



REC'D BY  
MBA

DEC 16 2009

**CITY OF CASS LAKE**

**ORDINANCE NO. 1014-2009**

**AN ORDINANCE ANNEXING LAND LOCATED IN THE TOWN OF  
PIKE BAY, CASS COUNTY, MINNESOTA PURSUANT TO MINNESOTA  
STATUTES § 414.033 SUBDIVISION 2(3), PERMITTING ANNEXATION  
BY ORDINANCE**

**WHEREAS**, a petition signed by all the property owners requesting that property legally described in the attached Exhibit A ("the Land") be annexed to the City of Cass Lake, Minnesota, was duly presented to the City Council on the 14<sup>th</sup> day of October, 2009; and

**WHEREAS**, the Land is unincorporated and abuts the City of Cass Lake on its northern boundary; is less than 120 acres; is not presently served by public sewer facilities or public sewer facilities are not otherwise available; and

**WHEREAS**, the Land is not located within a flood plain or shoreland area; and

**WHEREAS**, the Land consists of two strips, both of which are encroached upon by structures on the abutting property that is within the City, which property is currently used as an RV park, and annexation is requested to facilitate the extension of city services for the commercial development of the Land; and

**WHEREAS**, the City of Cass Lake held a public hearing pursuant to Minnesota Statutes § 414.033, subd. 2b, on October 14, 2009, following thirty (30) days written notice by certified mail to the Town of Pike Bay and to all landowners within and contiguous to the Land; 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 Land to the municipality.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CASS LAKE HEREBY ORDAINS AS FOLLOWS:**

1. The City Council hereby determines that the Land abuts the city limits and is urban in nature in that it is currently used as part of an RV park in conjunction with the abutting property within the City, which is zoned as high density residential.
2. None of the Land 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 Cass Lake, Minnesota, are hereby extended to include the Land, said Land abutting the City of Cass Lake and being 120 acres or less in area, not presently served by public sewer facilities, and the City having received a petition for annexation from all the property owners of the Land. The Land consists of a total of .5 acres, more or less. 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 Land is zero.
5. Pursuant to an agreement with the Town of Pike Bay, there will be no payment by the City to the Town for property taxes. The Land consists of two small strips of a previously tax exempt parcel. Written documentation of the agreement is attached as Exhibit B.
6. That there are no special assessments assigned by the Town to the Land, nor is there a portion of debt incurred by the Town prior to the annexation that is attributable to the Land for which no special assessments are outstanding.
7. That the City Clerk 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 Cass County Auditor, and the Pike Bay 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 Cass Lake,  
Minnesota , this 14<sup>th</sup> day of October, 2009.

Wayne S. Disher  
Mayor

ATTEST:

Sue Krenak  
City Clerk

(City Seal)

Ordinance 1014-2009  
Duly Passed and Adopted  
10-14-2009

2

split from 29-010-3101 split to 29-010-3106

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A000552921

OFFICE OF COUNTY RECORDER CASS COUNTY MINNESOTA

CERTIFIED, FILED, AND/OR RECORDED ON 08/27/2009 03:17:57PM

AS DOC #: A000552921 PAGES: 5 REC FEES: \$46.00

No delinquent taxes and transfer entered; Certificate of Real Estate Value

filed ( ) not required August 27, 2009

Sharon K. Anderson County Auditor by: [Signature] Deputy

KATHRYN M. NORBY COUNTY RECORDER BY Kathryn M. Norby DEPUTY SK

LIMITED WARRANTY DEED

School District to Joint Tenants

STATE DEED TAX DUE HEREON: \$ 8.25

CASS COUNTY, MN # 1500 Deed tax \$ 8.25 Date 8/27/2009 By [Signature]

Date: 8/24, 2009

FOR VALUABLE CONSIDERATION, CASS LAKE-BENA INDEPENDENT SCHOOL DISTRICT NO. 115, Grantor, hereby conveys and warrants to TIMOTHY A. REIPLINGER and PATRICIA B. REIPLINGER, Grantees, as joint tenants, real property in CASS County, Minnesota, described as follows:

PARCEL A: That part of the Northeast Quarter of the Southwest Quarter, Section 10, Township 145 North, Range 31 West, Cass County, Minnesota, lying easterly and southerly of "Line 1" and northerly and westerly of "Line 2." "Line 1" and "Line 2" are described as follows:

Description of "Line 1":

Commencing at the southwest corner of said Northeast Quarter of the Southwest Quarter, said corner is designated by a found iron rebar monument, 1/2 inch in diameter, marked 15572; thence North 89°12'00" East, bearing assumed, along the south line of said Northeast Quarter of the Southwest Quarter a distance of 881.00 feet to a found iron rebar monument, 1/2 inch in diameter, marked 15572; thence North 24°09'57" West a distance of 241.61 feet; thence North 01°22'38" East a distance of 406.65 feet to a point hereinafter referred to as "Point A", said point being the point of beginning of the line to be described; thence continue North 01°22'38" East a distance of 3.15 feet to an iron pipe, 1/2 inch in diameter, marked RLS 15483; thence North 69°11'47" East a distance of 427.39 feet to an iron pipe, 1/2 inch in diameter, marked RLS 15483; thence North 07°00'04" West a distance of 145.72 feet to an iron pipe, 1/2 inch in diameter, marked RLS 15483; thence North 06°47'55" West a distance of 255.47 feet to an iron pipe, 1/2 inch in diameter, marked RLS 15483; thence North 88°58'40" East a distance of 4.51 feet to a point hereinafter referred to as "Point B" and said line there terminating.

Description of "Line 2":

Commencing at an iron monument at the southwest corner of said Northeast Quarter of

the Southwest Quarter; thence North 89°12' East 881 feet to an iron monument located on the South boundary of said Northeast Quarter of the Southwest Quarter; thence North 23°35' West 241.9 feet to an iron monument (North 24°09'57" West 241.61 feet measured); thence North 01°35' East 406.3 feet to an iron monument (North 01°22'38" East 406.65 feet measured) being the point of beginning of the line to be described, said point also being the hereinbefore described "Point A"; thence North 75°03' East 473.7 feet to an iron monument (North 74°50'39" East 474.01 feet measured); thence North 16°24' West 261.8 feet to an iron monument (North 16°40'21" West 262.30 feet measured); thence North 08°05' West a distance of 179.7 feet to an iron monument (North 08°21'21" West 180.04 feet measured), also being the hereinbefore described "Point B" and said line there terminating.

Said tract contains 0.45 acres, more or less. (Measured distances are in reference to Certificate of Survey performed by Schellack Engineering and Land Surveying for Cass Lake - Bena Public Schools dated 10/11/1991 and revised on 1/8/1992.)

**PARCEL B:** That part of the Northeast Quarter of the Southwest Quarter, Section 10, Township 145 North, Range 31 West, Cass County, Minnesota, lying northerly and easterly of "Line 1" and westerly of "Line 2." "Line 1" and "Line 2" are described as follows:

Description of "Line 1":

Commencing at the southwest corner of said Northeast Quarter of the Southwest Quarter, said corner is designated by a found iron rebar monument, 1/2 inch in diameter, marked 15572; thence North 89°12'00" East, bearing assumed, along the south line of said Northeast Quarter of the Southwest Quarter a distance of 881.00 feet to a point designated by a found iron rebar monument, 1/2 inch in diameter, marked 15572, said point being the point of beginning of the line to be described; thence North 30°04'07" West a distance of 189.61 feet to an iron pipe, 1/2 inch in diameter, marked RLS 15483; thence North 03°58'16" West a distance of 56.48 feet to a point hereinafter referred to as "Point C," said point is designated by an iron pipe, 1/2 inch in diameter, marked RLS 15483, and said line there terminating.

Description of "Line 2":

Commencing at an iron monument at the southwest corner of said Northeast Quarter of the Southwest Quarter; thence North 89°12' East 881 feet to an iron monument located on the South boundary of said Northeast Quarter of the Southwest Quarter and the beginning of the line to be described; thence North 23°35' West 241.9 feet to an iron monument (North 24°09'57" West 241.61 feet measured), said point also being the hereinbefore described "Point C" and said line there terminating.

