

ORDINANCE NO. 2023-103

AN ORDINANCE ANNEXING PART OF THE SOUTHEAST QUARTER OF SECTION 20 AND A PART OF THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 137 NORTH, RANGE 50 WEST, CASS COUNTY, NORTH DAKOTA.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KINDRED, NORTH DAKOTA:

SECTION 1.

WHEREAS, Ordahl LLC, having duly petitioned the City Council of the City of Kindred, North Dakota, to annex to the City of Kindred, North Dakota, the real property described below; and

WHEREAS, said petition has been signed by owners of not less than 3/4 of the assessed value of said property; and

WHEREAS, the said property is contiguous or adjacent to the incorporated municipality of the City of Kindred, North Dakota and is not presently embraced within the limits thereof; and

WHEREAS, said petition was duly received by the City Auditor and filed with the City Council of the City of Kindred, North Dakota; and

WHEREAS, the petitioners, by publication in the *Cass County Reporter*, on the 15<sup>th</sup> day of November, 2023, gave due notice of the presentation of said petition to the City Council of the City of Kindred, North Dakota; and

WHEREAS, no protests or objections to said annexation have been made.

NOW THEREFORE, all of the following described real estate:

Part of the Southeast Quarter of Section 20 and a part of the Southwest Quarter of Section 21, Township 137 North, Range 50 West of the 5th Principal Meridian, Cass County, North Dakota more particularly described as follows:

Beginning at the southwest corner of the Southwest Quarter of said Section 21; thence North 87 degrees 10 minutes 01 second East on an assumed bearing along the south line of said Southwest Quarter a distance of 858.96 feet; thence North 01 degree 34 minutes 04 seconds West for a distance of 327.08 feet to the south line of that certain tract of land described in Document No. 1178202, on file and of record in the office of the Recorder, said Cass County; thence South 87 degrees 10 minutes 01 second West along the south line of said tract for a distance of 314.19 feet to the southwest corner of said tract; thence North 02 degrees 49 minutes 59 seconds West for a distance of 623.00 feet to the northwest corner of said tract; thence South 87 degrees 10 minutes 01 second West along a line

parallel with the south line of said Section 21 for a distance of 545.52 feet to the west line of said Section 21; thence continuing South 87 degrees 10 minutes 01 second West for a distance of 65.00 feet to the westerly right-of-way line of Cass County Highway 15; thence South 02 degrees 26 minutes 34 seconds East along the westerly right-of-way line of said Cass County Highway 15 for a distance of 950.09 feet to the south line of said Section 20; thence North 87 degrees 06 minutes 31 seconds East along the south line of said Section 20 for a distance of 65.00 feet to the point of beginning.


is hereby annexed to, made a part of, and included within the corporate limits of the City of Kindred, North Dakota.

SECTION 2.

This ordinance shall be in full force and effect from and after its second reading and final passage.

  
\_\_\_\_\_  
Mayor of the City of Kindred, North Dakota

ATTEST:

  
\_\_\_\_\_  
City Auditor

Date of First Reading:            December 6, 2023

Date of Second Reading  
and Final Passage:            February 7, 2024

PAGE: 4 of 4      ORDIN      1708480  
Ohnstad Twichell, P.C.      3/27/2024 11:35 AM  
Recorded Electronically      \$20.00

RECORDER'S OFFICE, CASS COUNTY, ND      3/27/2024 11:35 AM  
I CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD THIS DATE.  
DEBORAH A. MOELLER, COUNTY RECORDER

