



AGENDA
Board of City Commissioners
November 22, 2022 | 6:00 pm CT
City Hall & GoToMeeting | Williston, North Dakota

1. Roll Call of Commissioners and Pledge of Allegiance
2. Consent Agenda
 - A. Reading and Approval of Minutes
 - 1) Regular Meeting – November 8, 2022
 - B. Auditor and Finance
 - 1) Accounts, Claims and Bills – November 4-November 17, 2022
 - 2) Business Licenses
 - C. Development Services
 - 1) Contractor Licenses
 - D. Engineering
 - 1) NDDOT Annual Urban Maintenance Certification
 - E. Administration
 - 1) UMRDC Operations Board Re-Appointments
 - F. Authorization to Bid
 - 1) One (1) 4-Wheel Drive SUV (Fire)
3. Public Hearings
4. Bid Openings
5. Ordinances
 - A. Ordinance 1138 – Amendment to Section 10: Rural Residential District of Ordinance 613, Otherwise Known as the City of Williston Zoning Ordinance (Second Reading)
 - B. Ordinance 1139 – Amendment to Section 8: Agricultural District, Section 17: Parks and Open Space District, and Section 25.O: Temporary Uses District of Ordinance 613, Otherwise Known as the City of Williston Zoning Ordinance (Second Reading)
6. Petitions, Communications and Remonstrances
7. Report of Commissioners
 - A. President of the Board
 - B. Vice-President of the Board
 - C. Public Works and Library Commissioner
 - D. Fire, Police and Ambulance Commissioner
 - E. Airport, Engineering and Development Services Commissioner
8. Report of Departments
 - A. Administration
 - B. Finance
 - C. Attorney
 - D. Public Works
 - 1) 2022 City Christmas Tree
 - E. Engineering

- F. Fire Department
- G. Police Department
- H. Development Services
 - 1) Final Plat – Idle Acres Subdivision
 - 2) Final Plat – Fuchs Subdivision
- I. Economic Development
- J. Airport
- K. Convention and Visitor's Bureau
- 9. Appointments and Consultations with Officers
 - A. Cemetery Board Appointments
- 10. Unfinished Business
- 11. New Business
- 12. Executive Session
 - A. Attorney Consultation (Exempt under NDCC 44-04-19.1)
- 13. Adjourn

VIRTUAL MEETING ACCESS INFORMATION

City Commission Meeting

Tuesday, November 22, 2022 6:00 PM (CST)

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/568595573>

You can also dial in using your phone.

United States: [+1 \(571\) 317-3122](tel:+15713173122)

Access Code: 568-595-573

New to GoToMeeting? Get the app now and be ready when your first meeting starts:

<https://global.gotomeeting.com/install/568595573>

- If your device has a microphone and speakers, the "join my meeting" link above is sufficient for meeting access and you do not need to dial into the meeting on your phone. When prompted, you will need to select the option to switch to computer audio then click save and continue.
- If your device has speakers but no microphone and you are expected to speak during the meeting, you will need to use the "join my meeting" link above and dial into the meeting using your phone. When prompted, select save and continue and mute your device speakers.
- If you plan to join the meeting in listening mode only, please join the meeting by dialing the phone number above on your phone.



Memo

To: Board of City Commissioners

From: Hercules Cummings, Finance Director

Date: November 22, 2022

Re: Consent Agenda

2A1 Regular Meeting Minutes Dated: November 8, 2022

2B1 Accounts, Claims and Bills

Accounts, claims and bills processed: November 3, 2022 – November 17, 2022

2B2 Business Licenses

a. Landmark Suites Hotel – New Hotel/ Motel Beer New Ownership

Recommendation: Approval of all consent agenda items

Attachments:

a2A1

a2B1

a2B2a



DATE: November 22, 2022
TO: City Commission
FROM: David Juma, City Engineer
RE: Consent Agenda – Engineering

2D.1 Annual Urban Maintenance Certification Form - NDDOT

The NDDOT is requesting the City of Williston sign and submit its annual Urban Maintenance Certification form for the urban federal aid projects completed using the Urban and Regional Aid funding as outlined in the Cost Participation, Construction and Maintenance Agreements for the various projects completed using this funding over the past years. These projects are maintained and repaired to the applicable standards by the Public Works department.

A copy of the Urban Maintenance Letter and Urban Maintenance Form are included in the Commissioner's Information Packet.

RECOMMENDATION:

That the City Commission by their consent authorize the Mayor Klug, Finance Director Cummings, City Attorney Evert and City Engineer Juma to sign the Urban Maintenance Form and direct the Engineering Department to submit the completed Urban Maintenance Form to the NDDOT as presented.

Attachment:

2D.1A Urban Maintenance Letter & Urban Maintenance Form



DATE: November 22, 2022
TO: City Commission
FROM: David N. Tuan, City Administrator
RE: UMRRDC – Operations Board Appointments

Upper Missouri River Regional Dispatch Center Operations Board Appointments

The UMRRDC Operations Board serves as the technical advisory board for the operations of the regional dispatch center under the leadership of Director Tim Hagen and is comprised of appointed representatives from both the City (5) and the County (4). Four of the City's five appointed representatives have terms that are expiring this month:

David Peterson	Williston Police Dept	Conterminous
Bradley Auttelet	Williston Fire Dept	Nov 2020 – Nov 2022
Ward Koeser	City of Williston	Nov 2020 – Nov 2022
Jim Lokken	City of Williston	Nov 2020 – Nov 2022
Ryan Lee	Williston Rural Fire Dept	Nov 2020 – Nov 2022

I recommend a conterminous appointment of Fire Chief Matt Clark and 2-year reappointments of Ward Koeser, Jim Lokken and Ryan Lee to the UMRRDC Operations Board.



DATE: Tuesday, November 22nd, 2022

TO: City Commission

FROM: Matt Clark, Fire Chief

RE: Consent to bid – Fire Department

SUBJECT: Request to Advertise for Bids- SUV

The Williston Fire Department opened and advertised the bid process for the following item:

2F1 4WD SUV- to come from the 2023 budget

We are requesting the authorization to advertise for the SUV to be November 23- December 28 with bids being opened by the Williston Fire department on the 28th of December.

Sincerely,

Matthew J. Clark

Fire Chief



DATE: November 22, 2022

TO: City Commission

FROM: Rachel Laqua, Principal Planner

RE: **5.A. Second Reading Ordinance 1138** – an Amendment to Section 10: R-1A: Rural Residential District, of Ordinance 613, otherwise known as the City of Williston Zoning Ordinance, updating permitting and review requirements for some non-commercial recreational uses.

After review of the R-1A: Rural Residential district earlier this year, it was determined that some uses contained under the permitted uses section of the R-1A: Rural Residential section of the zoning ordinance may need additional review for items such as parking, signage, and utility usage. For example, items such as swimming pools, golf courses, and libraries will require more review in the R-1A zoning district. Based off those discussions, this ordinance removes intense non-commercial recreation uses from the permitted use section of Section 10: R-1A: Rural Residential District to the special permitted use section.

There have been no changes to this ordinance since the first reading and public hearing on November 8, 2022.

Recommendation: To approve the second reading of Ordinance 1138, an Amendment to Section 10: R-1A: Rural Residential District, of Ordinance 613, otherwise known as the City of Williston Zoning Ordinance, updating permitting and review requirements for some non-commercial recreational uses.

Attachments:

1. Ordinance 1138

ORDINANCE 1138

AN ORDINANCE AMENDING SECTION 10. R-1A: RURAL RESIDENTIAL DISTRICT, OF ORDINANCE 613 OTHERWISE KNOWN AS THE CITY OF WILLISTON ZONING ORDINANCE, REMOVING NON-COMMERCIAL RECREATIONAL USES FROM PERMITTED USES AND ADDING NON-COMMERCIAL RECREATIONAL USES TO SECTION 10. E. SPECIAL PERMITTED USES

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF WILLISTON, NORTH DAKOTA, TO-WIT:

SECTION 10. R-1A: Rural Residential District.

- A. Intent. This district is intended to include areas where community sewer and water are not planned in the near future, but where other public services may be available and topography and soil conditions allow development at a low population density that can rely on on-site water supply and waste disposal systems without creating public health hazards. This district is intended primarily for areas devoted to large- lot suburban residential use, adjacent to existing or planned urban development. The regulations and restrictions in this district are intended to protect the residential character of these areas and conserve their environmental resources.
- B. Minimum dimensional requirements. The minimum area for this district shall be five acres.
- C. Permitted uses and structures. The following shall be permitted:
 - 1. Single-family dwellings, mobile homes, and/or manufactured homes.
 - 2. Farm animals, located within the City's extraterritorial jurisdiction, but outside City limits, are allowed provided there is a minimum lot area of one acre, and no more than one animal unit per one-half acre of land.
 - ~~3. Parks, and playgrounds, and non-commercial recreational facilities such as golf course, swimming pools, tennis courts, game rooms, libraries, and the like.~~
 - 4. Structure and uses required for operation of a public utility or performance of a governmental function, except for those permitted only as special permitted uses.
- D. Permitted accessory uses and structures. Uses that are customarily accessory and clearly incidental to permitted uses and structures shall be permitted, including:
 - 1. Home occupations, provided all requirements in Section 31 are met.
 - 2. Solar energy systems.
- E. Special permitted uses. The following shall be considered for special permitted uses:
 - 1. Community centers, schools, churches, and cemeteries.
 - 2. Nursing homes, hospitals, and medical complexes.
 - 3. Quasi-institutional homes.
 - 4. Group child care homes and child care centers.

5. Watchman's dwelling as an accessory use for a permitted principal use or structure.
 6. Governmental maintenance and service shops.
 7. Private clubs and country clubs.
 8. Art galleries and museums depending on proximity to a particular historical site.
 9. Electrical substation and gas regulator stations, provided:
 - a. For each electric substation where transformers are exposed, there should be an enclosing fence at least six feet high.
 - b. The height requirements may be exceeded, provided that for each additional one foot height an additional one foot of front, rear, and side yard shall be required.
 10. Water reservoirs, water storage tanks, water pumping stations, and sewer lift stations provided:
 - a. For each instance the Planning and Zoning Commission shall be provided with plot plans showing the proposed installation and its relationship to any nearby property.
 - b. The Planning and Zoning Commission shall prescribe conditions as to setbacks, etc. for each installation.
 11. Bed and breakfast inn.
 12. Animal units, such as a horse, mule, jackass, goat or other animal kept as a family pet, may be kept within the City limits provided there is a minimum of three acres for the first two animal units; and with one additional animal unit allowed for each acre over three.
 13. Non-commercial recreational facilities such as golf course, swimming pools, tennis courts, game rooms, libraries, and the like.
- F. Temporary uses. The following uses shall be considered as temporary uses, provided the provisions set forth in Section 25.O are met:
1. Contractor's office and construction equipment sheds.
 2. Real estate sales office.
 3. Temporary shelter.
- G. Minimum lot requirements.
1. Minimum lot area: 21,780 square feet (one-half acre).
 2. Minimum lot width: 80 feet.
- H. Minimum yard requirements.
1. Front yard: 30 feet.
 2. Side yard. The minimum requirements for a side yard shall be eight feet. The required side yard on the street side of a corner lot shall be one-half the required front yard on such street for the principal building and all accessory buildings, provided as follows:
 - a. No adjacent dwellings front on the same street, in which case the entire front

yard must be provided.

- b. A garage being entered from the street, whether it be attached or detached, must maintain a twenty-foot setback to prevent obstruction of public right-of-way.

3. Rear yard: 30 feet. Accessory buildings may be built in a required rear yard, but such accessory buildings shall not be nearer than three feet to any side or rear lot line, except when a garage is entered from an alley at right angles, it shall not be located closer than 20 feet from the rear lot line. The required rear setback for an attached garage with vehicular entry from an alley shall be 30 feet. For attached garages with vehicular entry from other than the alley, all yard requirements shall be the same for the principal building. An attached garage is considered a part of the principal building for the purpose of determining setbacks.

I. Maximum lot coverage by buildings. Not more than 20% of the lot shall be covered by the principal building and all accessory buildings. Any solar collection device or related apparatus not included as floor area of a building by definition, shall not be included in computing lot coverage.

J. Minimum floor area. The minimum floor area of any dwelling, excluding attached garage, shall be 800 square feet.

K. Maximum height of buildings. The maximum height of any building shall be 35 feet.

L. (Reserved)

M. Off-street parking requirements. See Section 25.H. Two spaces per dwelling. Required off-street parking shall be provided in such a manner that vehicles do not encroach on a public right-of-way.

N. Other requirements.

1. See Section 25.R Landscaping.

2. See Section 25.S Buffer Yards.



DATE: November 22, 2022

TO: City Commission

FROM: Rachel Laqua, Principal Planner

RE: **5.B. Second Reading of Ordinance 1139** – An Amendment to Section 8: Agricultural District, Section 17: Parks And Open Space District, and Section 25.O. Temporary Uses of Ordinance 613, otherwise known as the City of Williston Zoning Ordinance

This ordinance creates an SPU for seasonal commercial recreation uses in A: Agricultural and P: Parks and Open Space districts, and also requires a yearly permit housed under Section 25.O. Temporary Uses in the Zoning Ordinance. This allows for evaluation on a yearly basis of the use, while approving the overall use through a public process. It defines Seasonal Commercial Recreation use as "an outdoor, seasonal commercial recreation use, such as an ice skating rink, pumpkin patch, bounce house amusement park, wedding venue, paintball facility, which is not used year-round, which is a commercial venture and not owned or operated as a non-profit entity, and which is on an A: Agricultural or P: Parks and Open Space zoned property."

There have been no changes to the proposed ordinance since the public hearing and first reading on November 8, 2022.

