

CITY OF BIGFORK  
ITASCA COUNTY, MINNESOTA  
ORDINANCE NO. 184

**RECEIVED**

by OAH on October 10, 2018

AN ORDINANCE OF THE CITY OF BIGFORK, MINNESOTA ANNEXING  
LAND LOCATED IN BIGFORK TOWNSHIP, ITASCA 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 (herein or attached exhibit) be annexed to the City of Bigfork, Minnesota, was duly presented to the Council of the City of Bigfork on the 30<sup>th</sup> day of August, 2018; and

**WHEREAS**, said property is unincorporated and abuts the City of Bigfork on its south boundary; is less than 120 acres; is not presently served by public sewer facilities or public sewer facilities are not otherwise available; and

**WHEREAS**, said property is not located within a flood plain or shoreland area; and *(If property is within a designated floodplain or shoreland area, city shall adopt or amend its land use controls to conform with chapter 103F. New development of annexed area shall be subject to chapter 103F)* Minnesota Statutes § 414.033 Subd. 11.

**WHEREAS**, said property is currently vacant and annexation is requested to facilitate the extension of city services for the commercial development of the property; and

**WHEREAS**, the City of Bigfork held a public hearing pursuant to Minnesota Statutes § 414.033 Subd. 2b, on October 9, 2018 following thirty (30) days written notice by certified mail to the Town of Bigfork and to all landowners within and contiguous to the area legally described below, to be annexed; 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 territory to the municipality.

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

1. The City Council hereby determines that the property as hereinafter described abuts the city limits and is or is about to become urban or suburban in nature in that commercial use is being proposed for said property the construction of which requires or will need city services, including public sewer facilities.
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 pursuant to Minnesota Statute § 414.0325.

3. The corporate limits of the City of Bigfork, Minnesota, are hereby extended to include the following described property, said land abutting the City of Bigfork and being 120 acres or less in area, and is not presently served by public sewer facilities or public sewer facilities are not otherwise available, and the City having received a petition for annexation from all the property owners of the land, to wit:

***A PART OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 61 NORTH, RANGE 26 WEST OF THE FOURTH PRINCIPAL MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SAID SOUTHWEST CORNER IDENTIFIED BY A MINNESOTA DEPARTMENT OF TRANSPORTATION SURVEY PLAQUE LABELED "B4215"); THENCE NORTH 01 DEGREES 14 MINUTES 04 SECONDS EAST, 54.40 FEET ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF MINNESOTA STATE TRUNK HIGHWAY 38 (SAID EASTERLY RIGHT-OF-WAY LINE ALSO BEING THE FORMER WESTERLY RIGHT-OF-WAY LINE OF THE MINNEAPOLIS AND RAINY RIVER RAILWAY COMPANY); THENCE NORTH 35 DEGREES 41 MINUTES 27 SECONDS EAST, 365.72 FEET ALONG SAID EASTERLY RIGHT OF WAY LINE TO THE TRUE POINT OF BEGINNING. THENCE CONTINUE NORTH 35 DEGREES 41 MINUTES 27 SECONDS EAST, 350.00 FEET ALONG SAID EASTERLY RIGHT-OF-WAY LINE; THENCE SOUTH 54 DEGREES 18 MINUTES 33SECONDS EAST, 200.00 FEET ALONG A LINE PERPENDICULAR TO SAID EASTERLY RIGHT-OF-WAY LINE; THENCE SOUTH 35 DEGREES 41 MINUTES 27 SECONDS WEST, 350.00 FEET ALONG A LINE PARALLEL TO SAID EASTERLY RIGHT-OF-WAY LINE; THENCE NORTH 54 DEGREES 18 MINUTES 33SECONDS WEST, 200.00 FEET ALONG A LINE PERPENDICULAR TO SAID EASTERLY RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING, CONTAINING 1.61 ACRES AND ALL BEING SITUATED IN ITASCA COUNTY, MINNESOTA.***

