

**ORDINANCE NO. 11, 4th SERIES**

**AN ORDINANCE OF THE CITY OF EAST GRAND FORKS, MINNESOTA, ANNEXING THAT PART OF GOVERNMENT LOT ONE (1), SECTION EIGHTEEN (18), TOWNSHIP ONE FIFTY-ONE (151) NORTH, 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 1.

Section 2. The City of East Grand Forks, Minnesota (hereinafter referred to the "City") acquired real property from Polk County via warranty deed which was recorded in the office of the Polk County Recorder as Document number A000596185 on September 16, 2002. Hereby attached and incorporated by reference.

Section 3. The land abuts the City of East Grand Forks, is urban or suburban in character and is owned by the City.

Section 4. That the City Council has determined that it is the best interest of the City that said parcel is to be annexed into the City so that it can have access to all City utilities and services.

Section 5. That the notice and public hearing requirements of Minnesota Statute § 414.033 subd. 2b are not required because the parcel is owned by the City.

Section 6. That Minnesota Statute § 414.033 subd. 3, does not control because it is appropriate for annexation under Minnesota Statute § 414.033 subd. 2, clause 1.

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

Section 8. The City hereby annexes the 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, Range Forty-nine (49), West of the Fifth Principal Meridian, Polk County, Minnesota described as follows: Commencing at the Northwest corner of said Section 18; thence easterly along the North line of said Section 18 a distance of 217.5 feet to the centerline of State Highway No. 220; thence south 42 degrees 51minutes east, along said center line, a distance of 531.9 feet; thence south 1 degree 11 minutes east a distance of 120.34 feet to the point of beginning of the tract herein conveyed on the southwesterly boundary of the right of way of said Highway No. 220; thence south 1 degree 11 minutes east a distance of 455.0 feet; thence at right angles easterly a distance of 296 feet, more or less, to the center of the coulee; thence northerly along the center of said coulee to its intersection with the Southwesterly boundary of right of way of said Highway No. 220;

thence northwesterly along said boundary line a distance of 437 feet, more or less, to the point of beginning; containing 2.0 acres.

Section 9. That said land is not in the floodplain or shoreland area.

Section 10. The City Administrator/Clerk Treasurer is hereby directed to file certified copies of this ordinance with the Chief Administrative law Judge, Municipal Boundary Adjustments Division of the state Office of Administrative Hearings (Minnesota Municipal Board), Huntsville Township, Polk County Auditor, and the Minnesota Secretary of State. A copy of the annexation ordinance must be delivered immediately to the Polk County Auditor upon approval of the chief administrative law judge.

Section 11. 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 12. This ordinance shall take effect and be in force from and after its passage and publication and be given number 11, 4th series, and after its approval by the Chief Administrative law Judge, Municipal Boundary Adjustments Division of the state Office of Administrative Hearings (Minnesota Municipal Board).

*Voting Aye: Tweten, Olstad, Leigh, Grassel, Vetter, and Buckalew.*

*Voting Nay: None.*

*Absent: None.*

The Vice-President declared the Ordinance passed.

ATTEST:

  
\_\_\_\_\_  
City Administrator/Clerk-Treasurer

PASSED: January 21, 2014

  
\_\_\_\_\_  
Vice-President of Council

I hereby approve the foregoing Ordinance this 21<sup>st</sup> day of January, 2014.

  
\_\_\_\_\_  
Mayor

1083

596185

REC'D BY  
MBA

MAR 24 2014

MN-WARRANTY DEED, Except Assessments

Corp. to Corp.