Staff Recommendation: To approve the second reading of Ordinance 1139, An Amendment to Section 8: Agricultural District, Section 17: Parks And Open Space District, and Section 25.O. Temporary Uses of Ordinance 613, otherwise known as the City of Williston Zoning Ordinance, as presented.

Attachments:

1. Ordinance 1139
- 2.

ORDINANCE 1139

AN ORDINANCE AMENDING SECTION 8. A: AGRICULTURAL DISTRICT, OF ORDINANCE 613 OTHERWISE KNOWN AS THE CITY OF WILLISTON ZONING ORDINANCE, ADDING SEASONAL COMMERCIAL RECREATION USES TO SECTION 8.E.21, AND AMENDING SECTION 17. P: PARKS AND OPEN SPACE DISTRICT, OF ORDINANCE 613 OTHERWISE KNOWN AS THE CITY OF WILLISTON ZONING ORDINANCE, ADDING SEASONAL COMMERCIAL RECREATION USES TO SECTION 17.E.6, AND AMENDING SECTION 25.O. TEMPORARY USES AND STRUCTURES, OF ORDINANCE 613 OTHERWISE KNOWN AS THE CITY OF WILLISTON ZONING ORDINANCE, ADDING A DEFINITION OF SEASONAL COMMERCIAL RECREATION USES, AND ADDING SEASONAL COMMERCIAL RECREATION USES TO SECTION 25.O.3.B. EXEMPTIONS

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF WILLISTON, NORTH DAKOTA, TO-WIT:

SECTION 8. A: Agricultural District.

- A. Intent. This district is intended to protect and preserve lands which are presently rural or agricultural in character and use. These lands are not presently required for urban development, but will accommodate residential development opportunities for those who desire rural living and are willing to live in more remote locations and to assume the costs of providing many of their own services and amenities.

This district is also intended to protect and preserve areas of prime agricultural soils as identified in the Williston Development Guide, for continued agricultural and agriculturally-oriented uses. These areas consist of the most agriculturally productive soils and should not be converted from agricultural to another zoning classification unless and until there are no other lands available in Williston and the extraterritorial area to accommodate nonagricultural uses. This district is not intended to regulate agricultural uses, but to regulate those uses which threaten agriculture.

This district is also intended to allow development of mineral resources including oil and gas, coal, potash, sand, gravel, scoria, and the like in a manner that does not adversely impact the natural environment and adjoining land uses.

- B. Minimum dimensional requirements. None.
- C. Permitted uses and structures. The following shall be permitted:
1. General farming and dairying, including the sale of the product of the farm, located within City's extraterritorial jurisdiction but outside City limits, except as provided by Ordinance No. 777 incorporated as Section 4-2 of Williston Code of City Ordinances, which provisions shall apply.
 2. Public stables, greenhouses, nurseries, and the growing and preservation of trees, provided that storage of manure shall not be permitted nearer than 150 feet to any lot line.
 3. Fish hatcheries, beekeeping, fur farms, and dog kennels.
 4. Stock raising, but not including commercial feed lots.

5. Single-family dwellings, mobile homes and/or manufactured homes.
 6. Churches, schools, libraries, community centers, public parks, and other public buildings and recreational facilities.
 7. Educational, religious and philanthropic institutions, but not including penal or mental institutions.
 8. Electric substations and gas regulator stations, provided that for each substation where transformers are exposed there shall be an enclosing fence at least six feet high.
 9. Fire stations, police stations, and telephone exchanges.
 10. Radio or television towers, not exceeding 50 feet in height except as may be restricted by airport zoning.
 11. Cemeteries.
 12. Parks, recreation areas, wildlife areas, game refuges, and forest preserves.
 13. Water supply buildings, reservoirs, wells, elevated tanks, regional pipelines and powerlines, public sewage treatment facilities, and similar essential public utilities and service buildings.
 14. Railroad right-of-ways, but not railroad yards.
 15. Animal hospital or veterinary clinic.
 16. Seismographic exploration as regulated by State Statute.
 17. Storage of flammable liquids above grade, up to 20,000 gallons, subject to the locally adopted Fire Code Regulations.
 18. Storage of liquefied petroleum gases, up to 50,000 gallons, subject to the locally adopted Fire Code Regulations.
- D. Permitted accessory uses and structures. Uses and structures that are customarily accessory and clearly incidental to permitted uses and structures shall be permitted, including:
1. Home occupations, provided all requirements in Section 31 are met.
 2. Roadside stands for operation during six months of the year for the sale of products produced on the farm. Signs for permitted uses shall meet the requirements stated in Section 25.G.
 3. Solar energy systems.
- E. Special permitted uses. The following shall be considered for special permitted uses.
1. Hospitals and sanitariums for contagious or infectious diseases, provided:
 - a. The Planning and Zoning Commission shall approve the location of said hospital or sanitarium.

- b. The Planning and Zoning Commission shall prescribe all setback requirements.
2. Airports, provided:
- a. They do not endanger the immediate area.
 - b. They meet all local, State, and Federal regulations.
3. Livestock sales rings, provided:
- a. The State Livestock Sanitary Board has given approval for the establishment.
 - b. Auctioning of farm implements shall be conducted as a secondary "service" or "convenience" to the livestock auction and shall, in no manner, be conducted for the sale of general household wares, household appliances or furniture, miscellaneous items or junk.
 - c. Parking or storage area for farm implements must be screened and enclosed by a chain link fence at least six feet high. No piece of farm equipment shall remain on the premises for more than 15 consecutive days, except for machinery used for maintenance of the livestock sales ring and premises.
 - d. All corrals, or pens for live animals shall be placed at least 200 feet from any public street or public road and shall be to the rear of the main building.
 - e. The area shall include adequate off-street parking for automobiles as well as trucks and shall be designed to provide adequate truck maneuvering space for both loading and unloading of trucks.
 - f. Livestock sales rings shall not be operated in any manner so as to impair, or in any way affect, the public health, safety, or welfare; or to operate said livestock sales ring in any manner as to be a public nuisance.
 - g. No unusual amount of odor or noise disseminated beyond the boundaries of the premises on which the use is located shall be permitted.
 - h. No more than 10% of the total number of animals present for sale at any one auction shall be kept on the premises for more than 10 consecutive days following each auction.
 - i. The special permit for operation of a livestock auction ring, as provided in these regulations, shall be enforced if inspection by the Planning and Zoning Commission or its representatives reveals that the feeding and keeping of animals, as in the manner of a feed lot, is the primary use of the premises.
 - j. Storage of manure shall not be permitted.
 - k. Use of building or structure (temporary or permanent) for restaurant or "coffee shop" be subject to all regulations of the Williston Building Code and Williams County Health Department.
 - l. When the application for livestock auction rings is filed with the Planning and Zoning

Commission, the applicant shall present a plan showing the proposed development. Included in the plan shall be the following:

- (i) Topographic map showing two-foot contour intervals.
- (ii) Drainage plan showing method of handling drainage problems including storm sewer drainage locations, if necessary.
- (iii) Location of existing utilities and proposed utility extensions.
- (iv) Letters of commitment or intent from the utility companies concerning satisfactory water and sanitary sewer service, or from the local health jurisdiction concerning satisfactory wells and septic tanks.
- (v) Plat showing dimension and locations of all structures, existing or proposed, on the tract of land.
- (vi) Parking plan defining off-street parking areas. Such plan is subject to the provisions of these regulations.
- (vii) Driveway plan indicating all interior driveways, curb cuts and areas for maneuvering trucks.

4. Commercial feed lots shall be permitted subject to conditions set below:

- a. No unusual amount of odor or noise shall be disseminated beyond the boundaries of the premises on which the use is located.
- b. Storage of manure shall not be permitted within 200 feet from any lot line.
- c. All corrals, pens, and buildings shall be located at least 200 feet from any lot line.
- d. When the application for feed lots is filed with the Planning and Zoning Commission the applicant shall present a plan showing the proposed development. Included in the plan shall be the following:
 - (i) Topographic map showing two foot contours.
 - (ii) Drainage plan.
 - (iii) Locations of existing utilities and proposed utility extensions.
 - (iv) Letters of commitment or intent from the utility companies concerning satisfactory water and sanitary sewer service or from the local health jurisdiction concerning satisfactory wells and septic tanks.
 - (v) Plat showing dimensions and locations of all structures, existing or proposed, on the tract of the land.
 - (vi) Parking and loading plan defining off-street parking and loading areas. Such plan is subject to Section 25.I and J of these regulations.
 - (vii) Driveway plan indicating driveways, curb cuts, area for maneuvering trucks.

(viii) Petition signed by at least 75% of the property owners within a 1/2 mile radius of the site of the proposed feed lot.

(ix) All plans, plot plans, and petitions as required must be submitted to the Williston Planning and Zoning Commission at least 30 days prior to the public hearing date.

e. If the operation is a registered livestock feed lot, the owner must obtain registration number from the State Livestock Sanitary Board.

5. Stockyard or the slaughter of animals.
6. Rock crushers, concrete and asphalt mixing plants, sand and gravel pits, or any other such excavation or surface mining shall be allowed provided they meet the requirements as set forth in Section 25.L.
7. Oil and gas drilling, provided it meets the requirements as set forth in Section 25.M.
8. Marina.
9. Private clubs.
10. Gun clubs, skeet, ranges or target ranges.
11. Golf driving rangers and golf courses.
12. Amusement parks, commercial baseball or athletic fields.
13. Race tracks or fairgrounds.
14. Open-air theaters.
15. Radio or television towers exceeding 50 feet in height.
16. Storage of explosives and blasting agents, subject to the locally adopted Fire Code, provided it is located outside the City limits.
17. Storage of flammable liquids above grade, over 20,000 gallons, subject to the locally adopted Fire Code Regulations.
18. Storage of liquefied petroleum gases, over 50,000 gallons, subject to the locally adopted Fire Code Regulations.
19. Building material yards, contractor yards, and lumberyards.
20. Animal units, such as a horse, mule, jackass, goat or other animals kept as a family pet, may be kept within the City limits provided there is a minimum of three acres for the first two animal units; and with one additional animal unit allowed for each acre over three.
21. Seasonal Commercial Recreation Uses, Subject to Section 25.O.3.b.vi.

F. Temporary uses. None, other than those allowed under Section 25.O.

G. Minimum lot requirements.

1. Minimum lot area: 10 acres.
 2. Minimum lot width: 125 feet.
- H. Minimum yard requirements.
1. Front yard: 50 feet.
 2. Side yard: 15 feet.
 3. Rear yard: 25% of the depth of the lot.
- I. Maximum lot coverage by buildings. None.
- J. Minimum floor area. The minimum floor area of any dwelling, excluding attached garage, shall be 800 square feet.
- K. Maximum height of buildings. None, other than that which may be set forth by airport zoning.
- L. (Reserved)
- M. Off-street parking requirements. See Section 25.H. for Off-Street Parking Requirements. Required off-street parking shall be provided in such a manner that vehicles do not encroach on a public right-of-way.
- N. Other requirements.
1. See Section 25.S., Buffer Yards.
- O. Limited permitted use for temporary workforce housing.
1. Definitions.
 - a. TEMPORARY WORKFORCE HOUSING - Shall mean one or all the following meaning: 1) employee housing, which may or may not be located on a principal heavy industrial parcel to be occupied by employees of a requesting business which use is temporary and having received approval pursuant to City of Williston Ordinance No. 925; 2) employee housing, which consists of one or more workforce lodging units, ordinarily designed for human living quarters which may or may not be real property as defined in Section 57-02-04, N.D.C.C., and this type of employee housing has been granted by a conditional use permit by Williams County; and/or 3) employee housing which is not otherwise permitted without receiving a special grant by the City of Williston through the applicable special permitted use process or by Williams County through the applicable conditional use permit process Zoning Ordinance.
 - b. LIMITED PERMITTED USE - A use of land in conformity with the uses temporarily permitted under a zoning classification which use is expressly subject to expire and terminate at the end of a fixed period. The intent of a limited permitted use is to allow a use of land for a temporary basis which is in conformity with a zoning classification but otherwise subject to what is known as a sunset law

with such use becoming a non-permitted use at the end of a fixed period.

2. City of Williston approved temporary workforce housing. So long as the temporary workforce housing meets and complies with all requirements provided in Subsections O.4, 5, 6, 7 and 10 below, existing temporary workforce housing approved under and in accordance with City of Williston Ordinance No. 925 whose special permitted use permit expired on or before December 31, 2015, shall be considered a conforming limited permitted use as follows: 1) the temporary workforce housing facility may occupy their structures until September 1, 2016; 2) the temporary workforce housing facility shall have until May 1, 2018 to remove their facility to an area zoned for outdoor storage; and 3) the temporary workforce housing facility shall have until August 1, 2018 to undertake site reclamation.
3. Williams county approved temporary workforce housing. So long as the temporary workforce housing meets and complies with all requirements provided in Subsections O.4, 5, 6, 7 and 10 below, existing temporary workforce housing approved under and in accordance with the applicable Williams County Zoning ordinance and Williams County's designated permit process resulting in a valid conditional use permit being issued by Williams County with said existing temporary workforce housing then becoming subject to the requirements of the City of Williston Zoning Ordinance and City of Williston Resolution 13-127 upon being annexed into the City of Williston corporate boundary or subject to the extra-territorial jurisdiction of the City of Williston shall be considered a conforming limited permitted use as follows:
 - 1) the temporary workforce housing facility may occupy their structures until September 1, 2016; 2) the temporary workforce housing facility shall have until May 1, 2018 to remove their facility to an area zoned for outdoor storage; and 3) the temporary workforce housing facility shall have until August 1, 2018 to undertake site reclamation. Williams County Approved Temporary Workforce Housing, as described herein, shall be subject to the limited exceptions described in Subsection O.9 herein.
4. Application requirements.
 - a. Application fee. An application fee of \$400, payable to the City of Williston, is required for any request to become a limited permitted use as defined herein which is located within the corporate boundaries of the City of Williston or the extra-territorial jurisdiction of the City of Williston.
 - b. Application form. Submit a completed form providing information required to evaluate the request to become a limited permitted use. This form shall be supplied by the Williston City Planning Department.
 - c. Verification of settlement of outstanding fees owed to City of Williston or Williams County. Documentation that any outstanding bed fees owed to City of Williston, if located within the corporate City boundaries, or Williams County, if located within the extra-territorial jurisdiction of the City of Williston, for temporary workforce housing facilities have been paid in full to the appropriate jurisdiction. No review of the limited permitted use application will begin if any fees are outstanding to the City of Williston or Williams County.

