

CHAPTER XII. PART 5

ORDINANCE TO ANNEX TO THE CITY OF WARREN CERTAIN LAND OWNED BY
RANDALL ENGELSTAD AND CINDY ENGELSTAD

The City Council of the City of Warren, Warren Minnesota ordains as follows:

Section 1: That Randall and Cindy Engelstad are the sole owners of certain real estate located in Marshall County, Minnesota, and legally described as follows:

That part of the South Half of the Northwest Quarter of Section 1, Township 154 North, Range 48 West of the 5th Principal Meridian, Marshall County Minnesota described as follows:

Beginning at the southwest corner of PARKVIEW ADDITION to the City of Warren, Minnesota; thence South 89 degrees 25 minutes 37 seconds East, assumed bearing, along the south line of said PARKVIEW ADDITION, a distance of 872.00 feet to the southeast corner of said PARKVIEW ADDITION; thence North 0 degrees 00 minutes 07 seconds East, along the east line of said PARKVIEW ADDITION, a distance of 40.05 feet; thence South 89 degrees 56 minutes 13 seconds East 150.00 feet; thence South 0 degrees 00 minutes 07 seconds West 459.19 feet; thence North 89 degrees 59 minutes 53 seconds West 1321.96 feet; thence North 0 degrees 00 minutes 07 seconds East 370.00 feet; thence South 89 degrees 59 minutes 53 seconds East 300.00 feet; thence North 0 degrees 00 minutes 07 seconds East 57.99 feet to the point of beginning **EXCEPT** previously annexed property to the City of Warren, Minnesota

Section 2: That said real estate abuts the City of Warren.

Section 3: That said real estate is not served by public sewer facilities or public sewer facilities are not otherwise available.

Section 4: That the only property owners of the above described real estate are Randall and Cindy Engelstad and they have filed a petition with the City of Warren asking that the City of Warren annex the above-described property to the City of Warren.

Section 5: That the above-described real estate contains 7.3 acres, more or less.

Section 6: That the City Clerk of the City of Warren is hereby authorized and directed to file a copy of this Ordinance with the Minnesota Office of Administrative Hearings Municipal Boundary Adjustments Office, the Minnesota Secretary of State, the Marshall County Auditor, and the Township Clerk.

Section 7: Pursuant to law, a public hearing was scheduled with proper notification

given, and held on Tuesday, March 11, 2008, prior to the City Council decision on this annexation ordinance.

Section 8: That with respect to the property taxes payable on the area legally described in this ordinance hereby annexed, the total Township taxes payable for 2008 are \$104.00. The City of Warren recommends that it be ordered to make a cash payment to the Township of Boxville for the period and in accordance with the following schedule:
(The City Council has marked an X by its option in dealing with Township taxes)

___ The Township and the City have agreed to have the Township waive its right to cash payment of taxes payable for 2008 and the Township waives all other rights under Minnesota Statute 414.033, subd. 12

___ The City has agreed to pay the Township the taxes due and payable for 2008 in one lump sum payment and the Township waives all other rights under Minnesota Statute 414.033, subd. 12.

 x The property taxes payable on the legally described property herein and hereby annexed shall continue to be paid to Boxville for the year which annexation becomes effective. In the first year following the year when the City of Warren could first levy on the annexed area and thereafter, property taxes on the annexed area shall be paid to the City of Warren. The City of Warren shall make substantially equal cash payments to Boxville Township over not less than two (2) years nor more than eight (8) years. There are currently no special assessments on the annexed property.

Section 9: That this Ordinance shall be in full force and effect and final upon the date this Ordinance is approved by the Minnesota Office of Administrative Hearings.

Adopted by the City Council of the City of Warren this 25th day of March, 2008.