***TOGETHER WITH:***

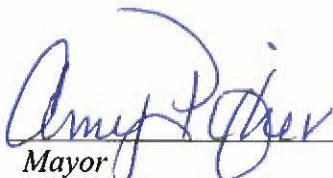
***A PART OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 61 NORTH, RANGE 26 WEST OF THE FOURTH PRINCIPAL MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SAID SOUTHWEST CORNER IDENTIFIED BY A MINNESOTA DEPARTMENT OF TRANSPORTATION SURVEY PLAQUE LABELED "B4215"); THENCE NORTH 01 DEGREES 14 MINUTES 04 SECONDS EAST, 54.40 FEET ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF MINNESOTA STATE TRUNK HIGHWAY 38 (SAID EASTERLY RIGHT-OF-WAY LINE ALSO BEING THE FORMER EASTERLY RIGHT-OF-WAY LINE OF THE MINNEAPOLIS AND RAINY RIVER RAILWAY COMPANY); THENCE NORTH 35 DEGREES 41 MINUTES 27 SECONDS EAST, 715.72 FEET ALONG SAID EASTERLY RIGHT OF WAY LINE TO THE TRUE POINT OF BEGINNING. THENCE NORTH 54 DEGREES 18 MINUTES 32 SECONDS WEST, 34.99 FEET TO A POINT ON THE NORTH LINE OF SAID SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER; THENCE SOUTH 89 DEGREES 55 MINUTES 53SECONDS, EAST 43.04 FEET ALONG SAID NORTH LINE; THENCE SOUTH 35 DEGREES 41 MINUTES 27 SECONDS WEST, 25.07 FEET***


**TO THE POINT OF BEGINNING, CONTAINING 0.010 ACRES AND ALL BEING SITUATED IN ITASCA COUNTY, MINNESOTA.**

The above described property consists of a total of 1.61 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 area legally described herein and hereby annexed is zero.
5. The City of Bigfork, pursuant to Minnesota Statutes § 414.036, that with respect to the property taxes payable on the area legally described herein, hereby annexed, shall make a cash payment to the Town of Bigfork in accordance with the following schedule:
  - a. In the first year following the year in which the City of Bigfork could first levy on the annexed area, an amount equal to \$8.73 and
  - b. In the second and final year, an amount equal to \$8.73.
6. That pursuant to Minnesota Statutes § 414.036 with respect to any special assessments assigned by the Town to the annexed property and any portion of debt incurred by the Town prior to the annexation and attributable to the property to be annexed, but for which no special assessments are outstanding, for the area legally described herein there are no special assessments or debt incurred by the Town on the subject for which reimbursement is required.
7. That the City Clerk of the City of Bigfork is hereby authorized and directed to file a copy of this Ordinance with the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, the Minnesota Secretary of State, the Itasca County Auditor, and the Bigfork 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.

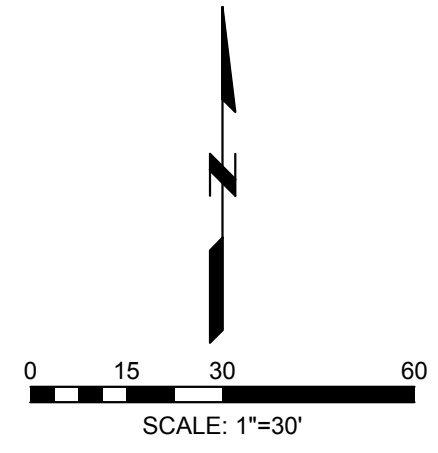
PASSED AND ADOPTED by the City Council of the City of Bigfork, Minnesota, this 9<sup>th</sup> day of October, 2018.

