAKOTA

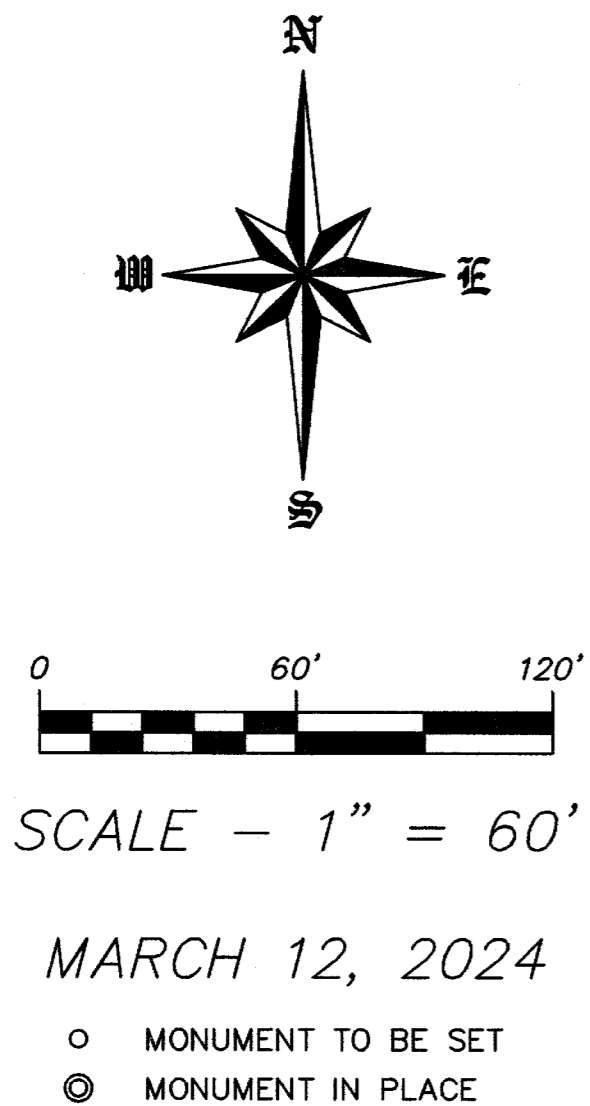
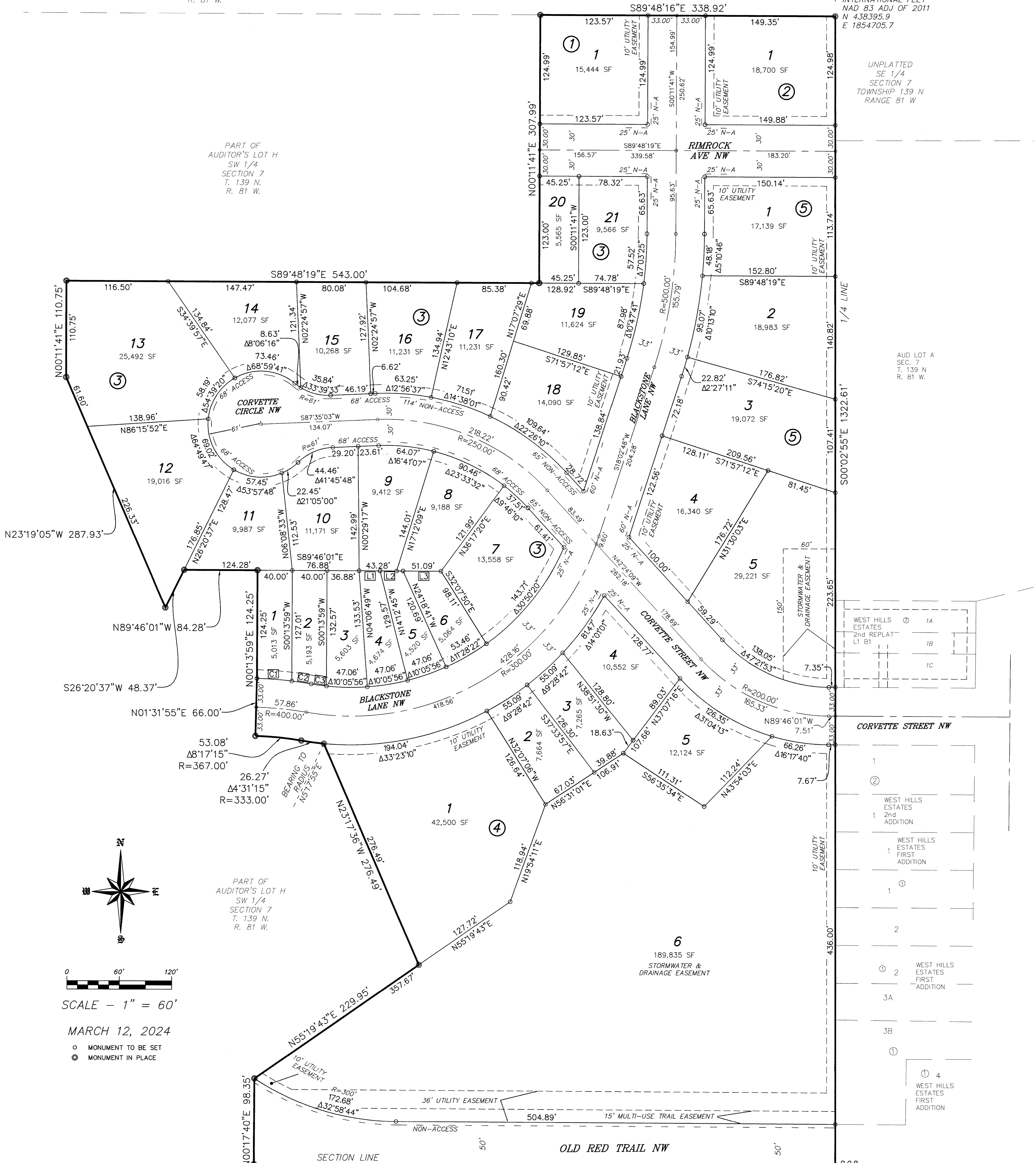
LOT 3 & THE NE 1/4 OF THE SW 1/4 SECTION 7, T. 139 N., R. 81 W.