No delinquent taxes and transfer entered:

Certificate of Real Estate Value ( ) filed

(X) not required

Certificate of Real Estate

Value No. \_\_\_\_\_

September, 2002

Gerald J. Amiot  
County Auditor

by Laureen Anderson  
Deputy

POLK COUNTY RECORDER  
POLK COUNTY, MINNESOTA

I hereby certify that within Instrument was filed in  
this office for record on the 16 day of Sept A.D.  
2002, at 9 o'clock AM and duly  
recorded as Doc. #

596185

Marlene Hanson  
MARLENE HANSON, County Recorder

By Amie Sosa Deputy

Karl Lindquist # 1488 20-

No. 77637

Deed tax herein of \$ 1.65

Paid this 16 day of Sept 2002

Gerald J. Amiot  
County Auditor-Treasurer

DEED TAX DUE HEREON: \$1.65

Date: MAY 28, 2002

FOR VALUABLE CONSIDERATION, **Polk County, Minnesota**, a political subdivision under the laws of the State of Minnesota, Grantor, hereby conveys and warrants to the **City of East Grand Forks, Minnesota**, a municipal corporation organized under the laws of the State of Minnesota, Grantee, real property in Polk County, Minnesota, described as follows:

That part of Government Lot One (1), Section Eighteen (18), Township One Hundred Fifty-one (151) North, Range Forty-nine (49) West of the Fifth Principal Meridian, Polk County, Minnesota, described as follows: Commencing at the Northwest corner of said Section 18; thence easterly along the North line of said Section 18 a distance of 217.5 feet to the center line of State Highway No. 220; thence south 42 degrees 51 minutes east along said center line a distance of 531.9 feet; thence south 1 degree 11 minutes east a distance of 120.34 feet to the point of beginning of the tract herein conveyed on the southwesterly boundary of the right of way of said Highway No. 220; thence south 1 degree 11 minutes east a distance of 455.0 feet; thence at right angles easterly a distance of 296 feet, more or less, to the center of the coulee; thence northerly along the center of said coulee to its intersection with the Southwesterly boundary of the right of way of said Highway No. 220; thence northwesterly along said boundary line a distance of 437 feet, more or less, to the point of beginning, containing 2.0 acres (the "Pesch" property),

Parcel No. 40.00150.00,

2063

596185

together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions:

1. The lien of all unpaid special assessments and interest thereon; mineral reservations and easements of record.
2. Restrictions contained in that certain Declaration of Restrictions dated April 22, 1999 and recorded by the Polk County Recorder on May 11, 1999 as Document No. 568713.

The Seller certifies that the Seller does not know of any wells on the described property.

Total consideration for this transfer of property is \$500.00 or less.

Grantor:  
**POLK COUNTY, MINNESOTA**

By: Warren K. Affeldt  
Its Chairmah of the Polk County  
Board of Commissioners

By: John P. Schmalenberg  
Its County Coordinator and Clerk  
of the Board of Commissioners

STATE OF MINNESOTA        )  
  ) SS  
COUNTY OF POLK            )

The foregoing instrument was acknowledged before me this 28<sup>th</sup> day of May, 2002, by Warren K. Affeldt, known to me to be the Chairman, Polk County Board of Commissioners, and John P. Schmalenberg, known to me to be the County Coordinator, Clerk of the Board of Commissioners, of and for Polk County, Minnesota, a political subdivision organized under the laws of the State of Minnesota.



Valerie F. Bjerk  
Notary Public  
Polk County, Minnesota  
My Commission Expires:

3083

596185

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

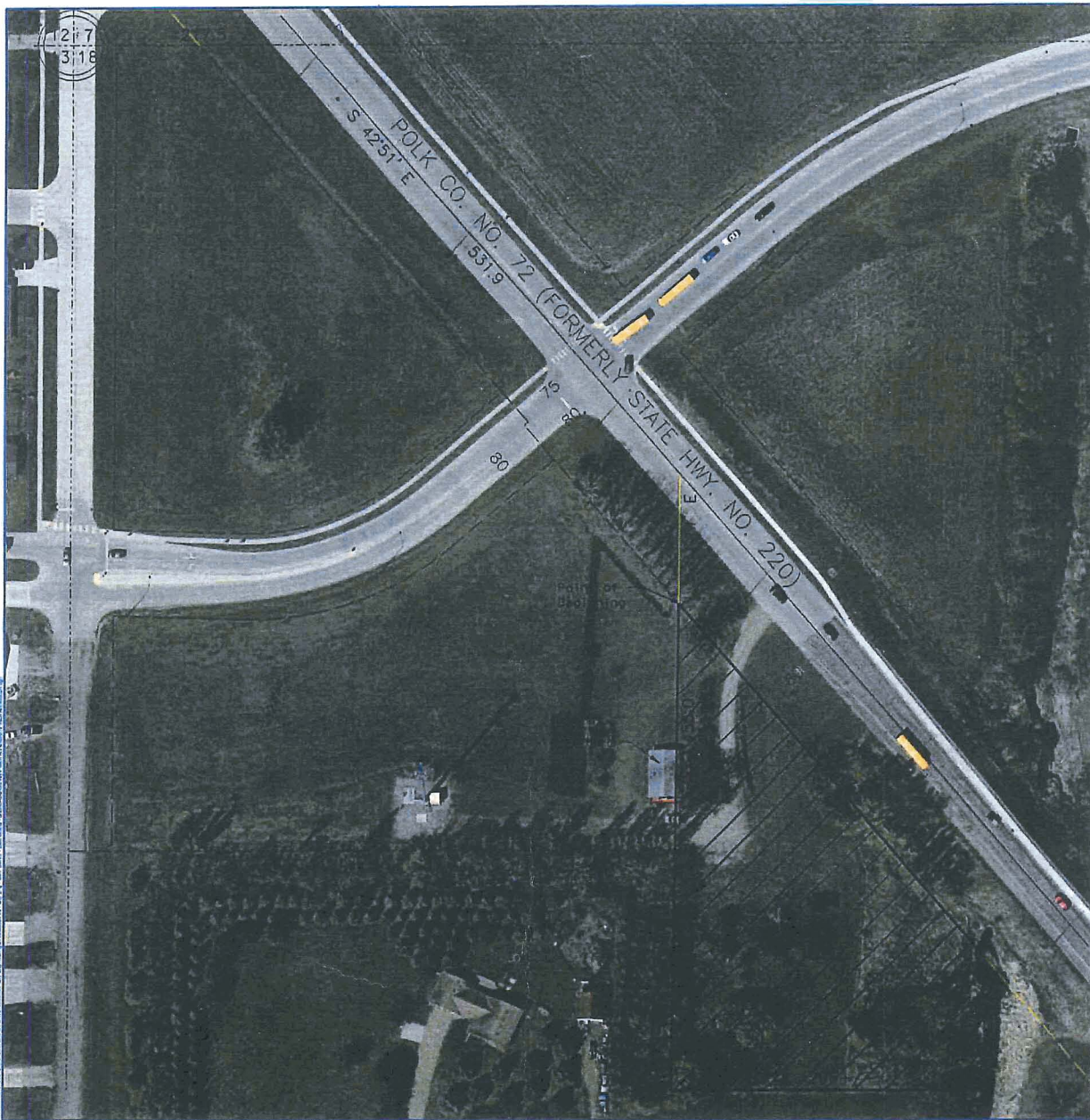
City Administrator  
City Hall  
P.O. Box 373  
East Grand Forks, MN 56721

This Instrument Drafted By:

Karl Lindquist, #125179  
City Attorney  
P.O. Box 373  
East Grand Forks, MN 56721  
(218) 773-1068

(A:kl-28-polk.county.deed.1)

REC'D BY  
MBA  
MAR 24 2014



# Certificate of Survey

## LEGAL DESCRIPTION

That part of Government Lot One (1), Section Eighteen (18), Township One Hundred Fifty-one (151) North, Range Forty-nine (49), West of the Fifth Principal Meridian, Polk County, Minnesota described as follows:

Commencing at the Northwest corner of said Section 18; thence easterly along the North line of said Section 18 a distance of 217.5 feet to the centerline of State Highway No. 220; thence south 42 degrees 51 minutes east, along said center line, a distance of 531.9 feet; thence south 1 degree 11 minutes east a distance of 120.34 feet to the point of beginning of the tract herein conveyed on the southwesterly boundary of the right of way of said Highway No. 220; thence south 1 degree 11 minutes east a distance of 455.0 feet; thence at right angles easterly a distance of 296 feet, more or less, to the center of the coulee; thence northerly along the center of said coulee to its intersection with the Southwesterly boundary of right of way of said Highway No. 220; thence northwesterly along said boundary line a distance of 437 feet, more or less, to the point of beginning; containing 2.0 acres.

Description by others.

### LEGEND

- Existing Lot Line
- Boundary Line
- Section Line
- Annexation Area



100 50 0 100 200FT

SCALE: 1" = 100'

Engineering  
Architecture  
Surveying  
Environmental

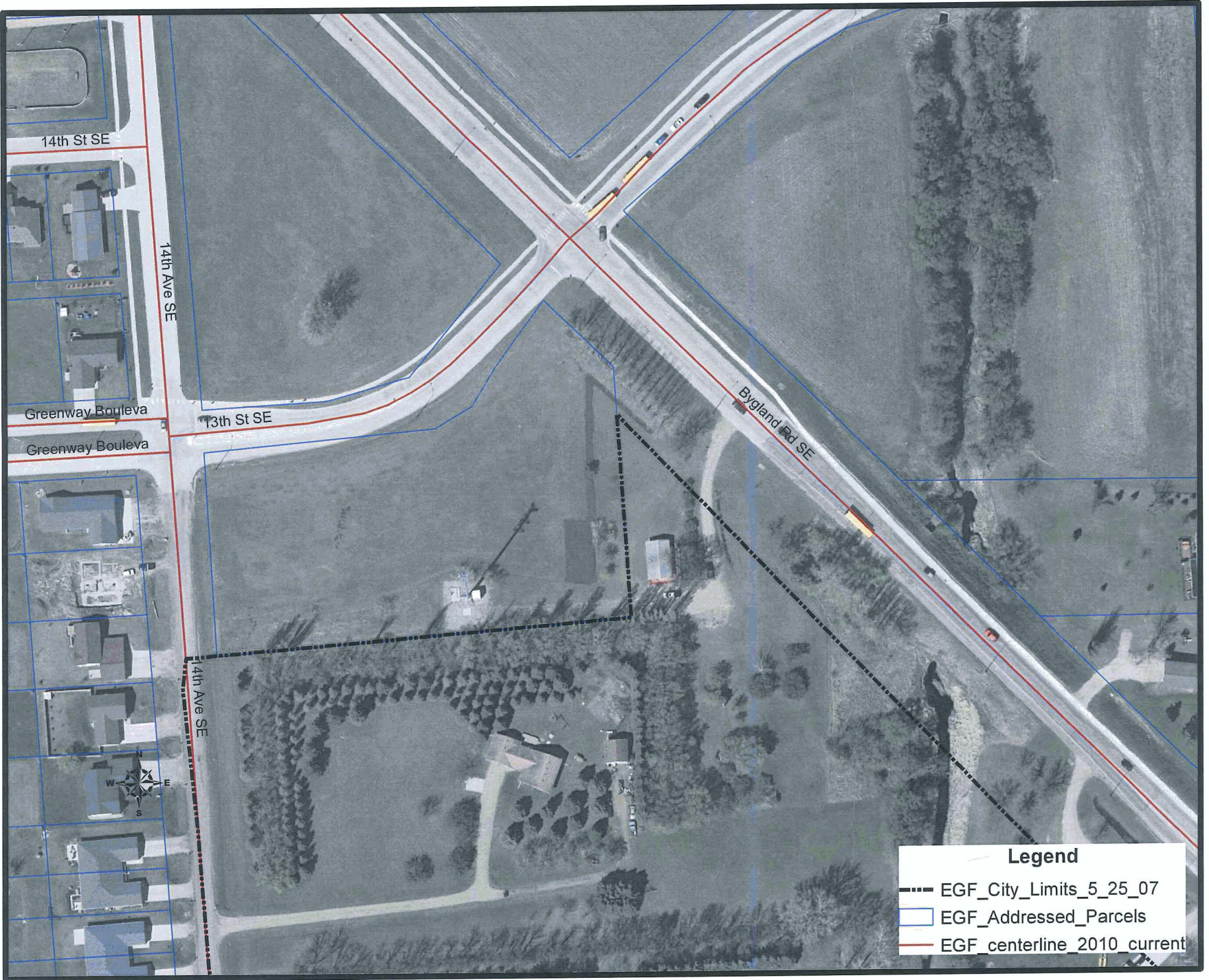
WIDSETH  
SMITH  
NOLTING

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer in the State of Minnesota.  
*Petrolak M. Kerna*  
DATE: 03/03/14 LIC. NO. 0192

