

ORDINANCE NO. 176, 2ND SERIES

AN ORDINANCE OF THE CITY OF GRANITE FALLS, MINNESOTA, ANNEXING PROPERTY LOCATED IN MINNESOTA FALLS TOWNSHIP, YELLOW MEDICINE COUNTY, MINNESOTA, PURSUANT TO MINNESOTA STATUTES §414.033, SUBD. 2(3), PERMITTING ANNEXATION BY ORDINANCE.

WHEREAS, said property is unincorporated and abuts the City of Granite Falls on its south border; and

WHEREAS, the property to be annexed is 120 acres or less, specifically approximately 5.09 acres, is not presently served by public wastewater facilities nor are public wastewater facilities otherwise available and the owners of the property have filed a petition with the City seeking annexation of the same; and

WHEREAS, the City of Granite Falls, pursuant to Minnesota Statutes §414.033, Subd. 2(b), has held a public hearing after giving 30 days written notice by certified mail to the Township of Minnesota Falls and the landowners within and contiguous to the property to be annexed;

NOW, THEREFORE, the city council of the City of Granite Falls hereby ordains as follows:

1. The city council hereby determines that the property as hereinafter described abuts the City limits and is urban or suburban in nature or about to become so pursuant to a proposal for development of the same.
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.
3. The corporate limits of the City of Granite Falls, Minnesota, are hereby extended to include the following described property, said land abutting the City of Granite Falls and being owned by individuals who have petitioned the City for the annexation of the same and it being necessary and appropriate that the same be annexed for purposes of its intended usage by the property owners, with said annexation to be within the corporate limits of said City of Granite Falls, Minnesota, the property being located in the County of Yellow Medicine, legally described as follows, to-wit:

TRACT #1

Starting at the north sixteenth (1/16) corner of the Northeast quarter of Section Four (4), Range Thirty-nine west (R39W), Township One Hundred Fifteen North (T115N), Fifth (5) Principal Meridian; thence South 1°51'51" West Eight Hundred Sixty-two and Forty-two hundredths feet (862.42') along the sixteenth line to right-of-way corner B6 and to point of beginning; thence North 44° 37' 28" East Two Hundred Seventeen and Ninety hundredths feet (217.90') along right-of-way line to right-of-way corner B5; thence along an arc to the right One Hundred Seventy and Fifty-nine hundredths feet (170.59') long, with a radius of Five Hundred Twenty-two and Ninety-six hundredths feet (522.96') and an internal angle of 18° 41' 22" along the right-of-way line to right-of-

way corner B4; thence South 45° 20' 48" East One Hundred Thirty-six and Twenty-nine hundredths feet (136.29') along the right-of-way line to right-of-way corner B3; thence along an arc to the left Six Hundred Fifty-five and Forty-six hundredths feet (655.46') long with a radius of Seven Thousand Seven Hundred Thirty-nine and Forty-four hundredths feet (7739.44') and an internal angle of 4° 50' 58" along the right-of-way line to the east/west sixteenth line; thence north 89° 29' 09" West Two Hundred Forty-six and Eighty-eight hundredths feet (246.88') along the sixteenth line to the center of the NE quarter of Section 4; thence North 3° 19' 20" East Three Hundred Twenty-eight and Forty hundredths feet (328.40') along sixteenth line to right-of-way corner B7; thence North 1° 23' 18" East One Hundred Forty-three and Seventy-seven hundredths feet (143.77') along the sixteenth line to the point of beginning and right-of-way corner B6.

TRACT #2

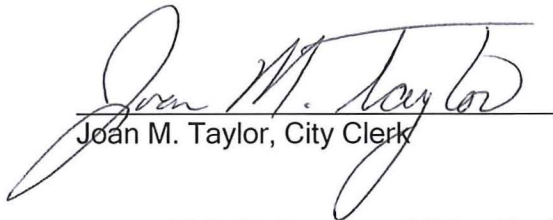
Beginning at the intersection of the East line of the Northwest Quarter of the Northeast Quarter (NW¼ NE¼) of Section Four (4) Township One Hundred Fifteen (115) Range Thirty-nine (39) with the center line of County State Aid Road No. 39 as now constructed, running thence south a distance of 213 feet along aforementioned East line, thence west to right angles a distance of 200.31 feet to intersect with the center of County State Aid Road No. 39, running thence Easterly 292.39 feet to the place of beginning.