**GRANTEE STATES THAT THE ABOVE-DESCRIBED PROPERTY CONSTITUTES A SUBSTANDARD LOT. HOWEVER, GRANTEE IS THE CURRENT OWNER OF THE FOLLOWING PROPERTY, WHICH ADJOINS THE ABOVE PROPERTY:**

That part of the Northeast Quarter of the Southwest Quarter (NE¼ of SW¼), Section

Ten (10), Township One Hundred Forty-five (145), Range Thirty-one (31) and that part of Government Lot Three (3), Section Ten (10), Township One Hundred Forty-five (145), Range Thirty-one (31), described as follows: Commencing at iron monument at the SW corner of the Northeast Quarter of the Southwest Quarter (NE¼ of SW¼), Section Ten (10), Township One Hundred Forty-five (145), Range Thirty-one (31); thence North 89 degrees 12 minutes East, 881 feet to an iron monument located on the South boundary of said Northeast Quarter of the Southwest Quarter (NE¼ of SW¼), which point is designated as point A and is the point of beginning of the tract to be conveyed; thence North 23 degrees 35 minutes West, 241.9 feet to an iron monument; thence North 1 degree 35 minutes East, 406.3 feet to an iron monument; thence North 75 degrees 3 minutes East, 473.7 feet to an iron monument; thence North 16 degrees 24 minutes West, 261.8 feet to an iron monument; thence North 8 degrees 5 minutes West, 179.7 feet to an iron monument; thence North 89 degrees 15 minutes East, 168.9 feet to the West boundary of Government Lot 3, Section Ten (10), Township One Hundred Forty-five (145), Range Thirty-one (31), and distant 150 feet from the Northwest corner of said Government Lot 3 when measured at right angles thereto; thence East along a line parallel to and distant 150 feet from the North boundary of said Government Lot 3 when measured at right angles thereto, 384.2 feet to an iron monument; thence East along the same course of travel to the water line of Cass Lake; thence return to Point A; thence North 50 degrees 57 minute East, 210 feet to an iron monument; thence North 55 degrees 35 minutes East, 105 feet to an iron monument; thence 60 degrees 21 minutes East, 190 feet to an iron monument which is located on the West boundary of Government Lot 3; thence North 54 degrees 17 minutes East, 202.4 feet to a judicial monument; thence North 69 degrees 14 minutes East 171.62 feet to a judicial monument; thence North 65 degrees East, 496.3 feet to a judicial monument; thence North 65 degrees East a distance of 15 feet, more or less, to the water's edge of Cass Lake and there terminating, said tract also being described as Highland Inn Resort, LESS AND EXCEPT the following tract:

That part of Government Lot 3, Section 10, Township 145 North, Range 31 West, Cass County, Minnesota, described as follows: Commencing at the southwest corner of said Government Lot 3, said southwest corner is described in Book 105 of Deeds, page 548; thence North 00°09'54" East, bearing assumed, along the west line of said Government Lot 3 as defined in said Book 105 of Deeds, page 548, a distance of 288.10 feet; thence North 54°17'00" East a distance of 117.32 feet to a point hereinafter referred to as Point A; thence North 19°44'11" West a distance of 258.97 feet to the point of beginning of the land to be described; thence return South 19°44'11" East a distance of 258.97 feet to said Point A; thence North 54°17'00" East a distance of 85.08 feet (84.59 Meas.) to a found 2" iron pipe set in cement marked "Judicial Monument"; thence North 69°14' East (North 69°23'41" East Meas.) a distance of 171.62 feet (171.33 Meas.) to a found 2" iron pipe set in cement marked "Judicial Monument"; thence North 65°00' East (North 65°02'59" East Meas.) a distance of 487.05 feet to a found capped rerod RLS No. 23046; thence continuing along the last described line a distance of 5 feet, more or less, to the intersection with the shoreline of Cass Lake; thence northwesterly along said shore line to the intersection with a line bearing North 74°58'30" East from the point of beginning; thence South 74°58'30" West to the point of beginning. Together with a 12 foot wide easement for ingress and egress, over and across said Government Lot 3, the center line of said easement is described as follows: Commencing at above described

said Point A; thence North 19°44'11" West along the westerly line of the above described tract a distance of 23.11 feet to the point of beginning of the center line to be described; thence South 35°45'37" West a distance of 14.3 feet; thence South 43°21'16" West a distance of 48.5 feet; thence South 55°07'02" West a distance of 55.7 feet, more or less, to the intersection with the west line of said Government Lot 3 and said center line there terminating. Subject to and together with a 12 foot wide easement for ingress and egress, over and across that part of said Government Lot 3 for harbor access, the center line of said easement is described as follows: Commencing at the above described said Point A; thence North 19°44'11" West along the westerly line of the above described tract a distance of 23.11 feet to the point of beginning of the center line to be described; thence North 35°45'37" East a distance of 37.5 feet; thence North 29°58'48" East a distance of 51.6 feet; thence North 12°40'20" East a distance of 40.4 feet; thence North 9°39'42" East a distance of 153.1 feet; thence North 13°00'45" East a distance of 36.6 feet; thence North 17°24'06" East to the intersection with the shore line of the harbor and said center line there terminating. Subject to easements, restrictions, and reservations of record.

