

ORDINANCE NO. 2024 - 0007

An Ordinance relating to the annexation of certain real property pursuant to NDCC Chapter 40-51.2-03; which territory is contiguous or adjacent to the City and not embraced within the limits thereof.

WHEREAS, the New Town City Council desired to encourage natural and well-ordered development of the City of New Town; and

WHEREAS, the owners of not less than three-fourths in assessed value of the property in any territory contiguous or adjacent, sought to be annexed, and petitioned the City Council to be annexed and be made a part of the whole community; and

WHEREAS, the City council held a public hearing, on July 17, 2024 at 5:00 p.m. at the New Town Civic Center, to consider any written or oral objections from interested persons, and did publish the Public Notice in the official newspaper of the city.

NOW THEREFORE:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEW TOWN:

The following property located contiguous or adjacent to the city of New Town, shall be annexed into the City of New Town, pursuant to the authority granted under NDCC 40-51.2-03, to-wit:

MOUNTRAIL COUNTY, NORTH DAKOTA

TOWNSHIP 152 N., RANGE 92 W.

Section 20: Outlot 4 of the NW1/4

Section 20: Outlot 6 of the NW1/4

Said real property shall be annexed and zoned as Industrial property.

Affidavit of Publication of the Notice of the Public Hearing and Minutes of the City Council Meetings are to be attached to this Ordinance and incorporated herein.

RATIFICATION

The motion to approve this Ordinance on second reading was made by Council Member – Nathaniel Mayer, and seconded by Council Member – Frank Sillitti, and upon vote being taken thereon, the said Ordinance was approved by a vote of 4 in favor, and 0, opposed, 0 absent; with the same having been fully approved.

A RESOLUTION CONFIRMING ANNEXATION OF LAND

WHEREAS, the City Council of the City of New Town had received a Petition for the annexation of certain parcels of land into the jurisdiction of the City of New Town, dated January 21, 2009; and

WHEREAS, The Petition of the described land was duly authorized by Tribal Resolution No. 09-007-VJB of the Three Affiliated, as was certified on the 8th day of January, 2009, by the Three Affiliated Tribes Tribal Council, the owner of the land to be annexed; and

WHEREAS, the proposed land to be annexed was initially described as the N1/2 of the NW1/4, and the SE1/4 of the NW1/4 of Section 16, Township 152 N; Range 92 W, Fifth Principal Meridian, containing 120 acres more or less in Mountrail County, North Dakota.

WHEREAS, the land was later surveyed by a registered land surveyor in accordance with the requirements set forth therein, and was thereafter legally described as:

The East 33.00 feet of the NE1/4, except the South 300.00 Feet of Section 17, Township 152 N; Range 92 W.; The West 33.00 feet of the SW1/4 of the NW1/4, Section 16, Township 152 N; Range 92 W.; the NW1/4 of the NW1/4, the NE1/4 of the NW1/4 and the SE1/4 of the NW1/4 of Section 16, Township 152 N; Range 92 W. in Mountrail County, North Dakota, containing 122.04 acres more or less.

WHEREAS the City Council has conducted the necessary public hearings and reviews; including; as follows:

- a. Approval on first reading of the Petition to Annex the Three Affiliated Tribes Elbowoods Health Care Facility land at a regularly scheduled city council meeting, by Motion of Dan Uran, and a second by Darrell Salter, and approval in vote 4-0.
- b. Notice of Public Hearing on the annexation as duly published in the official Newspaper of the City of New Town on March 6th and March 13, 2009.
- c. Public Hearing conducted on March 18, 2009, as set forth in the official minutes of the regular New Town City Council, with no written or verbal comments received.
- d. Approval on second and final reading of on an Ordinance to annex the Three Affiliated Tribes Elbowoods Health Care Facility land, with Motion by Dan Uran, with second by Gerald Odegard, and upon vote was approved 3-3, with one member not voting.

