

## ORDINANCE NUMBER 4.31

### 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, **Orland J. Aspen and Linda K. Aspen**, husband and wife, Petitioners, have filed a Petition for Annexation by the City of Fosston of the following described unincorporated real property containing .07 acres, more or less, situated in Polk County, Minnesota:

Commencing at the Northwest corner of Government Lot Four (4), Section Three (3), Township One Hundred Forty-seven (147) North, Range Forty (40) West, thence running South along the West line of Government Lot 4 a distance of 1,292.44 feet to a point, thence running East along a line having a bearing of S88°58'06"E a distance 412.71 feet to a point, thence running North along a line having a bearing of N01°00'28"W a distance of 220.14 feet to a point, thence running East along a line having a bearing of S88°57'53"E a distance of 145.09 feet to a point being the POINT OF BEGINNING, thence running South along a line having a bearing of S01°00'27"E a distance of 220.14 feet to a point, thence running East along a line having a bearing of S88°57'53"E a distance of 12 feet to a point, thence running North to a point being 17 feet Easterly of the point of beginning, thence Westerly to the point of beginning.  
(Parcel No. 61.00032.03)

B. WHEREAS, said Petitioners, **Orland J. Aspen and Linda K. Aspen**, are the sole owners 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 \$2.03, payable in equal annual installments of \$1.02 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.  
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Polk County

Zoom In Zoom Out Pan Zoom Prev Zoom Next Zoom Select Zoom Extent Clear Search Identify Street View Legend

Navigation Commands

1 Items

Parcel_ID	Document Type	Document Number	Document Type 2	Document Number 2	Document Type 3
X 61.00032.03	Quit Claim Deed				

*This ship is  
Parcel # 61.00032.03  
deeded from Melbo to Aspen  
in 2015*

REC'D BY  
MBA

AUG 04 2017

Scale 1: 1000 X: 653439.815 Y: 131611.6786