- d. Per bed fee. A per-bed fee of \$400 for the period January 1, 2016, to September 1, 2016 for all temporary workforce housing facilities located in the corporate boundaries of the City of Williston which are not taxed as real estate or motor vehicles. A per-bed fee, as adopted by Williams County, for the period of January 1, 2016, to September 1, 2016, for all temporary workforce housing facilities located in the extra-territorial jurisdiction of the City of Williston which are not taxed as real estate or motor vehicles. City staff may inspect the temporary workforce housing facility to verify the number of beds.
 - e. Site plan. A plan, if not already provided to the City of Williston, of the entire site, drawn to scale, depicting and identifying all existing structures, roadways, access from dedicated public roadways, parking, fire hydrants, surface drainage, connections to water and sewer/septic, propane tanks, and other information the City may require.
 - f. Emergency response and security plan. A written plan, if not already provided to the City of Williston, for fire suppression, emergency vehicle circulation, and on-site security.
 - g. Facility rules and policies. A document of rules and policies, if not already provided to the City of Williston, that all residents of the crew camp must comply with. Emergency contact and response information for residents to be included in this document.
 - h. Verification of state health department inspection. If the temporary workforce housing facility is served by a septic system, an inspection of the facility by the North Dakota State Health Department is required to verify compliance with state health regulations prior to approving the limited temporary use. Applicant shall submit documentation that such an inspection has been recently completed.
 - i. Site restoration plan. A written plan, if not already provided to the City of Williston, to reclaim the site, including removal of all housing units and facilities to serve those housing units.
 - j. Site restoration bond. A bond to guarantee the restoration plan for the proposed site can be completed. The bond must be provided to the City of Williston on or before October 1, 2016, and must be valid and remain in full force and effect until December 31, 2018. The City will set for the amount of the restoration bond, based on the City's review of the site plan and site restoration plan.
5. The temporary workforce housing operator shall sign a written agreement on or before October 1, 2016, with the City of Williston acknowledging and accepting:
- a. The applicant is not in violation of any federal, state, or local law;
 - b. The occupancy for temporary workforce housing shall cease on or before September 1, 2016;

- c. The removal of the temporary workforce housing facility shall occur on or before May 1, 2018;
 - d. The site reclamation of the temporary workforce housing facility shall occur on or before August 1, 2018; and
 - e. The extension of the removal and reclamation of the temporary workforce housing facility is contingent upon providing the City of Williston proof of having a reclamation bond that is valid and remains in full force and effect until December 31, 2018.
- 6. Failure to meet the requirements described in Subsection O.4 above and execute the agreement described Subsection O.5 above prior to October 1, 2016, shall result in termination of the approval process for the temporary workforce housing facility as provided herein.
- 7. Unoccupied temporary workforce housing facilities shall be stored only in areas zoned to allow outdoor storage and must meet the development standards of such zones for outdoor storage.
- 8. The provisions of Subsection O. of Sections 8, 22, and 23 of Ordinance 613 shall become null, void, and of no force and effect on and after August 2, 2018.
- 9. Exception to Subsection O.3. The following Williams County Approved Temporary Workforce Housing, as enumerated below, are currently located in the extra-territorial jurisdiction for the City of Williston and have properly obtained a valid conditional use permit from Williams County through Williams County's designated process. Therefore, the enumerated facilities below shall not be subject to provisions of Subsection O.3. herein, but are subject to all other provisions of this ordinance not otherwise in conflict with their conditional use permit. The Williams County Approved Temporary Workforce Housing enumerated below shall be permitted to continue the use until the applicant's conditional use permit expires as described below. Upon expiration of the conditional use permit use of Temporary Workforce Housing shall become a non-permitted use.
 - a. Northern Improvement, located in the NE 1/4SE 1/4 NE 1/4, excepting the south eight feet, of Section 30, Township 155 North, Range 100 West, was granted a conditional use permit by Williams County which expires December 16, 2018.
 - b. In two Deep/Bob Horab/Concrete Jungle/McCody Concrete, located in Sublot 9 of the E1/2SE1/4 of Section 19, Township 154 North, Range 101 West, was granted a conditional use permit by Williams County which expires December 1, 2019.
- 10. Compliance with law. All Temporary Workforce Housing must be in compliance with all applicable statutes of the State of North Dakota; the ordinances, rules, and regulations of Williams County; and the ordinances, rules, and regulations of the City of Williston.
- 11. Conflict with other laws. If there is a conflict between the regulations and standards in this ordinance with any other local, state, or federal laws or regulations for

Temporary Workforce Housing, the more restrictive interpretation shall be followed.

SECTION 17. P: Parks and open space district.

- A. Intent. This district is intended to contain major open lands and major public and quasi-public recreational uses, including privately-owned lands and uses that are essentially public in character. These lands and uses include existing land reserves for public and institutional use.
- B. Minimum dimensional requirements. None.
- C. Permitted uses and structures. The following shall be permitted:
 - 1. Parks, playgrounds, cemeteries and noncommercial recreational facilities such as golf courses, swimming pools, tennis courts, game rooms, and the like.
 - 2. Structures and uses required for operation of a public utility or performance of a governmental function, except for those permitted only as special permitted uses.
- D. Permitted accessory uses and structures. Uses and structures that are customarily accessory and clearly incidental to permitted uses and structures shall be permitted, including solar energy systems.
- E. Special permitted uses. The following shall be considered for special permitted uses:
 - 1. Libraries and recreation centers.
 - 2. Watchman's dwelling as an accessory use for a permitted use or structure.
 - 3. Electrical substation and gas regulator stations, provided:
 - a. For each electric substation where transformers are exposed there should be an enclosing fence at least six feet high.
 - b. The height requirements may be exceeded, provided that for each additional one-foot height an additional one-foot of front, rear, and side yard shall be required.
 - 4. Water reservoirs, water storage tanks, water pumping stations, and sewer lift stations provided;
 - a. For each instance the Planning and Zoning Commission shall be provided with plot plans showing the proposed installation and its relationships to any near by property.
 - b. The Planning and Zoning Commission shall prescribe conditions as to setbacks, etc. for each installation.
 - 5. Storage of flammable or combustible liquids above-ground, and storage of liquefied petroleum gases and hazardous materials as an accessory use, provided all Federal, State and local requirements are met.
 - 6. Seasonal Commercial Recreation Uses, Subject to Section 25.O.3.b.vi.

- F. Temporary uses. None, other than those allowed under Section 25.O.
- G. Minimum lot requirements. The minimum lot requirements shall be the same as those of the most restrictive neighboring district.
- H. Minimum yard requirements. The minimum yard requirements shall be the same as those of the most restrictive neighboring district.
- I. Maximum lot coverage by buildings. The maximum lot coverage by buildings in this district shall be the same as the most restrictive neighboring district. Any solar collection device or related apparatus, not included as floor area of a building by definition, shall not be included in computing lot coverage.
- J. Minimum floor area. None.
- K. Maximum height of building. The maximum height of any building shall be the same as that of the most restrictive neighboring district.
- L. (Reserved)¹
- M. Off-street parking requirements. See Section 25.H. Required off-street parking shall be provided in such a manner that vehicles do not encroach on a public right-of- way.
- N. Other requirements.
 - 1. See Section 25.R, Landscaping.
 - 2. See Section 25.S, Buffer Yards.

SECTION 25.O. Temporary uses and structures.

1. Definitions.

GREENHOUSE — A structure enclosed (as by glass or plastic), and used for the cultivation or protection of tender plants; used in a retail setting as an establishment engaged in the sale of plants, trees, garden supplies, garden tools, and related items to the public.

POLITICAL SUBDIVISION — A unit of government within a state, including a county, City, township, or village.

TRANSIENT MERCHANT, ITINERANT MERCHANT, OR ITINERANT

VENDOR — A person, firm, or corporation, whether as owner agent, consignee or employee, who temporarily sets up business on private property, or out of a vehicle, trailer, tent, other portable shelter, or vacant store front for the purpose of exposing or displaying for sale, selling or attempting to sell, goods, wares, products, or merchandise.

SEASONAL COMMERCIAL RECREATION USE – an outdoor, seasonal commercial recreation use, such as an ice skating rink, pumpkin patch, bounce house amusement park, wedding venue, paintball facility, which is not used year-round, which is a commercial venture and not owned or operated as a non-profit entity, and which is on an A: Agricultural or P: Parks and Open Space zoned property.

2. Purpose. The purpose of the regulations in Subsection O. is to allow for the administrative review for temporary uses and structures, which have seasonal or temporary durations, which render the display and transaction of goods or services outside of a building or vacant store front. These activities shall be regulated to avoid incompatibility between uses in the surrounding area and control the types of temporary uses which occur on private property or parking lots throughout the City.
3. Temporary use permit required. A temporary use permit shall be required for all temporary uses and structures listed in this Subsection O. Applications for these permits shall be reviewed and if approved, filed with the Planning Director in the Planning and Zoning Department. Temporary uses and structures may be subject to additional permits, licenses, inspections, and interdepartmental review as needed.
 - a. Application requirements:
 - (i) A completed application form;
 - (ii) Address, legal description of the property where the temporary use or structure is to be located;
 - (iii) A site plan or drawing of the property illustrating the lot, all existing structures, parking spaces, and where such temporary use or structure is to be located.
 - (iv) A complete description of the proposed temporary use or structure, including hours of operation, proposed method of merchandise display, proposed signage, list of all goods to be sold and material and equipment to be used in the proposed operations;
 - (v) Permission from the property owner which pertains to the authorization for the use of the site and other facilities or services necessary to provide for the safe operation of the temporary use;
 - (vi) A copy of the State Sales and Use Tax Permit; or
 - (vii) A copy of the State Transient Merchants License.
 - b. Exemptions include the following uses:
 - (i) Rummage sales, yard sales, and garage sales held at the home of the vendor;
 - (ii) Merchants or vendors participating in farmers market, flea market, fairs, carnivals, circuses, or other similar activity; and
 - (iii) Mobile businesses or mobile commercial businesses, transient merchants, itinerant merchants, and itinerant vendors who are invited to events approved by the City, that are organized, and managed by a fair association, convention bureau, or other political subdivision including the City itself. Such events include but are not limited to the Chokecherry Festival, Band Day, Holiday Lights, and Clean City.
 - (iv) Mobile business operations recognized by the City to have been operating and in existence at the time of the City's adoption of Ordinance Nos. 974 and 990, an ordinance establishing a temporary moratorium prohibiting the use of

future mobile commercial businesses, which was approved by the City Commission on 9-24-2013 and up until the adoption of this Ordinance No. 1065 shall be exempt from Ordinance No. 999 until January 1, 2016, at which time the exemption described herein shall sunset.

- (a) After January 1, 2016, all mobile commercial businesses, whether previously exempt in accordance with Subsection O.3.b(iv) shall be brought into compliance by January 1, 2016.
- (b) Any mobile commercial business not in compliance with Ordinance No. 999 by January 1, 2016 shall be deemed to have violated Ordinance No. 999 and subject to enforcement described in Subsection O.10 Enforcement.
- (v) Seasonal greenhouses which are erected only during the period of time from May 1 through August 31, providing the following conditions are met:
 - (a) The greenhouse is owned and operated by either the property or building lease holder or owner.
 - (b) The greenhouse is located on an existing developed lot with an existing, current primary use.
 - (c) The greenhouse may only be utilized as an accessory use.
 - (d) A temporary structure permit is obtained.
 - (e) No required parking is utilized for the placement of the greenhouse or surrounding outdoor sales.
 - (f) The greenhouse shall only be located on commercial (C-1, C-2, C-3), Highway Corridor Commercial (HCC), Light Industrial (M-1), Heavy Industrial (M-2), or Agricultural (A) zoned properties.
- (vi) Seasonal Commercial Recreation Uses:
 - (a) Seasonal Commercial Recreation Uses may be considered for a yearly permit providing the following conditions are met:
 - i. The property has received a Special Use Permit from the Planning and Zoning Commission for the specific seasonal use
 - ii. The permit is issued for no more than a 6 month period.
 - iii. Parking needed for the use can be contained fully on the property, but does not need to be paved. Parking may be grass or gravel. A full site plan is required on a yearly basis.
 - iv. Findings from Section 5, items a-e, below must be made in a positive manner.
 - (b) Yearly permit review is intended to allow for non-significant changes to the operation of the approved seasonal commercial recreation use. Any changes which are determined to be significant by staff may be required to be reviewed

by the Planning and Zoning Commission as an expansion of the existing SPU.

