

ORDINANCE NUMBER 4.33

AN ORDINANCE OF THE CITY OF FOSSTON, MINNESOTA ANNEXING LAND LOCATED IN ROSEBUD TOWNSHIP, POLK COUNTY, MINNESOTA PURSUANT TO MINNESOTA STATUTES § 414.033 SUBDIVISION 5, PERMITTING ANNEXATION BY ORDINANCE

An ordinance annexing land into the City of Fosston

Section 1. RECITALS.

A. WHEREAS, **J. Rettenmaier USA LP, a Delaware limited partnership**, Petitioner, has filed a Petition for Annexation by the City of Fosston of the following described unincorporated real property containing .74 acres, more or less, situated in Polk County, Minnesota:

See attached Exhibit A.

B. WHEREAS, said Petitioner, **J. Rettenmaier USA LP, a Delaware limited partnership**, is the sole owner of said property.

C. WHEREAS, the members of the Fosston City Council are reasonably familiar with said property and believe same is now or is about to become urban or suburban in character.

D. WHEREAS said tract abuts the City of Fosston, is unplatted and does not exceed two hundred (200) acres.

E. WHEREAS, no part of said tract is included in another boundary adjustment proceeding pending before the Municipal Boundary Adjustments, and no other municipality borders said property.

F. WHEREAS, the City of Fosston, pursuant to Minnesota Statute § 414.036, shall reimburse property taxes to said Township in which the annexed property is located the sum of \$25.72, payable in equal annual installments of \$12.86 per year for 2 years, commencing with and including the year 2017, the first installment of which shall be paid on or before December 31, 2017.

G. WHEREAS, no special assessments are payable in 2017 and therefore no reimbursement is due from the City of Fosston to said Township as would otherwise be required pursuant to Minnesota Statute § 414.036.


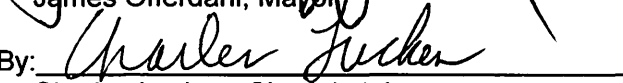
H. WHEREAS, members of the Fosston City Council have determined that annexation of the above described real property is and will be in the best interests of the City of Fosston, Minnesota, and of the territory effected.

Section 2. THEREFORE, upon motion duly made, seconded and carried,

IT IS RESOLVED, and the City Council of the City of Fosston, Minnesota, hereby ordains and declares that the aforescribed tract be and is hereby annexed and included in the City of Fosston, Minnesota, as if it had originally been a part thereof.

Section 3. This ordinance shall be final and shall take effect and be in full force from and after the date on which it is passed, published, recorded and approved by the Municipal Boundary Adjustments Unit.

Dated and passed by the City Council of the City of Fosston, Minnesota, on this 13th day of November, 2017.

CITY OF FOSSTON
By: 
James Offerdahl, Mayor
By: 
Charles Lucken, City Administrator

