

**PROPERTY OWNER PETITION FOR ANNEXATION BY ORDINANCE
BY J. RETTENMAIER USA LP, a Delaware Limited Partnership
(for property formerly owned by Canadian Harvest LP)**

**IN THE MATTER OF THE PETITION OF CERTAIN PERSONS AND/OR ENTITIES
FOR THE ANNEXATION
OF CERTAIN LAND TO THE CITY OF FOSSTON, MINNESOTA
PURSUANT TO MINNESOTA STATUTES § 414.033, SUBD. 5**

TO: Council of the City of Fosston, Minnesota

AND

Office of Administrative Hearings
Municipal Boundary Adjustment Unit
P. O. Box 64620
St. Paul, MN 55164-0620

PETITIONER STATES: The property owner or a majority of the property owners in number are required to commence a proceeding under Minnesota Statutes § 414.033, Subd. 5.

It is hereby requested by:

- the sole property owner; or
- all of the property owners; or
- a majority of the property owners

of the area proposed for annexation to annex certain property described herein lying in the Town of Rosebud to the City of Fosston, County of Polk, Minnesota.

The area proposed for annexation is described as follows: **See attached Exhibit A.**

1. There is one property owner in the area proposed for annexation.
2. The property owner has signed this petition.
3. Said property is: unincorporated, in part abuts on the city's N S E W boundaries, in part abuts on the city's N S E W boundaries, and is not included within any other municipality.
4. The area of land proposed for annexation is .74 of an acre and:
 Unplatted Platted
5. The reason for the requested annexation is because it is in the best interest of the City of Fosston.
6. The area proposed for annexation will be zoned commercial-industrial.

7. All of the area proposed for annexation is or is about to become urban or suburban in character.
8. The area proposed for annexation is not included in any area that has already been designated for orderly annexation pursuant to Minnesota Statutes § 414.0325, nor in any other boundary adjustment proceeding pending before the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings.

PETITIONER'S REQUEST: That pursuant to Minnesota Statutes § 414.033, the property described herein be annexed to and included within the City of Fosston, Minnesota.

J. Rettenmaier USA LP, a Delaware limited partnership

Dated: 7/18/2017

By: 

Thorsten W. Willmann

Its: Chief Executive Officer

NOTE: Pursuant to Minnesota Statutes § 414.033 and Minnesota Rules 6000.0800, the petition to the Office of Administrative Hearings must be accompanied by a certification showing that a copy of the petition was filed within 10 days after service on the annexing city to the affected township(s), county, and any other abutting municipality.

NOTE: Under Minnesota Statutes § 414.033, Subd. 5, if the petition is not signed by all of the property owners of the land proposed for annexation, the ordinance shall not be enacted until the municipal council has held a hearing on the proposed annexation after at least 30 days mailed notice to all property owners within the area to be annexed.

Municipal Boundary Adjustment Unit Contacts

Star Holman star.holman@state.mn.us 651-361-7909

Katie Lin katie.lin@state.mn.us 651-361-7911

(June 2011)

EXHIBIT A

Parcel 1: That part of the Southeast Quarter of the Northwest Quarter of Section 4, Township 147 North, Range 40 West, described as follows, to-wit:

Beginning at a point 589.0 feet due North and 320.0 feet due West of the center of Said Section 4 said point being the point of commencement of the tract of land described in the Indenture recorded January 5, 1946, in Book 237 of Deeds, page 328; thence Northerly, parallel with and 320.0 feet West of the North and South quarter line through said Section 4 a distance of 13.7 feet; thence due West 526.0 feet to the Northeast corner of a tract of land, which tract is the parcel described in an indenture dated March 25, 1963, and recorded in Book 351 of Deeds, page 85; thence due South along the Easterly line of said tract a distance of 150.0 feet to its intersection with the Northeasterly boundary of the right of way of Trunk Highway No. 2; thence Southeasterly along said right of way line a distance of 278.5 feet, "more or less" to the Southwesterly corner of the tract hereinbefore mentioned as being recorded in Book 237 of Deeds, page 328; thence due North along the Westerly boundary of said tract to the Northwest corner thereof; thence due East along the Northerly boundary of said tract a distance of 300.0 feet to the point of beginning.