4. Permitted uses. A temporary use permit may be issued for the following uses:
 - a. Halloween pumpkin patches, and Christmas trees lots;
 - b. Mobile businesses or mobile commercial businesses operating under temporary provisions and performing public service operation only; and
 - c. Transient merchants, itinerant merchants, and itinerant vendors.
5. Findings. The Planning Director may approve a temporary use permit application only when all of the following findings of facts can be made in a positive manner:
 - a. That the operation of the requested temporary use or structure at the location proposed will not jeopardize, endanger or otherwise constitute a nuisance to the public health, safety or general welfare or be injurious or detrimental to properties served, adjacent to, or in the vicinity of the nearby area with respect to the existing land use and zoning designation;
 - b. That the proposed site is adequate in size and shape to accommodate the temporary use or structure;
 - c. That adequate parking to accommodate vehicular traffic to be generated by such use will be available on site and not take away from the minimum parking requirement established for the existing uses.
 - d. That the proposed egress and ingress for the site is adequately served by unobstructed fire lanes, driveway aisles, streets, or highways having sufficient width and improvements to accommodate the kind and quantity of traffic that such temporary use or structure could reasonably generate;
 - e. That the proposed location of setup and operation shall not be located in the public right-of-way.
 - f. That the proposed signage for the temporary use or structure is limited to one sign, not to exceed 32 square feet. The sign shall be attached to the vehicle or structure associated with the temporary use. No off-premises signs or dynamic messaging signs are allowed;
 - g. That the proposed temporary use or structure is limited to one temporary use or structure per site;
 - h. That the proposed temporary use or structure is limited to one event consisting of up to 14 days and three events per calendar year, not to exceed 42 days. Days not utilized in a single event will not be carried over to the next event;
 - i. That the property owner of the site is restricted to host no more than one event consisting of up to 14 days and three events per calendar year, not to exceed 42 days. Days not utilized in a single event will not be carried over to the next event; and

- j. In approving an application for a temporary use permit, the Planning Director may impose such conditions as are deemed necessary to insure that the permit will be in accord with the intent and purpose of this Zoning Ordinance.
- 6. Zoning. Such permitted uses shall only be located on commercial (C-1, C-2, C-3), Highway Corridor Commercial (HCC), Light Industrial (M-1), Heavy Industrial (M-2), or Agricultural (A) zoned properties.
- 7. Fees. The fee for such permit under shall be established by resolution and adopted by the City Commission.
- 8. Expiration of permit. Temporary use permits allow for a period of up to 14 days and three events per calendar year, not to exceed 42 days. Days not utilized in a single event will not be carried over to the next event. Upon expiration of the permit, all associated materials and equipment shall be promptly removed from the property.
- 9. Revocation. A temporary use permit may be revoked if the Planning Director finds that one or more of the following conditions exists:
 - a. Circumstances have changed to such a degree that one or more of the findings of fact contained in Subsection O.5 can no longer be made in a positive manner;
 - b. The temporary use permit was obtained in a fraudulent manner;
 - c. One or more conditions of the temporary use permit have not been complied with.
- 10. Enforcement. Any use which is established, operated erected, moved, altered, enlarged or maintained contrary to the provisions of this Zoning Ordinance or any condition of approval, is hereby declared to be unlawful and shall be subject to the remedies and penalties set forth in Section 26.F of the City of Williston Zoning Ordinance.
- 11. Effective date. The effective date of this Ordinance No. 1065 is August 8, 2017.



DATE: November 22, 2022

TO: City Commission

FROM: Kenny Bergstrom, Director of Public Works

RE: Report of Departments

8D1 2022 City Christmas Tree

This years City of Williston Christmas Tree has been donated by Brady Vickers, located at the corner of 11th St E and 2nd Ave E. The tree was planted around 1970, making it approximately 52 years old. It stands about 60 feet tall and weighs around 12,300 lbs.

The Christmas Tree Lighting Ceremony is scheduled for Monday, November 28th at 5:30pm, where there will be a bonfire, refreshments provided by Alliance Consulting and a small firework display by Terry Gaudreau (TNT Fireworks).

Thank you to all the volunteers and departments that made this event happen:

- Basin Concrete – Trucking: Crane and trucking services
- 11 Bravo Property Services: Valuable insight, specialized equipment and support to our crews
- Alliance Consulting: Drone services and refreshments
- TNT Fireworks: Fireworks display
- Police Department: Police escort
- Fire Department: Fire control

We would like to thank all the volunteers and everyone that helped make this event a success.

Attachments



DATE: November 22,2022
TO: City Commission
FROM: Mitchell Hoover, Staff Planner
RE: Final Plat Review- Idle Acres Subdivision

8.H.1. Final Plat Review- Idle Acres Subdivision

This is a review of the final plat for the Idle Acres Subdivision, a plat of 80 acres in the SESW and the SWSE Section 34 T155N R101N. This is to subdivide unplatted properties into two lots. This will allow for the purchase of- Lot 1 by Grayson Mill Energy.

The Planning and Zoning Commission recommended approval of the preliminary plat for the Idle Acres subdivision by a vote of 7-2.

City Commission voted to approve the preliminary plat on October 25th,2022. Minor redlines have been corrected but there have been no significant changes since the preliminary plat approvals.

Recommendation: to approve the Final plat for the Idle Acres Subdivision, located in the SESW and the SWSE Section 34 T155N R101N.

Attachments:

1. Locator Map
2. Final Plat

IDLE ACRES SUBDIVISION

A MAJOR SUBDIVISION SITUATED IN THE SE1/4 SW1/4, AND THE SW1/4 SE1/4 OF SECTION 34, TOWNSHIP
155 NORTH, RANGE 101 WEST, FIFTH PRINCIPAL MERIDIAN, WILLIAMS COUNTY, NORTH DAKOTA.

OWNER'S CERTIFICATE

I, THE UNDERSIGNED, BEING THE SOLE OWNER OF THE LAND PLATTED HEREIN, DO HEREBY VOLUNTARILY CONSENT TO THE EXECUTION OF SAID PLAT, AND DO DEDICATE THE STREETS, ALLEYS, PARKS, AND PUBLIC GROUNDS AS SHOWN THEREON, INCLUDING ALL SEWERS, CULVERTS, BRIDGES, WATER DISTRIBUTION LINES, SIDEWALKS, GROUNDS WHETHER SUCH IMPROVEMENTS ARE SHOWN OR NOT, TO THE PUBLIC USE FOREVER.
I AGREE NOT TO VACATE ANY PORTION OF THIS PLAT WITHOUT THE CONSENT OF THE WILLISTON CITY COMMISSION. I ALSO HEREBY DEDICATE EASEMENTS TO RUN WITH THE LAND FOR WATER, SEWER, GAS, ELECTRIC, TELEPHONE, OR OTHER PUBLIC UTILITY LINES OR SERVICES UNDER, ON, OR OVER THOSE CERTAIN STRIPS OF LAND DESIGNATED HEREON AS "UTILITY EASEMENTS", WHETHER SHOWN OR EXISTING.

KRISTIN LEE GUNDERSON, f/k/a KRISTIN LEE WEYRAUCH

DATE:

JOE GUNDERSON

DATE:

STATE OF NORTH DAKOTA

COUNTY OF WILLIAMS

BE IT KNOWN THAT ON THIS _____ DAY OF _____, 20____ BEFORE ME PERSONALLY APPEARED KRISTIN LEE GUNDERSON, F/K/A KRISTIN LEE WEYRAUCH, KNOWN TO ME OR PROVEN TO ME TO BE THE REPRESENTATIVE OF IDLE ACRES SUBDIVISION DESCRIBED HEREIN, AND WHO EXECUTED THE WITHIN PLAT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

NOTARY PUBLIC

STATE OF NORTH DAKOTA

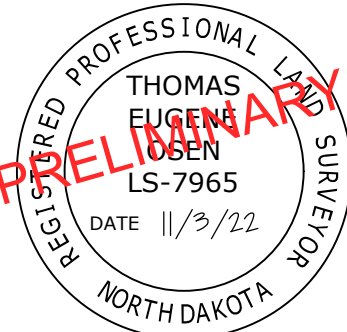
COUNTY OF WILLIAMS

BE IT KNOWN THAT ON THIS _____ DAY OF _____, 20____ BEFORE ME PERSONALLY APPEARED JOE GUNDERSON KNOWN TO ME OR PROVEN TO ME TO BE THE REPRESENTATIVE OF IDLE ACRES SUBDIVISION DESCRIBED HEREIN, AND WHO EXECUTED THE WITHIN PLAT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

NOTARY PUBLIC

SURVEYOR'S CERTIFICATE

I, THOMAS EUGENE OSEN, REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, DO HEREBY CERTIFY THAT THIS PLAT WAS MADE FROM AN ACTUAL SURVEY DONE BY ME, OR UNDER MY DIRECTION ON AUGUST 22, 2022, AND THAT TO THE BEST OF MY KNOWLEDGE SAID SURVEY IS A TRUE AND CORRECT REPRESENTATION OF THE SURVEY, THAT ALL DISTANCES ARE CORRECT AND MONUMENTS ARE PLACED IN THE GROUND AS SHOWN, AND THAT THE OUTSIDE BOUNDARY LINES ARE CORRECTLY DESIGNATED ON THE PLAT.



THOMAS EUGENE OSEN P.L.S. #7965

DATE:

STATE OF NORTH DAKOTA

COUNTY OF WILLIAMS

BE IT KNOWN THAT ON THIS _____ DAY OF _____, 20____, BEFORE ME PERSONALLY APPEARED THOMAS EUGENE OSEN, NORTH DAKOTA PROFESSIONAL LAND SURVEYOR, KNOWN TO ME TO BE THE PERSON WHO EXECUTED THE WITHIN PLAT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

NOTARY PUBLIC

CITY COMMISSION APPROVAL

BY VIRTUE OF ORDINANCE NO. 1082, PASSED JUNE 26, 2018, THE CITY COMMISSION OF THE CITY OF WILLISTON, NORTH DAKOTA HAS APPROVED THIS DIVISION OF LAND SHOWN HEREON; HAS ACCEPTED THE DEDICATION OF ALL STREETS, ALLEYS AND OTHER PUBLIC WAYS SHOWN HEREON LYING WITHIN THE CORPORATE LIMITS OF THE CITY OF WILLISTON; HAS ACCEPTED THE DEDICATION OF ALL PARKS AND OTHER AREAS SHOWN HEREON, EXCEPT THOSE PUBLIC AREAS SPECIFICALLY DEDICATED TO OTHER PUBLIC BODIES PERTAINING TO THE IDLE ACRES SUBDIVISION, CITY OF WILLISTON, WILLIAMS COUNTY, NORTH DAKOTA, ACCORDING TO THE RECORDED PLAT THEREOF.

CITY OF WILLISTON

HOWARD KLUG
PRESIDENT OF THE BOARD OF CITY COMMISSION

HERCULES CUMMINGS,
FINANCE DIRECTOR

STATE OF NORTH DAKOTA

COUNTY OF WILLIAMS

BE IT KNOWN THAT ON THIS _____ DAY OF _____, 20____, BEFORE ME PERSONALLY APPEARED HOWARD KLUG, PRESIDENT OF CITY COMMISSION AND, HERCULES CUMMINGS, FINANCE DIRECTORE, AS ACKNOWLEDGED THE EXECUTION AND SIGNING ABOVE.

NOTARY PUBLIC, STATE OF NORTH DAKOTA

WILLIAMS COUNTY AUDITOR'S CERTIFICATE OF TAXES

I, BETH M. INNIS, AUDITOR OF WILLIAMS COUNTY, DO HEREBY CERTIFY THAT CURRENT TAXES, DELINQUENT TAXES, AND DELINQUENT SPECIAL ASSESSMENTS OR INSTALLMENTS OF SPECIAL ASSESSMENTS OR TAX ESTIMATES FOR THE PROPERTY DESCRIBED ON THE ATTACHED INSTRUMENT ARE UNPAID IN THE AMOUNT OF \$ _____ PLUS PENALTY AND INTEREST.

CERTIFIED THIS _____ DAY OF _____, 20____.

BETH M. INNIS
WILLIAMS COUNTY AUDITOR

WILLIAMS COUNTY RECORDER'S CERTIFICATE OF RECORDING

THIS PLAT WAS FILED AND RECORDED IN THE OFFICE OF THE WILLIAMS COUNTY RECORDER IN THE STATE OF

NORTH DAKOTA AT _____ M. ON THE _____ DAY OF _____, 20____, AND

WAS RECORDED AS DOCUMENT NO. _____.

PATTI OGURCHAK
WILLIAMS COUNTY RECORDER

PLANNING & ZONING COMMISSION APPROVAL

THE SUBDIVISION OF LAND SHOWN HEREON HAS BEEN APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF WILLISTON ON _____, 20____, IN ACCORDANCE WITH THE LAWS OF THE STATE OF NORTH DAKOTA, ORDINANCES OF THE CITY OF WILLISTON, AND REGULATIONS OF SAID PLANNING AND ZONING COMMISSION.

LUCAS GJOVIG, CHAIRMAN
PLANNING & ZONING COMMISSION

STATE OF NORTH DAKOTA

COUNTY OF WILLIAMS

BE IT KNOWN THAT ON THIS _____ DAY OF _____, 20____, BEFORE ME PERSONALLY APPEARED LUCAS GJOVIG, CHAIRMAN, PLANNING AND ZONING COMMISSION, KNOWN TO ME TO BE THE PERSON WHO EXECUTED THE WITHIN PLAT AND ACKNOWLEDGED THE EXECUTION AND SIGNING ABOVE.

NOTARY PUBLIC

BENEFICIARY CERTIFICATE

WE, _____, DO HERBY CONSENT TO THE PREPARATION AND RECORDATION OF THIS MAP AND DEDICATION AND/OR VACATION OF RIGHTS OF WAY OFFERED IN ACCORDANCE WITH THE OWNER'S CERTIFICATE.

DATE

TITLE AND INSTITUTION NAME

STATE OF NORTH DAKOTA
COUNTY OF WILLIAMS
BE IT KNOWN THAT ON THIS _____ DAY OF _____, 20____, BEFORE ME

PERSONALLY APPEARED _____, KNOWN TO ME OR PROVEN TO ME TO BE THE PERSON DESCRIBED HEREIN, AND WHO EXECUTED THE WITHIN PLAT, AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME.