By:   
Mayor

Attest:   
Clerk

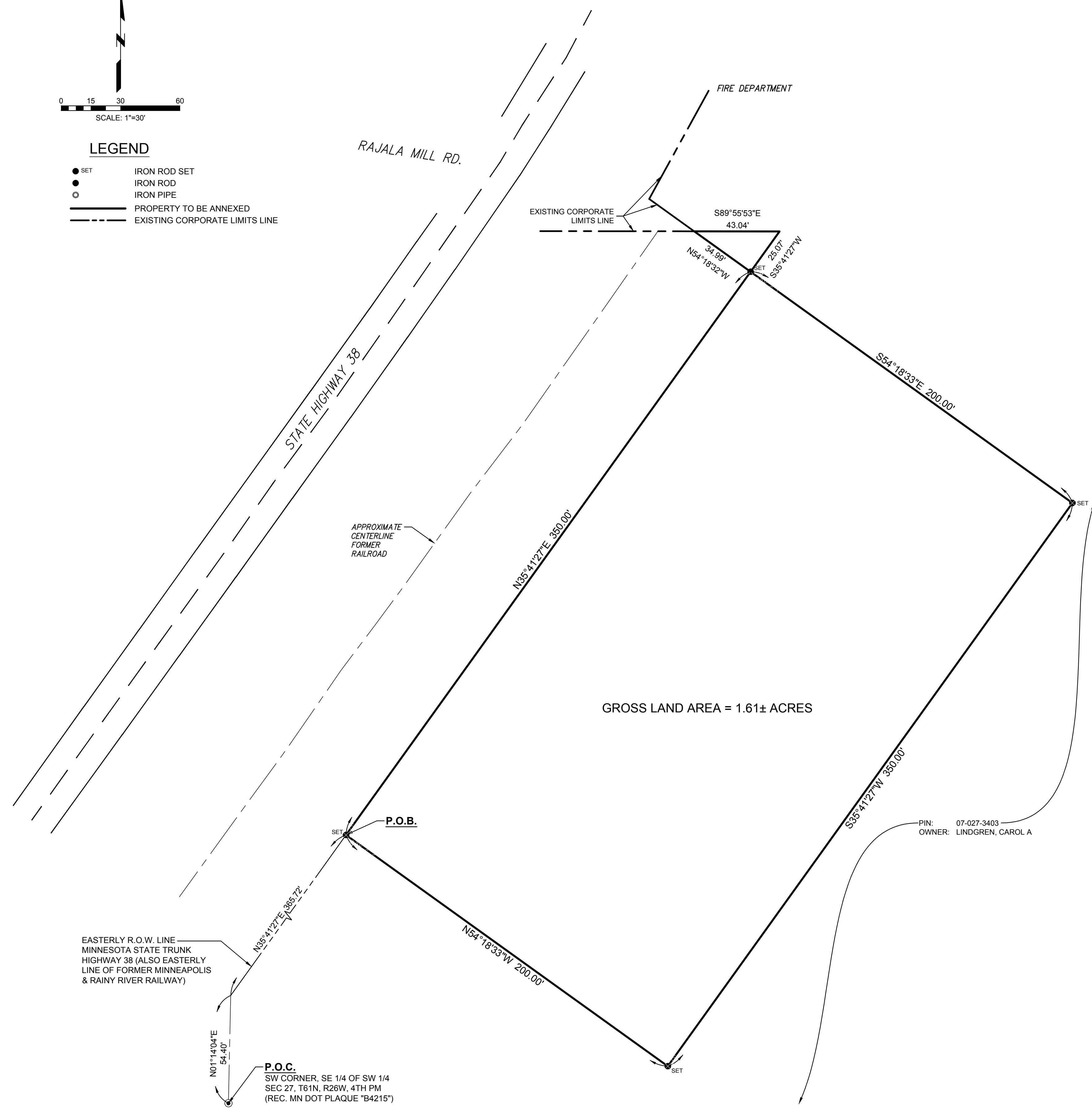
# ANNEXATION PLAT

PART OF SW 1/4 OF SECTION 27, TOWNSHIP 61 NORTH, RANGE 26 WEST OF THE FOURTH PRINCIPAL MERIDIAN  
BIG FORK TOWNSHIP, ITASCA COUNTY, MINNESOTA