Parcel 2: Those parts of the Southeast Quarter of the Northwest Quarter of Section 4, Township 147 North, Range 40 West, more particularly described as follows, to-wit:

Beginning at a point 589.0 feet due North and 320.0 feet due West of the center of said Section 4; thence due West 300 feet; thence at right angles due South a distance of 300.0 feet to the Northeasterly right of way line of Trunk Highway No. 2; thence Southeasterly along the said right of way line for 265.6 feet; thence due East parallel to and 115.5 feet North of the East and West quarter line through the said Section 4 a distance of 84.9 feet; thence due North and 320.0 feet West of the North and South quarter line through Section 4 a distance of 455.9 feet to the point of beginning.

AND

Commencing at a point 115.5 feet due North and 320.0 feet due West of the center of said Section 4; thence due West parallel to the East and West quarter line and 115.5 feet distant therefrom a distance of 84.9 feet to the Northeasterly right of way line of Trunk Highway No. 2; thence Southeasterly along the said right of way line 104.9 feet; thence due North parallel to and 320.0 feet West of the North and South quarter line of said Section 4 a distance of 61.6 feet to the point of beginning.

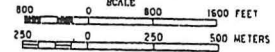
EXCEPTING FROM ABOVE PARCELS 1 AND 2, THE FOLLOWING DESCRIBED TRACT:

That part of the Southeast Quarter of the Northwest Quarter (SE1/4NW1/4) of Section Four (4), Township One-Hundred Forty-Seven (147) North, Range Forty (40) West of the Fifth Principal Meridian, Polk County, Minnesota, described as follows, to-wit:

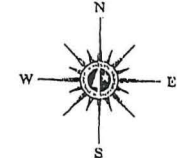
Beginning at a point 589.0 feet due north and 320.0 feet due west of the center of said Section Four (4); thence northerly, parallel with and 320.0 feet west of the north and south quarter line through said Section Four (4) a distance of 13.7 feet to the southeast corner of Lot Three (3), Block Two (2), Fosston Industrial Park; thence due west 526.0 feet, more or less, and along the southerly line of Lots Three (3), Four (4), and Five (5), Block Two (2), Fosston Industrial Park, to the southwest corner of said Lot Five (5); thence at right angles due south a distance of 40 feet; thence due east and parallel to the south line of said Lots Three (3), Four (4), and Five (5), a distance of 526.0 feet, more or less, to a point which is 320.0 feet west of the north and south quarter line through said Section Four (4) and which is also due south of the point of beginning; thence due north and parallel with such north and south quarter line a distance of 26.3 feet to the point of beginning.

MUNICIPALITIES OF
POLK CO.

PREPARED BY THE
MINNESOTA DEPARTMENT OF TRANSPORTATION
OFFICE OF TRANSPORTATION DATA & ANALYSIS
IN COOPERATION WITH
U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION



2010
BASIC DATA - 2009

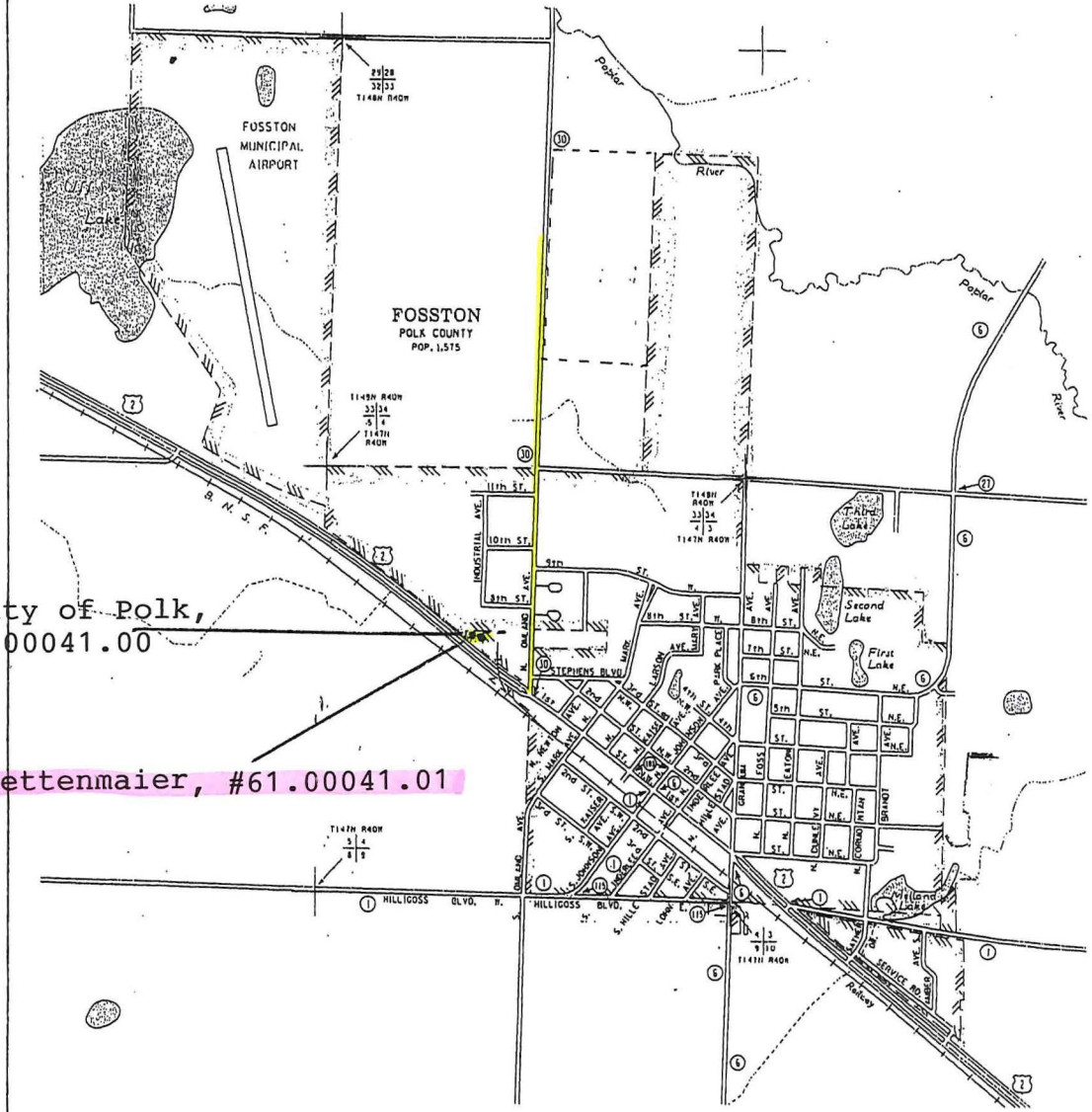


LEGEND

- INTERSTATE TRUNK HIGHWAY
- U. S. TRUNK HIGHWAY
- STATE TRUNK HIGHWAY
- COUNTY STATE AID HIGHWAY
- COUNTY ROAD
- PUBLIC ROAD
- PRIVATE ROAD
- CORPORATE LIMITS

