

ORDINANCE NO. 1423

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

EVERGREEN HEIGHTS 4TH ADDITION IN THE SOUTHWEST QUARTER 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, MORTON COUNTY, NORTH DAKOTA.

SAID TRACT OF LAND CONTAINING 5.65 ACRES, MORE OR LESS.

SECTION 2. AMENDMENT. SECTION 105-2-2 OF THE MANDAN CODE OF ORDINANCES IS AMENDED AS FOLLOWS:

LOT 1, BLOCK 1, EVERGREEN HEIGHTS 4TH ADDITION, CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA, SHALL BE CHANGED FROM AG (AGRICULTURAL) TO R7 (RESIDENTIAL).

LOT 1, BLOCK 2, EVERGREEN HEIGHTS 4TH ADDITION, CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA, SHALL BE CHANGED FROM AG (AGRICULTURAL) TO CA (COMMERCIAL).

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.




Jim Neubauer, City Administrator



Tim Helbling, President, City Commission

Planning & Zoning public hearing
First Consideration
Second Consideration

February 27, 2023
March 21, 2023
April 4, 2023

COUNTY RECORDER, MORTON COUNTY, ND

518996

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

By *Nancy Seefeldt* March 22, 2024 1:05:41 PM

County Recorder

Morton County

Mandan ND 58554

518996

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EVERGREEN HEIGHTS FOURTH ADDITION