### LEGEND

- SET IRON ROD SET
- IRON ROD
- IRON PIPE
- PROPERTY TO BE ANNEXED
- - - EXISTING CORPORATE LIMITS LINE

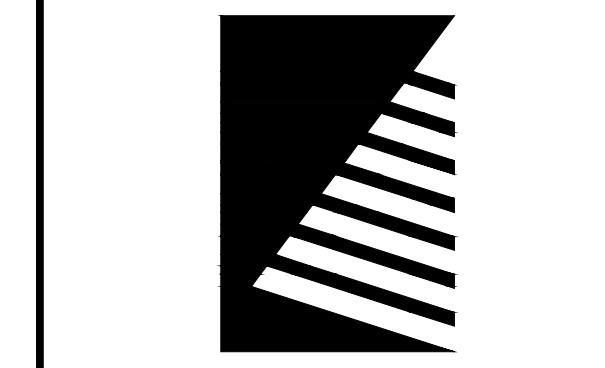
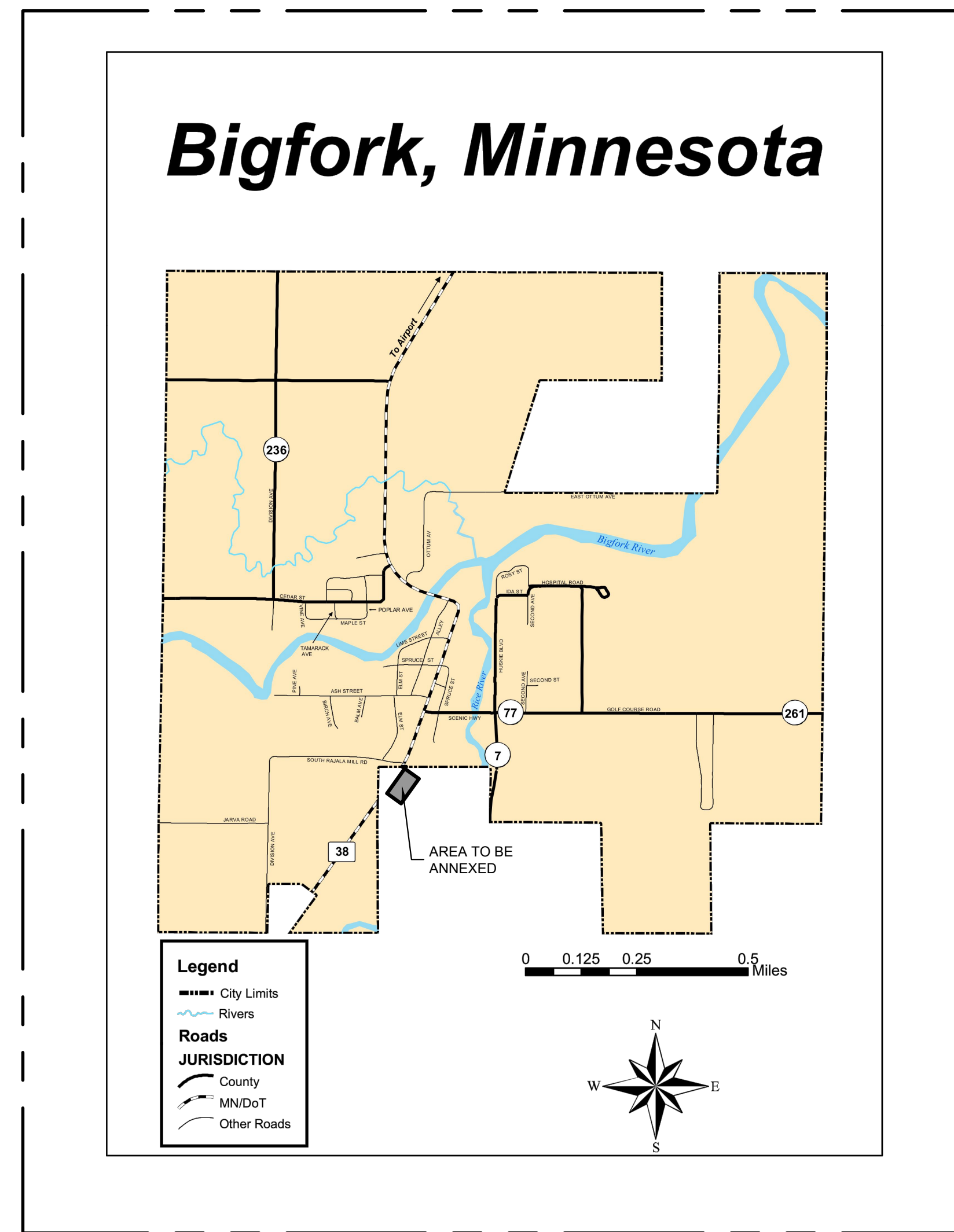