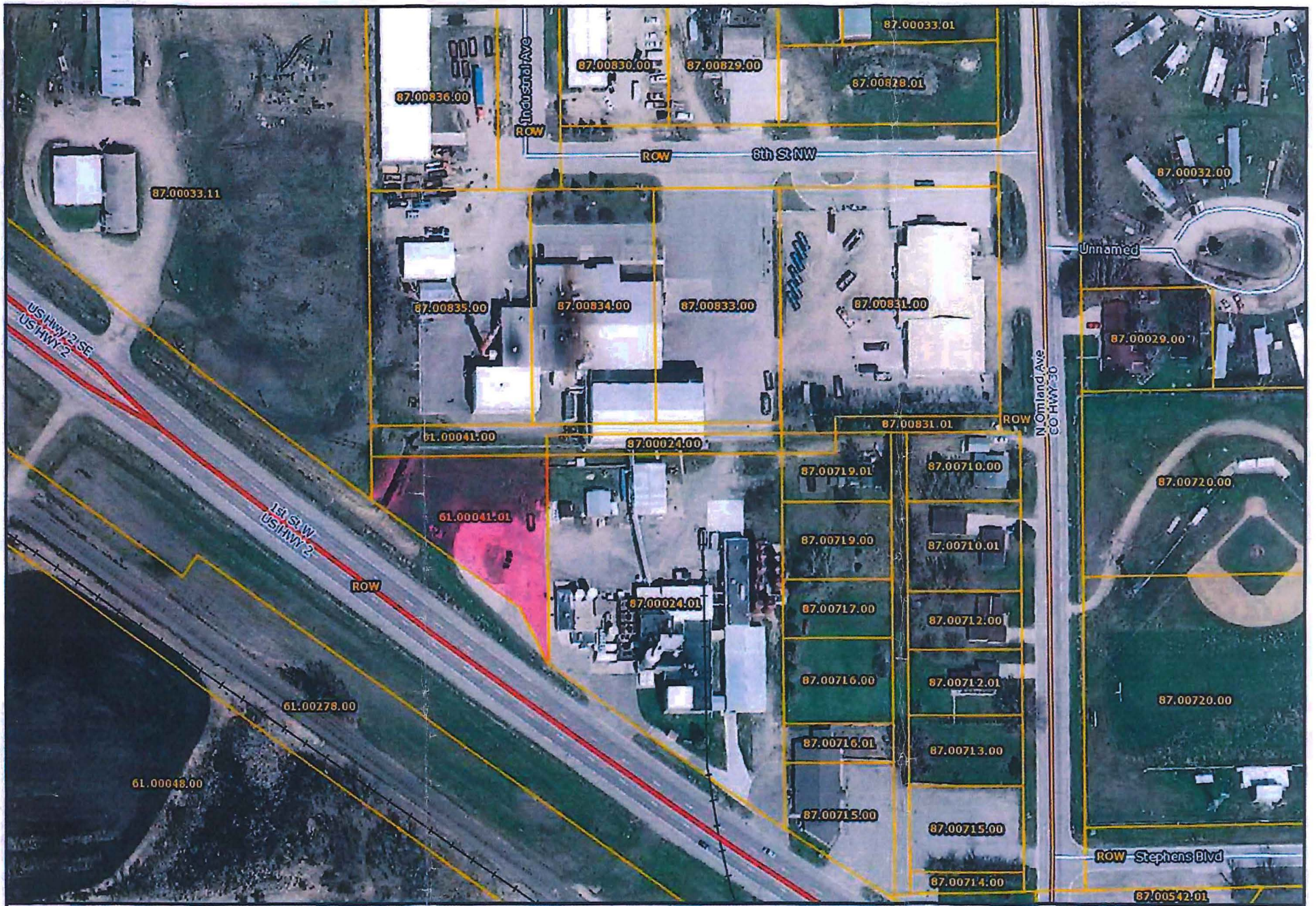
**THIS INSTRUMENT DRAFTED BY:
Amber M. Hildebrandt, Attorney
BROUSE, WOODKE & HILDEBRANDT, P.L.L.P.
108 First Street West
Fosston, MN 56542
218-435-1661**

EXHIBIT A
(Parcel No. 61.00041.01)

That part of the Southeast Quarter of the Northwest Quarter (SE1/4NW1/4) of Section Four (4), Township One-Hundred Forty-Seven (147) North, Range Forty (40) West of the Fifth Principal Meridian, Polk County, Minnesota, described as follows, to-wit:

Beginning at a point 589.0 feet due North and 320.0 feet due West of the center of Said Section 4 said point being the point of commencement of the tract of land described in the Indenture recorded January 5, 1946, in Book 237 of Deeds, page 328; thence Northerly, parallel with and 320.0 feet West of the North and South quarter line through said Section 4 a distance of 13.7 feet; thence due West 526.0 feet to the Northeast corner of a tract of land, which tract is the parcel described in an indenture dated March 25, 1963, and recorded in Book 351 of Deeds, page 85; thence due South along the Easterly line of said tract a distance of 150.0 feet to its intersection with the Northeasterly boundary of the right of way of Trunk Highway No. 2; thence Southeasterly along said right of way line a distance of 278.5 feet, "more or less" to the Southwesterly corner of the tract hereinbefore mentioned as being recorded in Book 237 of Deeds, page 328; thence due North along the Westerly boundary of said tract to the Northwest corner thereof; thence due East along the Northerly boundary of said tract a distance of 300.0 feet to the point of beginning, EXCEPTING THEREFROM the following described tract:

Beginning at a point 589.0 feet due north and 320.0 feet due west of the center of said Section Four (4); thence northerly, parallel with and 320.0 feet west of the north and south quarter line through said Section Four (4) a distance of 13.7 feet to the southeast corner of Lot Three (3), Block Two (2), Fosston Industrial Park; thence due west 526.0 feet, more or less, and along the southerly line of Lots Three (3), Four (4), and Five (5), Block Two (2), Fosston Industrial Park, to the southwest corner of said Lot Five (5); thence at right angles due south a distance of 40 feet; thence due east and parallel to the south line of said Lots Three (3), Four (4), and Five (5), a distance of 526.0 feet, more or less, to a point which is 320.0 feet west of the north and south quarter line through said Section Four (4) and which is also due south of the point of beginning; thence due north and parallel with such north and south quarter line a distance of 26.3 feet to the point of beginning.



Parcel No. 61.00041.01

4/28/2017

These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