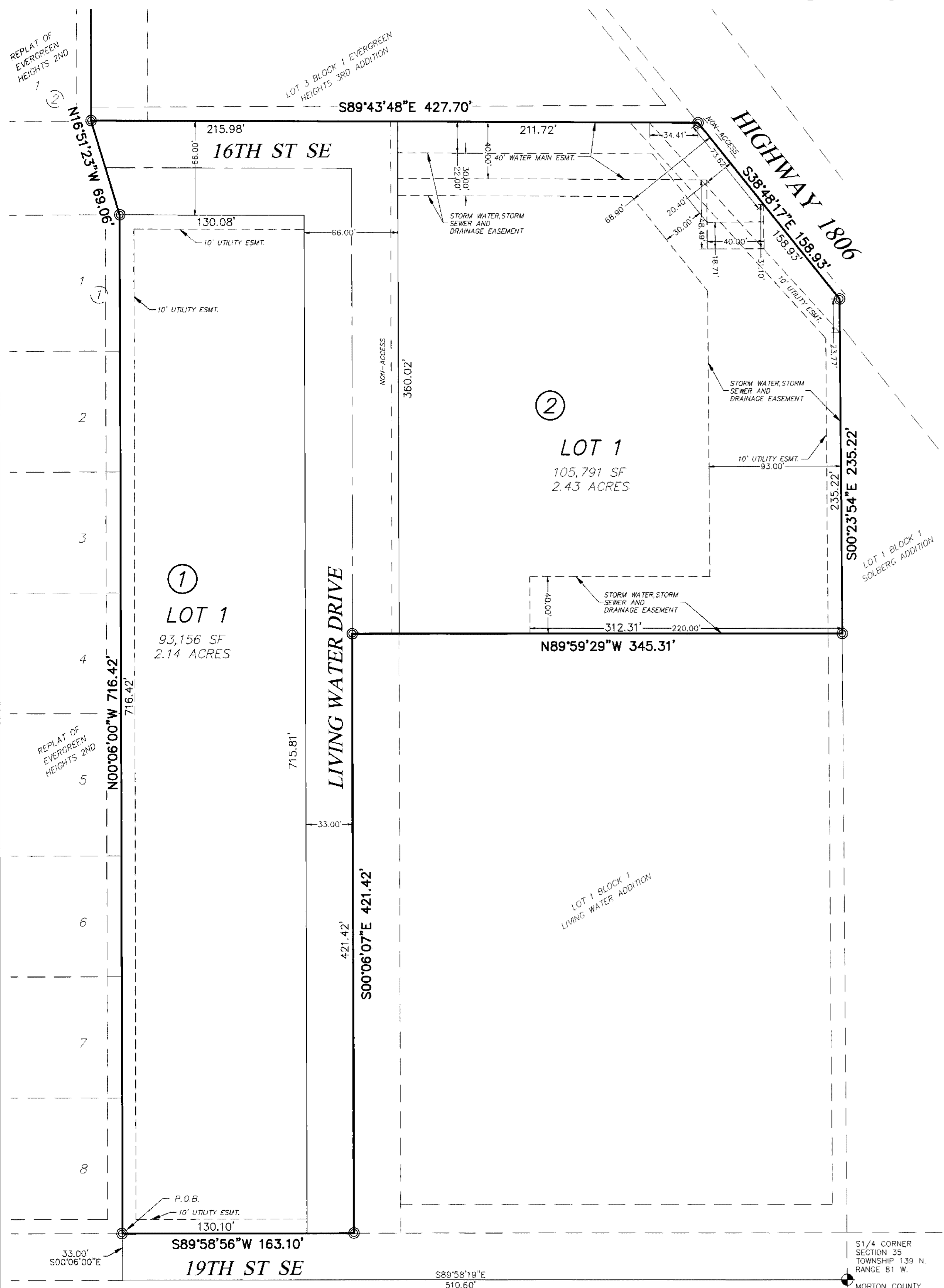
PART OF LOT 1 OF LOT B1 OF LOT B OF AUDITOR'S SUBDIVISION

IN THE

SOUTHWEST 1/4 SECTION 35, TOWNSHIP 139 NORTH, RANGE 81 WEST

CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA

COUNTY RECORDER, MORTON COUNTY, ND
I certify that this instrument was filed and recorded.
Nancy Seefeld, County Recorder Fee \$20.00
518636
Recorded Electronically
2/21/2024 12:55:43 PM
Morton County
FESER ENGINEERING, PC
1217 N 1ST ST
BISMARCK, ND 58501-7467
County Recorder
Mandan ND 58554
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DESCRIPTION

A TRACT OF LAND BEING PART OF LOT 1 OF LOT B1 OF LOT B OF AUDITOR'S SUBDIVISION IN THE SOUTHWEST 1/4 SECTION 34, TOWNSHIP 139 NORTH, RANGE 81 WEST OF THE 5TH PRINCIPAL MERIDIAN, MORTON COUNTY, NORTH DAKOTA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LIVING WATER ADDITION AND SOUTHEAST CORNER OF LOT B BLOCK 1 OF REPLAT OF EVERGREEN HEIGHTS 2ND ADDITION ON THE NORTH RIGHT OF WAY LINE OF 19TH STREET SOUTHEAST; THENCE NORTH 00 DEGREES 06 MINUTES 00 SECONDS WEST ALONG THE EAST LINE OF REPLAT OF EVERGREEN HEIGHTS 2ND ADDITION A DISTANCE OF 716.42 FEET TO THE NORTHEAST CORNER OF LOT 1 BLOCK 1 OF REPLAT OF EVERGREEN HEIGHTS 2ND ADDITION; THENCE NORTH 16 DEGREES 51 MINUTES 23 SECONDS WEST ALONG THE EAST LINE OF REPLAT OF EVERGREEN HEIGHTS 2ND ADDITION A DISTANCE OF 89.06 FEET TO THE SOUTHEAST CORNER OF LOT 1 BLOCK 2 EVERGREEN HEIGHTS 2ND ADDITION ALSO BEING THE SOUTHWEST CORNER OF LOT 3 BLOCK 1 EVERGREEN HEIGHTS 3RD ADDITION; THENCE SOUTH 89 DEGREES 43 MINUTES 48 SECONDS EAST ALONG SOUTH LINE OF SAID LOT 3 BLOCK 1 EVERGREEN HEIGHTS 3RD ADDITION A DISTANCE OF 427.70 FEET TO THE SOUTHEAST CORNER OF SAID LOT 3 BLOCK 1 EVERGREEN HEIGHTS 3RD ADDITION AND THE WEST RIGHT OF WAY LINE OF NORTH DAKOTA STATE HIGHWAY 1806; THENCE SOUTH 38 DEGREES 48 MINUTES 17 SECONDS EAST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 158.93 FEET; THENCE SOUTH 00 DEGREES 23 MINUTES 54 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 1 OF LOT B1 OF LOT B OF AUDITOR'S SUBDIVISION ALSO BEING THE WEST LINE OF LOT 1 BLOCK 1 LIVING WATER ADDITION; THENCE NORTH 89 DEGREES 59 MINUTES 29 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 1 OF LOT B1 OF LOT B OF AUDITOR'S SUBDIVISION ALSO BEING THE NORTH LINE OF LOT 1 BLOCK 1 LIVING WATER ADDITION A DISTANCE OF 345.31 FEET; THENCE SOUTH 00 DEGREES 06 MINUTES 07 SECONDS EAST ALONG EAST LINE OF SAID LOT 1 OF LOT B1 OF LOT B OF AUDITOR'S SUBDIVISION ALSO BEING THE WEST LINE OF LIVING WATER ADDITION A DISTANCE OF 421.42 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 1 OF LOT B1 OF LOT B OF AUDITOR'S SUBDIVISION AND THE NORTH RIGHT OF WAY LINE OF 19TH STREET SOUTHEAST; THENCE SOUTH 89 DEGREES 58 MINUTES 46 SECONDS WEST ALONG SOUTH LINE OF SAID LOT 1 OF LOT B1 OF LOT B OF AUDITOR'S SUBDIVISION ALSO BEING THE NORTH RIGHT OF WAY LINE OF 19TH STREET SOUTHEAST A DISTANCE OF 163.10 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINING 5.65 ACRES, MORE OR LESS, OR LESS.