NOTARY PUBLIC

DEVELOPMENT REVIEW COMMITTEE APPROVAL

THE SUBDIVISION OF LAND SHOWN HEREON HAS BEEN APPROVED, IN ACCORDANCE WITH ORDINANCE 1082 (B)3, BY THE DEVELOPMENT REVIEW COMMITTEE FOR THE CITY OF WILLISTON ON _____, 20____, IN ACCORDANCE WITH THE LAWS OF THE STATE OF NORTH DAKOTA, ORDINANCES OF THE CITY OF WILLISTON, AND REGULATIONS OF SAID PLANNING AND ZONING COMMISSION

MARK D. SCHNEIDER
DEVELOPMENT SERVICES DIRECTOR

KENT JARCIK
PLANNING & ZONING DIRECTOR

STATE OF NORTH DAKOTA

COUNTY OF WILLIAMS

BE IT KNOWN THAT ON THE _____ DAY OF _____, 20____, BEFORE ME PERSONALLY APPEARED MARK D. SCHNEIDER, DEVELOPMENT SERVICES DIRECTOR AND KENT JARCIK, PLANNING & ZONING DIRECTOR, AND ACKNOWLEDGED THE EXECUTION AND SIGNING OF THE ABOVE.

NOTARY, STATE OF NORTH DAKOTA

NOTES FROM TITLE OPINION FOR THE SE1/4 SW1/4 AND SW1/4 SE1/4 OF SECTION 34, TOWNSHIP 155 NORTH, RANGE 101 WEST:

LIABILITY FOR THIS TITLE OPINION PREPARED BY FURUETH OLSON AND EVERT PC IS LIMITED TO AN EXAMINATION OF THE TITLE INSURANCE POLICY REFERRED TO ABOVE, AND THE EXAMINATION OF RECORDS OF THE WILLIAMS COUNTY COURTHOUSE AND IDOC AS CERTIFIED ABOVE, COVERING THE ABOVE DESCRIBED REAL PROPERTY, AND THE LAW FIRM ASSUMES NO LIABILITY FOR MATERIALS NOT REVIEWED BY THIS EXAMINING ATTORNEY.

THIS OPINION IS LIMITED TO THE SURFACE INTEREST ONLY AND NO OPINION IS EXPRESSED AS TO ANY MINERAL OWNERSHIP.

1. THERE IS A 33' STATUTORY EASEMENT APPLICABLE ON THE SOUTH END OF THE PROPERTY.

2. RIGHT OF WAY AND PIPELINE EASEMENT FOR WILLIAMS RURAL WATER ASSOCIATION RECORDED IN DOCUMENT NUMBER 587126 IS BLANKET IN NATURE, UNABLE TO PLOT.

3. PRIVATE ACCESS EASEMENT RECORDED IN DOCUMENT NUMBER 607012 DOES NOT AFFECT SUBJECT PROPERTY.

4. RIGHT OF WAY EASEMENT TO WILLIAMS RURAL WATER DISTRICT RECORDED IN DOCUMENT NUMBER 625998 IS BLANKET IN NATURE, UNABLE TO PLOT.

5. RATIFICATION TO WILLIAMS RURAL WATER DISTRICT RECORDED IN DOCUMENT NUMBER 649152 IS BLANKET IN NATURE, UNABLE TO PLOT.

6. PIPELINE EASEMENT TO ONEOK ROCKIES MIDSTREAM, LLC RECORDED IN DOCUMENT NUMBER 738263 HAS NO WIDTH OF EASEMENT CALLED OUT, EXISTING PIPELINE IS PLOTTED HEREON.

7. DISCLAIMER OF INTEREST RECORDED IN DOCUMENT NUMBER 743440 DOES NOT AFFECT SUBJECT PROPERTY.

8. ASSIGNMENT, BILL OF SALE AND CONVEYANCE RECORDED IN DOCUMENT NUMBER 884921 DOES NOT AFFECT SUBJECT PROPERTY.

THEREFORE, SUBJECT TO THE ABOVE QUALIFICATIONS, COMMENTS, OBJECTIONS, EXCEPTIONS AND REQUIREMENTS, THE TITLE HELD AS INDICATED ABOVE IS OTHERWISE MARKETABLE AND APPROVED.

OLD BOUNDARY DESCRIPTION:

THE SE1/4 OF THE SW1/4 AND THE SW1/4 OF THE SE1/4 OF SECTION 34, T155N, R101W, 5TH PRINCIPAL MERIDIAN, WILLIAMS COUNTY, NORTH DAKOTA

NEW BOUNDARY DESCRIPTION:

THE SE1/4 OF THE SW1/4 AND THE SW1/4 OF THE SE1/4 OF SECTION 34, TOWNSHIP 155 NORTH, RANGE 101 WEST, 5TH PRINCIPAL MERIDIAN, WILLIAMS COUNTY, NORTH DAKOTA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE S1/4 CORNER OF SAID SECTION 34; THENCE N87°44'03"W ALONG THE SOUTH LINE THEREOF A DISTANCE OF 1318.37 FEET TO AN REBAR W/ YELLOW PLASTIC CAP SET FOR THE 1/16TH CORNER; THENCE N02°21'04"E A DISTANCE OF 1318.98 FEET TO AN EXISTING REBAR W/ YELLOW PLASTIC CAP (PLS1195) FOR THE 1/16TH CORNER; THENCE S87°42'29"E A DISTANCE OF 1317.22 FEET TO AN EXISTING 5/8" REBAR FOR THE 1/16TH CORNER; THENCE S87°46'24"E A DISTANCE OF 1317.24 FEET TO AN EXISTING REBAR W/ YELLOW PLASTIC CAP (INTERSTATE ENGINEERING) FOR THE 1/16TH CORNER; THENCE S02°20'10"W A DISTANCE OF 1319.12 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 34 AND AN EXISTING 5/8" REBAR FOR THE 1/16TH CORNER; THENCE N87°48'06" W ALONG THE SOUTH LINE THEREOF A DISTANCE OF 1316.76 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAININS 79.81 ACRES, MORE OR LESS, AND IS SUBJECT TO RIGHTS-OF-WAY, EASEMENTS AND OTHER RESTRICTIONS OF RECORD IF ANY.

HEREAFTER TO BE KNOWN AS LOT 1 AND LOT 2, BLOCK 1, IDLE ACRES SUBDIVISION, SECTION 34, TOWNSHIP 155 NORTH, RANGE 101 WEST, 5TH PRINCIPAL MERIDIAN, WILLIAMS COUNTY, NORTH DAKOTA.

NOTES:

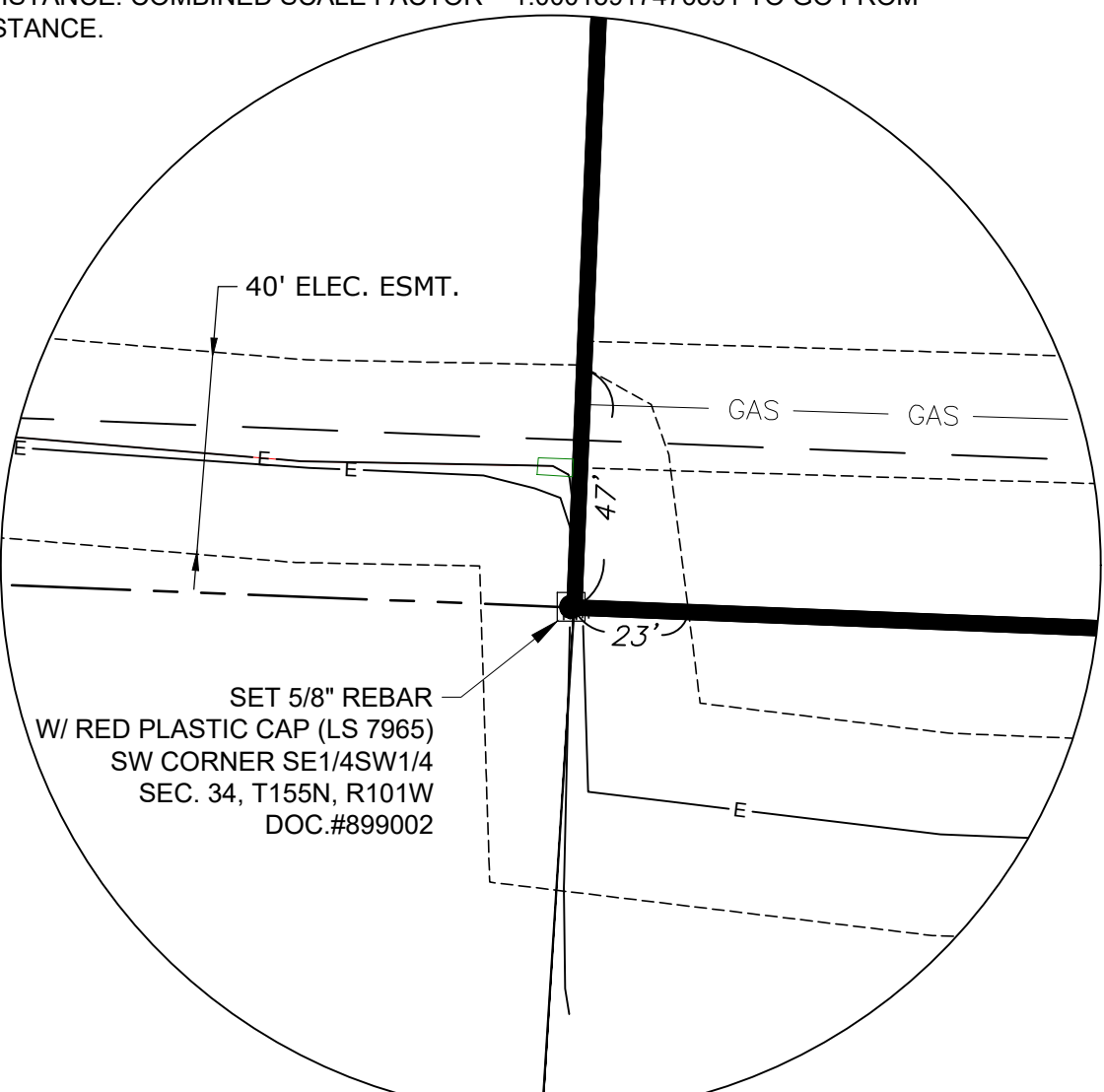
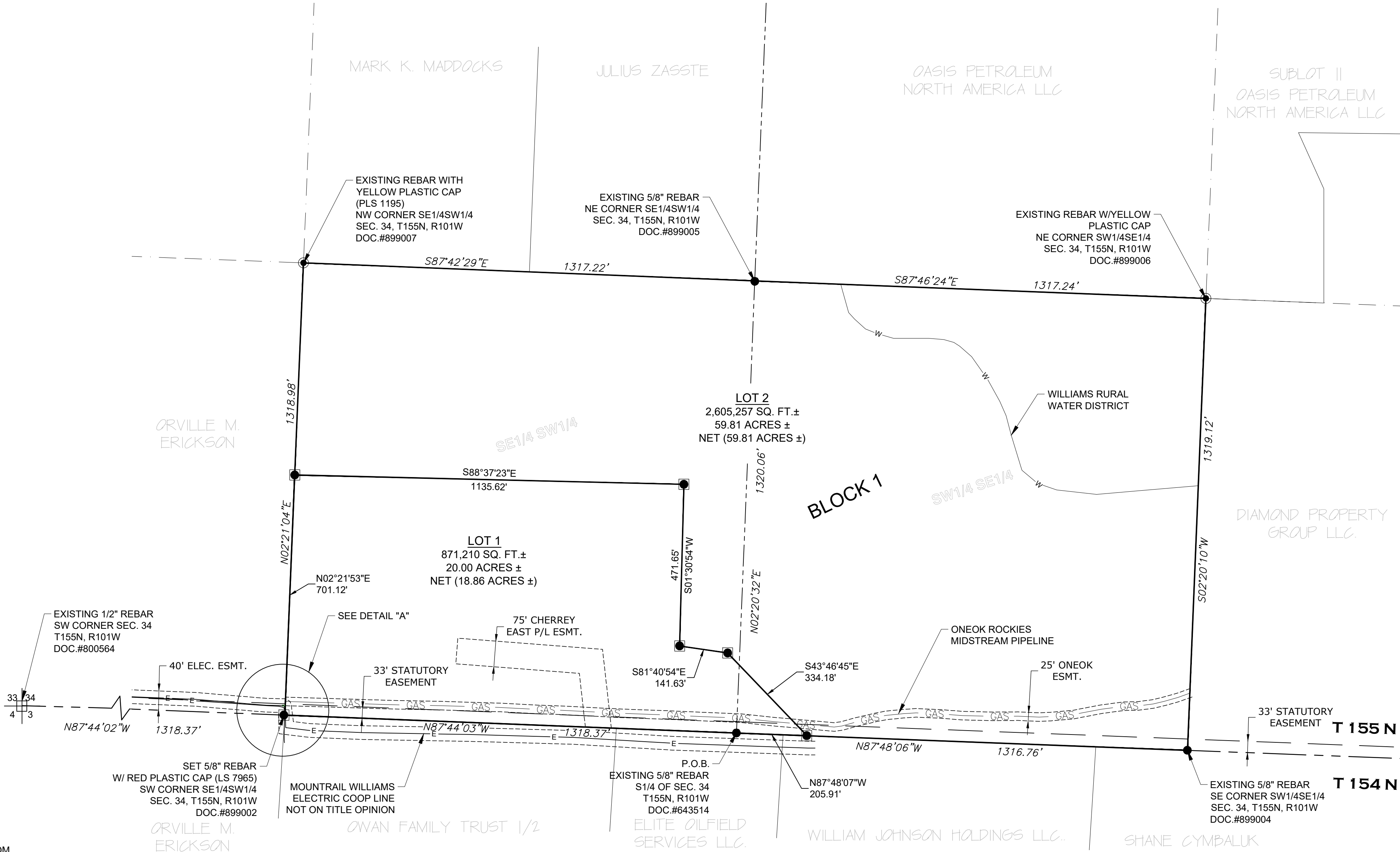
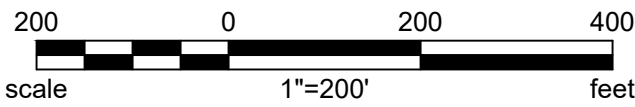
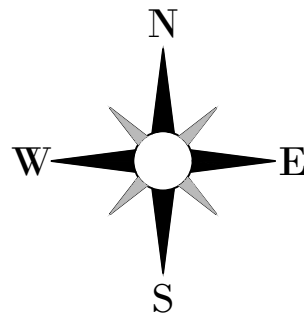
PARCELS SHOWN ARE SUBJECT TO ANY EASEMENT, RESTRICTIONS OR RESERVATIONS, EITHER EXISTING OR OF RECORD.