GRANTEES FURTHER STATE THAT ANY SUBSEQUENT SALE OF THE ABOVE PROPERTY SHALL BE IN CONJUNCTION WITH THE ADJOINING LOT DESCRIBED ABOVE.

Check One:

- The Grantors certify that the Grantors do not know of any wells on the described real property.
- A well disclosure certificate accompanies this document.
- I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.

Grantor covenants and represents that:

- (1) This Deed conveys after-acquired title; and
- (2) Grantor has not made, done, executed or suffered any act or thing whereby the above-described property or any part thereof, now or at any time hereafter, shall or may be imperiled, charged or encumbered in any manner, and Grantor will warrant the title to the above-described property against all persons claiming the same from or through Grantor as a result of any such act or thing, EXCEPT: None except as hereinabove enumerated.

CASS LAKE-BENA INDEPENDENT  
SCHOOL DISTRICT #115

By: Carl Remmers  
CARL REMMERS, Superintendent

By: Jolyn Donnell  
JOLYN DONNELL, Clerk

REC'D BY  
MBA

DEC 16 2009

STATE OF MINNESOTA)  
(ss.  
COUNTY OF Cass)

The foregoing instrument was acknowledged before me this 24 day of Aug., 2009, by Carl Remmers, Superintendent and Jolyn Donnell, Clerk of Cass Lake-Bena Independent School District #115, Grantor.



*Terrik K. Goggleye*  
NOTARY PUBLIC

THIS INSTRUMENT WAS DRAFTED BY:

Robert M. Wallner, Esq.  
**FULLER, WALLNER, CAYKO  
& PEDERSON LTD**

Location: 514 America Avenue NW  
Bemidji, MN 56601

Mail: P.O. Box 880  
Bemidji, MN 56619-0880

Telephone: (218) 751-2221

Faeximile: (218) 751-2285

Toll-free: (800) 552-6881

E-Mail: [bob.wallner@lawofficemn.com](mailto:bob.wallner@lawofficemn.com)

Website: [www.lawofficemn.com](http://www.lawofficemn.com)

Tax statements for the real  
property described in this  
instrument should be sent to:

Mr. and Mrs. Timothy Reiplinger  
539 Highland Inn Road NE  
Cass Lake, MN 56633

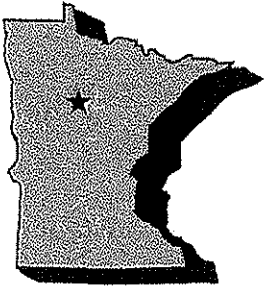
REVIEWED BY COUNTY 08 27 2009  
BY: Paul M. Kelly  
 Does ) MEET CASS COUNTY  
 Does Not ) ORDINANCE STANDARDS  
COMMENT: \_\_\_\_\_

THIS CONVEYANCE PREPARED WITHOUT BENEFIT OF TITLE EXAMINATION

I hereby certify that taxes for  
the year 20 09 on property  
I.D. # 29-010-3101  
have been paid.

