

ORDINANCE NO. 330

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF DETROIT LAKES,
MINNESOTA TO INCLUDE CERTAIN UNINCORPORATED UNPLATTED
LAND ABUTTING UPON THE CITY LIMITS
(Mark Olsen 7.6 Acres)

WHEREAS, a certain petition dated February 17, 2009, requesting annexation of the territory hereinafter described was duly presented to the Council; and

WHEREAS, the petition was signed by all owners; and

WHEREAS, a Public Hearing was held and proper notices were sent to the adjoining property owners and the town board or the government body of any municipality whose boundaries abut upon the boundaries of the land to be annexed; and

WHEREAS, the land described in the petition abuts upon the City limits at the northerly boundary thereof;

NOW THEREFORE, the City Council of the City of Detroit Lakes, Minnesota, does hereby ordain:

Section 1. The City Council hereby determines: 1) that the territory described herein abuts upon the City limits and is urban or suburban in character; and 2) that none of the territory is now included within the limits of any city.

Section 2. The population of the territory is 0 (0).

Section 3. The territory to be annexed is 7.6 acres, more or less

Section 4. Upon annexation, the territory annexed will be zoned "B-3" Auto Oriented Business District.

Section 5. Territory Annexed. The corporate limits of the City of Detroit Lakes are hereby extended to include the unplatted territory described as follows and the same hereby annexed to and included within the City as effectually as if it had been originally been a part thereof:

Parcel : R1900117001

SECT 01 TWP 138 RANGE 041 2.51 AC PT SW ¼ OF SE ¼; BEG 305.29' W OF SE COR TH W 305' TO HWY R-0-W, TH NLRV AL R-0-W 180.59", W 15', NLY 219.41', E 305' & SLY 400' TO BEG

And

THAT PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER IN SECTION 1, TOWNSHIP 138 NORTH, RANGE 41 WEST OF THE FIFTH PRINCIPAL MERIDIAN IN BECKER COUNTY MINNESOTA, DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND IRON MONUMENT WHICH DESIGNATES THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER; THENCE NORTH 88 DEGREES 26 MINUTES 49 SECONDS WEST ON AN ASSUMED BEARING ALONG THE SOUTH LINE OF SAID SECTION 1 FOR A DISTANCE OF 305.29 FEET TO A FOUND IRON MONUMENT; THENCE NORTH 25 DEGREES 04 MINUTES 50 SECONDS WEST FOR A DISTANCE OF 400.00 FEET TO A FOUND IRON MONUMENT; THENCE NORTH 21 DEGREES 57 MINUTES 08 SECONDS WEST FOR A DISTANCE OF 400.00 FEET TO A FOUND IRON MONUMENT, SAID POINT IS THE POINT OF BEGINNING; THENCE NORTH 88 DEGREES 26 MINUTES 09 SECONDS WEST FOR A DISTANCE OF 305.00 FEET TO A FOUND IRON MONUMENT ON THE EASTERLY RIGHT OF WAY LINE OF TRUNK HIGHWAY NO 10; THENCE NORTHERLY ALONG THE EASTERLY RIGHT OF WAY LINE OF SAID TRUNK HIGHWAY NO 10 ON A CURVE CONCAVE EAST, HAVING A CENTRAL ANGLE OF 02 DEGREES 52 MINUTES 44.1 SECONDS AND A RADIUS OF 6800.49 FEET, FOR A DISTANCE OF 341.70 FEET (CHORD BEARING NORTH 16 DEGREES 03 MINUTES 43 SECONDS WEST) TO A FOUND IRON MONUMENT; THENCE NORTH 89 DEGREES 56 MINUTES 35 SECONDS EAST FOR A DISTANCE OF 125.00 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT A;

THENCE CONTINUING NORTH 89 DEGREES 56 MINUTES 35 SECONDS EAST FOR A DISTANCE OF 180.82 FEET TO A FOUND IRON MONUMENT; THENCE CONTINUING NORTH 89 DEGREES 56 MINUTES 35 MINUTES EAST FOR A DISTNACE OF 42.00 FEET TO AN IRON MONUMENT; THENCE SOUTH 08 DEGREES 42 MINUTES 17 SECONDS EAST FOR A DISTANCE OF 340.93 FEET TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED TRACT CONTAINS 2.50 ACRES.

ALSO HEREIN INCLUDED IS A 33.00 FOOT WIDE EASEMENT FOR DRIVEWAY PURPOSES OVER, UNDER AND ACROSS PART OF SAID SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER AND OVER, UNDER AND ACROSS PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER IN SECTION 1. THE CENTERLINE OF SAID 33.00 FOOT WIDE DRIVEWAY EASEMENT IS DESCRIBED AS FOLLOWS:

BEGINNING AT THE AFOREMENTIONED POINT A, THENCE NORTH 17 DEGREES 22 MINUTES 00 SECONDS WEST FOR A DISTANCE OF 314.04 FEET; THENCE SOUTH 77 DEGREES 47 MINUTES 30 SECONDS WEST FOR A DISTANCE OF 100.00 FEET TO THE EASTERLY RIGHT OF WAY LINE OF SAID TRUNK HIGHWAY NO 10 AND SAID CENTERLINE THERE TERMINATES. THE SIDELINES OF SAID 33.00 FOOT WIDE DRIVEWAY EASEMENT SHALL BE PROLONGED OR SHORTENED TO TERMINATE ON THE NORTHERLY LINE OF THE ABOVE DESCRIBED TRACT AND ON THE EASTERLY RIGHT OF WAY LINE OF SAID TRUNK HIGHWAY NO. 10.

Parcel: R1900117003

SECT 01 TWP 138 RANGE 041 2.59 AC PT SW ¼ OF SE ¼: COMM SE COR SW ¼ OF SE ¼ OF TH W 610.29' TO HWY #10, TH NW 180.59', SW 15', TH NW 219.41' TO POB; CONT NW AL HWY #10 400', TH SE 305' TH SLY 400', TH NW 305' TO POB REF: 19.0017.000 SECT 01

Section 6. Municipal Boundary Adjustments

The City Administrator is directed to forward this ordinance to the Municipal Boundary Adjustments upon approval and passage.

Section 7. Reimbursement to Township

The City of Detroit Lakes will reimburse Lake View Township for property taxes as follows:

<u>Year</u>	<u>Percentage</u>	<u>Amount</u>
2008	100%	140.93
2009	100%	140.93
2010	100%	140.93
2011	100%	140.93
2012	100%	140.93

Reimbursement of 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.

Section 8. Filing. The City Clerk is hereby directed to file certified copies of this Ordinance with the Minnesota Department of Administration – Municipal Boundary Adjustments, the Secretary of State, the Town Clerk, and the County Auditor.

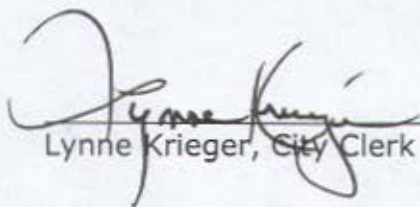
Section 9. Effective Date of Annexation. This Ordinance takes effect upon passage and publication and the filing of certified copies as directed in Section 8, and approval as required by State Law.

FILED MAY 16 2009

Passed and adopted by the City Council of the City of Detroit Lakes, Minnesota, this 12th day of May, 2009.



Matt Brenk, Mayor



Lynne Krieger, City Clerk

First Reading: April 14, 2009

Second Reading: May 12, 2009



5/18/2009 1:50:52 PM

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