SURVEYOR'S CERTIFICATE

I, LARRY J. SMITH, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THE PLAT IS A TRUE COPY OF A SURVEY PERFORMED UNDER MY SUPERVISION AND COMPLETED ON APRIL 27, 2023, 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.



SES GEOMATICS
2321 HARDING AVENUE
BISMARCK, NORTH DAKOTA
58501
LARRY J. SMITH
PROFESSIONAL LAND SURVEYOR
N.D. REGISTRATION NO. 2363

OWNER'S CERTIFICATE & DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT VALAN RENNER AND MARY RENNER, BEING THE OWNERS AND PROPRIETORS OF THE PROPERTY SHOWN HEREON HAS CAUSED THAT PORTION DESCRIBED HEREON TO BE SURVEYED AND PLATTED AS "EVERGREEN HEIGHTS FOURTH 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 DESIGNATED HEREON AS STORM WATER AND DRAINAGE EASEMENTS FOR THE PURPOSE OF CONSTRUCTION, MAINTENANCE AND REPAIR OF STORM WATER MANAGEMENT FACILITIES.

STATE OF NORTH DAKOTA)
COUNTY OF Morton)
Valan Renner)
MARY RENNER)
4655 HIGHWAY 6)
MANDAN, ND 58554)

ON THIS 16th DAY OF January, 2024 BEFORE ME PERSONALLY APPEARED VALAN RENNER AND MARY RENNER, KNOWN TO ME TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING CERTIFICATE AND THEY ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

GREGORY FESER
Notary Public
State of North Dakota
My Commission Expires April 12, 2026

Gregory Feser
Notary Public
Morton County, North Dakota
My Commission Expires April 12, 2026

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 16th DAY OF June, 2023, IN ACCORDANCE WITH THE 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 - Chairman
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 18th DAY OF July, 2023.

Jim Neubauber - City Administrator
Tim Helbling - Mayor

APPROVAL OF CITY ENGINEER

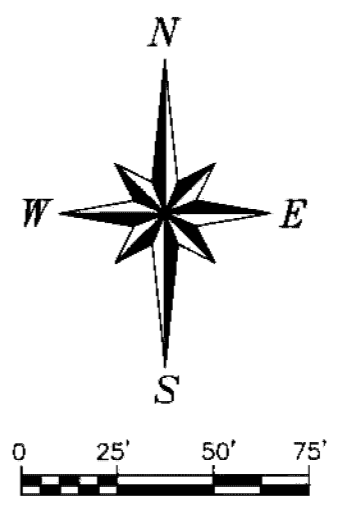
I, JAREK WIGNESS, CITY ENGINEER OF THE CITY OF MANDAN, NORTH DAKOTA, HEREBY APPROVE "EVERGREEN HEIGHTS FOURTH ADDITION", MANDAN, NORTH DAKOTA AS SHOWN ON THE ANNEXED PLAT.



JAREK WIGNESS
CITY ENGINEER

Auditor's Office, Morton Co., ND
Delinquent Taxes and Special Assessments
Instruments of Special Assessments,
Fees and Transfers
Dawn R. Rhone, County Auditor
By: Kelly Karsrud, Deputy
2/21/2024

Parcel ID: 41-0282500



SCALE: 1"=50'
JANUARY 15, 2024
MONUMENT IN PLACE

NOTES
BASIS OF BEARING:
NORTH DAKOTA STATE PLANE, SOUTH ZONE
COORDINATE DATUM:
NORTH DAKOTA STATE PLANE COORDINATE SYSTEM
NAD 83 SOUTH ZONE (3302)
ADJUSTMENT OF 2011
UNITS OF MEASURE ARE INTERNATIONAL FEET
BEARINGS AND DISTANCES MAY VARY FROM PREVIOUS PLATS DUE TO DIFFERENT METHODS OF MEASUREMENTS.



SES GEOMATICS
LARRY SMITH, PLS
2321 HARDING AVENUE
BISMARCK, ND 58501-2233