SURVEY IS BASED ON NORTH DAKOTA STATE PLANE SYSTEM, NAD83 (96), NORTH ZONE, U.S. FOOT. DISTANCES SHOWN ARE GRID DISTANCE. COMBINED SCALE FACTOR = 1.00015917476591 TO GO FROM GRID DISTANCE TO GROUND DISTANCE.

IDLE ACRES SUBDIVISION

A MAJOR SUBDIVISION SITUATED IN THE SE1/4 SW1/4, AND THE SW1/4 SE1/4 OF SECTION 34, TOWNSHIP 155 NORTH, RANGE 101 WEST, FIFTH PRINCIPAL MERIDIAN, WILLIAMS COUNTY, NORTH DAKOTA.

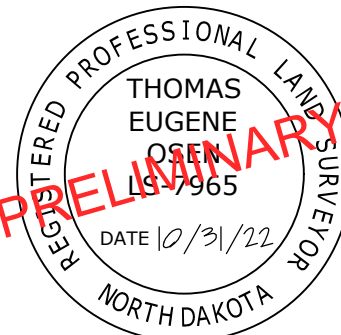
VICINITY MAP
NOT TO SCALE
T 155 N



DETAIL "A"
N.T.S.

LEGEND:

- SET 5/8" IRON REBAR W/ RED PLASTIC CAP (LS 7965)
- EXISTING 5/8" IRON REBAR
- EXISTING REBAR W/ YELLOW PLASTIC CAP
- EXISTING 1/2" REBAR
- PROPERTY BOUNDARY
- EASEMENT LINE
- SECTION LINE
- 1/4 SECTION LINE
- 1/16 LINE
- STATUTORY RIGHT OF WAY
- ELECTRIC LINE
- WATER LINE
- GAS LINE



SURVEY BY: T. OSEN
DATE: 8/23/22
PROJECT NUMBER: 4D22064

IDLE ACRES SUBDIVISION
SITUATED IN THE SE1/4 SW1/4, AND THE SW1/4 SE1/4 OF
SECTION 34, TOWNSHIP 155 NORTH, RANGE 101 WEST, FIFTH
PRINCIPAL MERIDIAN, WILLIAMS COUNTY, NORTH DAKOTA



14945 COCHISE ST
WILLISTON, ND 58801
www.4dsc.us
701-580-5267



DATE: November 22, 2022

TO: City Commission

FROM: Rachel Laqua, Principal Planner

RE: Item 8.H.2. – Final Plat of Fuchs Subdivision

This is a **final plat** for previously unplatted property inside the City, to be known as the Fuchs Subdivision. This property is located just east of University, and is east of a second unplatted property. This is only a request to plat the east parcel. The parcel to be platted has two houses on it, owned by brothers. The request will split the property between the two houses into 1.1 acre lots.

Both houses are on City water and have septic systems. The septic systems will be fully contained on each property.

Since the preliminary plat review, a few items have been added to the plat, including beneficiary certificates and an access easement certificate.

At Development Review Committee, the Fire Department noted that they will need to have clearly labelled addressing for all three properties along University Avenue. It was also noted that the access easement will need to clearly note that it is for the benefit of the Fuchs Subdivision, emergency services, and deliveries.

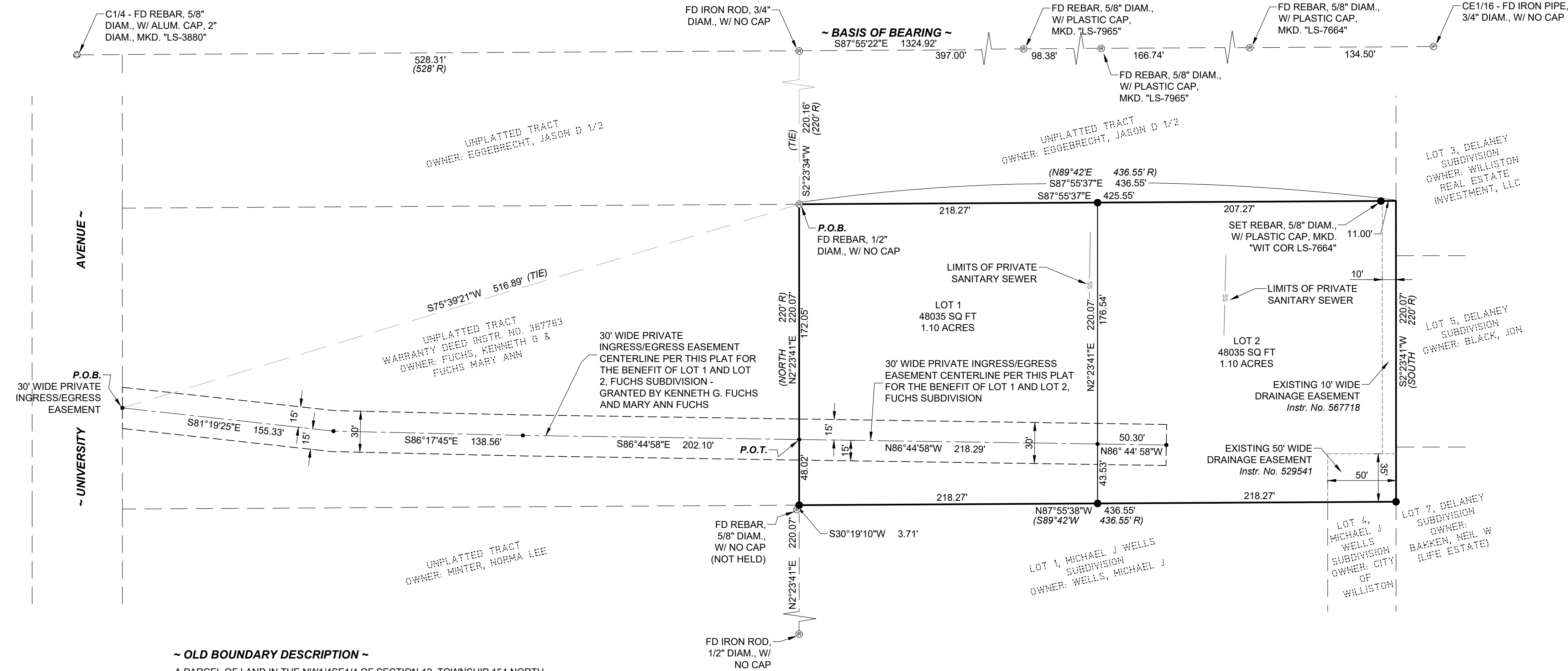
Planning and Zoning Commission Recommendation: To approve the final plat for the Fuchs Subdivision, contingent on:

1. Review of Final Plat by City Commission
2. Easement document as noted above
3. Clear addressing which meets Fire Department requirements to be installed on University Ave.

Attachments:

1. Plat
2. Locator Map

FUCHS SUBDIVISION
UNPLATTED CITY OF WILLISTON
SITUATE IN THE NW1/4SE1/4, SEC. 12, T154N, R101W, 5TH P.M.,
CITY OF WILLISTON, WILLIAMS COUNTY, NORTH DAKOTA



~ OLD BOUNDARY DESCRIPTION ~

A PARCEL OF LAND IN THE NW1/4SE1/4 OF SECTION 12, TOWNSHIP 154 NORTH, RANGE 101 WEST OF THE 5TH PRINCIPAL MERIDIAN, WILLIAMS COUNTY, NORTH DAKOTA.
BEGINNING AT A POINT 528 FEET EASTERLY AND 220 FEET SOUTH OF THE CENTER OF SAID SECTION 12; THENCE NORTH 89 DEGREES, 42 MINUTES EAST A DISTANCE OF 436.55 FEET; THENCE SOUTH A DISTANCE OF 220 FEET; THENCE SOUTH 89 DEGREES, 42 MINUTES WEST A DISTANCE OF 436.55 FEET; THENCE NORTH 220 FEET TO THE POINT OF BEGINNING. CONTAINING AN AREA OF 2.205 ACRES.

~ NEW BOUNDARY DESCRIPTION ~

A PARCEL OF LAND IN THE NW1/4SE1/4, SECTION 12, TOWNSHIP 154 NORTH, RANGE 101 WEST OF THE FIFTH PRINCIPAL MERIDIAN, UNPLATTED CITY OF WILLISTON, WILLIAMS COUNTY, NORTH DAKOTA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER QUARTER CORNER OF SAID SECTION 12, MONUMENTED WITH A REBAR, 5/8 INCH DIAMETER, WITH AN ALUMINUM CAP, 2 INCHES DIAMETER, MARKED "LS-3880", FROM WHICH THE CENTER-EAST SIXTEENTH CORNER OF SAID SECTION 12, MONUMENTED WITH AN IRON PIPE, 3/4 DIAMETER WITH NO CAP, BEARS SOUTH 87°55'22" EAST, A DISTANCE OF 1324.92 FEET, BEING THE EAST-WEST MID-SECTION LINE;

THENCE ALONG SAID MID-SECTION LINE, SOUTH 87°55'22" EAST, A DISTANCE OF 528.31 FEET TO AN IRON ROD, 3/4 INCH DIAMETER, WITH NO CAP;

THENCE SOUTH 02°23'34" WEST, A DISTANCE OF 220.16 FEET TO THE POINT OF BEGINNING, MONUMENTED WITH A REBAR, 1/2 INCH DIAMETER WITH NO CAP;

THENCE AROUND THE SUBJECT PARCEL IN A CLOCKWISE MANNER, THE FOLLOWING FOUR (4) COURSES;

- SOUTH 87°55'37" EAST, A DISTANCE OF 425.55 FEET, TO A WITNESS CORNER, MONUMENTED WITH A REBAR, 5/8 INCH DIAMETER, 24 INCHES LONG, WITH A PLASTIC CAP MARKED "WIT COR LS-7664", THEN EXTENDING SAID LINE 11.00 FEET TO THE TRUE CORNER;
- THENCE SOUTH 02°23'41" WEST, A DISTANCE OF 220.07 FEET TO A REBAR, 5/8 INCH DIAMETER, 24 INCHES LONG, WITH A PLASTIC CAP MARKED "EUR LS-7664";
- THENCE NORTH 87°55'37" WEST, A DISTANCE OF 436.55 FEET TO A REBAR, 5/8 INCH DIAMETER, 24 INCHES LONG, WITH A PLASTIC CAP MARKED "EUR LS-7664";
- THENCE NORTH 02°23'41" EAST, A DISTANCE OF 220.07 FEET TO THE POINT OF BEGINNING, CONTAINING 2.20 ACRES OF LAND, MORE OR LESS;

HEREAFTER TO BE KNOWN AS LOT 1 AND LOT 2, FUCHS SUBDIVISION, SITUATE IN THE NW1/4SE1/4, SECTION 12, TOWNSHIP 154 NORTH, RANGE 101 WEST, 5TH P.M., CITY OF WILLISTON, WILLIAMS COUNTY, NORTH DAKOTA

SUBJECT TO: ANY EXISTING RIGHTS OF WAY, EASEMENTS, COVENANTS, CONDITIONS, RIGHTS, RESERVATIONS, RESTRICTIONS, ENCUMBRANCES OR APPLICABLE SUBDIVISION, BUILDING AND ZONING ORDINANCES AND USE REGULATIONS, OF RECORD OR IN VIEW.

