

**ORDINANCE NO. 281 - 3RD SERIES**

AN ORDINANCE OF THE CITY OF EAST GRAND FORKS, MINNESOTA, ANNEXING PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW1/4 SE1/4), SECTION SEVEN (7), TOWNSHIP ONE HUNDRED FIFTY-ONE (151) NORTH, RANGE FORTY-NINE (49) WEST OF THE 5TH PRINCIPAL MERIDIAN, HUNTSVILLE TOWNSHIP, 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. 2, clause (1).

**Section 2.** The real property which is the subject and object of this annexation ordinance (hereinafter referred to as the "Subject Real Property") is owned by the City of East Grand Forks, Minnesota (hereinafter referred to as the "City"), by virtue of that certain Warranty Deed dated December 15, 2003, such Warranty Deed being recorded by the Recorder of Polk County, Minnesota, on January 7, 2004, as Document No. 610255. ✓

**Section 3.** The Subject Real Property is situated in Huntsville Township, Polk County, Minnesota, and is legally described as follows:

The East Thirty (30) acres of the Southwest Quarter of the Southeast Quarter (SW ¼ SE ¼) of Section Seven (7), Township One Hundred Fifty-one (151), Range Forty-nine (49) in Polk County, Minnesota, a more particular description of this particular thirty (30) acres is as follows: Beginning at a point at the Southeast (SE) corner of the Southwest Quarter of the Southeast Quarter (SW1/4 SE1/4); thence running due West sixty (60) rods; thence running due North eighty (80) rods; thence running due East Sixty (60) rods; thence running due South eighty (80) rods to the point of beginning, subject to all ditch liens and subject to all easements whether of record or not.

**Section 4.** The Subject Real Property contains approximately 30.0 acres, more or less, and is not presently served by public sewer facilities.

**Section 5.** The Subject Real property is being annexed pursuant to Minnesota Statute §414.033, Subd. 2, clause (1), and therefore the notice requirement of Minnesota Statute §414.033, Subd. 2b. is not applicable.

**Section 6.** While the Subject Real Property is less than 40 acres, it is less than 60 percent bordered by the City, and therefore the notice requirement of Minnesota Statute §414.033, Subd. 3, is not applicable.

**Section 7.** The Subject Real Property is not populated.

**Section 8.** The City hereby annexes the Subject Real Property.

**Section 9.** The City Administrator is hereby directed to file certified copies of this ordinance with the Director of Minnesota Municipal Boundary Adjustments, Huntsville Township, the Polk County Auditor, and the Minnesota Secretary of State.

**Section 10.** 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 11.** This ordinance shall take effect and be in force from and after its passage and publication and be given the Number **281 - 3rd Series**, and after its approval by the Director of Minnesota Municipal Boundary Adjustments.

VOTING AYE: Holy, Trembath, Vetter, Grassel, Tweten, Driscoll, Gander

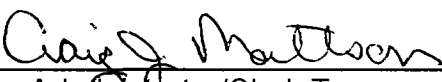
VOTING NAY: None

ABSENT: None

The President declared the Ordinance passed.

ATTEST:

PASSED: December 7, 2004.

  
\_\_\_\_\_  
City Administrator/Clerk Treasurer

  
\_\_\_\_\_  
President of Council

I hereby approve the foregoing Ordinance this 7<sup>th</sup> day of December, 2004.

  
\_\_\_\_\_  
Mayor

NORTHEAST CORNER OF THE  
SOUTHWEST QUARTER OF THE  
SOUTHEAST QUARTER

RY CONSTRUCTION  
TH NO. 51  
ACRES

RESIDUAL  
NO. 1  
7.16+  
ACRES

TEMPORARY CONSTRUCTION  
EASEMENT NO. 52  
0.53 ACRES

RESIDUAL NO. 2  
18.45+ ACRES

PERMANENT DEVEE  
EASEMENT NO. 4  
4.02+ ACRES

FEE TITLE NO. 35  
0.22+ ACRES

FEE TITLE NO. 34  
0.33+ ACRES

Subject Real  
Property

SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER  
ON 7, TOWNSHIP 151 NORTH, RANGE 49 WEST  
POLK COUNTY, MINNESOTA  
COUNTY PARCEL NO.  
TRACT NO. R236

DGN FILE:	04
DRAWN BY:	M.S.
PROJECT NO.	
GREGORY A. BACH	