

**RESOLUTION NO. 2024-03**

**A RESOLUTION FOR ANNEXATION OF PROPERTY FOR ADDITION TO THE CITY OF LINCOLN.**

WHEREAS, the City of Lincoln seeks to annex real property situated contiguous and adjacent to the boundaries of the City of Lincoln with the following legal description (the “Annexation Property”):

All that part of Section 17, Township 138 North, Range 79 West of the Fifth Principal Meridian, Burleigh County, North Dakota not previously annexed to the City of Lincoln. See Attached Exhibit ‘A’.

The total area of annexation is 514.5 acres, more or less, and is subject to easements, reservations, restrictions, and rights of way of record, if any.

WHEREAS, the City of Lincoln’s governing body had determined the Annexation Property is an essential area for the future planned use and development of the City of Lincoln, and where developed, is already part of the community of the City of Lincoln, and would be best served through annexation and extension of government services and facilities to the area.

WHEREAS, the Annexation Property is connected to the City of Lincoln based on its close proximity as commercial and industrial zoned property providing services to City of Lincoln residents and businesses, and future land use planned as a developing residential area connected to the City of Lincoln.

WHEREAS, the City of Lincoln and the residents of the Annexation Property would both receive economic benefits through annexation of the property.

WHEREAS, the Annexation Property is located within the extraterritorial zoning jurisdiction of the City of Lincoln.

WHEREAS, annexation of the Annexation Property serves the interest of encouraging a natural and well-ordered development of the City of Lincoln, incorporates the property into the whole community of the City of Lincoln, and recognizes the interdependence between the property and the community at large.

WHEREAS, the annexation of the Annexation Property serves the City of Lincoln’s duty to protect the public health, safety, and welfare of the community, and would be in the best interest of the area and the community to move forward with annexation.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, North Dakota, pursuant to Chapter 40-51.2, North Dakota Century Code, that the City hereby moves for annexation or exclusion of the above described Annexation Property.

A meeting to hear and determine any written protests related to the annexation shall be held at the City of Lincoln City Hall located at 74 Santee Rd., Lincoln, North Dakota 58504 at 6:00 p.m. on August 8, 2024.

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Burleigh County



A copy of this resolution shall be published in the Bismarck Tribune for two consecutive weeks (Week of June 24, 2024 and week of July 1, 2024), and will include a notice of the time and place where the City of Lincoln's governing body will meet to hear and determine the sufficiency of any written protests against the proposed annexation.


The City will send by certified mail a copy of this resolution within seven days of its adoption to the owner of each parcel of real property within the area to be annexed at the person's last-known mailing address.

The City of Lincoln will send by certified mail at least fifteen days prior to the meeting to the owners of the above described property a notice of this resolution and notice of the time and place of the meeting to consider any written protests, and that a notice of protest must be provided in writing.

Any written protests to this annexation resolution may be submitted to the City Auditor, City of Lincoln, by mail or physical delivery to 74 Santee Rd., Lincoln, North Dakota 58504 within thirty days of the date of the first publication of the resolution.

The City of Lincoln shall also send by certified mail at least seven days before the date of the meeting a copy of the notice of the time and place of the hearing to the governing body of each city, county, or township directly affected by the land area proposed to be annexed.

CITY OF LINCOLN

  
\_\_\_\_\_  
Mayor, City of Lincoln  
Keli Berglund

ATTEST:

  
\_\_\_\_\_  
City Auditor  
Tonya Wilson

(SEAL)



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The governing body of the City of Lincoln, North Dakota acted on the foregoing resolution on June 20, 2024 as follows:

Adoption moved by  Ryan Glass , Seconded by  Carrie Praska

Roll Call Vote (List Last Names)

“Aye”  Glass, Praska, and Leingang

“Nay”  Davis

Absent \_\_\_\_\_  
and after the vote the presiding officer declared the resolution adopted.

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Burleigh County



# Exhibit 'A'

All that part of Section 17, Township 138 North, Range 79 West of the Fifth Principal Meridian, Burleigh County, North Dakota as described below:

Section 17 W1/2E1/2 T138 R79

Section 17 N1/2NW1/4 LESS R/W AND LESS 23.63AC - 66TH ST IND PARK T138 R79

Section 17 PT W1/2 - A STRIP 75' WIDE LYING E OF & ADJ TO W LINE LESS 33' & R/W T138 R79

Section 17 AUDITOR'S LOT 6 OF SW1/4 T138 R79

Section 17 AUDITOR'S LOT 11 IN SW1/4 T138 R79

Section 17 LOT 3 OF SE1/4SW1/4 T138 R79

Section 17 AUDITOR'S LOT 9 IN SW1/4 T138 R79

Section 17 AUDITOR'S LOT 8 IN SW1/4 T138 R79

Section 17 PT SW1/4 ALL THAT PART OF THE E820' OF THE S2124.88' T138 R79

Section 17 E1/2E1/2 LESS THE S700' OF THE E700' T138 R79

Section 17 PT OF SE1/4 BEG AT SE COR OF SAID SEC 17 TH N89°37'13"W AL S LINE 700'; TH N00°48'48"E AL LINE PARALLEL WITH E 1/4 LINE 700'; TH S89°37'3"E AL LINE PARALLEL TO S LINE; TH S00°48'48"W 700' TO POB T138 R79

66TH ST INDUSTRIAL PARK Block 01 LOT 1-4 less lot 3A of Lot 3 & BLOCK 02 LOTS 1-2

MAUCH SUBDIVISION Block 01 LOT 2 - 8

RUSCH ADDITION BLOCK 1 LOT 1, 3-10; BLOCK 2 LOTS 1-2; BLOCK 3 LOTS 1-18; BLOCK 4 LOTS 2- 25

RUSCH GABBERT AND RUSCH ADDITION BLOCK 3 LOTS 20-28, 30-40

SOUTHEAST INDUSTRIAL PARK Block 01 LOT 1 - 4 & BLOCK 2 LOTS 1-6

VETTER FIRST Block 01 LOT 1

VETTER FIRST Block 01 LOT 2 THE N100' OF THE S556.7' OF THE W466.7'

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*City of  
Lincoln, ND  
Burleigh  
County*