

**NOTICE OF HEARING
N.D. INDUSTRIAL COMMISSION
OIL AND GAS DIVISION**

The North Dakota Industrial Commission will hold a public hearing at 9:00 a.m. Tuesday, December 29, 2009, at the N.D. Oil & Gas Division, 1016 East Calgary Ave., Bismarck, N. D. At the hearing the Commission will receive testimony and exhibits. Persons with any interest in the cases listed below, take notice.
PERSONS WITH DISABILITIES: If at the hearing you need special facilities or assistance, contact the Oil and Gas Division at 701-328-8038 by Wednesday, December 16, 2009.

STATE OF NORTH DAKOTA TO:
Case No. 11966: Application of Armstrong Operating, Inc. for an order amending the field rules for the Patterson Lake-Lodgepole Pool, Stark County, ND, to allow the flaring of gas and unrestricted production of oil from wells not connected to a gas gathering facility until the same can be connected and such other relief as is appropriate.

Signed by,
John Hoeven, Governor
Chairman, ND Industrial Commission
12/14 - 604814

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH
IN DISTRICT COURT
SOUTH CENTRAL JUDICIAL DISTRICT
Civil No. 09C2850
IN THE MATTER OF THE PETITION OF
ROBIN M. MISTELSKI FOR CHANGE OF
NAME OF ANGEL JOSHUA CLOOTEN,
A MINOR CHILD.

**NOTICE OF PETITION FOR
CHANGE OF NAME**

NOTICE IS HEREBY GIVEN by Robin M. Mistelski of Bismarck, North Dakota, that she will petition the District Court of Burleigh County, State of North Dakota, thirty (30) days following date of publication of this notice, requesting that the legal name of her minor child be changed from Angel Joshua Clooten to Joshua Michael Mistelski. Dated this 1st day of December, 2009.

/s/ Robin Mistelski
Robin M. Mistelski
Dated this 2nd day of December, 2009.
BUCKLIN, KLEMIN, McBRIDE
& SCHWEIGERT, P.C.
400 E. Broadway, Suite 500
P.O. Box 955
Bismarck, North Dakota 58502-0955
Tel: (701) 258-8988
Fax: (701) 258-8486
Attorneys for Petitioner
By: /s/ Karen L. McBride
Karen L. McBride
ND State Bar ID# 04172
12/14 - 604810

NOTICE OF SALE

Civil No. 08-09-C-02007

Notice is hereby given that by virtue of a judgment of foreclosure by the District Court of the South Central Judicial District in and for the County of Burleigh and State of North Dakota, and entered and docketed in the Office of the Clerk of said Court on November 5, 2009, in an action wherein BAC Home Loans Servicing LP FKA Countrywide Home Loans Servicing LP was Plaintiff and Tammy L Kellam aka Tamera Kellam; Richard L. Kellam; and any person in possession were Defendants, in favor of Plaintiff and against the Defendants for the sum of \$182,611.20, which judgment and decree, among other things, direct the sale by me of the real property hereinafter described, to satisfy the amount of said judgment, with interest thereon and the costs and expenses of such sale, or so much thereof as the proceeds of said sale will satisfy; and by virtue of a writ issued to me out of the office of the Clerk of said Court, I, Pat D. Heinert, Sheriff of Burleigh County, North Dakota, will sell the property described in the Judgment to the highest

bidder for cash at public auction at the front door of the Courthouse in the City of Bismarck in the County of Burleigh and State of North Dakota, on January 13, 2010, at the hour of 1:15 P.M. (CT), to satisfy the amount due, with interest thereon, and the costs and expenses of such sale, or so much thereof as the proceeds of such sale will satisfy. The property to be sold is situated in the County of Burleigh and State of North Dakota, and described as follows:

Lot Eighteen (18), Block Two (2) Centennial Park Fourth Addition to the City of Bismarck, Burleigh County, North Dakota aka 2610 Lexington Drive, Bismarck, ND 58503.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 30th day of November, 2009.