County of Polk,
#61.00041.00

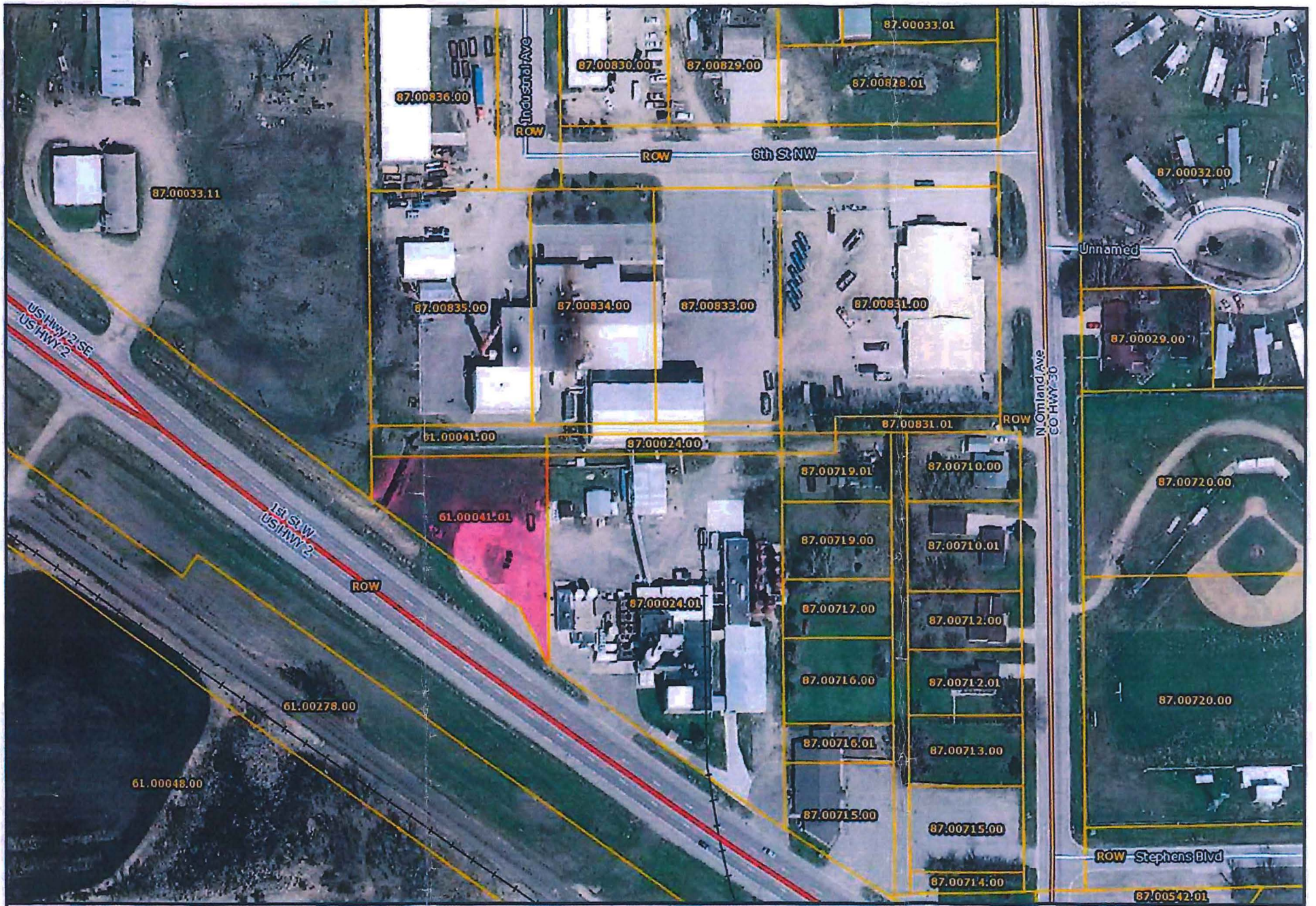
Rettenmaier, #61.00041.01



MUNICIPALITIES SHOWN
ON THIS SHEET
BELTRAMI
FOSSTON

To request information from this document in an accessible format, call 855-258-7778 or 1-800-827-7774. Please allow 48 hours for response. If you are deaf or have a hearing impairment, you may also call 800-877-8339. TDD/Text: 800-877-8339. Please request to hear any work in advance.

NOTE: 2000 U.S. CENSUS FIGURES SHOWN FOR ALL MUNICIPALITIES UNLESS OTHERWISE STATED.