WHEREAS, the City Council has determined that the annexation of the aforementioned land is in the best interest of the City of New Town and its residents for the following reasons:

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of New Town, North Dakota that:

1. The annexation of the land described above is hereby approved; to-wit:

The East 33.00 feet of the NE1/4, except the South 300.00 Feet of Section 17, Township 152 N; Range 92 W.; The West 33.00 feet of the SW1/4 of the NW1/4, Section 16, Township 152 N; Range 92 W.; the NW1/4 of the NW1/4, the NE1/4 of the NW1/4 and the SE1/4 of the NW1/4 of Section 16, Township 152 N; Range 92 W. in Mountrail County, North Dakota, containing 122.04 acres more or less.

2. The City Attorney is authorized and directed to prepare an appropriate Ordinance and file all necessary documents with the Mountrail County Recorder to effectuate the annexation.
3. The City Auditor shall publish the Ordinance in the official newspaper and notify all relevant property owners and governmental agencies, of the approved annexation.
4. A map shall be developed and recorded to verify the property is located contiguous or adjacent to the city of New Town, pursuant to the authority granted under NDCC 40-51.2-03
5. This resolution shall take effect immediately upon its adoption.

APPROVED:



Jay Standish – Mayor

ATTEST:



Eileen Zaun - City Auditor

A motion for the adoption of the foregoing resolution was made on first reading on the 21st day of August, 2024, at a regularly scheduled meeting of the New Town City Council by Motion of Council Member – Nathaniel Mayer, and seconded by Council Member - Jesse Baker and was set for after a vote being taken thereon, 3 in favor and 0 opposed, 1 absent.

ADOPTED this 21st day of August, 2024, by the City Council of the City of New Town.

A RESOLUTION TO ANNEX TERRITORY INTO THE CITY OF NEW TOWN

WHEREAS, the New Town City Council desired to encourage natural and well-ordered development of the City of New Town; and

WHEREAS, to do so requires the City to extend municipal government to areas which form a part of the whole community; outside of the existing boundaries of the City of New Town; and

WHEREAS, the City council did schedule a public hearing on September 18, 2024 at 5:00 p.m. at the New Town Civic Center, and at such public hearing there were no written or oral objections from interested persons, after said Public Notice was published in the official newspaper of the city.

WHEREAS, the City of New Town did provide notice to the owners of each parcel of real property to be annexed.

NOW THEREFORE, BE IT RESOLVED by the City Council of New Town, North Dakota that the following real property be hereby annexed into the City of New Town, pursuant to Chapter 40-51.2-07 of the North Dakota Century Code:

MOUNTRAIL COUNTY, NORTH DAKOTA

TOWNSHIP 152 N., RANGE 92 W.

Section 20: Outlot 4 of the NW1/4

Section 20: Outlot 6 of the NW1/4

Dated this 18 day of September, 2024

APPROVED:



Jay Standish - Mayor

ATTEST:



Eileen Zaun - City Auditor

A motion for the adoption of the foregoing resolution was made on second reading on the 18th day of September 2024, at a regularly scheduled meeting of the New Town City Council by Council Member – Jesse Baker, and seconded by Council Member – Frank Sillitti and was approved after a vote being taken thereon, 4 in favor and 0 opposed.

A RESOLUTION TO ANNEX TERRITORY INTO THE CITY OF NEW TOWN

WHEREAS, the New Town City Council desires to encourage natural and well-ordered development of the City of New Town; and

WHEREAS, to do so requires the City to extend municipal government to areas which form a part of the whole community; outside of the existing boundaries of the City of New Town; and

WHEREAS, the City council did schedule and hold a public hearing to consider any written or oral objections from interested persons, and did publish notice of the same in the official newspaper of the city. No opposition was received to the annexation.

WHEREAS, the City of New Town is the owner of each parcel of real property to be annexed.

