

State of North Dakota  
County of Towner  
Recorded: 5/10/2022 at 9:15 AM

ORDINANCE NO. 2022-01

ORDINANCE EXTENDING AND INCREASING CORPORATE LIMITS OF CITY

Since a Petition in writing has been presented to the City Council of the City of Cando signed by the Owners of certain real and personal property requesting annexation of their property to the City of Cando.

The City Council of the City of Cando does ordain as follows:

Section 1. The City Council hereby determines that the Petition was signed by the Owners of not less than three-fourths of the qualified electors and/or owners of not less than three-fourths in assessed value of the said property described as follows:

That part of the Southeast Quarter of Section 19, Township 158 North, Range 66 West of the Fifth Principal Meridian, Towner County, North Dakota, described as follows:

Beginning at the southeast corner of BELZER'S SECOND ADDITION, according to the recorded plat thereof on file and of record in the office of the Recorder, said County; thence South 89 degrees 00 minutes 52 seconds West on an assumed bearing along the south line of said BELZER'S SECOND ADDITION for a distance of 750.00 feet to the southwest corner of said BELZER'S SECOND ADDITION; thence South 00 degrees 49 minutes 31 seconds East along the southerly extension of the west line of said BELZER'S SECOND ADDITION for a distance of 879.71 feet; thence South 53 degrees 08 minutes 40 seconds East for a distance of 502.86 feet to the west line of FAIRVIEW ADDITION, according to the recorded plat thereof on file and of record in the office of said Recorder; thence North 00 degrees 48 minutes 49 seconds West along said west line for a distance of 100.85 feet to the northwest corner of said FAIRVIEW ADDITION; thence North 89 degrees 17 minutes 33 seconds East along the north line of said FAIRVIEW ADDITION and the easterly extension thereof for a distance of 385.00 feet to the east line of the southeast quarter of said Section 19; thence North 00 degrees 49 minutes 31 seconds West along said east line for a distance of 1089.23 feet to its intersection with the easterly extension of the south line of said BELZER'S SECOND ADDITION; thence South 89 degrees 00 minutes 52 seconds West along said easterly extension for a distance of 33.00 feet to the point of beginning.

Said tract contains 19.07 acres, more or less.

and that such territory is contiguous to the City of Cando and not embraced within the city limits, and is within the area described in the Petition, and that therefore the City Council of the City of Cando has jurisdiction to annex the above described territory to the City of Cando.

Section 2. The corporate limits of the City of Cando are hereby extended and increased so as to include and embrace within the corporate limits of the City of Cando the territory described in Section 1 hereof, and such territory is hereby annexed as Belzer's Third Addition and declared to be a part of the City of Cando.

Section 3. The map or plat attached to this ordinance is an accurate map of the territory annexed, and the same is hereby adopted as the official map and plat of the territory hereby annexed, which map and plat show the legal boundaries thereof, together with the avenues, streets, alleys and lanes and the locations thereof, and the same are hereby dedicated to public use for the purposes designated on the map or plat.

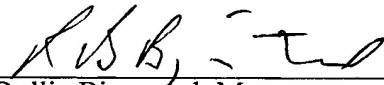
Section 4. The Mayor of the City of Cando is hereby authorized and directed to certify that the map is an accurate map of the territory annexed under the provisions of this ordinance.

Section 5. This ordinance, with a certified copy of the official map attached hereto, shall be recorded in the Office of the Recorder for the County of Towner, State of North Dakota.

Section 6. If any provision of this ordinance shall be held invalid, its invalidity shall not affect any other provisions of this ordinance and are hereby declared to be severable.

Ordinance No. 2022-01  
First Reading 4/5/22  
Second Reading 4/19/22  
Passage 4/19/22

APPROVED:

  
\_\_\_\_\_  
Rollie Bjornstad, Mayor

ATTEST:

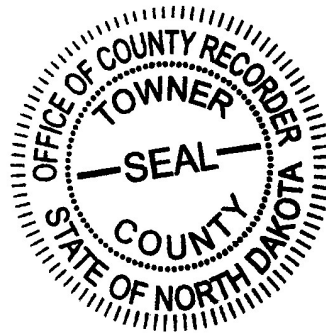
  
\_\_\_\_\_  
Amanda Hoover, City Auditor

OFFICE OF COUNTY RECORDER  
State of North Dakota  
County of Towner

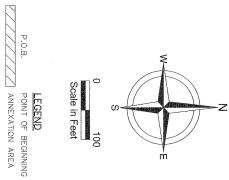
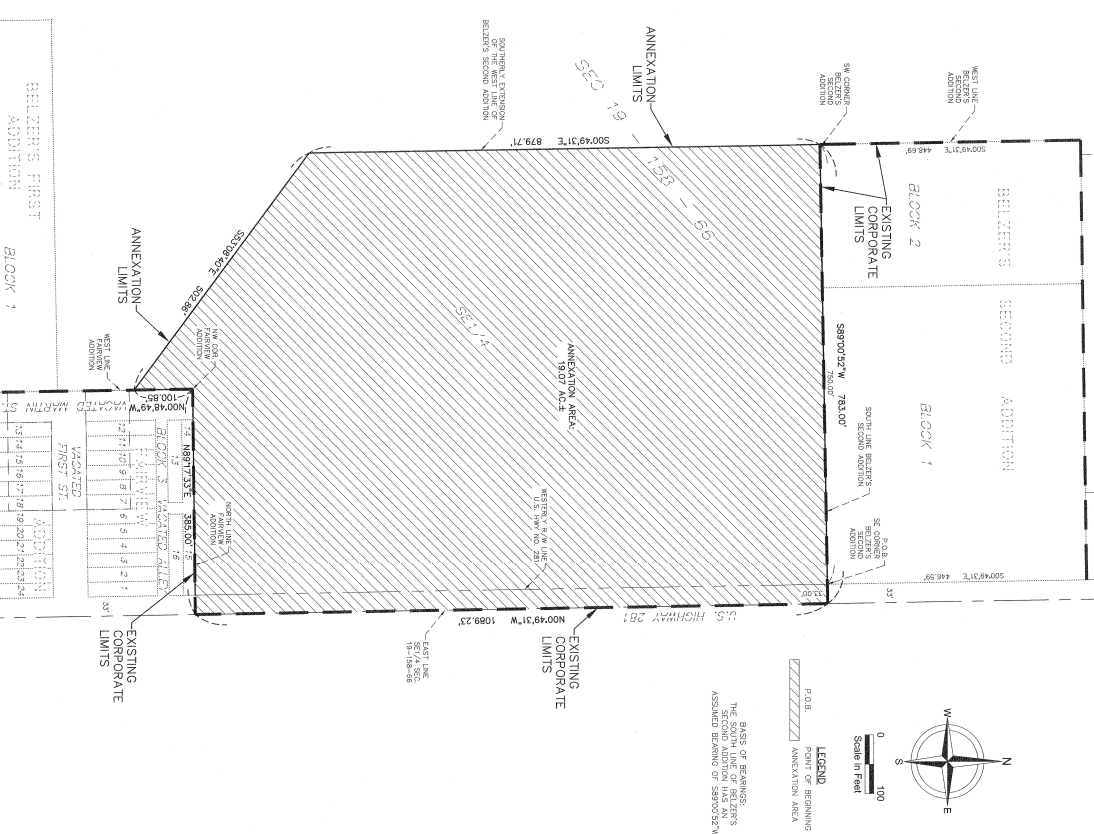
I hereby certify that the within instrument was filed in this office for record on 5/10/2022 at 9:15 AM. and was duly recorded as Document Number 159864

 Recorder  
By \_\_\_\_\_ Deputy

Fee: \$20.00 City of Cando  
PO Box 396 Cando, ND 58324



**ANNEXATION PLAT  
TO THE CITY OF CANDO, A PART OF THE SOUTHEAST QUARTER OF  
SECTION 19, TOWNSHIP 158 NORTH, RANGE 66 WEST, TOWNER COUNTY, NORTH DAKOTA**



DATE OF RECORDS  
THE SOUTH LINE OF BELZERS'  
SECOND ADDITION HAS AN  
ASSIGNED BEARING OF S89°05'W.

**CERTIFICATE**  
STEVEN W. HOLL, BEING PERSONALLY SWORN, DEPOSES AND SAYS THAT HE IS THE REGISTERED LAND SURVEYOR WHO PREPARED AND MADE THE ATTACHED PLAT OF A PART OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 158 NORTH, RANGE 66 WEST OF THE FIFTH PRINCIPAL MERIDIAN, TOWNER COUNTY, NORTH DAKOTA, THAT THE ATTACHED PLAT IS A CORRECT REPRESENTATION OF THE PROPERTY ANNEXED TO THE CITY OF CANDO, THAT ALL DISTANCES ARE CORRECTLY SHOWN ON SAID PLAT AND THE EXTENSION BOUNDARY LINES OF SAID PARCEL OF LAND ANNEXED TO THE CITY OF CANDO, THAT PART OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 158 NORTH, RANGE 66 WEST OF THE FIFTH PRINCIPAL MERIDIAN, TOWNER COUNTY, NORTH DAKOTA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF BELZERS' SECOND ADDITION, ACCORDING TO THE RECORDED PLAT THEREON ON FILE AND OF RECORD IN THE OFFICE OF THE RECORDER, SAID COUNTY, THENCE S89°05'W, 73.80' TO THE WEST LINE OF BELZERS' SECOND ADDITION; THENCE SOUTH 60 DEGREES 49 MINUTES 31 SECONDS EAST ALONG THE SOUTHERLY EXTENSION OF THE WEST LINE OF SAID BELZERS' SECOND ADDITION FOR A DISTANCE OF 17.9 AND 100.85 FEET; THENCE SOUTH 60 DEGREES 50 MINUTES 40 SECONDS EAST ALONG THE SOUTHERLY EXTENSION OF THE WEST LINE OF SAID BELZERS' SECOND ADDITION FOR A DISTANCE OF 100.85 FEET; THENCE SOUTH 60 DEGREES 50 MINUTES 40 SECONDS EAST ALONG THE SOUTHERLY EXTENSION OF THE WEST LINE OF SAID BELZERS' SECOND ADDITION FOR A DISTANCE OF 100.85 FEET TO THE NORTHWEST CORNER OF SAID FARMVIEW ADDITION; THENCE NORTH 89 DEGREES 17 MINUTES 31 SECONDS EAST ALONG THE NORTH LINE OF SAID FARMVIEW ADDITION AND THE EASTERLY EXTENSION THEREOF FOR A DISTANCE OF 1089.23 FEET TO ITS INTERSECTION WITH THE EASTERLY EXTENSION OF THE SOUTH LINE OF SAID BELZERS' SECOND ADDITION; THENCE SOUTH 89 DEGREES 00 MINUTES 52 SECONDS WEST ALONG SAID EASTERLY EXTENSION FOR A DISTANCE OF 3300 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 19.07 ACRES, MORE OR LESS.  
STATE OF NORTH DAKOTA  
COUNTY OF CASS  
REGISTERED LAND SURVEYOR  
RES. NO. LS-6571  
*Steven W. Holl*  
DATE OF RECORDS: April 1, 2022  
ON THIS DAY OF April, 2022, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED STEVEN W. HOLL, REGISTERED LAND SURVEYOR IN AND FOR SAID COUNTY AND STATE, WHO DESCRIBED THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS TRUE AND SOLE SIGNATURE 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 CANDO.

