

ORDINANCE NO. 7-02-08**AN ORDINANCE OF THE CITY OF FERTILE ANNEXING LAND LOCATED
IN THE TOWN OF GARFIELD, POLK COUNTY, MINNESOTA PURSUANT
TO MINNESOTA STATUTES § 414.033 SUBDIVISION 2(1)*, PERMITTING
ANNEXATION BY ORDINANCE**

WHEREAS, said property is unincorporated and abuts the City of Fertile on its North boundary; and is owned by the City of Fertile, and

WHEREAS, said property is not located within a flood plain or shoreland area; and

WHEREAS, said property is currently the airport and annexation is requested to facilitate the extension of city services for the transportation development of the property; and

WHEREAS, provisions of Minnesota Statutes § 414.033 Subd. 13 are not applicable in that there will be no change in the electric utility service provider resulting from the annexation of the territory to the municipality.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FERTILE HEREBY ORDAINS AS FOLLOWS:

1. The City Council hereby determines that the property as hereinafter described abuts the city limits and is or is about to become urban or suburban in nature in that airport development use is being used for said property. The property will have an interim commercial zoning designation until the new City Zoning Code is adopted.
2. None of the property is now included within the limits of any city, or in any area that has already been designated for orderly annexation pursuant to Minnesota Statute § 414.0325.
3. The corporate limits of the City of Fertile, Minnesota, are hereby extended to include the following described property, said land abutting the City of Fertile:

That part of Section 17, Township 147 North, Range 44 West of the Fifth Principal Meridian, Polk County Minnesota, described as follows:

Commencing at an iron monument at the southeast corner of said Section 17; thence South 89 degrees 46 minutes 21 seconds West, assumed bearing along the south line of said Section 17, a distance of 990.14 feet to the east line of the West Half of the West Half of the East Half of the Southeast Quarter of said Section 17, also being the point of beginning; thence continuing South 89 degrees 46 minutes 21 seconds West along said south line a distance of 1650.22 feet to the east line of Southwest Quarter of said Section 17; thence North 00 degrees 28 minutes 10 seconds West along said east line a distance of 2093.09 feet to the southwesterly line of instrument #424237; thence North 36 degrees 11 minutes 54 seconds West along said southwesterly line a distance of 648.69 feet; thence continuing along said southwesterly line North 36 degrees 11 minutes 02 seconds West a distance of 3267.31 feet to the north line of Northwest Quarter of said Section 17; thence North 89 degrees 58 minutes 33 seconds East along said north line a distance of 867.62 feet to the northeasterly line of instrument #424237; thence South 36 degrees 10 minutes 18 seconds East along said northeasterly line a distance of 2430.70 feet; thence continuing along said northeasterly line South 36 degrees 11 minutes 54 seconds East a distance of 839.00 feet to the north line of Southeast Quarter of Section 17; thence South 89 degrees 53 minutes 03 seconds East along said north line a distance of 1151.82 feet to said east line of the West Half of the West Half of the East Half of the Southeast Quarter of said Section 17; thence South 00 degrees 39 minutes 24 seconds East along said east line a distance of 2606.03 feet, to the point of beginning.

Containing 6,685,058 sq. ft., or 153.47 acres, more or less.

Subject to all easements, restriction and reservations of record, if any.

Copies of the corporate boundary map showing the property to be annexed and its relationship to the corporate boundaries and all appropriate plat maps are attached hereto. ?

4. That the population of the area legally described herein and hereby annexed contains a total of zero households with a population of zero.
5. As the property so described is already owned by the City of Fertile for a public purpose, there are no taxes to be considered. *no taxes*
6. That pursuant to Minnesota Statutes § 414.036 with respect to any special assessments there are the City will abide by the rules in place.
7. That the City Administrator of the City of Fertile is hereby authorized and directed to file a copy of this Ordinance with the Municipal Boundary Adjustment Unit of the Minnesota Office of Administrative Hearings, the Minnesota Secretary of State, the Polk County Auditor, and the Garfield Township Clerk.

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

PASSED AND ADOPTED by the City Council of the City of Fertile,
Minnesota, this 14th day of July, 2008.

Brian G. Neplew

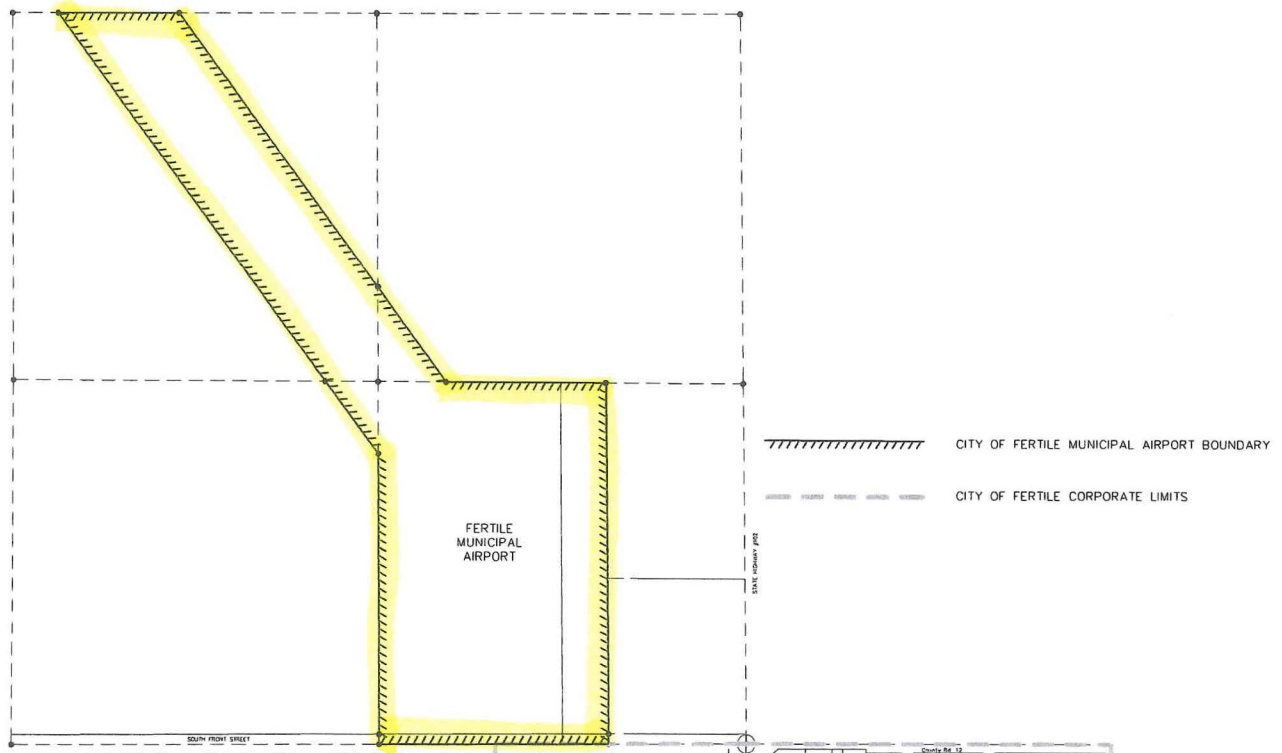
Mayor

ATTEST:

John Strohecker
City Administrator



REC'D BY
M M B OCT 27 2008



REC'D BY
M M B OCT 27 2008



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CITY OF FERTILE

POLK COUNTY, MINNESOTA

