

ORDINANCE # 272

AN ORDINANCE ANNEXING LAND LYING NORTH OF HIGHWAY 34
IN SECTION 19, TOWNSHIP 140, RANGE 34
HENRIETTA TOWNSHIP, HUBBARD COUNTY, MINNESOTA,
AND ADJOINING THE CITY OF PARK RAPIDS, ON ITS EAST BOUNDARY LINE
ALL TO THE CITY OF PARK RAPIDS, MINNESOTA
PURSUANT TO MINNESOTA STATUTES 414.033, SUBD. 2, (3),
PERMITTING ANNEXATION BY ORDINANCE

THE COUNCIL OF THE CITY OF PARK RAPIDS HEREBY ORDAINS:

RECITALS

1. A petition was filed by certain landowners requesting the annexation of three separate tracts of land lying north of Highway 34 and abutting the city limits of the City of Park Rapids on its eastern border.

2. The petition was received by the City Council of the City of Park Rapids on January 8, 1996, and a public hearing was scheduled in conformance with Minnesota Statutes 414.033, Subd 2b for March 11, 1996.

3. That notice by certified mail was given to Henrietta Township and to all landowners within and contiguous to the area to be annexed.

4. Officials of Henrietta Township appeared at the public hearing on March 11, 1996, and the public hearing was continued at the Township's request to March 18, 1996.

5. At the close of the public hearing, this ordinance was adopted.

6. That the map identifying Parcels 1, 2 and 3 is made a part of this ordinance.

SECTION 1. That the unincorporated land located north of Highway 34 in Section 19, Township 140, Range 34, Henrietta Township, Hubbard County, Minnesota, described more fully in the attachments to this ordinance, abuts the limits of the City of Park Rapids, is not now included within the limits of any city, is 33 acres or less in size, is or is about to become urban and suburban in character, and 100% of all owners of property within the described area have signed a petition requesting the property be annexed to the City of Park Rapids.

SECTION 2. That the corporate limits of the City of Park Rapids are hereby extended to include the unplatted land described in this ordinance and the same is hereby annexed to be included within the City of Park Rapids, Minnesota, containing 33 acres.

Parcel 1- Pritchett - The Southeast Quarter of the Southwest Quarter, Section 19, Township 140, Range 34 less and except the following tracts:

1. First Excepted Parcel. That part of the East One Half of the Southwest Quarter of Section 19, Township 140 North Range 34 West of the 5th Principal Meridian described as follows: Commencing at the southwest corner of said East One-Half; thence North 87 degrees 51 minutes 12 seconds East, assumed bearing along the south line of said East One-Half, 284.70 feet to the intersection with the southerly extension of the easterly right-of-way line of a private road, the point of beginning of the land to be described; thence North 0 degrees 12 minutes 30 seconds East, along said southerly extension and the easterly right-of-way line, 118.94 feet; thence northeasterly 113.34 feet, along said right-of-way line a tangential curve, concave to the southeast, having a radius of 180.33 feet and a central angle of 35 degrees 54 minutes 41 seconds to a point of reverse curve; thence northerly 154.71 feet, along said reverse curve, concave to the northwest, having a radius of 246.83 feet and a central angle of 35 degrees 54 minutes 41 seconds; thence North 0 degrees 12 minutes 30 seconds East, along said right-of-way line 302.71 feet, thence North 87 degrees 51 minutes 12 seconds East, parallel with said south line of the East One-Half, 214.94 feet; thence South 4 degrees 40 minutes 00 seconds East 669.23 feet, to the intersection with said south line, thence South 87 degrees 51 minutes 12 seconds West, along said south line, 353.22 feet to the point of beginning. Except therefrom the South 366.12 feet thereof. Subject to easements of record for highway purposes over the southerly portion thereof. Containing 1.58 acres more or less.

The South 366.12 feet of that part of the East One-Half of the Southwest Quarter of Section 19, Township 140 North Range 34 West of the 5th Principal Meridian described as follows:

Commencing at the southwest corner of said East One-Half; thence North 87 degrees 51 minutes 12 seconds East, assumed bearing along the south line of said East One-Half, 284.70 feet to the intersection with the southerly extension of the easterly right-of-way line of a private road, the point of beginning of the land to be described; thence North 0 degrees 12 minutes 30 seconds east, along said southerly extension and the easterly right-of-way line, 118.94 feet; thence northeasterly 113.34 feet, along said right-of-way line a tangential curve, concave to the southeast, having a radius of 180.83 feet and a central angle of 35 degrees 54 minutes 41 seconds to a point of reverse curve; thence northerly 154.71 feet, along said reverse curve, concave to the northwest, having a radius of 246.83 feet and a central angle of 35 degrees 54 minutes 41 seconds; thence North 0 degrees 12 minutes 30 seconds East, along said right-of-way line 302.71 feet; thence North 87 degrees 51 minutes 12 seconds East, parallel with said south line of the East One-Half, 214.94 feet; thence South 4 degrees 40 minutes 00 seconds East 669.23 feet, to the intersection with said south line, thence South 87 degrees 51

minutes 12 seconds West; along said south line, 353.22 feet to the point of beginning. Subject to easements of record for highway purposes over the southerly portion thereof. Containing 2.60 acres more or less.

2. Second Excepted Parcel. Tract A - South

The South 368.84 feet of that part of E 1/2 SW 1/4, Sec. 19-140-34 described as follows: Beginning at the southwest corner of said E 1/2; thence North 0°12'30" East, assumed bearing along the west line of said E 1/2, 669.15 feet; thence North 87°51'12" East, parallel with the south line of said E 1/2, 300.00 feet to the intersection with the westerly right-of-way line of a private road; thence South 0°12'30" West, parallel with said west line and along said right-of-way line, 300.00 feet; thence southwesterly 113.34 feet, along said westerly right-of-way line, a tangential curve concave to the northwest, having a radius of 180.83 and a central angle of 35°54'41" to a point of reverse curve; thence southerly 154.71 feet along said reverse curve concave to the southeast, having a radius of 246.83 feet and a central angle of 35°54'41"; thence South 0°12'30" West, along said westerly right-of-way line 121.65 feet to the intersection with the southerly line of said E 1/2; thence South 87°51'12" West, along said south line, 218.64 feet to the point of beginning. Except therefrom that part of SW 1/4 of said Section 19 described as follows:

Commencing at the southwest corner of said SW 1/4 and assuming the west line of Sec. 30-140-34 bears South 0°33'39" East; thence North 83°30'03" East 867.82 feet to the intersection with the northerly right-of-way line of Minnesota Trunk Highway 34, the point of beginning of the land to be described; thence North 88°45'07" East, along said northerly right-of-way line 300.00 feet; thence North 0°06'45" West 300.00 feet; thence South 88°45'07" West 300.00 feet; thence South 0°06'45" East 300.00 feet to the point of beginning. Subject to easements of record for highway purposes over the southerly portion thereof. Containing 2.04 acres more or less.

Tract A - North

That part of E 1/2 SW 1/4, Sec. 19-140-34 described as follows: Beginning at the southwest corner of said E 1/2; thence North 0°12'30" East, assumed bearing along the west line of said E 1/2, 669.15 feet; thence North 87°51'12" East, parallel with the south line of said E 1/2, 300.00 feet to the intersection with the westerly right-of-way line of a private road; thence South 0°12'30" West, parallel with said west line and along said right-of-way line, 300.00 feet; thence southwesterly 113.34 feet; along said westerly right-of-way line, a tangential curve concave to the northwest, having a radius of 180.83 feet and a central angle of 35°54'41" to a point of reverse curve; thence southerly 154.71 feet along said reverse curve concave to the southeast, having a radius of 246.83 feet and a central angel of 35°54'51" thence South 0°12'30" West, along said westerly right-of-way line 121.65 feet to the intersection with the southerly line of said E 1/2;

thence South $87^{\circ}51'12''$ West, along said south line, 218.64 feet to the point of beginning. Excepting therefrom the South 368.84 feet thereof and except therefrom that part of SW 1/4 of said Section 19 described as follows:

Commencing at the southwest corner of said SW 1/4 and assuming the west line of Section 30-140-34 bears South $0^{\circ}33'39''$ East; thence North $83^{\circ}30'03''$ East 867.82 ft to the intersection with the northerly right-of-way line of Minnesota Trunk Highway 34, the point of beginning of the land to be described; thence North $88^{\circ}45'07''$ East, along said northerly right-of-way line 300.00 feet; thence North $0^{\circ}06'45''$ West 300.00 feet; thence South $88^{\circ}45'07''$ West 300.00 feet; thence South $0^{\circ}06'45''$ East 300.00 feet to the point of beginning. Subject to easements of record for highway purposes over the southerly portion thereof. Containing 2.06 acres more or less.