Robert Z. Kliner
Robert Kliner, Mayor

(SEAL)

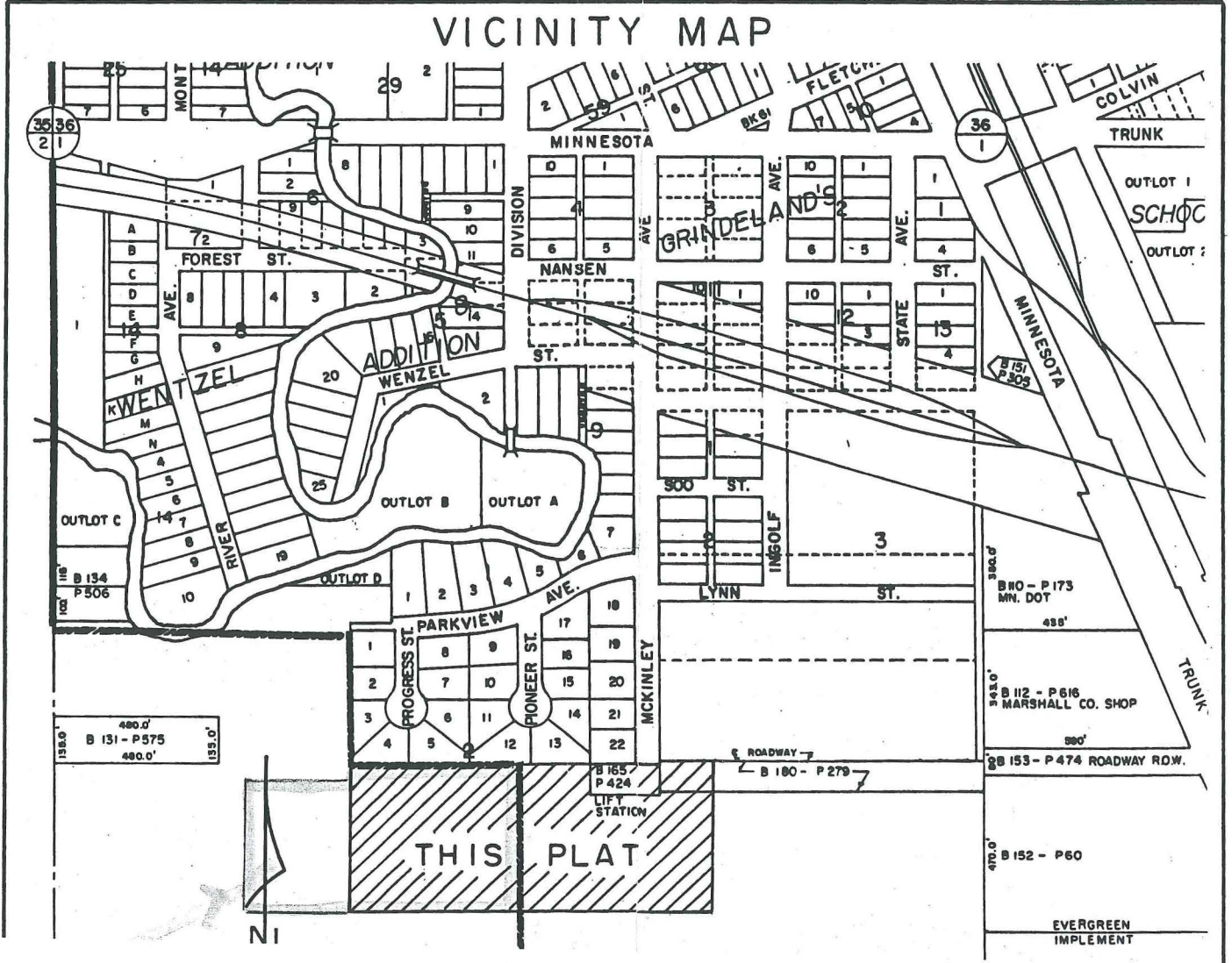
Attest:

C.T. Marhula
C.T. Marhula, its City Clerk

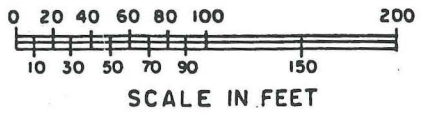


SOUTH HALF OF THE NORTHWEST QUARTER, SEC. 1, TWP. 154 N., R. 48 W
UNPLATTED

CURVE DATA TABLE				
CURVE	CENTRAL ANGLE	RADIUS	ARC LENGTH	CHORD LENGTH
A	59d 29m 16s	58.88	59.06	56.44
B	59d 29m 16s	65.00	67.49	64.50
C	49d 47m 35s	65.00	56.49	54.73
D	40d 12m 25s	65.00	45.62	44.68
E	40d 28m 28s	65.00	45.92	44.97
F	49d 31m 32s	65.00	56.19	54.45