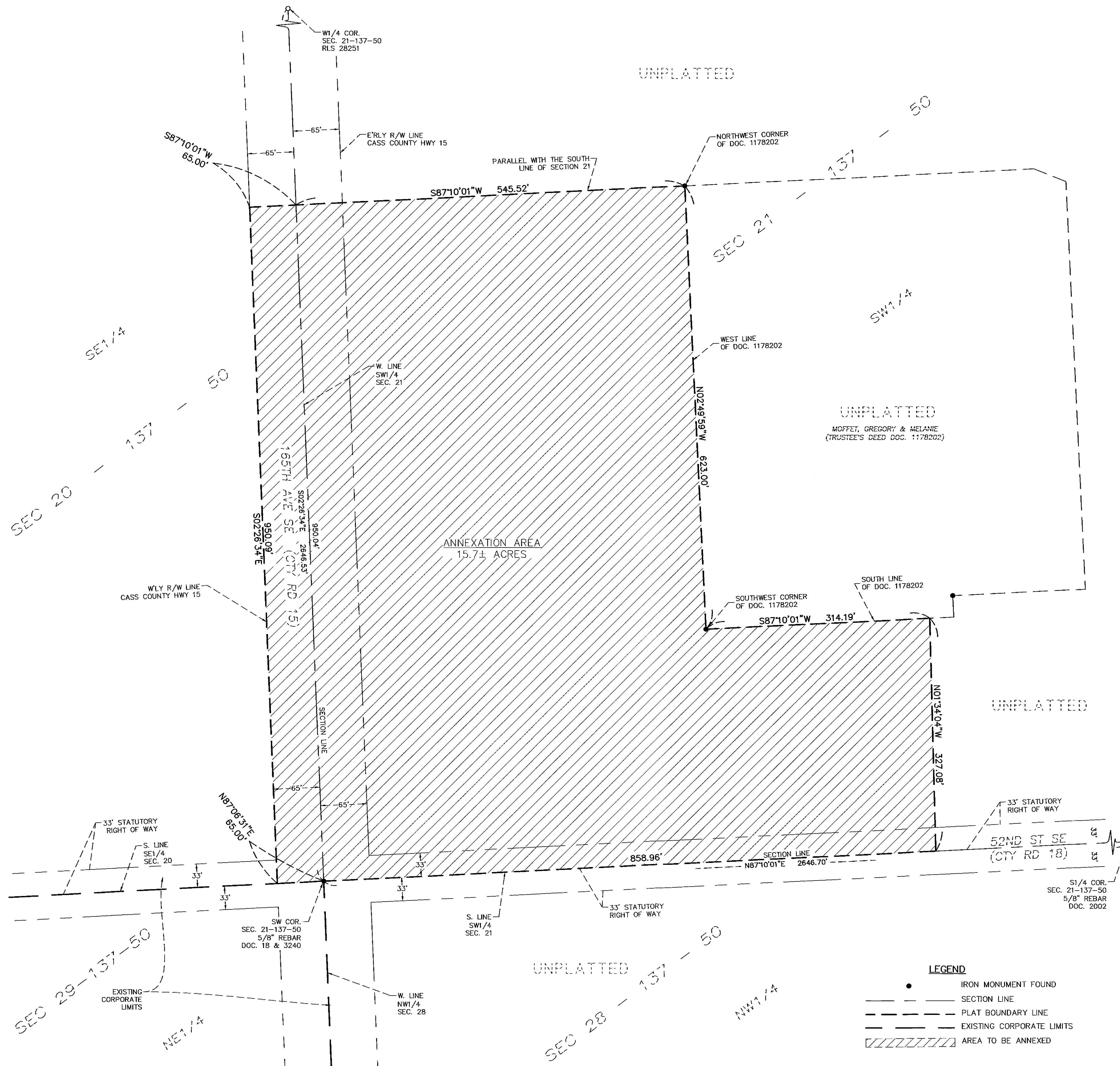
by Sheva Garcia, Dep      **1708480**  
Recorded Electronically



CITY OF KINDRED, NORTH DAKOTA

ANNEXATION PLAT

A OF PART OF THE SOUTHEAST QUARTER OF SECTION 20 AND A PART OF THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 137 NORTH, RANGE 50 WEST, CASS COUNTY, NORTH DAKOTA



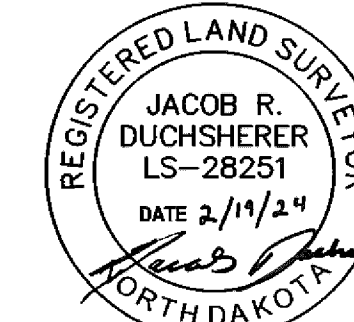
CERTIFICATE

Jacob R. Duchsherer, being duly sworn, deposes and says that he is the registered land surveyor who prepared and made the attached plat of a parcel of land Annexed to the City of Kindred on the 19<sup>th</sup> day of FEBRUARY, 2024. That the property represented in the plat is a part of the Southeast Quarter of Section 20 and a part of the Southwest Quarter of Section 21, Township 137 North, Range 50 West of the Fifth Principal Meridian, Cass County, North Dakota; that the exterior boundary lines of said parcel of land Annexed to the City of Kindred is described as follows, to wit:

Beginning at the southwest corner of the Southwest Quarter of said Section 21; thence North 87 degrees 10 minutes 01 second East on an assumed bearing along the south line of said Southwest Quarter a distance of 858.96 feet; thence North 01 degree 34 minutes 04 seconds West for a distance of 327.08 feet to the south line of that certain tract of land described in Document No. 1178202, on file and of record in the office of the Recorder, said Cass County; thence South 87 degrees 10 minutes 01 second West along the south line of said tract for a distance of 314.19 feet to the southwest corner of said tract; thence North 02 degrees 49 minutes 59 seconds West for a distance of 623.00 feet to the northwest corner of said tract; thence South 87 degrees 10 minutes 01 second West along a line parallel with the south line of said Section 21 for a distance of 545.52 feet to the west line of said Section 21; thence continuing South 87 degrees 10 minutes 01 second West along a line parallel with the south line of said Section 21 for a distance of 950.09 feet to the south line of said Section 20; thence North 87 degrees 10 minutes 01 second East along the westerly right-of-way line of said Cass County Highway 15 for a distance of 950.09 feet to the south line of said Section 20; thence North 87 degrees 06 minutes 31 seconds East along the south line of said Section 20 for a distance of 65.00 feet to the point of beginning.

Said tract contains 15.7 acres, more or less, and is subject to all easements, restrictions, reservations and rights of way of record, if any.

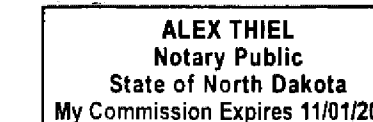
*Jacob R. Duchsherer*  
Jacob R. Duchsherer  
Registered Land Surveyor  
REG. NO. LS-28251



State of North Dakota)  
County of Cass )

On this 19<sup>th</sup> day of February, 2024, before me, a Notary Public in and for said County and State, personally appeared Jacob R. Duchsherer, Registered Land Surveyor, known to me to be the person described in and who executed the foregoing instrument and acknowledged to me that he executed the same as his free act and deed.

*Alex Thiel*  
Notary Public, Cass County, North Dakota



CERTIFICATE BY EXECUTIVE OFFICE OF CITY

I, Darrell Kersting, do hereby certify that I am now, and at all times during the Annexation of the property described have been Mayor of the City of Kindred, County of Cass, State of North Dakota, and I further certify that on the 7<sup>th</sup> day of February, 2024, the City Council of the City of Kindred, County of Cass, State of North Dakota, did Annex the property described in the Certificate shown on the Annexation plat by Jacob R. Duchsherer, Registered Land Surveyor, and that the description, distances and limits shown on said plat are correct; and that said plat shows the corporate limits of the City of Kindred, the Annexed property and the change made therein by said Annexation.

This plat in the City of Kindred is hereby approved this 7<sup>th</sup> day of February, 2024.

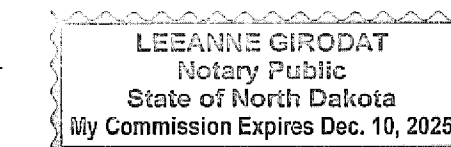
*Darrell Kersting*  
Darrell Kersting, Mayor

Attest: *Tabitha Arnaud*  
Tabitha Arnaud, City Auditor

State of North Dakota)  
County of Cass )

On this 20<sup>th</sup> day of February, 2024, before me, a Notary Public in and for said County and State, personally appeared Darrell Kersting, Mayor, and Tabitha Arnaud, City Auditor, known to me to be the persons described in and who executed the foregoing instrument and acknowledged to me that they executed the same in the name of the City of Kindred.

*Leeanne Girodat*  
Notary Public, Cass County, North Dakota



CITY ENGINEER'S APPROVAL

This plat in the City of Kindred is hereby approved this 19<sup>th</sup> day of FEBRUARY, 2024.

*Brandon Oye*  
Brandon Oye, City Engineer



State of North Dakota)  
County of Cass )

On this 19<sup>th</sup> day of February, 2024, before me, a Notary Public in and for said County and State, personally appeared Brandon Oye, City Engineer, known to me to be the person described in and who executed the foregoing instrument and acknowledged to me that he executed the same as the City Engineer.