/s/ Pat D. Heinert
Pat D. Heinert
Sheriff of Burleigh County, North Dakota
/s/ By: Sharlene Schuh
Deputy
STATE OF NORTH DAKOTA)
) ss.
County of Burleigh)
On this 30th day of November, 2009, before me, a Notary Public in and for said County and State, personally appeared Sharlene Schuh, known to me to be the person who is described in, and whose name is subscribed to this instrument.

/s/ Norma J. Braddock
Notary Public
Burleigh County, North Dakota
My Commission expires: 02/20/13 (Seal)
MACKOFF KELLOGG LAW FIRM
P.O. Box 1097
Dickinson, ND 58602-1097
Attorneys for Plaintiff
(Published: 12/14 - 12/21 - 12/28/2009)
12/14, 21 & 28 - 604802

NOTICE OF SALE

Civil No. 09-C-1622

Notice is hereby given that by virtue of a judgment of foreclosure by the District Court of the South Central Judicial District in and for the County of Burleigh and State of North Dakota, and entered and docketed in the Office of the Clerk of said Court on September 30, 2009, in an action wherein The Bank of New York Mellon FKA The Bank of New York, as Trustee, for The Certificateholders, Cwalt, Inc., Mortgage Pass-Through Certificates Series 2007-16CB was Plaintiff and Joshua M. Yonke; Mortgage Electronic Registration Systems, Inc. solely as nominee for Countrywide Home Loans, Inc. dba America's Wholesale Lender; and any person in possession were Defendants, in favor of Plaintiff and against the Defendants for the sum of \$125,385.07, which judgment and decree, among other things, direct the sale by me of the real property hereinafter described, to satisfy the amount of said judgment, with interest thereon and the costs and expenses of such sale, or so much thereof as the proceeds of said sale will satisfy; and by virtue of a writ issued to me out of the office of the Clerk of said Court, I, Pat D. Heinert, Sheriff of Burleigh County, North Dakota, will sell the property described in the Judgment to the highest bidder for cash at public auction at the front door of the Courthouse in the City of Bismarck in the County of Burleigh and State of North Dakota, on January 7, 2010, at the hour of 1:15 P.M. (CT), to satisfy the amount due, with interest thereon, and the costs and expenses of such sale, or so much thereof as the proceeds of such sale will satisfy. The property to be sold is situated in the County of Burleigh and State of North Dakota, and described as follows:
Lot Five (5), Block Two (2), East Lincoln First Addition to the City of Lincoln, Burleigh County, North Dakota aka 87 Weir Drive, Lincoln, ND 58504.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 24th day of November, 2009.
/s/ Pat D. Heinert

Pat D. Heinert
Sheriff of Burleigh County, North Dakota
/s/ Simon A. Scheett
Deputy
STATE OF NORTH DAKOTA)

) ss.
County of Burleigh)
On this 24th day of November, 2009, before me, a Notary Public in and for said County and State, personally appeared Simon A. Scheett, known to me to be the person who is described in, and whose name is subscribed to this instrument.
/s/ Norma J. Braddock
Notary Public
Burleigh County, North Dakota
My Commission expires: 2/20/13 (Seal)
MACKOFF KELLOGG LAW FIRM
P.O. Box 1097
Dickinson, ND 58602-1097
Attorneys for Plaintiff
(Published: 12/7-12/14-12/21/2009)
12/7, 14 & 21 - 604795

**CITY OF LINCOLN
COUNCIL MEETING
December 3, 2009**

The regular meeting of the Lincoln city council was called to order by Mayor Glenn Christmann at 7:00 pm, at the Lincoln Community Center, 74 Santee Road, Lincoln, ND. Members present include: Wagner, Johnston, Daly, Urlacher, Unterseher and Horning.

Minutes for November 5, 2009
--1st motion—Wagner—approval of minutes
--2nd motion—Horning
All members present approve and motion carried.

Food Licenses for DJ's, Tumbleweed, and John's
--1st motion—Johnston—to approve the Food Permits for the locations as long as they have submitted the proper fees and paperwork
--2nd motion—Daly
All members present approve and motion carried.