3. Third Excepted Parcel. That part of the East Half of the Southwest Quarter of Section 19, Township 140 North, Range 34 West of the 5th Principal Meridian, described as follows:

Commencing at the southeast corner of said Southwest Quarter; thence North 0 degrees 22 minutes 44 seconds East, assumed bearing along the east line of said Southwest Quarter, 273.89 feet, to the intersection with the northerly right of way line of Minnesota Highway Number 34, the point of beginning of the land to be described; thence continue North 0 degrees 22 minutes 44 seconds East, along said east line, 350.00 feet; thence North 89 degrees 37 minutes 16 seconds West 419.32 feet; thence South 0 degrees 22 minutes 44 seconds West parallel with said east line, 473.07 feet to the intersection with said northerly right of way line; thence northeasterly, 437.21 feet; along a nontangential curve, concave to the northwest, having a central angle of 6 degrees 01 minutes 32 seconds, a radius of 4157.44 feet, and the chord bears North 74 degrees 01 minutes 17 seconds East 437.01 feet to the point of beginning. Subject to an easement for road purposes over the easterly 33.00 feet thereof. Containing 4.00 acres more or less inclusive of road.

Parcel 2 - Americinn

All that part of the Southeast One Quarter, Section 19, Township 140 North, Range 34 West of the Fifth Principal Meridian, Hubbard County, Minnesota, described as follows:

Commencing at the Northwest Corner of said Southeast One Quarter; thence on an assumed bearing South 00 degrees 10 minutes 46 seconds East and along the West line of said Southeast One Quarter a distance of 1833.84 feet to the point of beginning of the tract to be described; thence continuing along said West line South 00 degrees 10 minutes 46 seconds East a distance of 484.65 feet to the Northerly right-of-way of Trunk Highway 34; thence Northeasterly along said right-of-way a distance of 50.73 feet along a curve not tangential with the last described line, the chord of said curve bears North 69 degrees 06 minutes 29 seconds

East, said curve is concave to the North, has a radius of 3744.72 feet, a central angle of 00 degrees 46 minutes 35 seconds to the point of compound curvature; thence Northeasterly along said right-of-way a distance of 98.53 feet along a curve concave to the North, having a radius of 5017.79 feet and a central angle of 1 degree 07 minutes 30 seconds; thence North 67 degrees 35 minutes 52 seconds East and along said right-of-way a distance of 96.75 feet; thence North 00 degrees 10 minutes 46 seconds West a distance of 393.75 feet; thence South 89 degrees 49 minutes 14 seconds West a distance of 228.58 feet to the point of beginning and there terminating.

Subject to an easement over, under and across the West 33.00 feet as recorded in Book of Deeds No. 148, Page 724, in the office of the County Recorder, Hubbard County, Minnesota.

Parcel 3 - Dingman

That part of the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section Nineteen (19), Township One Hundred Forty (140), Range Thirty-four (34), Hubbard County, Minnesota, described as follows: Commencing at the Southwest corner of said Section 19; thence North 00° 20' 00" West, assumed bearing, along the West line of said Section 19 a distance of 372.43 feet; thence North 88° 12' 52" East parallel with the Northerly right-of-way line of State Highway No. 34 a distance of 651.12 feet to point of beginning; thence North 00° 02' 10" East a distance of 307.07 feet; thence North 88° 12' 52" East parallel with said right-of-way line a distance of 205.88 feet; thence South 00° 38' 39" East 599.94 feet to an iron stamped 13798, thence South 88° 12' 52" West 213.01 feet along the Northerly right-of-way line of State Highway No. 34; thence North 00° 02' 10" East a distance of 293.05 feet to the point of beginning and there terminating.

SECTION 3. The City Administrator is hereby directed to file certified copies of this ordinance with the Minnesota Municipal Board, the Secretary of State, the Henrietta Town Clerk, and the Hubbard County Auditor.

Adopted this 18th day of March, 1996.

Certified copy:

Bruce Rakowski 3/22/96
City Clerk Date



W 1/4 COR. SEC. 19,
T140N, R34W

NW 1/4 - SW 1/4

NE 1/4 - SW 1/4

NW 1/4 - SE 1/4

SW 1/4 - SW 1/4

PRITCHETT HEIRS
SE 1/4 - SW 1/4

SW 1/4 - SE 1/4

COUNTY ROAD NO. 81

EXISTING
CITY OF
PARK RAPIDS

203.38'
DIR GUYAN
163.665
213.01'

AMERICINN

STATE HIGHWAY NO. 34