~ NOTES FROM TITLE OPINION ~

- DRAINAGE EASEMENT, CITY OF WILLISTON, DATED JULY 8, 1955, RECORDED NOVEMBER 14, 1955, BOOK 65 MISC. AT PAGE 111, DOCUMENT NO. 276096.
- DRAINAGE EASEMENT, CITY OF WILLISTON, DATED JULY 8, 1955, RECORDED APRIL 16, 1956, BOOK 66 MISC. AT PAGE 457, DOCUMENT NO. 277830.
- RIGHT OF WAY PLAT, WILLIAMS COUNTY HIGHWAY DEPARTMENT, DATED FEBRUARY 7, 1967, RECORDED MAY 9, 1967, BOOK 139 MISC. AT PAGE 555, DOCUMENT NO. 331332.
- EASEMENT, CHARLES L. SCOFIELD DBA COMMUNITY SERVICE TELEVISION COMPANY, RECORDED AUGUST 24, 1976, BOOK 198 MISC. AT PAGE 187, DOCUMENT NO. 374709.
- EASEMENT, WILLIAMS ELECTRIC COOPERATIVE, INC., DATED OCTOBER 28, 1983, RECORDED DECEMBER 16, 1983, DOCUMENT NO. 457684.
- DRAINAGE EASEMENT, WILLISTON TOWNSHIP, RECORDED MARCH 19, 1990, DOCUMENT NO. 529540. LOT 5, DELANEY SUBDIVISION. NO AFFECT.
- DRAINAGE EASEMENT, WILLISTON TOWNSHIP, RECORDED MARCH 19, 1990, DOCUMENT NO. 529541; RE-RECORDED MARCH 21, 1990, DOCUMENT NO. 529587.
- AGREEMENT CONCERNING FUTURE PETITIONS FOR ANNEXATION TO THE CITY OF WILLISTON, DATED OCTOBER 5, 1995, RECORDED OCTOBER 6, 1995, DOCUMENT NO. 561803.
- WATER USERS AGREEMENT, WILLIAMS RURAL WATER ASSOCIATION AND KENNETH FUCHS, DATED AUGUST 15, 1995, RECORDED SEPTEMBER 9, 1995, DOCUMENT NO. 566280.
- DRAINAGE EASEMENT, WILLIAMS COUNTY NORTH DAKOTA, DATED NOVEMBER 16, 1994, RECORDED DECEMBER 19, 1996, DOCUMENT NO. 567718.
- RIGHT OF WAY EASEMENT, WILLIAMS RURAL WATER ASSOCIATION, DATED AUGUST 5, 1999, RECORDED AUGUST 23, 1999, DOCUMENT NO. 587122.
- RIGHT OF WAY EASEMENT, WILLIAMS RURAL WATER ASSOCIATION, DATED AUGUST 5, 1999, RECORDED AUGUST 23, 1999, DOCUMENT NO. 587131.
- ASSIGNMENT AND ASSUMPTION OF RECORDED EASEMENTS, MISSOURI VALLEY COMMUNICATIONS, INC., DATED MARCH 31, 2003, RECORDED AUGUST 19, 2003, DOCUMENT NO. 607762.
- NOTICE OF RE-ORGANIZATION OF WILLIAMS RURAL WATER ASSOCIATION AS WATER DISTRICT, DATED JANUARY 1, 2005, RECORDED MARCH 24, 2006, DOCUMENT NO. 633593.
- RESOLUTION 13-017, CITY OF WILLISTON, RECORDED FEBRUARY 4, 2013, DOCUMENT NO. 753462.
- PRIVATE ACCESS EASEMENT PERSONAL TO GRANTEES, GREG FUCHS AND STEPHANIE FUCHS, DATED JANUARY 15, 2013, RECORDED MAY 3, 2013, DOCUMENT NO. 759492.

~ BASIS OF BEARING ~

THE BASIS OF BEARING FOR THIS SURVEY IS:

NAD83, NORTH DAKOTA STATE PLANE COORDINATES, NORTH ZONE 3301.
POINT OF ORIGIN: NDWilliston
LATITUDE: 48°08'57.63150" N
LONGITUDE: 103°36'31.42594" W
ELLIPSOID HT: 1818.890'
COMBINED SCALE FACTOR: 0.999844500
GROUND DISTANCES SHOWN AND CONVERGENCE ANGLE NOT APPLIED TO BEARINGS SHOWN.

~ PURPOSE OF SURVEY ~

THE PURPOSE OF THIS SURVEY IS TO CREATE TWO LOTS FROM ONE UNPLATTED LOT, PER CITY OF WILLISTON SUBDIVISION ORDINANCE, IN THE NW1/4SE1/4, SECTION 12, TOWNSHIP 154 NORTH, RANGE 101 WEST, 5TH P.M., CITY OF WILLISTON, WILLIAMS COUNTY, NORTH DAKOTA.

~ LEGEND ~

- ⊙ CENTER OF SECTION CORNER, AS NOTED
- ⊙ FOUND REBAR, AS NOTED
- ⊙ FOUND IRON PIPE, AS NOTED
- SET REBAR, 5/8" DIAM., 24" LONG, W/ A PLASTIC CAP MKD "EUR LS-7664", OR AS NOTED
- CALCULATED POINT, NOTHING FOUND OR SET

P.O.B. POINT OF BEGINNING

P.O.T. POINT OF TERMINUS

———— BOUNDARY LINE, SURVEYED

———— BOUNDARY LINE, NEW

— — — — BOUNDARY LINE, EXISTING

----- EASEMENT LINE, EXISTING

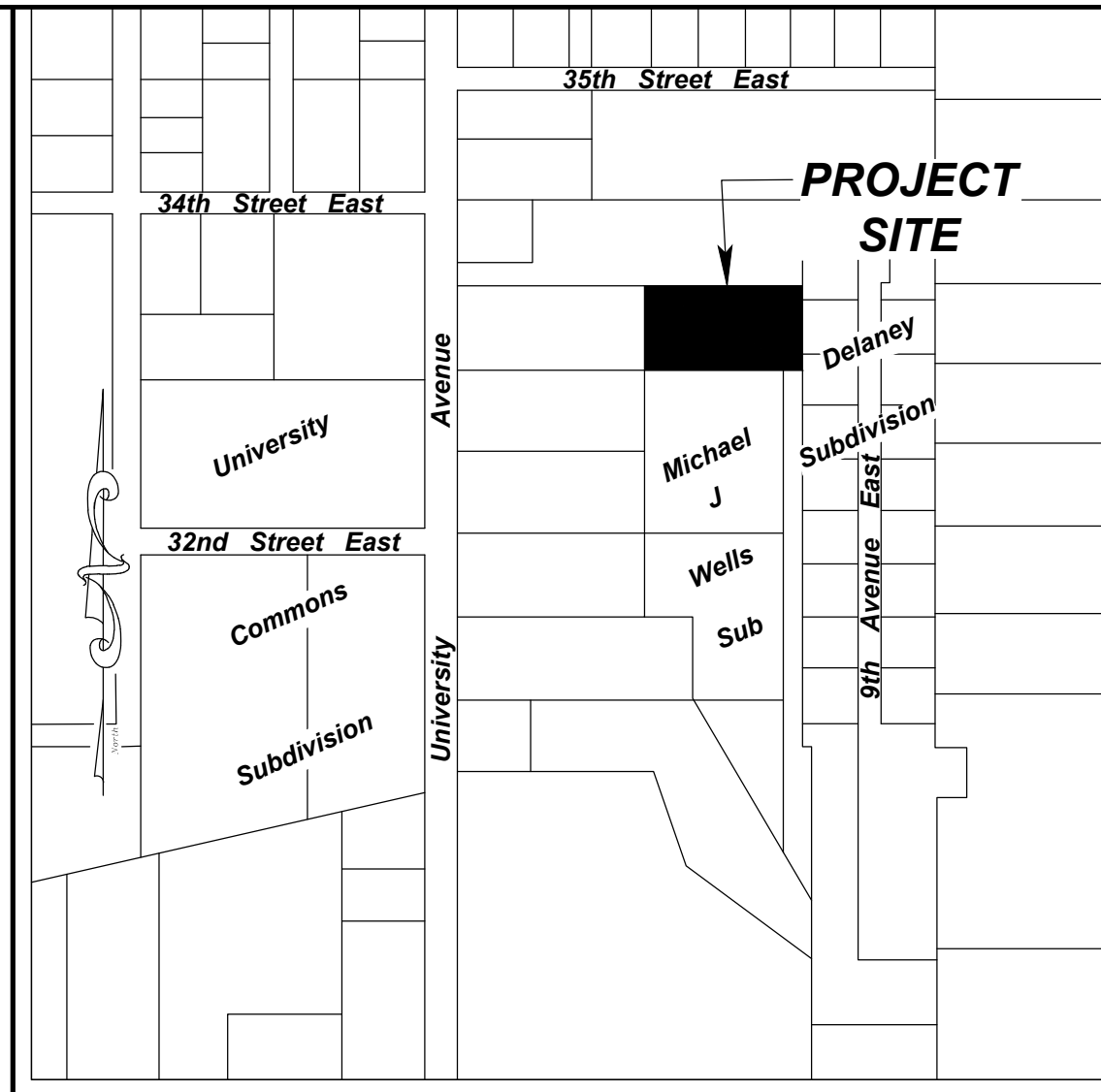
----- EASEMENT LINE, NEW

— SS — SANITARY SEWER, EXISTING

— — — — EASEMENT CENTERLINE, INGRESS/EGRESS

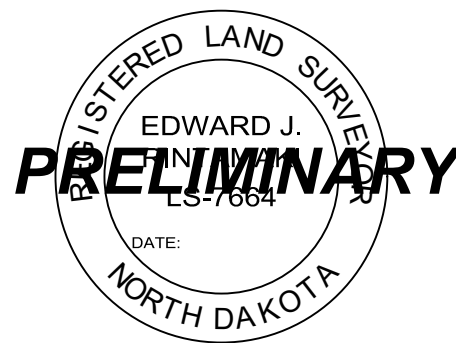
~ SURVEYS OF RECORD ~


- D.B. YOUNG LS-1043 APR. 1977 INSTR. NO. 379069



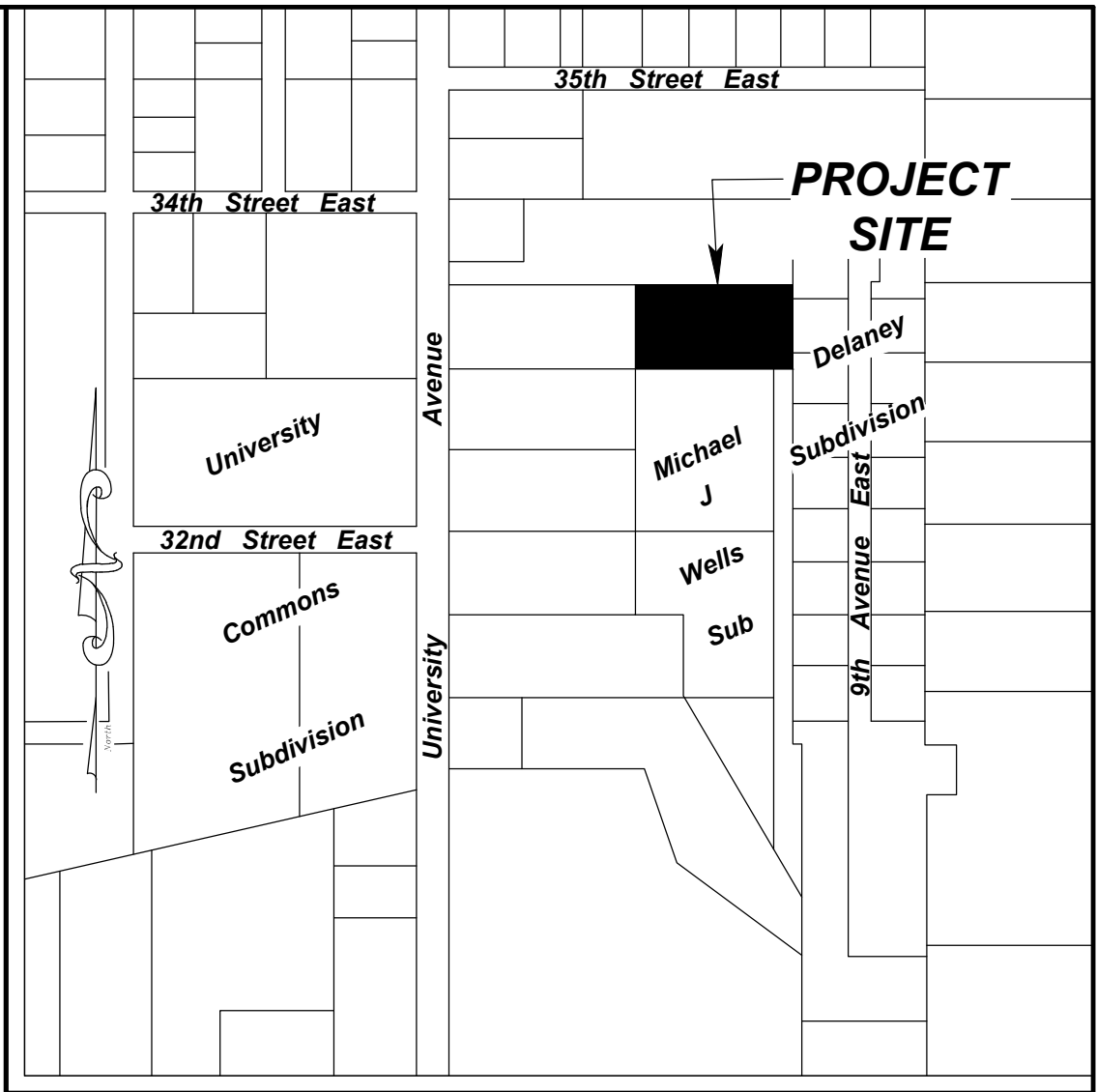
~ VICINITY MAP - T154N R101W ~
NOT TO SCALE

0 50' 100'
SCALE: 1" = 50'



FUCHS SUBDIVISION UNPLATTED CITY OF WILLISTON SITUATE IN THE NW1/4SE1/4, SEC. 12, T154N, R101W, 5TH P.M., CITY OF WILLISTON, WILLIAMS COUNTY, NORTH DAKOTA			
 13046 74th Street NW, Alamo, ND 58830 www.49latitudelandsurvey.net 701.580.2651	PREPARED FOR: NICK FUCHS	DRAWN BY: RER	DATE: October 27, 2022
	PROJECT NO: 22_100	SCALE: 1" = 50'	SHEET: 1 of 2
		FILE NAME: 22_100 Fuchs_SURVEY.dwg	

FUCHS SUBDIVISION
UNPLATTED CITY OF WILLISTON
SITUATE IN THE NW1/4SE1/4, SEC. 12, T154N, R101W, 5TH P.M.,
CITY OF WILLISTON, WILLIAMS COUNTY, NORTH DAKOTA



~ VICINITY MAP - T154N R101W ~
NOT TO SCALE

~ OWNER'S CERTIFICATE ~

WE, THE UNDERSIGNED, BEING THE SOLE OWNERS OF THE LAND PLATTED HEREIN, DO HEREBY VOLUNTARILY CONSENT TO THE EXECUTION OF SAID PLAT, AND DO DEDICATE TO THE PUBLIC USE FOREVER, ALL STREETS, ALLEYS, PARKS, AND PUBLIC GROUNDS AS SHOWN THEREON, INCLUDING ALL SEVERS, CULVERTS, BRIDGES, WATER DISTRIBUTION LINES, SIDEWALKS, GROUNDS WHETHER SUCH IMPROVEMENTS ARE SHOWN OR NOT, TO THE PUBLIC FOREVER.

