

ORDINANCE NO. 71, SEVENTH SERIES**AN ORDINANCE OF THE CITY OF FERGUS FALLS, MINNESOTA ANNEXING LAND LOCATED IN THE FERGUS FALLS, TOWNSHIP, OTTER TAIL COUNTY MINNESOTA PURSUANT TO MINNESOTA STATUTE §414.033 SUBDIVISION 2, PERMITTING ANNEXATION BY ORDINANCE.**

WHEREAS, the area proposed to be annexed is completely surrounded by land within the municipal limits of the City of Fergus Falls; and

WHEREAS, said property is not located within the flood plain or shoreline area; and

WHEREAS, said property to be annexed is requested to facilitate the extension of city services for the residential/urban/commercial/industrial development of the property; and

WHEREAS, the City of Fergus Falls held a public hearing pursuant to Minnesota Statutes §414.033 SUBD.2 (2b) on the 16th day of July, 2018, following 30 days written notice by certified mail to the Town of Fergus Falls and to all landowners within and contiguous to the area legally described in the attached Exhibit A, to be annexed; and

WHEREAS, provisions of Minnesota Statute §414.033, SUBD. 13 are not applicable in that there will be no change to the electric utility service provider resulting from the annexation of the territory to the municipality.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF FERGUS FALLS HEREBY ORDAINS AS FOLLOWS:

1. The City Council hereby determines that the property as herein after described in the attached Exhibit A is completely surrounded by lands within the municipal limits.
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 Statutes §414.0325.
3. The corporate limits of the City of Fergus Falls, Minnesota are hereby extended to include the following described property in attached Exhibit A, said land completely surrounded by land within the municipal limits.

The subject matter of this ordinance is the real estate legally described on the attached Exhibit A which is herein incorporated by reference.

The above described property consists of the total of minimal acres, more or less. A copy of the corporate boundary map showing the property to be annexed and its relationship to the corporate boundaries is attached hereto.

4. That the population of the area described in the attached Exhibit A and hereby annexed is seven (7).
5. Pursuant to Minnesota Statute §414.033 SUBD. 12, property taxes payable on the annexed land shall continue to be paid to the Town of Fergus Falls for levy year 2019. Beginning in levy year 2020 and every year thereafter, the City of Fergus Falls shall levy and be paid all property taxes payable on the annexed land.
6. That the City Administrator of the City of Fergus Falls 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 Otter Tail County Auditor, and the Fergus Falls Township Clerk.
7. 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.

THIS ORDINANCE was introduced on July 16, 2018, and adopted by the City Council of the City of Fergus Falls, Minnesota on the 6th day of August, 2018, by the following vote:

AYES: Rachels, Rufer, Thompson, Arneson, Spidahl, Hicks, Fish

NAYS: None

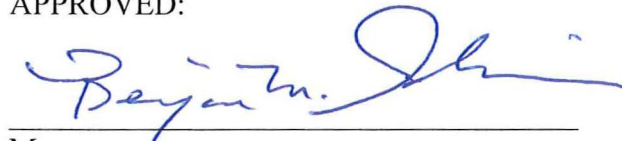
ABSENT: Appert

ATTEST:



City Administrator

APPROVED:



Mayor

Published in the Fergus Falls Daily Journal on August 17, 2018.
Effective date: September 1, 2018

EXHIBIT A

1. PARTAIN TRACT (26000280171901):

The North 175.00 feet of the East 428.00 feet of the tract of land described as the South 400.00 feet of the East 762.30 feet, except the Easterly 50 feet Highway Right-of-Way Adjacent, of the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ of SE $\frac{1}{4}$) of Section Twenty-eight (28), Township One Hundred Thirty-three (133), Range Forty-three (43), Otter Tail County, Minnesota. The above tract contains 1.72 acres.

2. ANDERSON TRACT (26000280171000):

That part of the North Half of the Southeast Quarter (N $\frac{1}{2}$ of SE $\frac{1}{4}$) of Section Twenty-eight (28), Township One Hundred Thirty-three (133), Range Forty-three (43), described as follows: Beginning at the Northeast corner of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ of SE $\frac{1}{4}$) of Section 28, Township 133 North, Range 43 West, thence West along the North line of said Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) 762.30 feet, thence North 400 feet, thence East 762.30 feet, thence South along the East line of said Section 28, 400 feet to the point of beginning, said tract containing 7 acres more or less, except the Easterly 50 feet Highway Right-of-Way Adjacent, and except the following: The North 175 feet of the East 428 feet of above said tract. The above tract contains 4.83 acres.