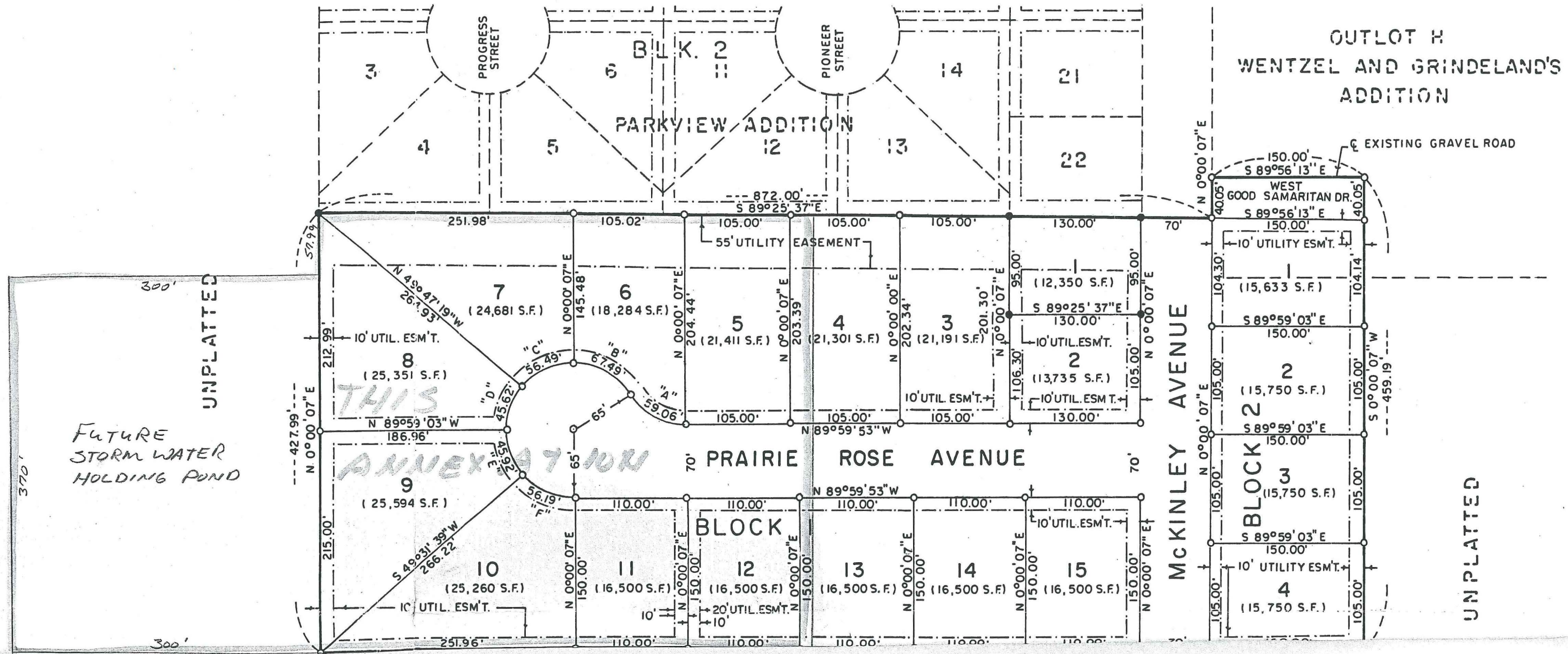


REC'D BY
MAB SEP 05 2008



LEGEND

- MONUMENT FOUND
- MONUMENT SET
- EXISTING PROP. LINE
- EASEMENT LINE
- INTERIOR LOT LINE
- EXTERIOR BOUNDARY LINE



REC'D BY
MAB SEP 05 2008