Ratification of appointment for Planning & Zoning
Mayor Christmann stated that Planning & Zoning Chairman Don Lervik has appointed Scott Monroe to the Planning and Zoning
--1st motion—Daly—to ratify the appointment
--2nd motion—Horning
All members present approve and reading tabled.

Maintenance Full Time Status
Board discussed moving part time Public Works employee Pete Haas to a fulltime status. Since hiring Haas he has been working 20 hours during the winter months and 40 hours in Spring, Summer, and Fall. Mayor would like to keep it like this as he feels like there is not enough for two forty hour employees in the shop. Other board members feel like there are things that need to be done in the department such as meter replacements, shop inventory, and vehicle maintenance. Mayor stated that if the Full time superintendent feels like he needs extra help he is able to call Haas in anytime. This will be monitored on an ongoing basis.

Snow removal policy
Board discussed adding a snow removal policy for the next month's agenda.

Update on North McDougall and Dolan Drive
City Engineer, Brad Krogstad, was present to give an update on the paving plans resubmitted for North Lincoln 2nd - Phase 3 with regard to the curb grade changes on North McDougall Drive. The final plans signed by registered professional engineer, Dave Thompson with Toman Engineering, have been resubmitted and have been reviewed by the City Engineer. The City Engineer finds the plans to be an acceptable solution to the issue of the curb grades not matching between the Wheatland Hills

Development and North Lincoln 2nd - Phase 3. The revised design will provide steeper curb grades which will facilitate better drainage while minimizing the amount of fill that will be necessary to bring in on the Wheatland Hills side. The fill quantity is approximately 50 cubic yards according to Mr. Thompson. With the council's approval, they feel that Toman Engineering has reached an acceptable solution for the curb grades and the connection. Krogstad would like the council's approval for him to sign the final plans as submitted while noting the potential implications that the Wheatland Hills developer will have to bring in some fill material and may require an engineer to revise the Wheatland Hills plan sheet. Once these plans are approved the plans will go to the engineer for Wheatland Hills as well. Also, Toman Engineering and Great Western will have to revise and update the previously submitted Three Party Agreement and Specifications to account for the construction taking place over a year later than expected. Toman Engineering and Great Western had previously stated that the construction of North McDougall Drive as laid out in the resubmitted paving plans will be done by the end of next summer.

Thompson also stated that although he provided a possible curb grade profile for the Wheatland Hills side of North McDougall Drive, as the engineer for Great Western and North Lincoln 2nd-Phase 3 he and his firm are not responsible for anything other than the North Lincoln 2nd - Phase 3 Plans.
--1st motion—Unterseher—to have City Engineer sign the plans
--2nd motion—Urlacher
All members present approve and motion carried.

Portfolios
Horning—Nothing to report
Johnston—Officer Hojian resigned her position with the police department. We are looking for a replacement. MPO has been reevaluated figured for the Ariel photo and the city will pay their difference.
Wagner—is working on an easement for the street lights and will have it ready for next months meeting.

Christmann—the skid steer is in and the public works will be adding chloride to the tires of the loader.
The MPO would like to see Lincoln chip in for the study on Lincoln Road from 66th to 52nd Street. Cities share would be approx. 10% of \$100,000
--1st motion—Wagner—to approve the city to chip in with the payment of the study for Lincoln Road
--2nd motion—Horning
All members present approve and motion carried.

Unterseher—P&Z discussed park land North of Lincoln Road and are planning a meeting with the developers and the engineers.

Urlacher—the 1st Responders class will be held in the spring. Also, the National Emergency Management System Training information will be handed out to the board and employees.

Pay Expenses
--1st motion—Urlacher—to approve expenses
--2nd motion—Wagner
All members approve and motion carried.

Adjournment
--1st motion—Wagner—to adjourn
--2nd motion—Johnston
All members present approve and meeting adjourned.
Minutes submitted by Auditor, Melanie Kitzen, and are subject to review and revision by the governing body.
12/14 - 604812

**To Place a
Legal Advertisement**
Call 355-8816 or Fax 223-0959