

ORDINANCE NO. 222 - 3RD SERIES

AN ORDINANCE OF THE CITY OF EAST GRAND FORKS, MINNESOTA, ANNEXING A PORTION OF THE NORTHEAST QUARTER AND THE EAST HALF OF THE NORTHWEST QUARTER (NE1/4 & E1/2 NW1/4), ALL IN SECTION EIGHTEEN (18), TOWNSHIP ONE HUNDRED FIFTY ONE (151) NORTH, RANGE FORTY NINE (49) WEST OF THE FIFTH PRINCIPAL MERIDIAN, POLK COUNTY, MINNESOTA.

THE CITY OF EAST GRAND FORKS ORDAINS:

Section 1. This annexation ordinance is being passed and adopted pursuant to the provisions of Minnesota Statute 414.033, Subd. 5.

Section 2. On or about January 15, 1998, the City of East Grand Forks, Minnesota, received a "Petition for Annexation of Real Property into the City of East Grand Forks, Minnesota" dated January 15, 1998, and signed by the Attorney of Independent School District 595, petitioner, by authorization of the Board of Education.

Section 3. The area described in the Petition is solely owned by Independent School District 595, abuts the City, contains approximately 101.08 acres, more or less, and is unpopulated. The anticipated use of said premises is solely for school purposes of Independent School District 595, East Grand Forks, Minnesota, and therefore, the premises are now or about to become urban or suburban in character.

Section 4. Pursuant to Minnesota Statutes Section 414.033, Subd. 5, notice of said petition and a copy of petition were furnished to the Town Board of Huntsville Township, Polk County, Minnesota, and to the County Commission of Polk County, Minnesota. No objections to the petition were heard by, or filed with, the East Grand Forks City Council. The Town Board of Huntsville Township, Polk County, State of Minnesota, provided a written statement of no objection to the Petition and Waived its right to file objections within 90 days of receipt of the Petition.

Section 5. The petitioner (Independent School District 595) in its petition, and by separate document, waived the thirty day notice required by Minnesota Statutes Section 414.033, Sub. 13, that the cost of electric utility service to the petitioner may change if the subject real property is annexed into the City.

Section 6. The City hereby annexes real property situated in the County of Polk, State of Minnesota, legally described as follows, to-wit:

That part of the Northeast Quarter and the East Half of the Northwest Quarter (NE1/4 & E1/2NW1/4), Section Eighteen (18), Township One Hundred Fifty-one (151), North of Range Forty-nine (49), West of the Fifth Principal Meridian, County of Polk, State of Minnesota described as follows:

Commencing at the east quarter corner of said Section 18; thence South 88 degrees 32 minutes 46 seconds West assumed bearing, along the east-west quarter line through said Section 18 a distance of 1865.50 feet to the point of beginning, said point of beginning is a point on the easterly line of a 75 foot wide electric transmission line easement recorded in Book 83 of Miscellaneous Records on page 349 in the office of the Polk County Recorder; thence North 0 degrees 52 minutes 52 seconds West, along said easterly line of a 75 foot wide electric transmission line easement to a point on the north line of said Northeast Quarter which is 1908.50 feet westerly of the northeast corner of said Section 18; thence South 88 degrees 20 minutes 13 seconds West 766.91 feet to the north quarter corner of said Section 18; thence South 88 degrees 45 minutes 26 seconds West 1337.81 feet to the northwest corner of said East Half of the Northwest Quarter; thence South 0 degrees 51 minutes 02 seconds East along the west line of said East half of the Northwest Quarter a distance of 705.00 feet to the northwest corner of that tract of land described in Book 410 of Deeds on page 359 in the office of the Polk County Recorder; thence North 89 degrees 08 minutes 58 seconds East 323.00 feet to the northeast corner of said tract of land described in Book 410 of Deeds on page 359; thence South 0 degrees 51 minutes 02 seconds East 327.40 feet to the southeasterly corner of that tract of land described in Book 411 of Deeds on page 679 in the office of the Polk County Recorder; thence South 48 degrees 51 minutes 43 seconds West 269.40 feet to the southerly most corner of said tract of land described in Book 411 of Deeds on page 679 said southerly most corner is a point on the northeasterly right-of-way line of Bygland Road; thence South 40 degrees 05 minutes 56 seconds East along said northeasterly right-of-way line of Bygland Road a distance of 1823.24 feet to the intersection of the east-west quarter line through said Section 18; thence North 88 degrees 32 minutes 46 seconds East along said east-west quarter line a distance of 835.33 feet to the point of beginning.

Said tract of land contains 101.08 acres, more or less.

Section 7. The City Clerk-Treasurer is hereby directed to file certified copies of this ordinance with the Minnesota Municipal Board, Huntsville Township, Polk County Auditor, and the Minnesota Secretary of State.

Section 8. City Code Chapter 1 entitled "Definitions and General Provisions Applicable to Entire City Code Including Penalty for Violation" is hereby adopted in its entirety, by reference, as though repeated verbatim herein.

Section 9. This ordinance shall take effect and be in force from and after its passage and publication and be given the Number 222, 3rd series, and after its approval by the Minnesota Municipal Board.

Voting Aye: Torgerson, Wogaman, Holy, Hagen, Beauchamp, Grassel, Trembath
Voting Nay: None
Absent: None

The President declared the Ordinance passed.

REC'D. BY
MUB APR 03 1998

Passed: February 26, 1998

Attest:

D & Mack
Clerk-Treasurer

Robert L. Beauchamp
President of Council

I hereby approve the foregoing Ordinance this 2nd day of
March, 1998.

Lynn Starns
Mayor

CERTIFICATE OF SURV

