

ORDINANCE NO. _____

A CORRECTIVE ORDINANCE TO AMEND THE STREET AND HIGHWAY PLAN OF THE CITY OF GRAND FORKS, NORTH DAKOTA, TO INCLUDE THE PUBLIC RIGHTS-OF-WAY SHOWN AS DEDICATED ON THE PLAT OF SOUTHERN ESTATES TWELFTH ADDITION TO THE CITY OF GRAND FORKS, NORTH DAKOTA

BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND FORKS, NORTH DAKOTA, PURSUANT TO THE HOME RULE CHARTER OF THE CITY OF GRAND FORKS, NORTH DAKOTA, THAT:

SECTION I. AMENDING CLAUSE (CORRECTED)

The Street and Highway Plan of the City of Grand Forks, as established by Section 18-0802, Subsection 2 of the Grand Forks City Code of 1987, as amended, is hereby amended to include the public rights-of-way, shown as dedicated on the Plat of Southern Estates Twelfth Addition to the city of Grand Forks, North Dakota.

SECTION II. CORRECTIVE INTENT

This ordinance is intended to correct the inaccurate property description contained in Ordinance No. 4713. This Ordinance corrects Ordinance No. 4713.

SECTION III. EFFECTIVE DATE

This ordinance shall be retroactively in full force and effect as of May 20, 2019.

Michael R. Brown, Mayor

ATTEST:

Maureen Storstad, Director
Finance & Administrative Services

Introduction and first reading: 01/06/2020

Public Hearing: 01/21/2020

Second Reading and Final Passage:

Approved:

Published:

**NOTICE OF PUBLIC HEARING
TO AMEND THE STREET AND HIGHWAY PLAN TO
INCLUDE PUBLIC R/W SHOWN AS DEDICATED ON
PLAT OF SOUTHERN ESTATES TWELFTH ADDITION**

Notice to the public is hereby given that the city council proposes to amend the Street and Highway Plan of the city of Grand Forks to include the public rights of way shown as dedicated on the Replat of Lot 1, Block 1, Columbia Park 16th Addition to the city of Grand Forks, ND (located at South 34th Street, 24th Avenue South).

Pursuant to Section 40-48-16 of the North Dakota Century Code, as amended, notice is hereby given that on the 21st day January, 2020, in the council chambers in the City Hall in the city of Grand Forks, North Dakota, at the hour of 5:30 o'clock p.m. a public hearing will be held by the city council of the city of Grand Forks, at which time all citizens and interested parties will have an opportunity to be heard upon the afore-mentioned proposal.

Dated: January 6, 2020

**Maureen Storstad
City Auditor**

(seal)

(January 11 and 18, 2020)



City of Grand Forks
Staff Report

City Council – January 6, 2020



Agenda Item: A corrective ordinance to amend the Street and Highway Plan as it relates to Southern Estates Twelfth Addition. (Correcting Ordinance No. 4713)

Prepared by:
Submitted by: Brad Gengler, City Planner

Staff Recommended Action: Recommend approval of the request from the Planning Department, on behalf of the City of Grand Forks, for approval of a corrective ordinance to amend the Street and Highway Plan of the City of Grand Forks, North Dakota, to include the public rights-of-way shown as dedicated on the Plat of Southern Estates Twelfth Addition to the City of Grand Forks, North Dakota. (Correcting Ordinance No. 4713). Recommend the City Council approve the attached corrected ordinance on January 6, 2020 and set a public hearing as prescribed by law.

January 6, 2020: – Council Action: Approved unanimously on consent agenda with public hearing set for January 21.

January 21, 2020 – Council Action:

BACKGROUND: The plat of Southern Estates Twelfth Addition was originally submitted for approval in June 2018. However, approval of the plat was subsequently tabled a number of times due to neighborhood concerns and other related matters. On May 20, 2019 the City Council gave final approval to the plat and the corresponding ordinance to amend the City's Street and Highway Plan – see attached plat and ordinance.

Following the recording of the plat it was discovered there was a discrepancy between the legal description on the plat and the legal description used in the Street and Highway ordinance. The plat, as initially submitted, referred to Southern Estates Twelfth "Resubdivision," which was later changed to "Addition," which was the proper title. However, the Street and Highway ordinance was not updated to reflect this change.

Staff recommends approval of the attached corrected Street and Highway ordinance, which was drafted by the City Attorney.

ANALYSIS AND FINDINGS OF FACT:

- The Plat of Southern Estates Twelfth Addition has been recorded.

- The approved Street and Highway ordinance shows an incorrect title. (Ord No. 4713)

SUPPORT MATERIALS:

- Approved Street and Highway ordinance with incorrect title (Ord No. 4713)
- Corrected Street and Highway ordinance.

ORDINANCE NO. 4713

AN ORDINANCE TO AMEND THE STREET AND HIGHWAY PLAN OF THE CITY OF GRAND FORKS, NORTH DAKOTA, TO INCLUDE THE PUBLIC RIGHTS-OF-WAY SHOWN AS DEDICATED ON THE PLAT OF SOUTHERN ESTATES TWELFTH RESUBDIVISION TO THE CITY OF GRAND FORKS, NORTH DAKOTA.

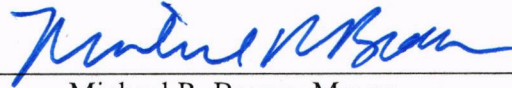
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND FORKS, NORTH DAKOTA, PURSUANT TO ITS HOME RULE CHARTER THAT:

Section 1. Amending Clause

The Street and Highway Plan of the City of Grand Forks, as established by Section 18-0802, Subsection 2 of the Grand Forks City Code of 1987, as amended, is hereby amended to include the public rights-of-way, shown as dedicated on the PLAT OF SOUTHERN ESTATES TWELFTH RESUBDIVISION to the city of Grand Forks, North Dakota.

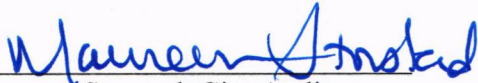
Section 2. Effectivity

This ordinance shall be in full force and effect after its passage and approval as provided by law.



Michael R. Brown, Mayor

ATTEST:



Maureen Storstad, City Auditor

Introduction and first reading: 07/16/2018
Public Hearing: 05/20/2019
Second reading and final passage: 05/20/2019
Approved: 05/20/2019
Published: Not required by law.