### DESCRIPTION OF AREA TO BE ANNEXED

A PART OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 61 NORTH, RANGE 26 WEST OF THE FOURTH PRINCIPAL MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SAID SOUTHWEST CORNER IDENTIFIED BY A MINNESOTA DEPARTMENT OF TRANSPORTATION SURVEY PLAQUE LABELED "B4215"); THENCE NORTH 01 DEGREES 14 MINUTES 04 SECONDS EAST, 54.40 FEET ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF MINNESOTA STATE TRUNK HIGHWAY 38 (SAID EASTERLY RIGHT-OF-WAY LINE ALSO BEING THE FORMER EASTERLY RIGHT-OF-WAY LINE OF THE MINNEAPOLIS AND RAINY RIVER RAILWAY COMPANY); THENCE NORTH 35 DEGREES 41 MINUTES 27 SECONDS EAST, 715.72 FEET ALONG SAID EASTERLY RIGHT OF WAY LINE TO THE TRUE POINT OF BEGINNING. FROM SAID POINT OF BEGINNING, THENCE NORTH 54 DEGREES 18 MINUTES 32 SECONDS WEST, 34.99 FEET TO A POINT ON THE NORTH LINE OF SAID SOUTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER; THENCE SOUTH 89 DEGREES 55 MINUTES 53 SECONDS EAST, 43.04 FEET ALONG SAID NORTH LINE; THENCE SOUTH 35 DEGREES 41 MINUTES 27 SECONDS WEST, 25.07 FEET TO THE POINT OF BEGINNING, CONTAINING 0.010 ACRES AND ALL BEING SITUATED IN ITASCA COUNTY, MINNESOTA.

AND

A PART OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 61 NORTH, RANGE 26 WEST OF THE FOURTH PRINCIPAL MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER (SAID SOUTHWEST CORNER IDENTIFIED BY A MINNESOTA DEPARTMENT OF TRANSPORTATION SURVEY PLAQUE LABELED "B4215"); THENCE NORTH 01 DEGREES 14 MINUTES 04 SECONDS EAST, 54.40 FEET ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF MINNESOTA STATE TRUNK HIGHWAY 38 (SAID EASTERLY RIGHT-OF-WAY LINE ALSO BEING THE FORMER EASTERLY RIGHT-OF-WAY LINE OF THE MINNEAPOLIS AND RAINY RIVER RAILWAY COMPANY); THENCE NORTH 35 DEGREES 41 MINUTES 27 SECONDS EAST, 385.72 FEET ALONG SAID EASTERLY RIGHT OF WAY LINE TO THE TRUE POINT OF BEGINNING. THENCE CONTINUING NORTH 35 DEGREES 41 MINUTES 27 SECONDS EAST, 350.00 FEET ALONG SAID EASTERLY RIGHT-OF-WAY LINE; THENCE SOUTH 54 DEGREES 18 MINUTES 33 SECONDS EAST, 200.00 FEET ALONG A LINE PERPENDICULAR TO SAID EASTERLY RIGHT-OF-WAY LINE; THENCE SOUTH 35 DEGREES 41 MINUTES 27 SECONDS WEST, 350.00 FEET ALONG A LINE PARALLEL TO SAID EASTERLY RIGHT-OF-WAY LINE; THENCE NORTH 54 DEGREES 18 MINUTES 33 SECONDS WEST, 200.00 FEET ALONG A LINE PERPENDICULAR TO SAID EASTERLY RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING, CONTAINING 1.61 ACRES AND ALL BEING SITUATED IN ITASCA COUNTY, MINNESOTA.



**Farnsworth**  
GROUP

2709 McGRAW DRIVE  
BLOOMINGTON, ILLINOIS 61704  
(309) 663-8435 / info@f-w.com

www.f-w.com  
Engineers | Architects | Surveyors | Scientists

ISSUE:  
# DATE: DESCRIPTION:

PROJECT:  
Dollar General

Big Fork Township, Minnesota

DATE: 6-7-18

DESIGN/DRAWN: PEB/GLS

REVIEWED: TWE

FIELD BOOK NO.: PON 01/ PG47

SHEET TITLE:

**ANNEXATION PLAT**

SHEET NUMBER:

**1**  
OF 2

EXISTING TAX ID NO.  
PIN 07-027-3403

SW1/4 SEC 27, T.61N., R26W. 4P.M.

PROJECT NO.: 0180298.00  
24P-541

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