NOW THEREFORE, BE IT RESOLVED by the City Council of New Town, North Dakota that the following real property be hereby annexed into the City of New Town, pursuant to Chapter 40-51.2-07 of the North Dakota Century Code:

MOUNTRAIL COUNTY, NORTH DAKOTA

TOWNSHIP 152 N., RANGE 92 W.

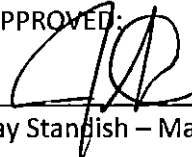
Section 18: NW1/4SE1/4; NE1/4SW1/4 less 2.50 acre tract; 5 acre tract in Gov't Lot 3; West 5.62 acres of the NE1/4SE1/4, less .21 acre tract and Right of way.

Section 18: Outlot 1 of Olson's 2nd Addition of the SW1/4NE1/4.

Section 19: Outlot 1 of the NE1/4NE1/4 (4.81 acres).

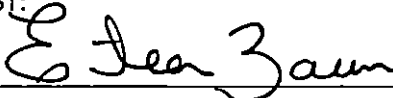
Dated this 18 day of December, 2024

APPROVED:



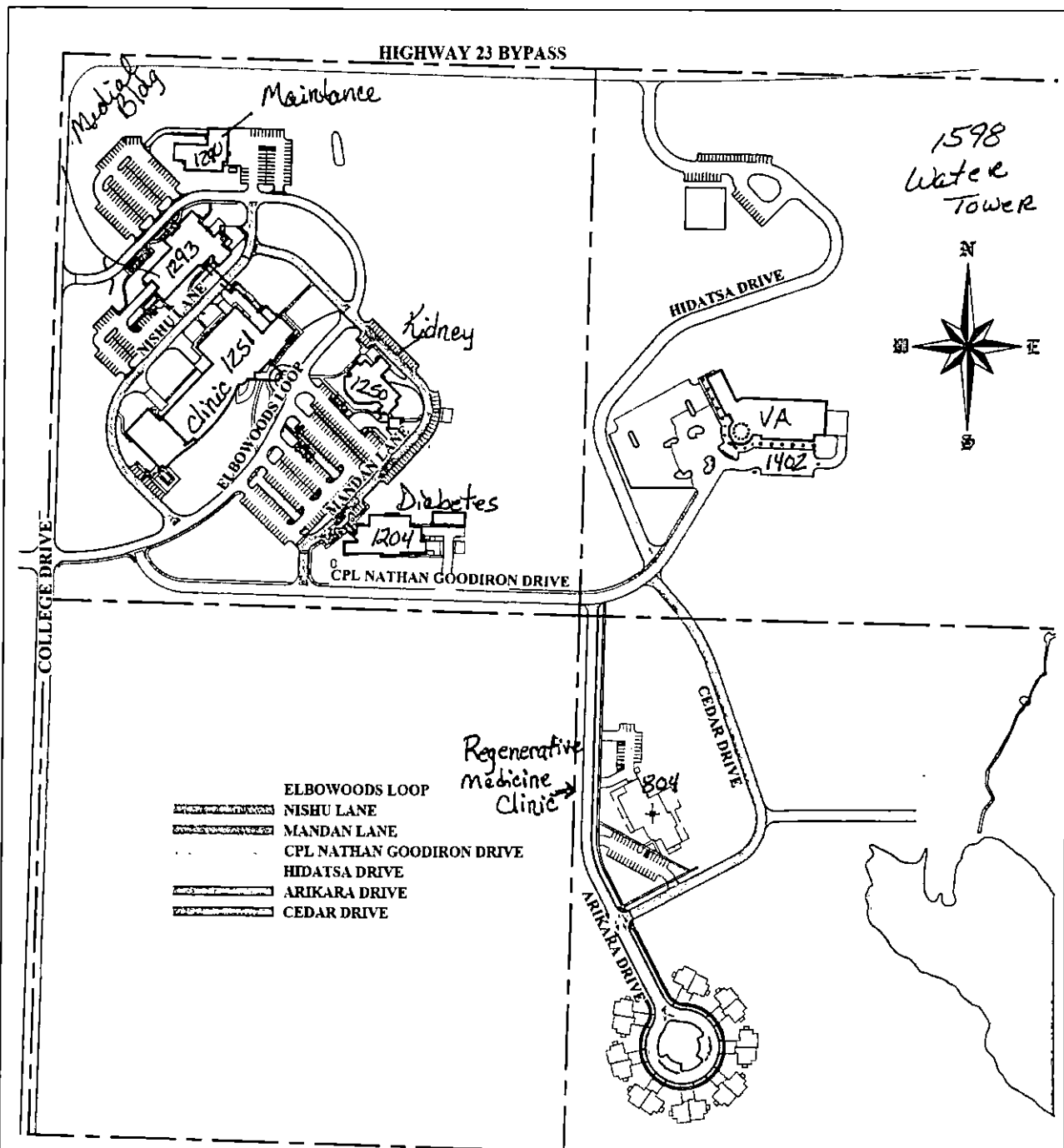
Jay Standish – Mayor

ATTEST:

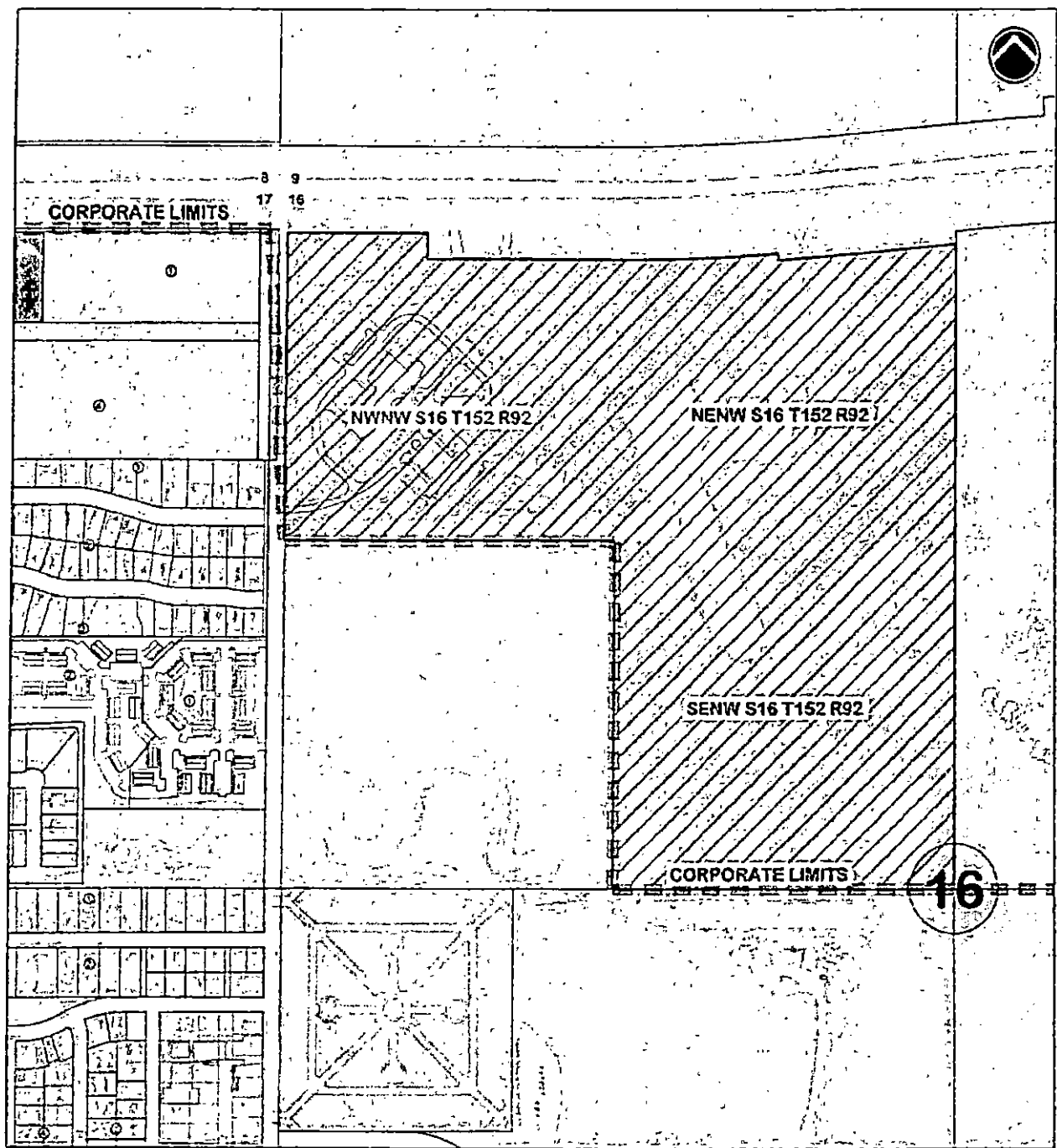


Eileen Zaun - City Auditor

A motion for the adoption of the foregoing resolution was made on first reading on the 20th day of November, 2024, at a special meeting of the New Town City Council by Council; and upon second reading on the 18th day of December, 2024; with Member – Doug Bratvold, making said motion, and seconded by Council Member – Frank Silletti and was approved after a vote being taken thereon, 3 in favor and none opposed, and one absent.



Elbowoods Clinic - 1251 Elbowood Loop
 Kidney Dialysis - 1250 Elbowoods Loop
 Diabetes - 1204 mandan lane
 Medical Building (Community Health Resource Center) 1293 Elbowoods Loop
 (was the PHN)
 Veteran's Bldg - 1402 Cpl. Nathan GoodIron Drive
 Water Tower - 1598 Cpl. Nathan Good Iron Drive
 Regenerative medicine Clinic - 804 Arikara Drive



ANNEXATION AREA



CITY OF NEW TOWN, ND
ANNEXATION EXHIBIT
ELBOWOODS MEDICAL CAMPUS

Parcel 460017001

Hyperlinks

[Farm Soils Report](#)

[ND Property Tax](#)

