

ORDINANCE NUMBER 4.30

**AN ORDINANCE OF THE CITY OF FOSSTON, MINNESOTA
ANNEXING LAND LOCATED IN ROSEBUD TOWNSHIP, POLK COUNTY, MINNESOTA
PURSUANT TO MINNESOTA STATUTES § 414.033, SUBD. 3
PERMITTING ANNEXATION BY ORDINANCE**

An ordinance annexing land into the City of Fosston:

Section 1. RECITALS.

A. WHEREAS, Kevin Spong is the sole owner of the following described unincorporated real property containing 1.08 acres, more or less, situated in Polk County, Minnesota:

The East 214.5 feet of the West 412.5 feet of the South 219.95 feet of Government Lot Four (4), Section Three (3), Township One Hundred Forty-seven (147) North, Range Forty (40) West of the Fifth Principal Meridian.
(Parcel No. 61.00033.02)

B. WHEREAS, the property described above is not presently within the corporate limits of any incorporated city.

C. WHEREAS, the area proposed for annexation is 40 acres or less in size, is 60% or more bordered by land already within the corporate limits of the City of Fosston, and is not appropriate for annexation by ordinance pursuant to Minnesota Statutes § 414.033, Subd. 2(3).

D. WHEREAS, the subject property is being served by city water, sewer, and electricity.

E. 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.

F. 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.

G. WHEREAS, on July 17, 2017, the City of Fosston's Notice of Intent for Annexation was served upon Kevin Spong by U. S. Mail and ninety (90) days have elapsed without objection.

H. 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 \$32.13, payable in equal annual installments of \$16.07 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.

I. WHEREAS, the City of Fosston, pursuant to Minnesota Statute § 414.036, shall reimburse special assessments to said Township in which the annexed property is located the sum of \$160.00 payable in equal annual installments of \$80.00 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.

J. 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 afore-described tract be and is hereby annexed and incorporated within the City of Fosston, Minnesota.

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
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Polk County

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