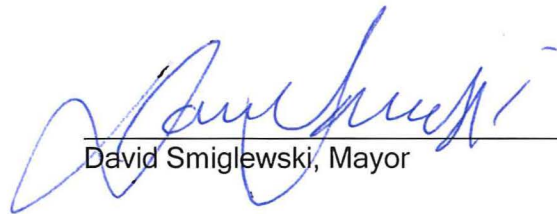
The above-described property consists of a total of 5.09 acres more or less. A copy of the corporate boundary map showing the property to be annexed and its relationship to the corporate boundaries of the City of Granite Falls is attached hereto as Exhibit A.

4. That the area legally described herein is vacant and will not affect the population of the City at this time.
5. The City of Granite Falls will make no cash payment to Minnesota Falls Township pursuant to Minnesota Statutes §414.036.
6. That pursuant to Minnesota Statutes §414.036 there are no special assessments assigned by the town to the annexed property.
7. That the city manager of the City of Granite Falls is hereby authorized and directed to file a copy of this ordinance with the Municipal Boundary Adjustment Unit of the Office of the Administrative Hearings, the Minnesota Secretary of State, the Yellow Medicine County Auditor/Treasurer and the Minnesota Falls 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 Granite Falls, Minnesota, this 18th day of July, 2016.

ATTEST:


Joan M. Taylor, City Clerk


David Smiglewski, Mayor

This Ordinance published in the *Granite Falls-Clarkfield Advocate Tribune* on the 20th day of July, 2016.

State of Minnesota)
) ss.
County of Yellow Medicine)

Subscribed and sworn to before me this 19th day of July 2016, by David Smiglewski and Joan M. Taylor, the Mayor and City Clerk, respectively, of the City of Granite Falls, Minnesota, a political subdivision of the State of Minnesota.


Notary Public



This is a survey of:
 part of:
NW¼ of the NE¼
 also part of:
Government Lot 3

Located in:
**Section 4, T115N-R39W, Minnesota Falls Township,
 Yellow Medicine County, Minnesota**

This is a survey of the land descriptions found on the following deeds of record:
Deeds Book 132, pages 704-705,
 also,
Document No. 235681
 as found in the office of the Yellow Medicine County Recorder



This drawing prepared by:

Bonnema Surveys Inc.

Professional Land Surveying

1809 22nd St SW - Suite 104

Willmar, MN 56201

Office (320) 231-2844 Fax (320) 231-2827

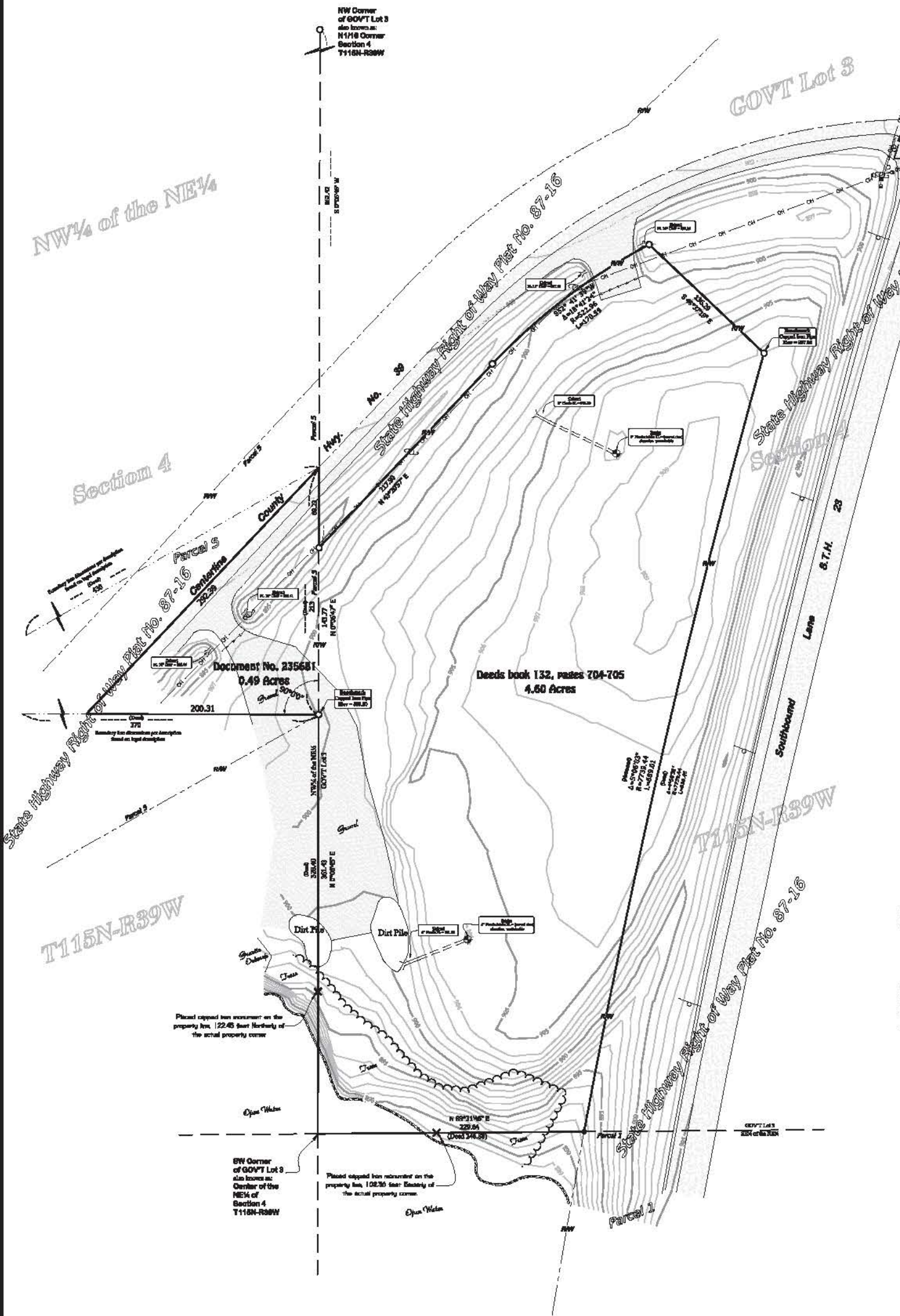
Requested by: Ross Fagan
 P.O. Box 65
 Granite Falls, MN