Details

Parcel Number:
460017001

Ac. Age:
5.69

Owner:
UNITED AGRONOMY LLC

Owner Address:
PO BOX 188 BERTHOLD ND 58718

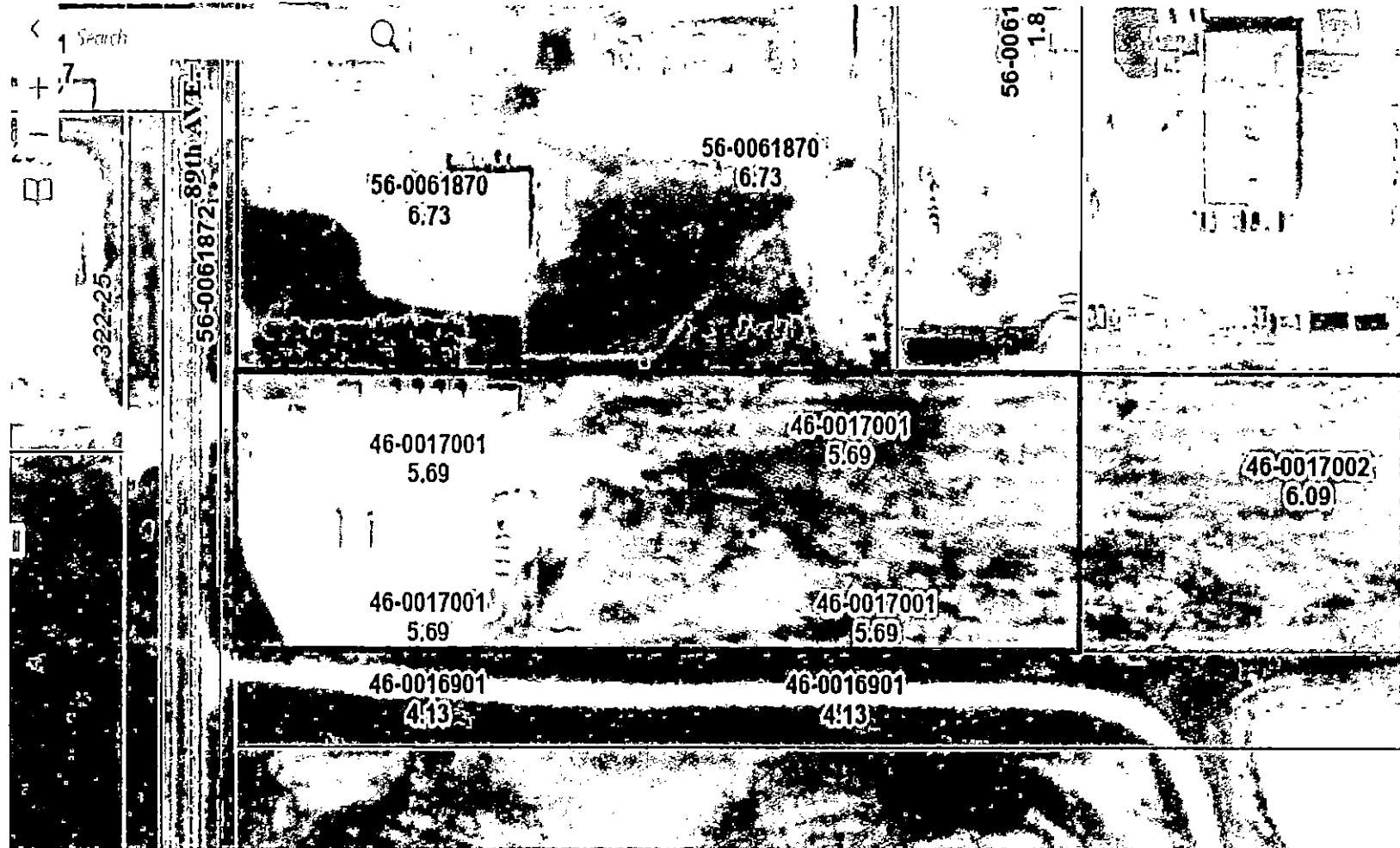
Legal Description:
OUTLOT 4 OF NW

Sec. Twp. Rng:
20 152 092

Township:
OSBORNE TWP

Plot:
N/A

Form:





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56-0042400

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07

4th ST S

4th ST S

01

56-0061870
6.73

56-0061870
6.73

56-0061871
1.13

56-0061872

83rd AVE NW
56-0061872

46-0017001
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46-0017001
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46-0017001
5.69