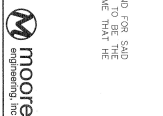
**CERTIFICATE BY EXECUTIVE OFFICER OF CITY**  
I, ROLFE BARNSTAD, DO HEREBY CERTIFY THAT I AM NOW, AND AT ALL TIMES DURING THE ANNEXATION OF THE PROPERTY DESCRIBED HAVE BEEN MAYOR OF THE CITY OF CANDO, COUNTY OF TOWNER, STATE OF NORTH DAKOTA, AND I FURTHER CERTIFY THAT ON THE 19 DAY OF April, 2022, AT 10:00 O'CLOCK P.M., THE CITY OF CANDO, COUNTY OF TOWNER, STATE OF NORTH DAKOTA, HAS ADOPTED AND PASSED A RESOLUTION APPROVING THE ANNEXATION OF THE PROPERTY DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT BEFORE THE CITY COUNCIL OF THE CITY OF CANDO, AND THAT SAID PLAT SHOWS THE CORRECT BEARINGS AND DISTANCES AND LIMITS SHOWN ON SAID PLAT ARE THE SAME AS THOSE USED IN THE ANNEXATION PROCEEDINGS BEFORE THE CITY COUNCIL OF THE CITY OF CANDO, AND THAT SAID PLAT SHOWS THE CORRECT LIMITS OF THE CITY CONTROLS TO THE ANNEXED PROPERTY AND THE CHANGE MADE THEREIN BY SAID ANNEXATION.  
ATTEST: *Rolfe Barnstad*  
ROLFE BARNSTAD, MAYOR  
STATE OF NORTH DAKOTA  
COUNTY OF TOWNER  
ON THIS 22 DAY OF April, 2022, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED ROLFE BARNSTAD, MAYOR AND AMANDA HOOPER, 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 CANDO.

*Amanda Hooper*  
AMANDA HOOPER, CITY AUDITOR  
ATTEST: *Amelia Ducker*  
AMELIA DUCKER, CITY ENGINEER  
STATE OF NORTH DAKOTA  
COUNTY OF TOWNER  
ON THIS 22 DAY OF April, 2022, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED ROLFE BARNSTAD, MAYOR, AND AMANDA HOOPER, 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 CANDO.

*Amelia Ducker*  
AMELIA DUCKER, CITY ENGINEER  
STATE OF NORTH DAKOTA  
COUNTY OF TOWNER  
ON THIS 22 DAY OF April, 2022, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED ROLFE BARNSTAD, MAYOR, AND AMANDA HOOPER, 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 AS HIS FREE ACT AND DEED.

*Amelia Ducker*  
AMELIA DUCKER, CITY ENGINEER  
STATE OF NORTH DAKOTA  
COUNTY OF TOWNER  
ON THIS 7th DAY OF April, 2022, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED BRADLEY M. MUSICK, CITY ENGINEER, KNOWN TO ME TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME AS HIS FREE ACT AND DEED.

*Amelia Ducker*  
AMELIA DUCKER, CITY ENGINEER  
STATE OF NORTH DAKOTA  
COUNTY OF TOWNER  
ON THIS 7th DAY OF April, 2022, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED BRADLEY M. MUSICK, CITY ENGINEER, KNOWN TO ME TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME AS HIS FREE ACT AND DEED.



**TOWNER COUNTY RECORDER'S CERTIFICATE OF RECORDING**  
THIS PLAT WAS FILED AND RECORDED IN THE OFFICE OF THE TOWNER COUNTY RECORDER IN THE STATE OF NORTH DAKOTA, AT \_\_\_\_\_ P.M. ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022 AND WAS RECORDED AS DOCUMENT NO. \_\_\_\_\_

REGINALD BRINK  
TOWNER COUNTY RECORDER