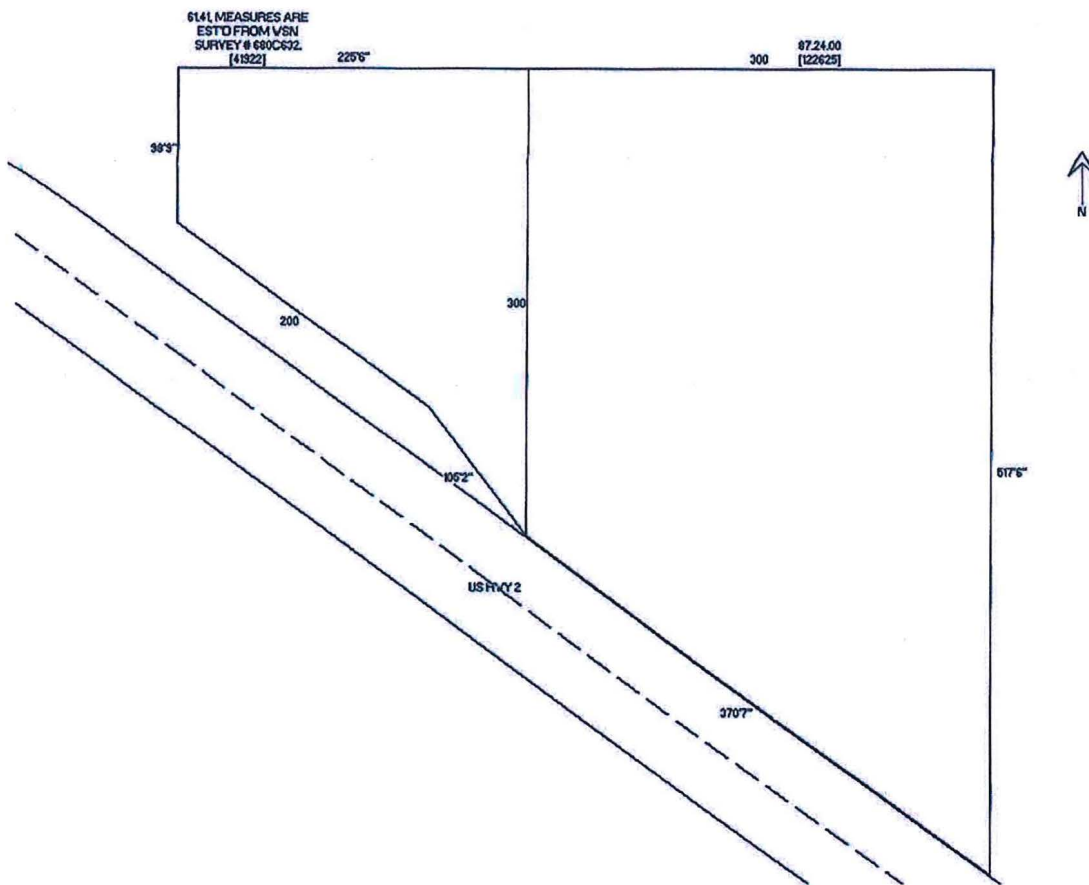
Parcel No. 61.00041.01

4/28/2017

These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.



Sketch



GIS Map Information

Polk County

Zoom In
 Zoom Out
 Pan
 Zoom Prev
 Zoom Next
 Zoom Select
 Zoom Extent
 Clear
 Search
 Identify
 Street View
 Legend
 Overview
 Re View

1 Items

Parcel_ID	Document Type	Document Number	Document Type 2	Document Number 2	Document Type 3	Docu
61.00041.01	Warranty Deed					

IN THE MATTER OF THE ANNEXATION
PETITION OF:

AFFIDAVIT OF SERVICE BY U.S.
MAIL

J. Rettenmaier USA LP, a Delaware
Limited Partnership (for property
formerly owned by Canadian Harvest
LP)

STATE OF MINNESOTA)
) §
COUNTY OF POLK)

The undersigned being first duly sworn, says that a copy of the following:

*Petition for Annexation of J. Rettenmaier USA LP, a Delaware Limited
Partnership (for property formerly owned by Canadian Harvest LP)*

was served upon:

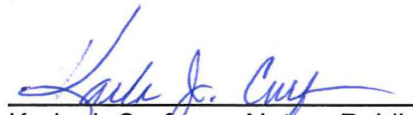
Ms. Cheryl Winkelmann
Rosebud Town Clerk
33435 410th Street Southeast
Fosston, MN 56542

All in accordance with the Rules of Civil Procedure of the State of Minnesota by enclosing the same in an envelope addressed as indicated, with postage fully prepaid, and by depositing said envelope(s) in a United States Postal Service mailbox in Fosston, Minnesota on August 2, 2017.


Amber Hildebrandt

Subscribed and sworn to before me, a notary public in and for the County of Polk, State of Minnesota, on August 2, 2017.




Karla J. Curfman, Notary Public