SCALE IN FEET

Surveyor's Notice:

This Survey reflects our interpretation of the legal descriptions found on the deeds cited on this survey document. These legal descriptions use very unconvincing methods to describe the property and contain numerous errors. Other interpretations could be construed from these legal descriptions. A new legal description should be written to describe this property.



LEGEND

- Found Iron Monument from former survey
- Bonnema Survey Placed Opened Iron Monument
- ✕ Placed Monument on the property line at a position which is offset from the actual property corner. Note: The shown property boundary distances are measured to the actual property corner.
- ⊙ Sign
- ⊙ Power Pole
- ⊙ Guy
- Telephone Pedestal
- Fence
- Overhead Power
- Banded Telephone
- ⊙ Tile Inlet
- ⊙ Structure
- ⊙ Gravel

The Copier State One Call Utility location system was notified for this survey (Ticket # 123456789). The following utility companies were notified and are required by Minnesota Statute 73B.0330 to respond:

- Clear City Telephone - CLCTVTD 320-847-2231
- Granite Falls Utilities - GFTULB 320-554-5031
- Granite Falls Natural Gas - GFTLN 320-778-2140
- Metacomm - STACTV 800-776-0140
- Xcel Energy - XCEL 800-448-7539
- Century Link - CTEL 855-763-4562

Some of the utility companies may not have responded to the locate request. There are also various private utilities that do not participate in the Copier State One Call utility location system and may have utilities located on this property that were not shown. Before any excavating is done in this area, the utilities in this area should be re-located. The utilities shown on this survey are based on information provided by the utility companies and 2016 observations.

Geodetic Baseline Notice:

Since the advent of GPS surveying equipment, Bonnema Surveys Inc. has been using the 1996 Minnesota Department of Transportation projection and transformation parameters for this County. The term "geodetic bearing" in this Legal Description is intended to notify the public that this bearing system is related to the local, national, and world geodetic systems.

Bonnema Surveys is not giving a title opinion or abstract of this parcel. We suggest that you contact your attorney or a title insurance company for that purpose. Easements or neighboring land conflicts may exist which affect this parcel and are not shown on this survey.