Shawnik Anderson  
Cass County Auditor-Treasurer  
By aw Deputy 8/27/09 Date





## TOWNSHIP OF PIKE BAY

PO Box 1355 • Cass Lake, MN 56633

Phone: 218-335-2071

Email: pikebay@arvig.net

### GOVERNMENT

- Of The People
- By The People
- For The People

REC'D BY  
MBA

DEC 16 2009

October 14, 2009

City of Cass Lake

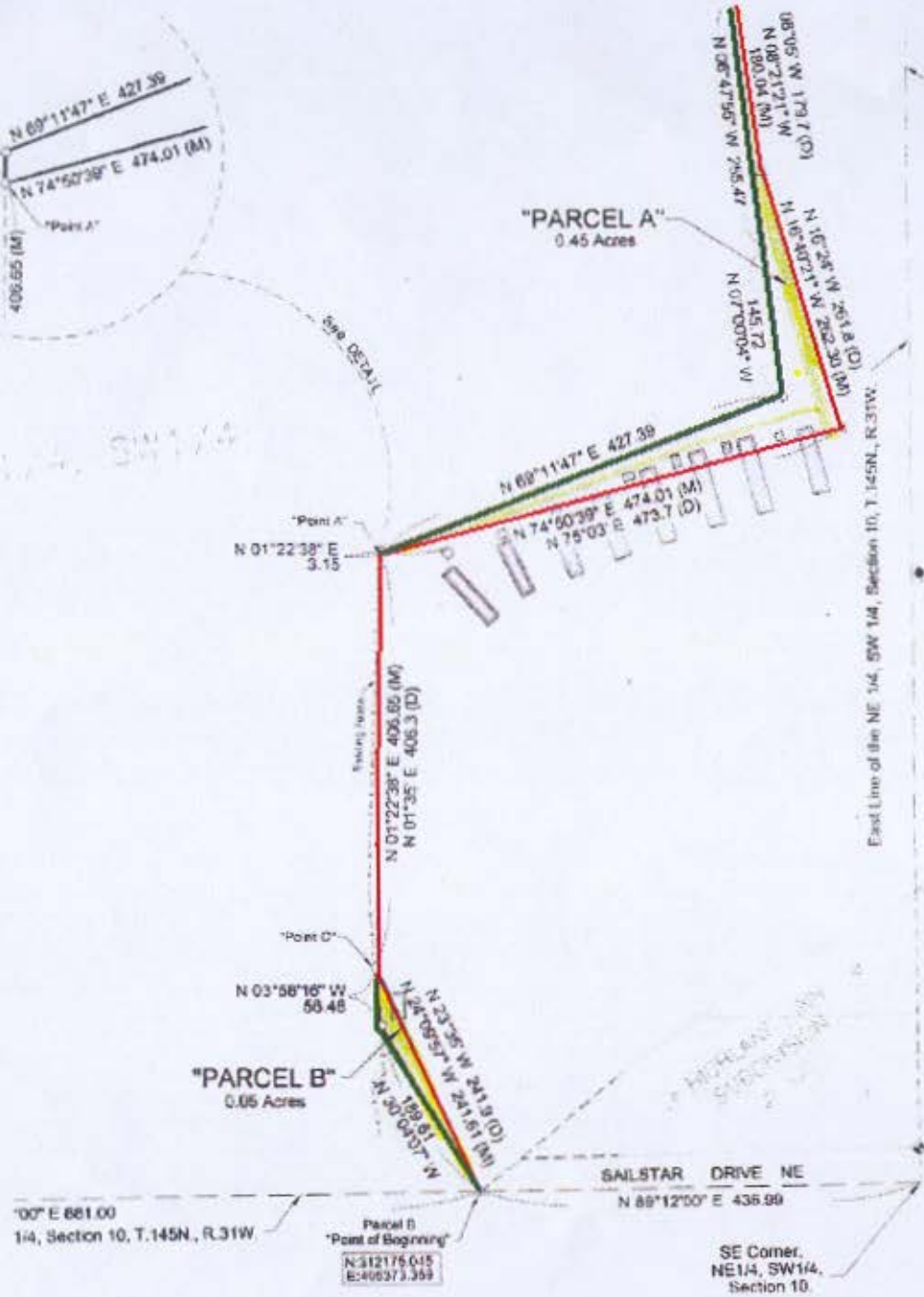
Cass Lake, MN 56633

Dear Sue,

At the regular monthly meeting held Tuesday October 13, 2009, the Pike Bay Board of Supervisors acknowledged the desire of Tim & Patty Reiplinger to have their newly acquired property annexed by the City of Cass Lake. The Board of Supervisors realizes this annexation has no tax impact on the residents of the Township, as the parcel was previously tax-exempt while owned by the school district. To the Boards knowledge, no current or future special assessments exist on this parcel of land. In light of the fact that this annexation will have no tax impact and is attached to land previously annexed by the City at the request of the property owners, the Township Board of Supervisors fully support the annexation of this parcel of land and voted unanimously in favor.

