

ORDINANCE NO. 1795

AN ORDINANCE AMENDING THE DISTRICT ZONING MAP FOR REZONING AND RECLASSIFYING DESIGNATED LOTS, BLOCKS OR TRACTS OF LAND WITHIN THE EXTRATERRITORIAL ZONING JURISDICTION OF THE CITY OF DICKINSON, NORTH DAKOTA.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF DICKINSON, NORTH DAKOTA, AS FOLLOWS:

Section 1: That the City of Dickinson Zoning Map as provided in the City Code Section 39.04.006, designating the area and boundaries of the "GI" and "AG" zoning districts within the extraterritorial zone jurisdiction of the City of Dickinson, North Dakota, be amended as follows:

1. To reclassify and rezone a parcel from General Industrial (GI) to Agricultural (AG) described as follows:

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER (SW1/4) OF SECTION ELEVEN (11), TOWNSHIP ONE HUNDRED THIRTY-NINE NORTH (T139N), RANGE NINETY-SIX WEST (R96W) OF THE FIFTH PRINCIPAL MERIDIAN (5TH.P.M.), STARK COUNTY, NORTH DAKOTA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION ELEVEN (11), SAID POINT BEING A REBAR AND CAP LS-2884; THENCE S 00°04'18" W ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER (SW1/4), A DISTANCE OF 558.76 FEET; THENCE N 89°39'28" E, A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING, SAID POINT BEING A REBAR; THENCE CONTINUING N 89°39'28" E, A DISTANCE OF 646.24 FEET TO A REBAR; THENCE S 28°22'03" E, A DISTANCE OF 384.74 FEET TO A REBAR; THENCE N 89°38'49" E, A DISTANCE OF 439.88 FEET TO A REBAR; THENCE N 28°56'24" W, A DISTANCE OF 111.04 FEET TO A REBAR; THENCE N 89°37'47" E, A DISTANCE OF 60.00 FEET TO A REBAR, A POINT WHICH LIES ON THE APPROXIMATE CENTERLINE OF THE HEART RIVER; THENCE S 31°47'04" E ALONG SAID CENTERLINE, A DISTANCE OF 196.80 FEET; THENCE S 20°35'56" E ALONG SAID CENTERLINE, A DISTANCE OF 387.42 FEET; THENCE S 11°25'32" E ALONG SAID CENTERLINE, A DISTANCE OF 111.01 FEET; THENCE S 20°56'41" W ALONG SAID CENTERLINE, A DISTANCE OF 83.98 FEET; THENCE S 42°44'22" W ALONG SAID CENTERLINE, A DISTANCE OF 122.50 FEET; THENCE S 54°11'50" W ALONG SAID CENTERLINE, A DISTANCE OF 129.93 FEET; THENCE S 62°06'30" W ALONG SAID CENTERLINE, A DISTANCE OF 141.10 FEET; THENCE S 63°03'58" W ALONG SAID CENTERLINE, A DISTANCE OF 103.76 FEET; THENCE S 84°05'20"

W ALONG SAID CENTERLINE, A DISTANCE OF 276.28 FEET; THENCE S 89°39'57" W ALONG SAID CENTERLINE, A DISTANCE OF 37.39 FEET, A POINT AT WHICH SAID CENTERLINE INTERSECTS WITH THE EAST RIGHT-OF-WAY LINE OF EAST BROADWAY STREET; THENCE N 14°59'18" E ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 40.32 FEET, SAID POINT BEING THE BEGINNING OF A CURVE CONCAVE TO THE WEST AND HAVING A RADIUS OF 132.93 FEET; THENCE, CONTINUING ALONG SAID RIGHT-OF-WAY LINE, NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 70°54'15" AND AN ARC DISTANCE OF 164.50 FEET (CHORD DIRECTION N 20°27'49" W, CHORD DISTANCE 154.20 FEET) TO A REBAR; THENCE N 54°25'00" ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 836.90 FEET TO A REBAR, SAID POINT BEING THE BEGINNING OF A CURVE CONCAVE TO THE EAST AND HAVING A RADIUS OF 157.00 FEET; THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 54°29'18" AND AN ARC DISTANCE OF 149.31 FEET (CHORD DIRECTION N 27°10'21" W, CHORD DISTANCE 143.74 FEET) TO A REBAR; THENCE N 00°04'18" E ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 460.98 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 27.83 ACRES, MORE OR LESS, AND IS SUBJECT TO ANY PREVIOUS EASEMENTS, AGREEMENTS, CONVEYANCES AND SURVEYS.

Section 2: **Repeal of Ordinances in Conflict.** All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

Section 3: **Severability.** In the event any section of this Ordinance is held invalid by court of competent jurisdiction, the invalidity shall extend only to the section affected, and other sections of this Chapter shall continue in full force and effect.

Section 4: **Effective Date:** This Ordinance shall be in full force and effect from and after final passage.

Scott Decker, President
Board of City Commissioners

ATTEST

Dustin Dassinger, City Administrator

First Reading: March 19, 2024

Second Reading: April 2, 2024
Final Passage: April 2, 2024