*Matthew Prochniak*  
Notary Public, Cass County, North Dakota



KINDRED CITY COUNCIL APPROVAL

This plat in the City of Kindred is hereby approved this 7<sup>th</sup> day of February, 2024.

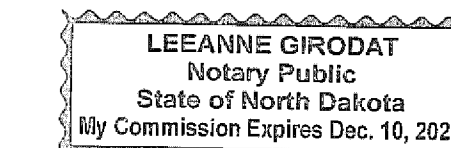
*Darrell Kersting*  
Darrell Kersting, Mayor

*Tabitha Arnaud*  
Tabitha Arnaud, City Auditor

State of North Dakota)  
County of Cass )

On this 20<sup>th</sup> day of February, 2024, before me, a Notary Public in and for said County and State, personally appeared Darrell Kersting, Mayor, and Tabitha Arnaud, City Auditor, known to me to be the persons described in and who executed the foregoing instrument and acknowledged to me that they executed the same in the name of the City of Kindred.

*Leeanne Girodat*  
Notary Public, Cass County, North Dakota



S1/4 COR.  
SEC. 21-137-50  
5/8" REBAR  
DOC. 2002



Scale in Feet

BASIS OF BEARINGS:  
THE SOUTH LINE OF THE  
SW 1/4 OF SECTION 21, T137N,  
R50W HAS AN ASSUMED  
BEARING OF N87°10'01"E

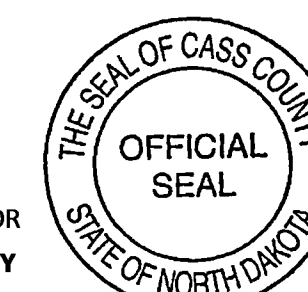
LEGEND

- IRON MONUMENT FOUND
- SECTION LINE
- - - PLAT BOUNDARY LINE
- - - EXISTING CORPORATE LIMITS
- ▨ AREA TO BE ANNEXED

PAGE: 1 of 1 ANEXP 1708481  
Olnstad Twichell, P.C. 3/27/2024 11:35 AM  
Recorded Electronically \$20.00

RECORDER'S OFFICE, CASS COUNTY, ND  
I CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD THIS DATE:  
DEBORAH A. MOELLER, COUNTY RECORDER  
by *Sheva Garcia*, Dep 1708481  
Recorded Electronically

FINANCE OFFICE  
COUNTY OF CASS, NORTH DAKOTA  
3/27/2024  
TRANSFER ENTERED  
*B. Habinger*, FINANCE DIRECTOR  
DAJ DEPUTY



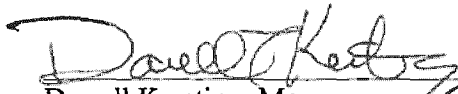

PROJ. NO. 23416  
**moore**  
engineering, inc.

CERTIFICATE

STATE OF NORTH DAKOTA    )  
  ) ss.  
COUNTY OF CASS            )

I, Darrell Kersting, the duly elected, qualified and acting Mayor of the City of Kindred, North Dakota, and I, Tabitha Arnaud, the duly appointed, qualified and acting City Auditor of the City of Kindred, North Dakota, do hereby certify that attached hereto is a true and correct copy of an ordinance adopted by the City Council of the City of Kindred, North Dakota, the same having its first reading on December 6, 2023, its second reading on February 7, 2024, and being in full force and effect from and after the date of its second reading,

IN WITNESS WHEREOF, we have hereunto set our hands this 20<sup>th</sup> day of February 2024.

  
Darrell Kersting, Mayor  
  
Tabitha Arnaud, City Auditor

STATE OF NORTH DAKOTA    )  
  ) ss.  
COUNTY OF CASS            )

On this 20 day of February, 2024, before me, a Notary Public, in and for Cass County, in the State of North Dakota, personally appeared Darrell Kersting and Tabitha Arnaud, known to me to be the Mayor and the City Auditor, respectively, of the City of Kindred, North Dakota, a municipal corporation under the laws of the State of North Dakota, and acknowledged to me that they executed the foregoing instrument.

  
Notary Public, Cass County, ND

(SEAL)