3. GREAT PLANS NATURAL GAS CO. TRACT (26000280172001):

Commencing on the North line of the North Half of the Southeast Quarter (N $\frac{1}{2}$ SE $\frac{1}{4}$) where it intersects the West right of way line of Trunk Highway 52 on the East edge of said tract, thence due West 50 feet, thence at right angles and South 50 feet, thence at right angles and East 50 feet to the West right of way line of Highway 52, thence North 50 feet to the Point of Beginning, all in Section 28, Township 133, Range 43. The above tract contains .06 acres.

4. MICHAELSON TRACT (26000280173002):

That part of the Northeast Quarter (NE $\frac{1}{4}$), in Section 28, Township 133, Range 43, described as follows: Commencing at the East quarter-section corner of said Section 28, thence North along the East line of said section, 476.0 feet, thence West at a right angle from the section line 68.0 feet to the point of beginning, thence North 225.0 feet,

thence West 217.63 feet, thence South 225.00 feet, thence East 217.63 feet to the point of beginning. The above tract contains 1.13 acres.

5. KORBY CONTRACTING CO., INC. TRACT (26000310189001):

That part of the South Half of the Northeast Quarter ($S\frac{1}{2}$ of $NE\frac{1}{4}$) of Section Thirty-one (31), in Township One Hundred Thirty-three (133), Range Forty-three (43), described as follows: Beginning at the point where the Southerly right-of-way line of the Northern Pacific Railways property intersects the East and West quarter line in said Section 31, said Point of Beginning being also located twenty (20) feet West of the East quarter corner of said Section 31, running thence West along the quarter line fifteen hundred and twenty (1520) feet to a point marked with an iron monument, running thence North four degrees and forty-two minutes East three hundred and ninety-seven (397) feet to a point on the Southerly right-of-way limits of the Northern Pacific Railway Company's property and marked with an iron monument, and running thence in a general Southeasterly direction along the Southerly right-of-way line of the said Railway Company's property a distance of fifteen hundred and thirty-two (1532) feet to the point of beginning. The above tract contains 6.14 acres.

13.88 Acres Total

CITY OF FERGUS FALLS 2019 Fergus Falls Township



DEERFIELD DR

MARYLAND LN

INTERNATIONAL DR

Marilyn Michaelson
26000280173002
Section 28 - Twp 133 N - Range 43 West
1.13 Acres

Great Plains Natural Gas Co.
26000280172001
Section 28 - Twp 133 N - Range 43 West
0.06 Acres

Shane & Pamela Partain
26000280171901
Section 28 - Twp 133 N - Range 43 West
1.72 Acres