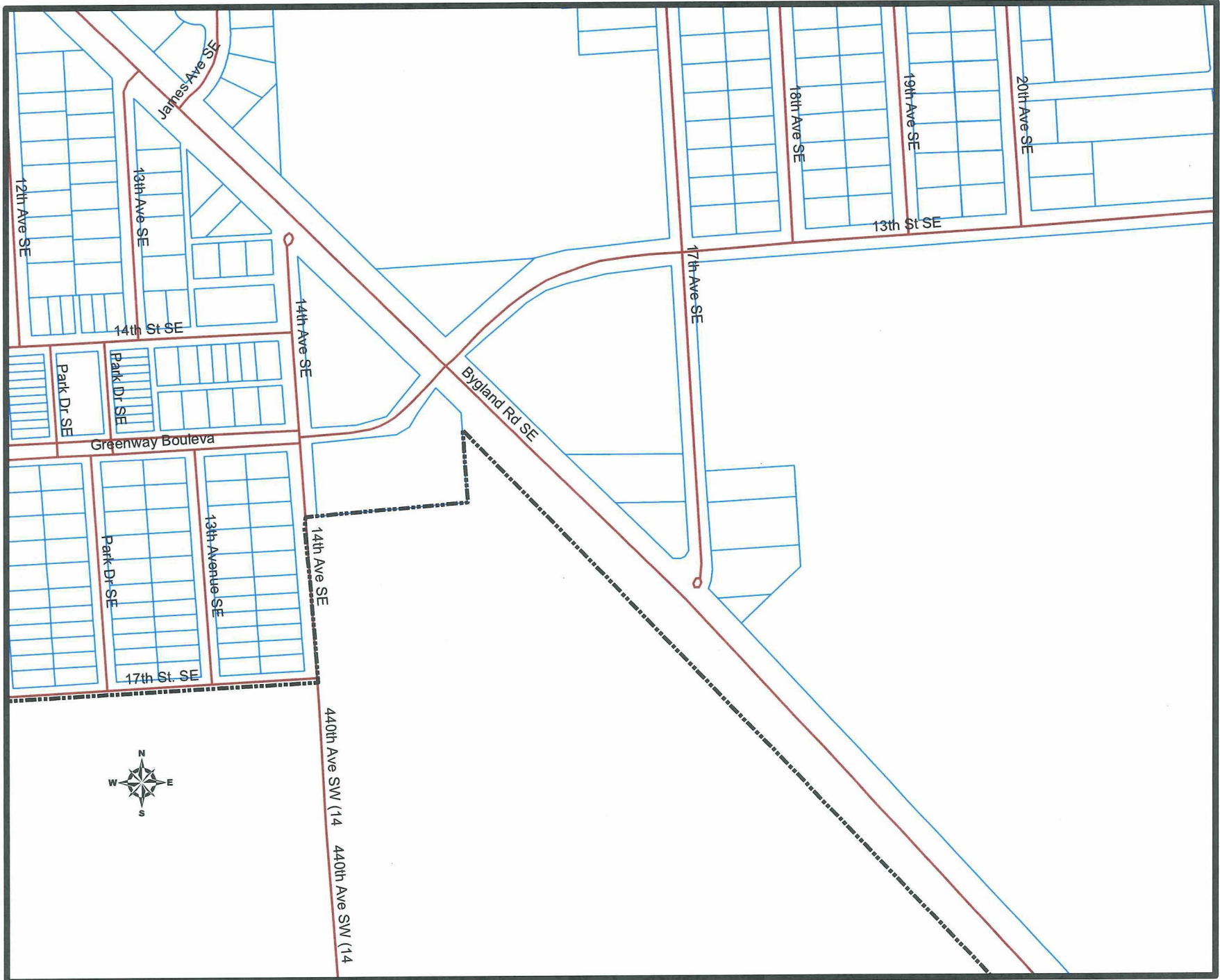
NO.	REVISION DESCRIPTION	DATE

DATE: 03/03/14  
SCALE: 1" = 100'  
DRAWN BY: [blank]  
CHECKED BY: [blank]  
JOB NUMBER: 100000000000

SHEET NO. [blank]  
SHEET OF [blank]



REC'D BY  
MBA  
MAR 24 2014







REC'D BY  
MBA

MAR 26 2014

# Certificate of Survey

## LEGAL DESCRIPTION

That part of Government Lot One (1), Section Eighteen (18), Township One Hundred Fifty-one (151) North, Range Forty-nine (49), West of the Fifth Principal Meridian, Polk County, Minnesota described as follows:

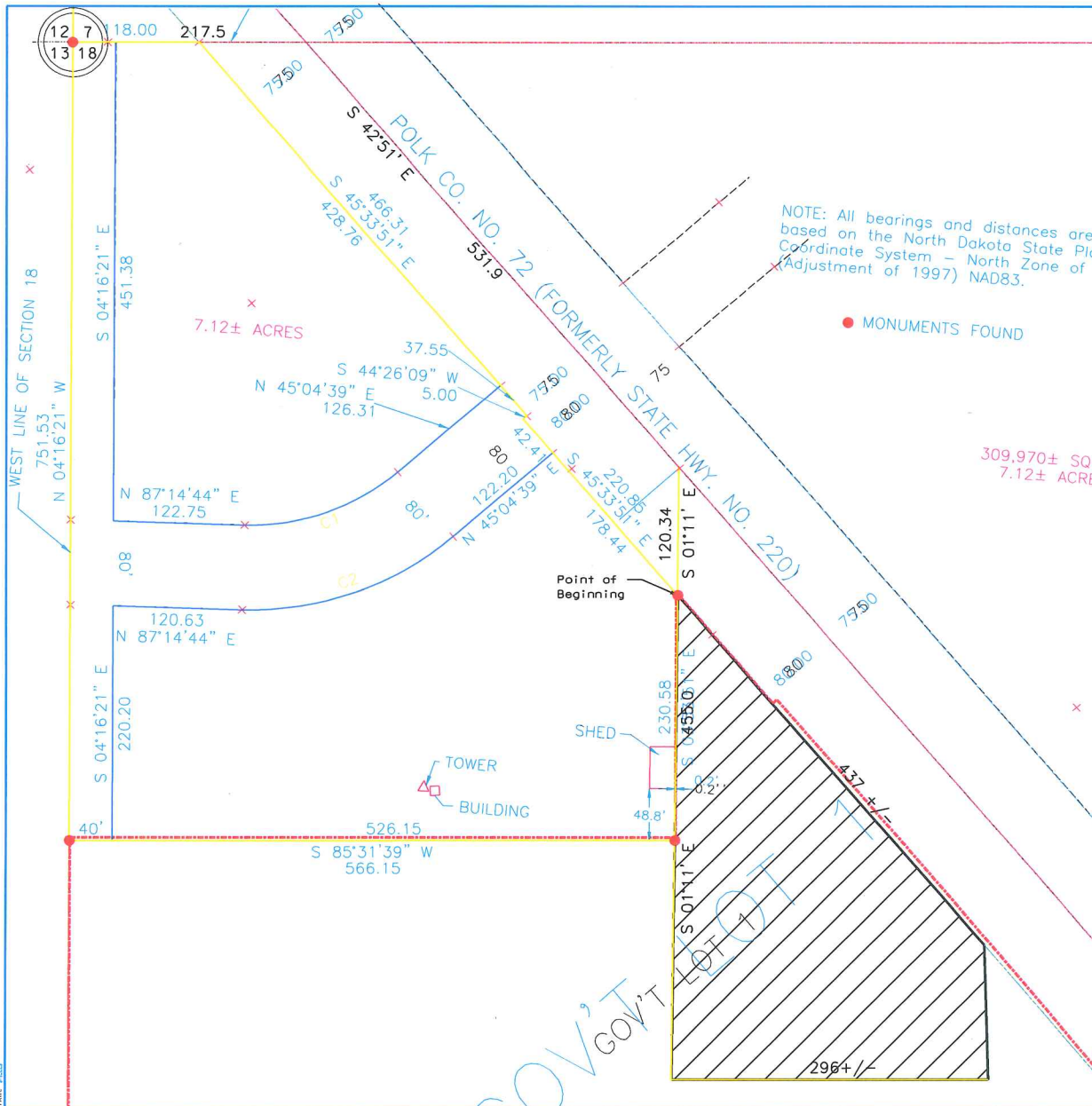
Commencing at the Northwest corner of said Section 18; thence easterly along the North line of said Section 18 a distance of 217.5 feet to the centerline of State Highway No. 220; thence south 42 degrees 51 minutes east, along said center line, a distance of 531.9 feet; thence south 1 degree 11 minutes east a distance of 120.34 feet to the point of beginning of the tract herein conveyed on the southwesterly boundary of the right of way of said Highway No. 220; thence south 1 degree 11 minutes east a distance of 455.0 feet; thence at right angles easterly a distance of 296 feet, more or less, to the center of the coulee; thence northerly along the center of said coulee to its intersection with the Southwesterly boundary of right of way of said Highway No. 220; thence northwesterly along said boundary line a distance of 437 feet, more or less, to the point of beginning; containing 2.0 acres.

Description by others.

NOTE: All bearings and distances are based on the North Dakota State Plane Coordinate System - North Zone of 1 (Adjustment of 1997) NAD83.

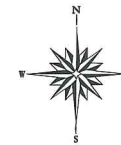
MONUMENTS FOUND

309,970± SQ.  
7.12± ACRES



### LEGEND

- Existing Lot Line
- Boundary Line
- Section Line
- Annexation Area
- Existing City Limits



100 50 0 100 200 FT

SCALE: 1" = 100'