Sincerely,

Matt Erickson, Clerk  
Pike Bay Township

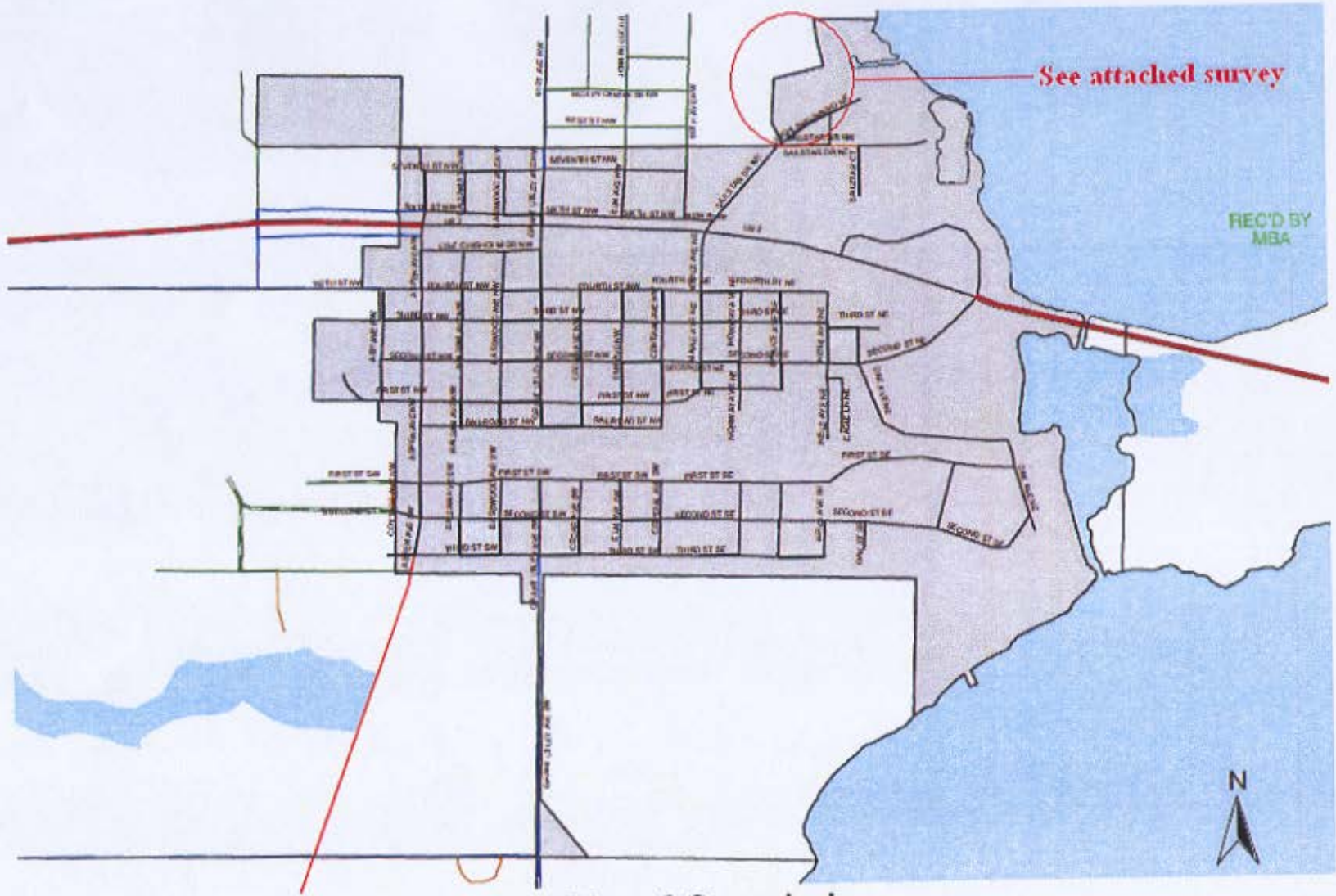


**Former City boundary is in red.  
 New City boundary is in green.**

REC'D BY  
 MBA DEC 16 2009

SE Corner.  
 NE 1/4, SW 1/4,  
 Section 10.

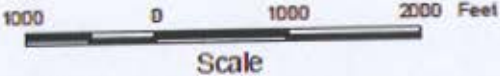
Parcel B  
 "Point of Beginning"  
 N:312175.015  
 E:406373.369



See attached survey

REC'D BY  
MBA

DEC 16 2009



City of Cass Lake  
Cass County, Minnesota

Cass MIS  
12/23/03