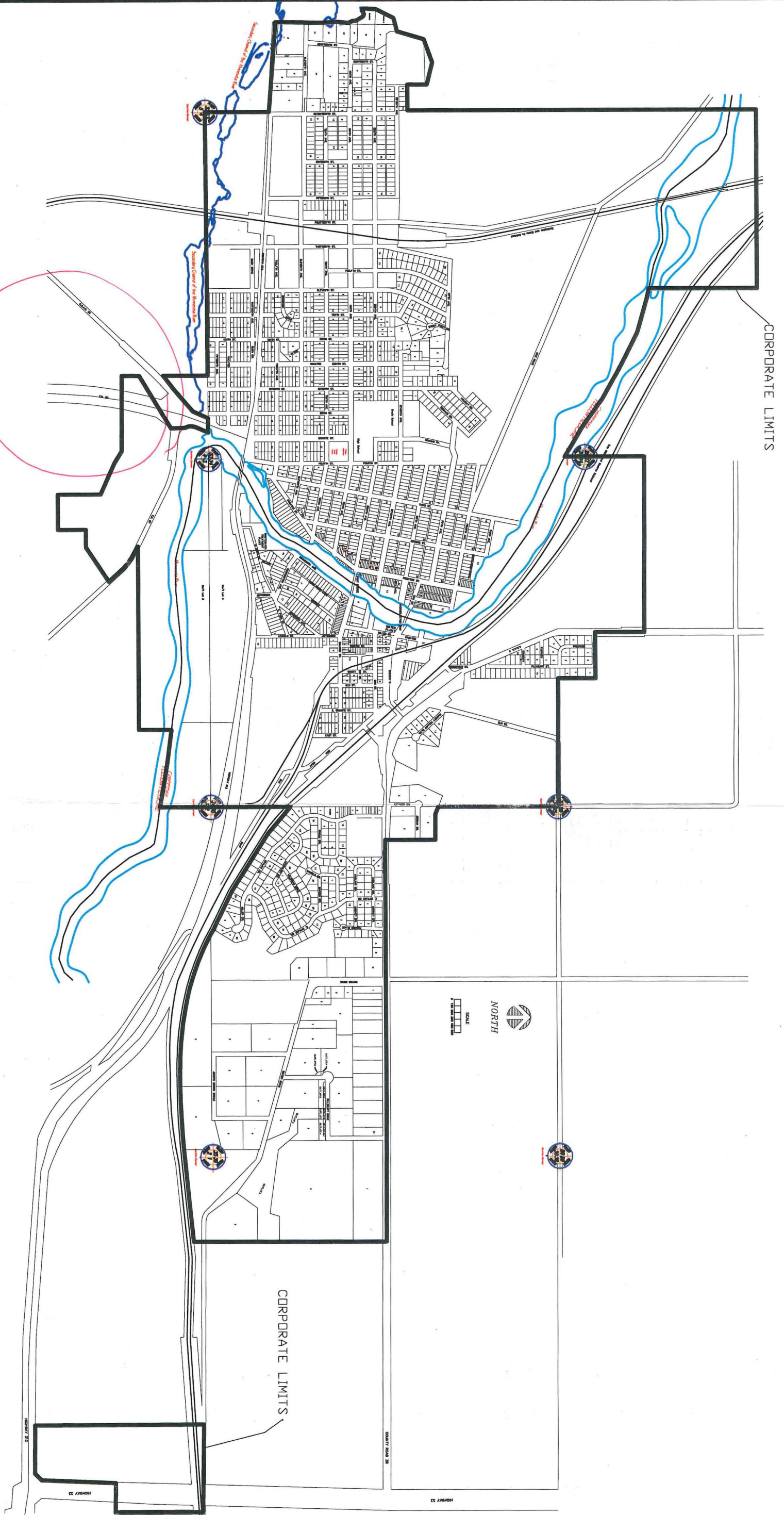
The distances shown from improvements to the property lines are shown for reference purposes only and are NOT intended for determining the property line location. Property corner monuments should always be used when establishing the property line.

I HEREBY CERTIFY THAT THIS SURVEY, PLAN, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA. THE FIELD WORK WAS COMPLETED ON December 16, 2016.

Dustin A. Bonnema

Date: March 1, 2018 License No. 1488

*Proposed
Area -
Some
possibilities*



PROJECT:
Granite Falls, MN
Base Map

DATE:
04/15/2013
SCALE:
As Noted

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 UNDER THE LAWS OF THE STATE OF MINNESOTA, TYPED OR PRINTED NAME: DAVID A. BERRYMAN
DATE _____ LICENSE NUMBER: 14203

 **Rodeberg & Berryman, Inc.**
Consulting Engineers
119 S 1st Street, P.O. Box 55, Montevideo, Mn 56265