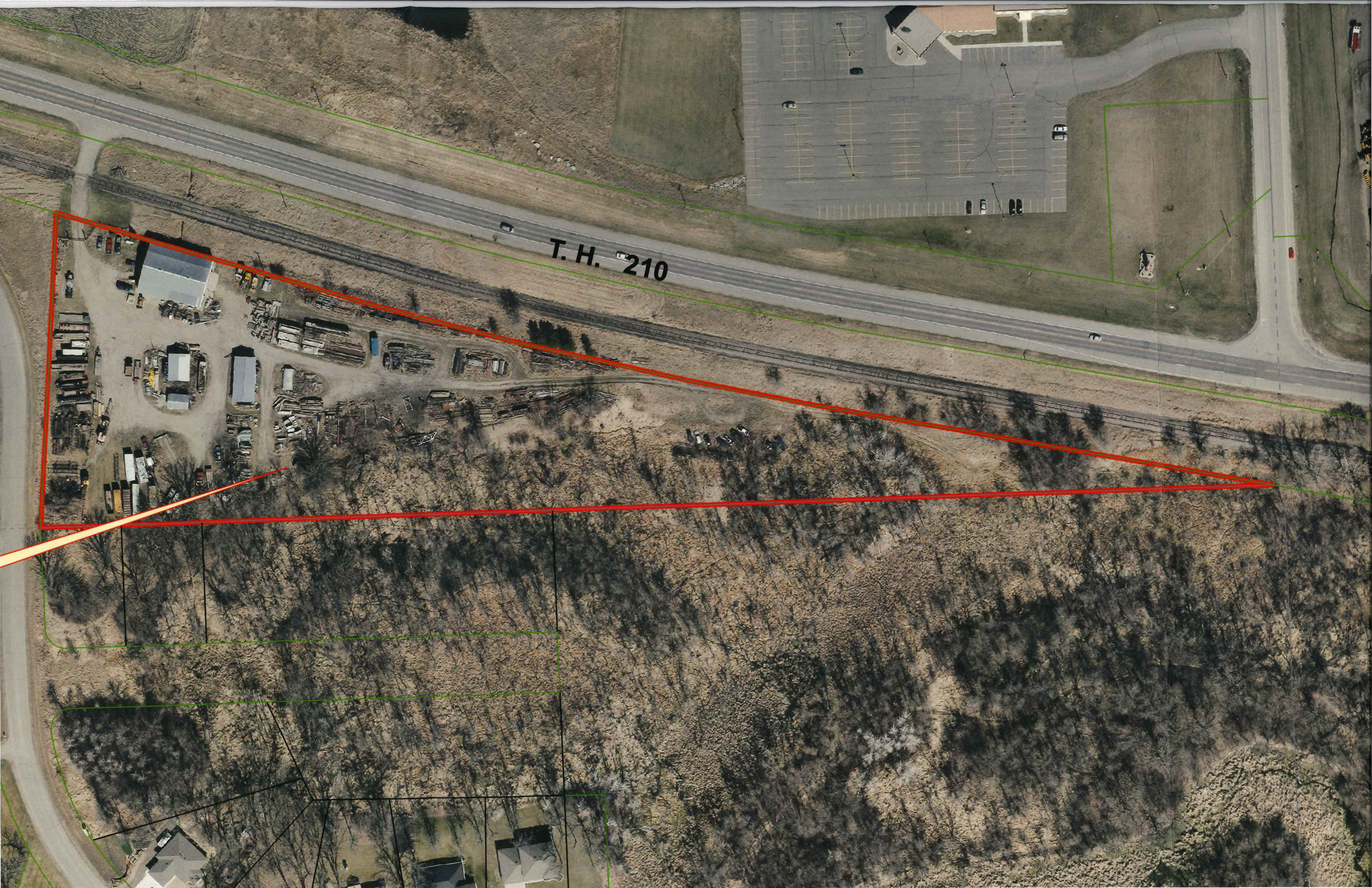
INDUSTRIAL PARK BLVD

FIR AVE

FIRST AVE

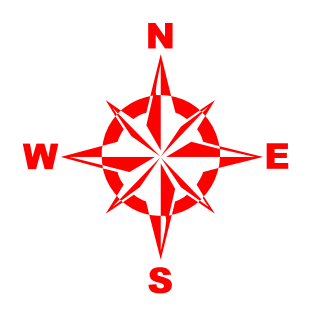
Jerome & Lori Anderson
26000280171000
Section 28 - Twp 133 N - Range 43 West
4.83 Acres

FIRST AV



T. H. 210

CITY OF FERGUS FALLS 2019 Fergus Falls Township



Korby Contracting Co Inc
26000310188001
Section 31 - Twp 133 N, Range 43 West
6.44 Acres

Jerome & Lori Anderson
26000280171000
Section 28 - Twp 133 N, Range 43 West
1.72 Acres

Shane & Pamela Partain
26000280171001
Section 28 - Twp 133 N, Range 43 West
1.72 Acres

Marilyn Michelson
26000280172002
Section 28 - Twp 133 N, Range 43 West
1.13 Acres

Great Plains Natural Gas Co.
26000280172001
Section 28 - Twp 133 N, Range 43 West
0.08 Acres

FERGUS FALLS TOWNSHIP ANNEXATION
13.88 ACRES TOTAL

Legend

- Fergus Falls Twp Parcels
- Municipal Boundary