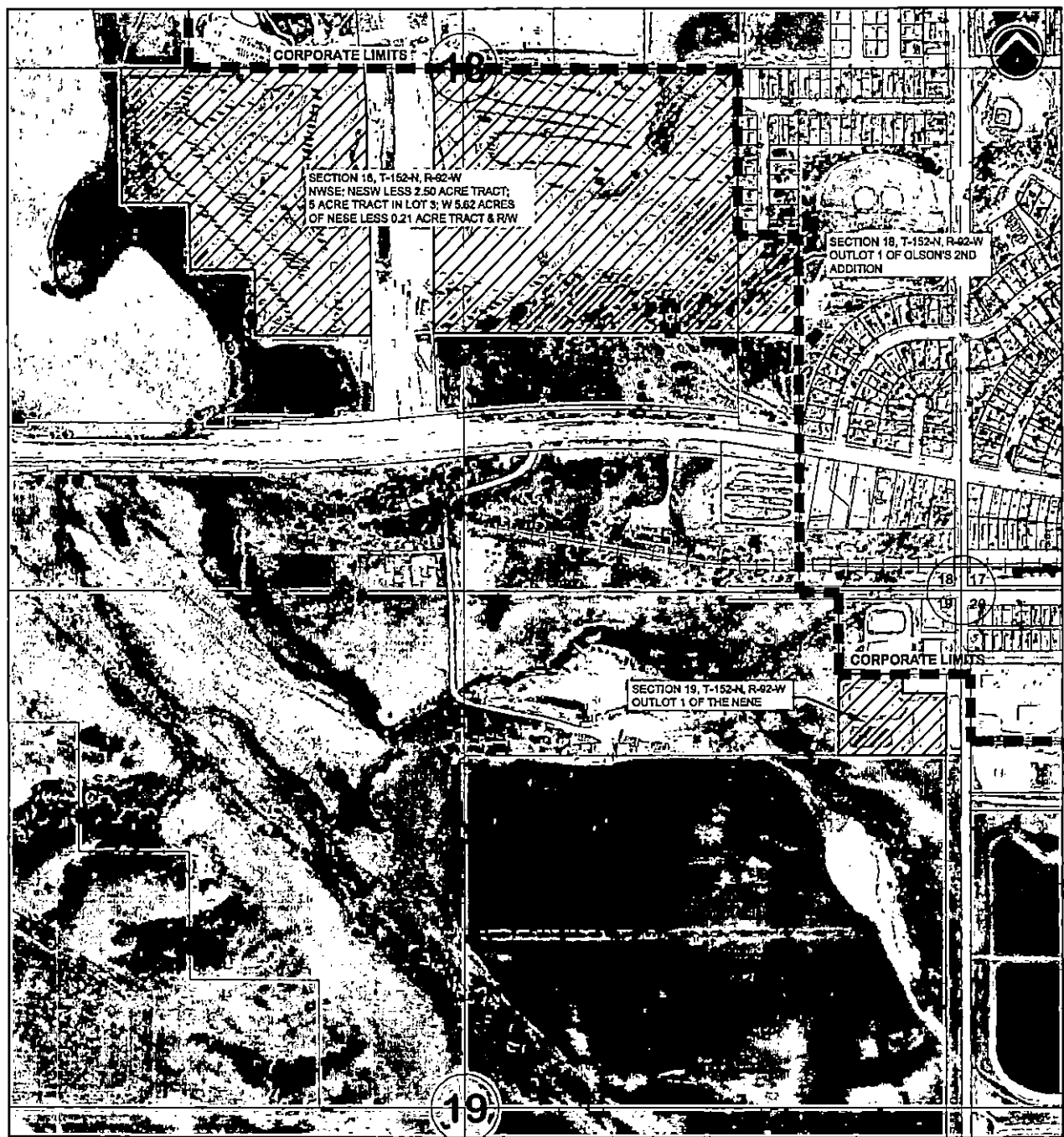
46-0017001
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46-0017002
6.09

46-0017002
6.09

46-0016901
4.13

46-0016901
4.13



LEGAL DESCRIPTION:

SECTION 18, T-152-N, R-92-W
 NWSE; NESW LESS 2.50 ACRE TRACT;
 5 ACRE TRACT IN LOT 3; W 5.62 ACRES
 OF NESE LESS 0.21 ACRE TRACT & R/W

SECTION 18, T-152-N, R-92-W
 OUTLOT 1 OF OLSON'S 2ND ADDITION
 OF THE SWNE

SECTION 19, T-152-N, R-92-W
 OUTLOT 1 OF THE NENE

ANNEXATION AREA 

9151 Hwy 23B



CITY OF NEW TOWN, ND
 ANNEXATION EXHIBIT
 EDGEWATER GOLF CLUB