

AN ORDINANCE OF THE CITY OF EAST GRAND FORKS, MINNESOTA, ANNEXING A PORTION OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (NW1/4NW1/4) OF GOVERNMENT LOT ONE (1), SECTION EIGHTEEN (18), TOWNSHIP ONE HUNDRED FIFTY-ONE (151), NORTH OF RANGE FORTY-NINE (49), WEST OF THE FIFTH PRINCIPAL MERIDIAN, POLK COUNTY, MINNESOTA.

THE CITY OF EAST GRAND FORKS ORDAINS:

Section 1. This annexation is being passed and adopted pursuant to the provisions of Minnesota Statute § 414.033 subd. 2 clause 3.

Section 2. The City of East Grand Forks, Minnesota (hereinafter referred to the "City") was petitioned by the land owners Richard and Diann Pesch to annex property they own by title acquired via warranty deed and recorded in the office of the Polk County Recorder.

Section 3. The land abuts the City of East Grand Forks and the area to be annexed is 120 acres or less and the area to be annexed is not presently served by public waste water facilities or public waste water facilities are not otherwise available.

Section 4. That the land owners have not previously petitioned the City within one year for annexation fro property contiguous to the proposed parcel.

Section 5. That the Notice requirement and Public hearing of Minnesota Statute § 414.033 subd. 2b have been met.

Section 6. That Minnesota Statute § 414.033 subd. 3 does not because it is appropriate for annexation under Minnesota Statute § 414.033 subd. 2, clause 3.

Section 7. That the area to be annexed is unplatted and unpopulated property.

Section 8. The City hereby annexes real property situated in the County of Polk, State of Minnesota, legally described as follows, to wit:

That part of Government Lot One (1), Section Eighteen (18), Township One Hundred Fifty-one (151), North of Range Forty-nine (49), West of the Fifth Principal Meridian, described as follows: Beginning at the Northwest corner of Section 18 of said township and range; thence Easterly along the north line of said Section 18 a distance of 118.0 feet to the southwesterly right-of-way line of State Highway No. 220; thence on an assumed bearing of South 42°51' East, along said right-of-way line, a distance of 466.35 feet; thence at right angles southwesterly along said right-of-way, a distance of 5.0 feet, thence at right angles southeasterly bearing S. 42°51' E. along said right-of-way line, a distance of 220.87 feet to the west boundary of tract of land previously conveyed; thence S. 1°11' E., along the west boundary line of said tract, a distance of 230.6 feet; thence deflecting 89°25'30" right, bearing S. 88°14'30" W., a distance of 566.2 feet to the west line of Section 18; thence deflecting 90°12' right and Northerly, along said Section line, a distance of 751.6 feet to the point of beginning, containing 7.10 acres, same being subject to right-of-way easement along the west side of tract described herein.

County of Polk, State of Minnesota.

Section 9. Reimbursement of the property taxes to the Town shall be based on the property taxes collected by the Town in the last year it collected taxes on the annexed area, in a total amount equivalent to that payable under the former law, but adjusted to be paid in substantially equal payments over two to eight years in accordance with the 2006 amendments to Minn. Stat. §414.036.

Section 10. That pursuant to Minnesota Statutes § 414.036 with respect to any special assessments assigned by the Town to the annexed property and any portion of debt incurred by the Town prior to the annexation and attributable to the property to be annexed, but for which no special assessments are outstanding, for the area legally described herein and there are no special assessments or debt incurred by the Town on the subject are for which reimbursement is required.

Section 11. The City Administrator/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 12. City Code Chapter 10 entitled Definitions and General Provisions Applicable to the Entire City Code Including Penalty for violation" is hereby adopted in its entirety, by reference, as repeated verbatim herein.

Section 13. This ordinance shall take effect and be in force from and after its passage and publication and be given number 299, 3<sup>rd</sup> series, and after its approval by the Minnesota Municipal Board.

VOTING AYE: Grassel, Buckalew, Tweten, Gregoire, Gauder, Leigh & Vetter  
VOTING NAY: None  
ABSENT: None

The President declared the Ordinance passed.

ATTEST:

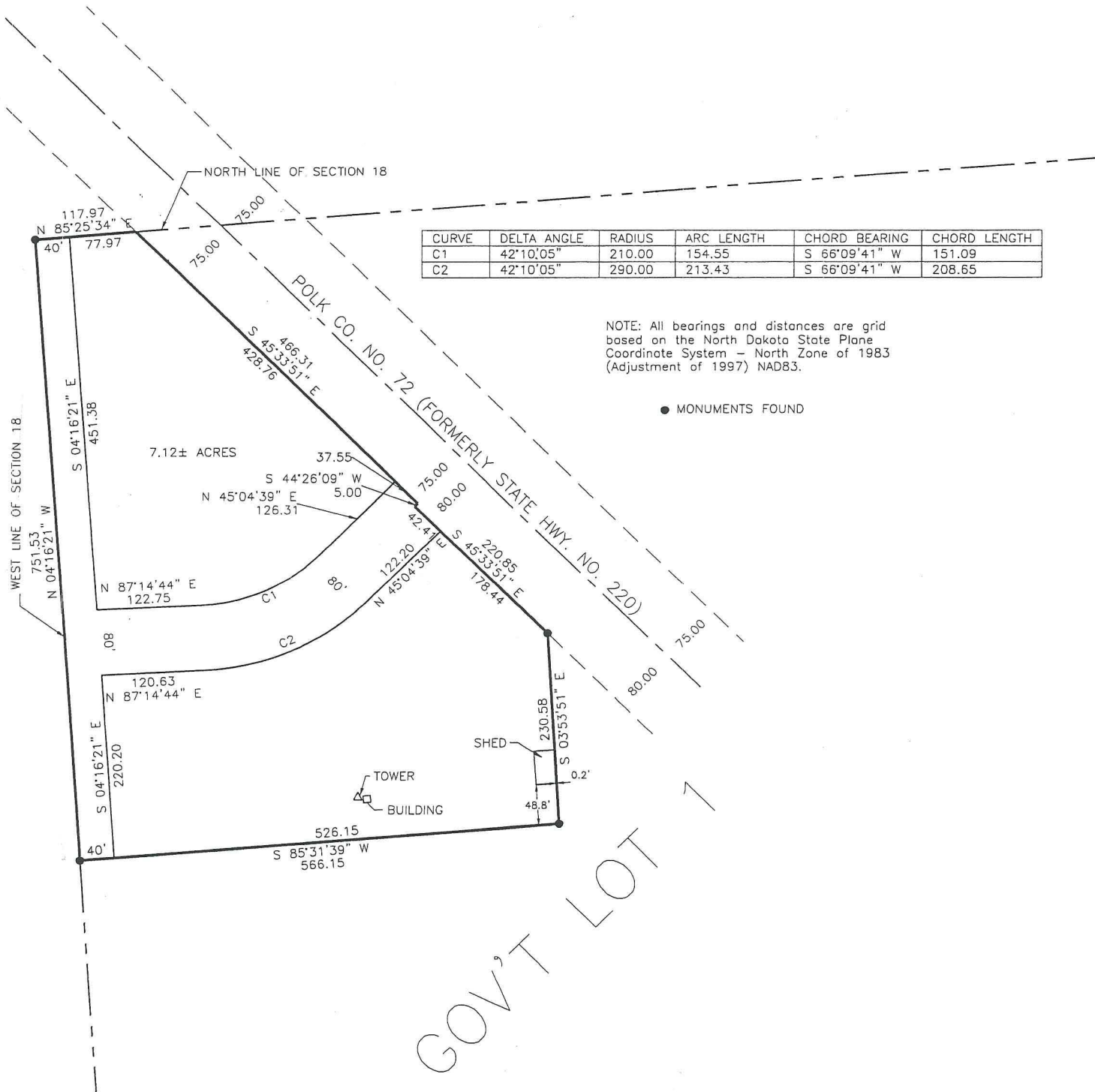
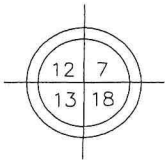
PASSED: April 17, 2007

Robert Brooks  
Clerk-Treasurer/City Administrator

Richard L. Starnes  
President of Council

I hereby approve the foregoing Ordinance this 17<sup>th</sup> day of April, 2007.

Richard L. Starnes  
Mayor



REC'D BY  
M.M.B.  
SEP 12 2007

02/28/2007

PROPOSED PLAT (HILLARY RYAN)  
CITY OF EAST GRAND FORKS, MINNESOTA

That part of Government Lot 1 of Section 18, Township 151 North, Range 49 West of the 5th Principal Meridian, Polk County, Minnesota described as follows:

Beginning at the northwest corner of Section 18; thence easterly along the north line of said Section 18 having a grid bearing of North 85 degrees 25 minutes 34 seconds East a distance of 117.97 feet to the southwesterly line of Polk County Highway Number 72 (formerly Trunk Highway Number 220) right of way; thence South 45 degrees 33 minutes 51 seconds East along said southwesterly right of way line a distance of 466.31 feet; thence South 44 degrees 26 minutes 09 seconds West continuing along said southwesterly right of way line a distance of 5.00 feet; thence South 45 degrees 33 minutes 51 seconds East continuing along said southwesterly right of way line a distance of 220.85 feet to a point being witnessed by a 1 inch diameter iron pipe; thence South 03 degrees 53 minutes 51 seconds East a distance of 230.58 feet to a point being witnessed by 1/2 inch rebar with plastic cap stamped RLS 13468; thence South 85 degrees 31 minutes 39 seconds West a distance of 566.15 feet to a point being witnessed by a 1/2 inch rebar with plastic cap stamped RLS 13468 being the west line of said Section 18; thence North 04 degrees 16 minutes 21 seconds West along said west line a distance of 751.53 feet to the point of beginning. Containing 7.12 acres more or less.

All bearings and distances are grid based on the North Dakota State Plane Coordinate System - North Zone of 1983 (NAD83).