Engineering  
Architecture  
Surveying  
Environmental



WIDSETH SMITH NOLTING  
STATE: MINNESOTA  
DATE: 10/10/2013  
JOB NUMBER: 100000000000

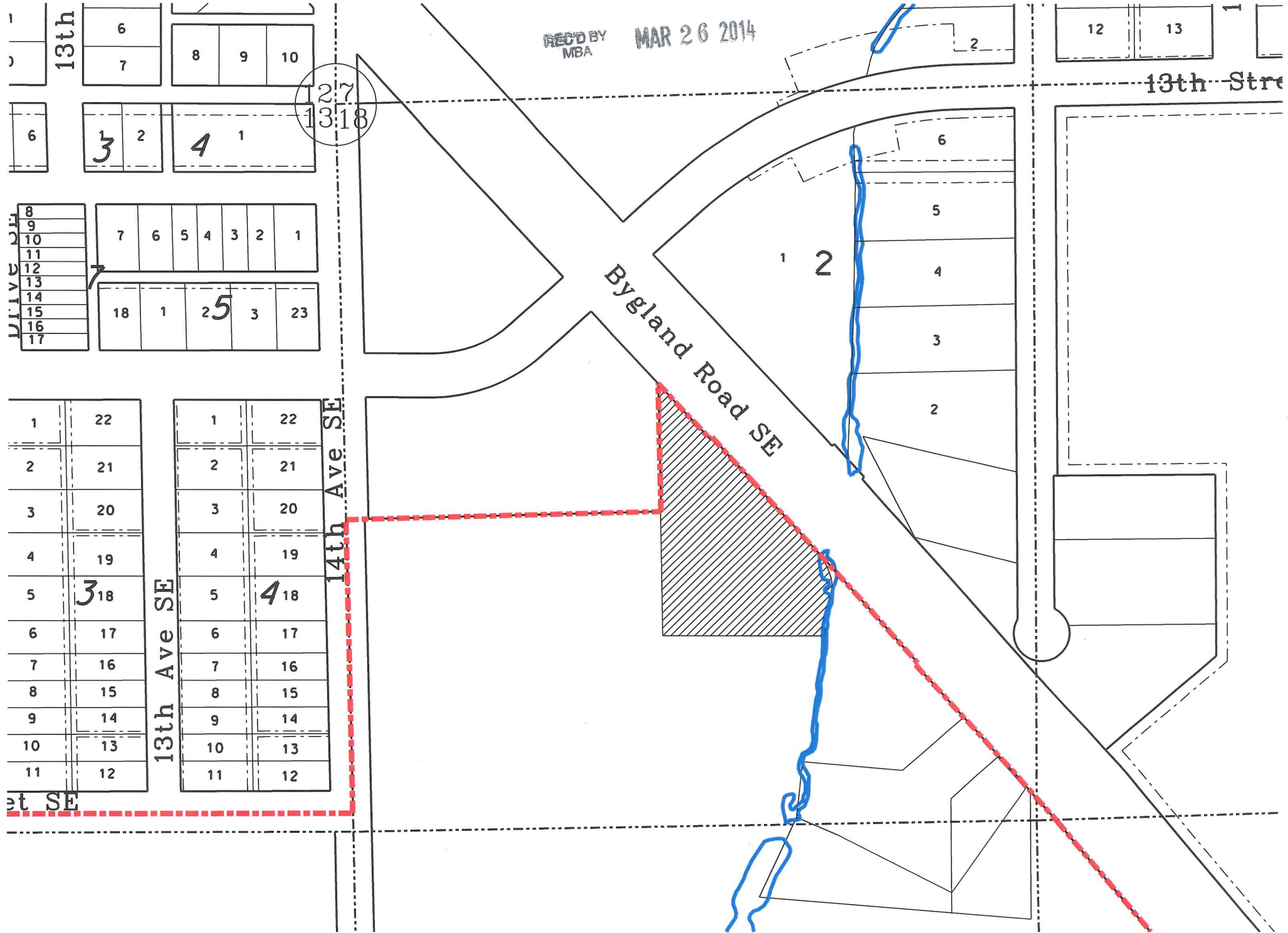
NO.	REVISION DESCRIPTION	DATE

DATE: 10/10/2013  
SCALE: 1" = 100'  
DRAWN BY: JMK  
CHECKED BY: JMK  
JOB NUMBER: 100000000000

SHEET NO.	
SHEET	OF

REC'D BY  
MBA

MAR 26 2014



13th

13th Street

Bygland Road SE

13th Ave SE

14th Ave SE

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et SE

127  
1318

3 2 4 1

7 6 5 4 3 2 1

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