ND STATE PLANE COORDINATES SOUTH ZONE INTERNATIONAL FEET NAD 83 ADJ OF 2011 N 438395.9 E 1854705.7

PART OF AUDITOR'S LOT H SW 1/4 SECTION 7 T. 139 N. R. 81 W.

UNPLATTED SE 1/4 SECTION 7 TOWNSHIP 139 N RANGE 81 W

AUD LOT A SEC. 7 T. 139 N. R. 81 W.



MARCH 12, 2024  
○ MONUMENT TO BE SET  
● MONUMENT IN PLACE

PART OF AUDITOR'S LOT H SW 1/4 SECTION 7 T. 139 N. R. 81 W.

ND STATE PLANE COORDINATES SOUTH ZONE INTERNATIONAL FEET NAD 83 ADJ OF 2011 N 437076.7 E 1854038.1

P.O.B. SE CORNER SW 1/4 SECTION 7 TOWNSHIP 139 N. RANGE 81 W.

### NOTES

**BASIS OF BEARING:**  
NORTH DAKOTA STATE PLANE, SOUTH ZONE

BEARINGS AND DISTANCES MAY VARY FROM PREVIOUS PLATS DUE TO DIFFERENT METHODS OF MEASUREMENTS.

ALL DISTANCES ARE GROUND MEASUREMENTS.

LOT 6 BLOCK 4 IS OWNED AS AN UNDIVIDED INTEREST AMONG LOTS 1-5 BLOCK 4 WITHIN ROCK PRAIRIE ESTATES ADDITION



**SWENSON, HAGEN & COMPANY P.C.**  
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Bismarck, North Dakota 58504  
Phone (701) 223-2500  
sheng@swensonhagen.com  
Fax (701) 223-3606  
Surveying  
Hydrology  
Land Planning  
Civil Engineering  
Landscape & Site Design  
Construction Management