WE AGREE NOT TO VACATE ANY PORTION OF THIS PLAT WITHOUT THE CONSENT OF THE WILLISTON CITY COMMISSION. WE ALSO HEREBY DEDICATE EASEMENTS TO RUN WITH THE LAND FOR WATER, SEWER, GAS, ELECTRIC, TELEPHONE, OR OTHER PUBLIC UTILITY LINES OR SERVICES UNDER, ON OR OVER THOSE CERTAIN STRIPS OF LAND DESIGNATED HEREON AS "UTILITY EASEMENTS", WHETHER SHOWN OR EXISTING.

GREGORY FUCHS, OWNER
LOT 1
DATE

STATE OF NORTH DAKOTA
COUNTY OF WILLIAMS

BE IT KNOWN ON THIS ____ DAY OF _____, 20____, BEFORE ME PERSONALLY APPEARED GREGORY FUCHS, KNOWN TO ME OR PROVEN TO ME TO BE THE PERSONS DESCRIBED HEREIN, AND WHO EXECUTED THE WITHIN PLAT, AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME.

NOTARY PUBLIC

NICHOLAS FUCHS, OWNER
LOT 2
DATE

STATE OF NORTH DAKOTA
COUNTY OF WILLIAMS

BE IT KNOWN ON THIS ____ DAY OF _____, 20____, BEFORE ME PERSONALLY APPEARED NICHOLAS FUCHS, KNOWN TO ME OR PROVEN TO ME TO BE THE PERSONS DESCRIBED HEREIN, AND WHO EXECUTED THE WITHIN PLAT, AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME.

NOTARY PUBLIC

~ GRANTOR'S CERTIFICATE ~

WE, THE UNDERSIGNED, BEING THE SOLE OWNERS OF THE LAND AS DESCRIBED IN WARRANTY DEED INSTRUMENT NUMBER 367763, RECORDS OF WILLIAMS COUNTY RECORDER, DO GRANT TO THE CURRENT AND FUTURE OWNERS OF LOTS 1 AND 2, FUCHS SUBDIVISION, THE RIGHT FOR PRIVATE INGRESS/EGRESS EASEMENT ALONG THAT STRIP OF LAND AS SHOWN ON THIS PLAT AND AS DESCRIBED BELOW IN THE INGRESS/EGRESS EASEMENT DESCRIPTION.

KENNETH G. FUCHS, OWNER
WARRANTY DEED INSTRUMENT NUMBER 367763
DATE

STATE OF NORTH DAKOTA
COUNTY OF WILLIAMS

BE IT KNOWN ON THIS ____ DAY OF _____, 20____, BEFORE ME PERSONALLY APPEARED KENNETH G. FUCHS, KNOWN TO ME OR PROVEN TO ME TO BE THE PERSONS DESCRIBED HEREIN, AND WHO EXECUTED THE WITHIN PLAT, AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME.

NOTARY PUBLIC

MARY ANN FUCHS, OWNER
WARRANTY DEED INSTRUMENT NUMBER 367763
STATE OF NORTH DAKOTA
DATE

COUNTY OF WILLIAMS

BE IT KNOWN ON THIS ____ DAY OF _____, 20____, BEFORE ME PERSONALLY APPEARED MARY ANN FUCHS, KNOWN TO ME OR PROVEN TO ME TO BE THE PERSONS DESCRIBED HEREIN, AND WHO EXECUTED THE WITHIN PLAT, AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME.

NOTARY PUBLIC

~ INGRESS/EGRESS EASEMENT DESCRIPTION ~

A STRIP OF LAND, 30.00 FEET WIDE AND LYING 15.00 FEET ON EACH SIDE OF THE DESCRIBED CENTERLINE, FOR THE PURPOSE OF INGRESS/EGRESS EASEMENT, OVER, THROUGH AND ACROSS A PORTION OF THAT TRACT OF LAND AS DESCRIBED IN WARRANTY DEED INSTRUMENT NUMBER 367763, IN THE NW1/4SE1/4, SECTION 12, TOWNSHIP 154 NORTH, RANGE 101 WEST OF THE FIFTH PRINCIPAL MERIDIAN, UNPLATTED CITY OF WILLISTON, WILLIAMS COUNTY, NORTH DAKOTA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID TRACT, MONUMENTED WITH A REBAR, 1/2 INCH DIAMETER, WITH NO CAP;

THENCE SOUTH 75°39'21" WEST, A DISTANCE OF 516.89 FEET, TO THE EAST RIGHT OF WAY LINE OF UNIVERSITY AVENUE, THE POINT OF BEGINNING;

THENCE ALONG THE INGRESS/EGRESS EASEMENT CENTERLINE, THE FOLLOWING THREE (3) COURSES;

- SOUTH 81°19'25" EAST, A DISTANCE OF 155.33 FEET;
- THENCE SOUTH 86°17'45" EAST, A DISTANCE OF 138.56 FEET;
- THENCE SOUTH 86°44'58" EAST, A DISTANCE OF 202.10 FEET, TO THE POINT OF TERMINUS, CONTAINING 0.34 ACRES OF LAND, MORE OR LESS

SUBJECT TO: ANY EXISTING RIGHTS OF WAY, EASEMENTS, COVENANTS, CONDITIONS, RIGHTS, RESERVATIONS, RESTRICTIONS, ENCUMBRANCES OR APPLICABLE SUBDIVISION, BUILDING AND ZONING ORDINANCES AND USE REGULATIONS, OF RECORD OR IN VIEW.

NOTE: SIDELINES OF EASEMENT TO BE LENGTHENED OR SHORTENED AT EASEMENT ANGLE POINTS TO AVOID ANY GAPS OR OVERLAPS.

~ BENEFICIARY CERTIFICATION ~

WE, FIRST INTERNATIONAL BANK & TRUST, DO HEREBY CONSENT TO THE PREPARATION AND RECORDATION OF THIS MAP AND DEDICATION OF RIGHTS OF WAY OFFERED IN ACCORDANCE WITH THE OWNER'S CERTIFICATE.

NAME
GLENDON OLSON
NAME (PRINT)
TITLE

STATE OF NORTH DAKOTA)
COUNTY OF WILLIAMS)
SS)
)

BE IT KNOWN ON THIS ____ DAY OF _____, 20____, A.D., BEFORE ME PERSONALLY APPEARED
KNOWN TO ME TO BE THE PERSONS WHO EXECUTED ABOVE CERTIFICATE AND
ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME.

NOTARY PUBLIC

~ SURVEYOR'S CERTIFICATE ~

I, EDWARD J RINTAMAKI, A REGISTERED LAND SURVEYOR WITH 49TH LATITUDE LAND SURVEY, LLC, DO HEREBY CERTIFY THAT THIS SURVEY WAS PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION DURING THE MONTH OF AUGUST, 2022, AND THIS PLAT IS A CORRECT REPRESENTATION OF THAT SURVEY SHOWN HEREON, AND THAT THE MONUMENTS ARE PLACED AS SHOWN, AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NORTH DAKOTA.

EDWARD J RINTAMAKI
REGISTERED LAND SURVEYOR NO. LS-7664
STATE OF NORTH DAKOTA
49TH LATITUDE LAND SURVEY, LLC
DATE

STATE OF NORTH DAKOTA)
COUNTY OF WILLIAMS)
SS)
)

BE IT KNOWN ON THIS ____ DAY OF _____, 20____, BEFORE ME PERSONALLY APPEARED EDWARD J RINTAMAKI, KNOWN TO ME TO BE THE PERSON DESCRIBED HEREIN, AND WHO EXECUTED AND ACKNOWLEDGED THE ABOVE CERTIFICATE TO BE HIS VOLUNTARY ACT AND DEED.

NOTARY PUBLIC

~ WILLISTON PLANNING & ZONING COMMISSION APPROVAL ~

THE SUBDIVISION OF LAND SHOWN HEREON HAS BEEN APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF WILLISTON ON ____ 20____, IN ACCORDANCE WITH THE LAWS OF THE STATE OF NORTH DAKOTA, ORDINANCES OF THE CITY OF WILLISTON, AND REGULATIONS OF SAID PLANNING AND ZONING COMMISSION.

LUCAS GJOVIG, CHAIRMAN
PLANNING AND ZONING COMMISSION

STATE OF NORTH DAKOTA)
COUNTY OF WILLIAMS)
SS)
)

ON THE ____ DAY OF _____, 20____, BEFORE ME APPEARED LUCAS GJOVIG, CHAIRMAN, PLANNING AND ZONING COMMISSION AND ACKNOWLEDGED THE EXECUTION AND SIGNING OF THE ABOVE.

NOTARY, STATE OF NORTH DAKOTA

~ WILLISTON CITY COMMISSION APPROVAL ~

BY VIRTUE OF ORDINANCE NO. 1082, PASSED JUNE 26, 2018, THE CITY COMMISSION OF THE CITY OF WILLISTON, NORTH DAKOTA HAS APPROVED THIS DIVISION OF LAND SHOWN HEREON; HAS ACCEPTED THE DEDICATION OF ALL STREETS, ALLEYS AND OTHER PUBLIC WAYS SHOWN HEREON LYING WITHIN THE CORPORATE LIMITS OF THE CITY OF WILLISTON; HAS ACCEPTED THE DEDICATION OF ALL PARKS AND OTHER AREAS SHOWN HEREON, EXCEPT THOSE PUBLIC AREAS SPECIFICALLY DEDICATED TO OTHER PUBLIC BODIES PERTAINING TO THE FUCHS SUBDIVISION, CITY OF WILLISTON, WILLIAMS COUNTY, NORTH DAKOTA, ACCORDING TO THE RECORDED PLAT THEREOF.
CITY OF WILLISTON

HOWARD KLUG,
OF THE BOARD OF CITY COMMISSION

ATTEST: HERCULES CUMMINGS,
FINANCE DIRECTOR
PRESIDENT

STATE OF NORTH DAKOTA)
COUNTY OF WILLIAMS)
SS)

ON THE ____ DAY OF _____, 20____, BEFORE ME APPEARED HOWARD KLUG, PRESIDENT OF CITY COMMISSION, AND HERCULES CUMMINGS, FINANCE DIRECTOR, AND ACKNOWLEDGED THE EXECUTION AND SIGNING OF THE ABOVE.

NOTARY, STATE OF NORTH DAKOTA

~ WILLIAMS COUNTY AUDITOR'S CERTIFICATE OF TAXES ~

I, BETH M. INNIS, AUDITOR OF WILLIAMS COUNTY, DO HEREBY CERTIFY THAT CURRENT TAXES, DELINQUENT TAXES, AND DELINQUENT SPECIAL ASSESSMENTS OR INSTALLMENTS OF SPECIAL ASSESSMENTS OR TAX ESTIMATES FOR THE PROPERTY DESCRIBED ON THE ATTACHED INSTRUMENT ARE UNPAID IN THE AMOUNT OF \$ _____, PLUS PENALTY AND INTEREST.

CERTIFIED THIS ____ DAY OF _____, 20____.

BETH M. INNIS
WILLIAMS COUNTY AUDITOR

~ WILLIAMS COUNTY RECORDER'S CERTIFICATE OF RECORDING ~


THIS PLAT WAS FILED AND RECORDED IN THE OFFICE OF THE WILLIAMS COUNTY

RECORDER IN THE STATE OF NORTH DAKOTA AT ____ M. ON THE

____ DAY OF _____, 20____, AND WAS RECORDED AS

DOCUMENT NO. _____.

PATTI OGURCHAK
WILLIAMS COUNTY RECORDER

FUCHS SUBDIVISION UNPLATTED CITY OF WILLISTON SITUATE IN THE NW1/4SE1/4, SEC. 12, T154N, R101W, 5TH P.M., CITY OF WILLISTON, WILLIAMS COUNTY, NORTH DAKOTA			
 LATITUDELANDSURVEY® 13046 74th Street NW, Alamo, ND 58830 www.49latitudelandsurvey.net 701.580.2651	PREPARED FOR: NICK FUCHS	DRAWN BY: RER SCALE: NA	DATE: October 27, 2022
	PROJECT NO: 22_100	FILE NAME: 22_100 Fuchs_SURVEY.dwg	SHEET: 2 of 2



DATE: November 22, 2022

TO: City Commission

FROM: Deanette Piesik, Cemetery Commissioner

RE: Report of Commissioners – Cemetery Board

9A Cemetery Board

The Cemetery Advisory Board is seeking approval for the following member changes.

Due to the resignation of McKenzie Cymbaluk-McCollum (effective 9.10.2022), and the expired terms of Jeri Engberg (effective 10.9.2022) and Beverly Talian (effective 10.9.2022), three new board members are needed.

These open positions were originally advertised for three weeks, and letters of interest were due by October 7, 2022. The board received no additional letters, other than those of the current board members, by the due date. The two new board members selected are:

- Jeri Engberg (3-year term, Expires 10.9.2025)
- Beverly Talian (3-year term, Expires 10.9.2025)

The final open position was readvertised for a second time, which letters were then due by November 3, 2022. A total of three letters of interest were received. The board then review the letters and voted on one person to occupy the remaining spot. The final member selected is:

- Paul Gilbert (2.5-year term, Expires 04.14.2025)

The two current members are:

- Pat Axtman (3-year term, Expires 10.9.2024)
- Chuck Wilder (3-year term, Expires 10.9.2024)

We want to thank McKenzie Cymbaluk-McCollum for her time of dedication and service to the Cemetery Advisory Board.

I recommend the approval of Jeri Engberg, Beverly Talian and Paul Gilbert for the Cemetery Advisory Board.

Attachments