

OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

ORDINANCE NO. 4716

1 AN ORDINANCE REZONING CERTAIN PARCELS OF LAND
2 LYING IN THE NORTH HALF OF SECTION 1,
3 TOWNSHIP 139 NORTH, RANGE 49 WEST, CASS COUNTY, NORTH DAKOTA

4 WHEREAS, the Fargo Planning Commission and the Board of City Commissioners of the
5 City of Fargo have held hearings pursuant to published notice to consider the proposed rezoning of
6 certain parcels of land lying in the North Half of Section 1, Township 139 North, Range 49 West of
7 the Fifth Principal Meridian, Cass County, North Dakota; and,

8 WHEREAS, the Fargo Planning Commission recommended approval of the rezoning
9 request on May 13, 2009; and,

10 WHEREAS, the rezoning changes were approved by the City Commission on June 1, 2009,

11 NOW, THEREFORE,

12 Be It Ordained by the Board of City Commissioners of the City of Fargo:

13 Section 1. The following described property:

14 Lots Six (6) through Fourteen (14), Block Two (2); Lots Five (5) through Nine
15 (9), Ten (10) and Eleven (11), except the west 60 feet of Lots Ten (10) and Eleven
16 (11), Twelve (12) through Sixteen (16) and Lots Eighteen (18) through Twenty-
17 one (21), Block Three (3); Lots Two (2) through Nine (9) and Eleven (11), Block
18 Four (4); Lots One (1) through Four (4), Six (6), Seven (7), the East Half of Lots
19 Twenty-three (23) and Twenty-four (24), and the East 70 feet of the North 25 feet
20 of Lot Twenty-two (22), Block Eighteen (18); Lots One (1) through Nine (9),
21 Block Nineteen (19); and Lots Six (6) through Eight (8), Ten (10) and Eleven
22 (11), Block Twenty (20), all in Beardsleys Addition to the City of Fargo, Cass
23 County, North Dakota,

is hereby rezoned from "SR-3", Single-Dwelling, District to "UMU", University Mixed Use,
District;

and,

24 Lots One (1) through Eight (8), Ten (10) and Eleven (11), Block Four (4); and
25 Lots Seven (7) through Sixteen (16), Block Six (6), all in the Wm. G. Johnson
Addition to the City of Fargo, Cass County North Dakota,

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1 is hereby rezoned from "MR-2", Multi-Dwelling, District to "UMU", University Mixed Use,
District;

2 and,

3 Lots Seven (7) through Eighteen (18) and Lots Thirty-five (35) through Fifty-six
4 (56), Great Northern 2nd Addition to the City of Fargo, Cass County, North
5 Dakota,

6 and

7 Lots Three (3), Four (4), Five (5), Fifteen (15) and Sixteen (16), Block Two (2);
8 Lots Twelve (12), Thirteen (13) and Fifteen (15) through Twenty-two (22), Block
9 Four (4); Lots Two (2) through Eleven (11), Block Five (5); Lots One (1) through
10 Seven (7) and Lots Twenty-one (21) through Twenty-four (24), Block Seventeen
11 (17); Lots Eight (8) through Twelve (12), Fourteen (14) through Twenty-one (21)
12 and the South 25 feet of Lot Twenty-two (22), Block Eighteen (18); Lots Ten (10)
13 through Twelve (12), and the North Half of vacated Tenth Avenue, Lots Thirteen
14 (13), Fifteen (15) through Twenty-four (24), Block Nineteen (19); Lots One (1)
15 through Five (5), Block Twenty (20); Lots One (1) through Seven (7), Block
16 Twenty-one (21); and Lots One (1) through Four (4) and the abutting South Half
17 of vacated Tenth Avenue North, and Lots Twenty-seven (27) and Twenty-eight
18 (28) and all vacated avenue, Block Twenty-two (22), all in Beardsleys Addition to
19 the City of Fargo, Cass County, North Dakota,

20 and

21 Lots Three (3) through Five (5), Block One (1), Kaupans Addition to the City of
22 Fargo, Cass County, North Dakota,

23 and

24 Lots One (1) through Seven (7), Block Three (3); Lots One (1) through Six (6),
25 Block Six (6); and Lots Three (3) through Five (5), Block Seven (7), all in the
26 Wm. G. Johnson Addition to the City of Fargo, Cass County, North Dakota,

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1 is hereby rezoned from "MR-3", Multi-Dwelling, District to "UMU", University Mixed Use,
2 District;

3 and,

4 Lots Two (2) through Four (4), Block Three (3), Beardsleys Addition to the City of
5 Fargo, Cass County, North Dakota,

6 and

7 Unplatted portions of the Northeast Quarter (NE1/4) of Section One (1), Township
8 One Hundred Thirty-nine (139) North, Range Forty-nine (49) West, beginning at the
9 Northeast corner of Lot Fifty-six (56), Great Northern 2nd Addition, then Southwest
10 along the East line of said Lot Fifty-six (56), 200 feet to the Southeast corner of said
11 Lot Fifty-six (56), then Southeasterly along the North line of Burlington Northern
12 Railroad right-of-way 316 feet, then Northeast 200 feet along the South line of
13 Dakota Drive, then Northwesterly along said right-of-way,

14 and

15 Unplatted portions of the Northeast Quarter (NE1/4) of Section One (1), Township
16 One Hundred Thirty-nine (139) North, Range Forty-nine (49) West, beginning at a
17 point 316 feet East of the Northeast corner of Lot Fifty-six (56), Great Northern 2nd
18 Addition, then Southwest parallel to the East line of said Lot Fifty-six (56) for 200
19 feet to the North line of the Burlington Northern Railroad right-of-way, then
20 Southeasterly along said right-of-way to a point 24.27 feet Northwest of the East
21 line of the Southwest Quarter (SW1/4) of said Northeast Quarter (NE1/4),

22 is hereby rezoned from "LC", Limited Commercial, District to "UMU", University Mixed Use,
23 District;

and,

Lots Nineteen (19) through Twenty-four (24), Great Northern 2nd Addition to the
City of Fargo, Cass County, North Dakota,

is hereby rezoned from "LI", Limited Industrial, District to "UMU", University Mixed Use,
District.

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1 Section 2. The City Auditor is hereby directed to amend the zoning map now on file in his
2 office so as to conform with and carry out the provisions of this ordinance.

3 Section 3. This ordinance shall be in full force and effect from and after its passage and
4 approval.



Dennis R. Walaker, Mayor

5 (SEAL)

6 Attest:



7 Steven Sprague, City Auditor

First Reading: 07-13-2009

Second Reading: 07-27-2009

Final Passage: 07-27-2009