

*Rec'd
6/15/26*

Introduced by Council Member Anderson.

Seconded by Council Member Pearson.

ORDINANCE NO. 26-02

AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY OWNED BY THE CITY OF FOSSTON AND LOCATED IN BRANDSVOLD TOWNSHIP, POLK COUNTY, MINNESOTA, PURSUANT TO MINNESOTA STATUTES SECTION 414.033

THE CITY COUNCIL OF THE CITY OF FOSSTON, MINNESOTA, DOES ORDAIN, AS FOLLOWS:

Section 1. Purpose and Authority. This Ordinance is adopted pursuant to Minnesota Statutes Section 414.033, subdivision 2(1), which permits a municipality to annex land that is owned by the municipality and is contiguous to its corporate limits by ordinance.

Section 2. Findings. The City Council of the City of Fosston hereby makes the following findings:

- a. The City of Fosston ("City") is a municipal corporation organized under the laws of the State of Minnesota.
- b. The real property described in Section 3 (the "Property") is located in Brandsvold Township, Polk County, Minnesota.
- c. The Property is owned in fee by the City of Fosston.
- d. The Property is contiguous to and abuts the current corporate limits of the City of Fosston.
- e. Pursuant to Minnesota Statutes Section 414.033, subdivision 2(1), no petition, hearing, or approval of the township is required for annexation of municipally owned property.
- f. The Property is not currently included within any other municipality.
- g. Annexation of the Property is consistent with the orderly growth and development of the City and is in the best interests of the City.
- h. The Property is appropriate for annexation to the City pursuant to Minnesota Statutes, Section 414.033, Subd. 2(1) in that it is owned by the City and is either urban or suburban in character or about to become so, or annexation is otherwise appropriate for municipal purposes, including but not limited to potential municipal infrastructure, utility, or public use expansion.

Section 3. Legal Description of Property. The City hereby annexes the following described real property, all of which is owned by the City of Fosston and located in Brandsvold Township, Polk County, Minnesota:

Parcel No. 06.00214.00:

Legal Description:

The Northwest Quarter of the Southwest Quarter (NW1/4SW1/4) of Section Thirty-four (34), Township One Hundred Forty-eight (148) North of Range Forty (40) West.

(consisting of approximately 40.00 acres)

Parcel No. 06.00218.00:

The South Half of the Southwest Quarter (S1/2SW1/4) of Section Thirty-four (34), Township One Hundred Forty-eight (148) North of Range Forty (40) West, LESS THE FOLLOWING DESCRIBED EXCEPTED TRACTS:

EXCEPTED TRACT: That part of the South Half of the Southwest Quarter of Section 34, Township 148 North of Range 40 West of the Fifth Principal Meridian, described as follows: Commencing at a point on the South boundary line of said SW1/4 which is 6 feet 20 rods East of the corner stake at the Southwest corner of said section, then East along said South boundary line a distance of 35 rods to a point, then North parallel to the West boundary line of said SW1/4 a distance of 43 rods to a point; then West parallel to the South boundary line of said SW1/4 a distance of 35 rods to a point, then South parallel to the West boundary line of said SW1/4 to the point of beginning.

EXCEPTED TRACT: That part of the South Half of the Southwest Quarter of Section 34, Township 148 North of Range 40 West of the Fifth Principal Meridian, described as follows: Commencing at a point on the South boundary line of said SW1/4 which is 55 rods 6 feet East of the corner stake at the Southwest corner of said Section, then East along said boundary line a distance of 60 rods to a point, then North parallel to the West boundary line of said SW1/4 a distance of 24 rods to a point, then West parallel to the South boundary line of said SW1/4 a distance of 45 rods to a point, then North parallel to the West boundary line of said SW1/4 a distance of 19 rods to a point, then West parallel to the South boundary line of said SW1/4 a distance of 15 rods to a point, then South parallel to the West boundary line of said SW1/4 to the point of beginning.

EXCEPTED TRACT: Commencing 6 feet due east of the corner stake at the southwest corner of the Southwest Quarter of Section 34, Township 148 North of Range 40 West of the Fifth Principal Meridian; thence

running 16 rods due north; thence 20 rods due east; thence 16 rods due south; and thence 20 rods due west to the starting point.

EXCEPTED TRACT: That part of the South Half of the Southwest Quarter of Section 34, Township 148 North of Range 40 West of the Fifth Principal Meridian, described as follows: Commencing at the corner stake at the southwest corner of the SW1/4 of Section 34, Township 148 North of Range 40 West of the Fifth Principal Meridian; thence East along the South boundary line of said SW1/4 a distance of 20 rods and 6 feet; thence North along a line parallel to the West boundary line of said SW1/4 a distance of 24 rods; thence West along a line parallel to the South boundary line of said SW1/4 a distance of 20 rods and 6 feet, more or less, to the West boundary line of said SW1/4; thence South along the West boundary line of said SW1/4 a distance of 24 rods, more or less, to the point of beginning, LESS a tract of land commencing 6 feet due east of the corner stake at the southwest corner of the Southwest Quarter of Section 34, Township 148 North of Range 40 West of the Fifth Principal Meridian; thence running 16 rods due north; thence 20 rods due east; thence 16 rods due south; and thence 20 rods due west to the starting point.

(consisting of approximately 56.78 acres)

Section 4. Annexation. The Property described in Section 3 is hereby annexed to, and included within, the corporate limits of the City of Fosston, Minnesota, as of the effective date of this Ordinance.

Section 5. Population. The population of the annexed Property is zero (0).

Section 6. No Hearing. Pursuant to Minnesota Statutes, Section 414.033, no public hearing on the proposed annexation is required.

Section 7. Property Tax Reimbursement to Township. Pursuant to Minnesota Statutes Section 414.036, the City shall reimburse Brandsvold Township for the loss of property tax revenue from the annexed Property for a period of two (2) years. The reimbursement shall be one hundred percent (100%) of the property taxes payable in the year of annexation.

Section 8. Filing. The City Administrator is directed to file a copy of this Ordinance with: the Minnesota Office of Administrative Hearings (Municipal Boundary Adjustments Unit); Polk County Auditor; the Brandsvold Township Clerk; and the Minnesota Secretary of State.

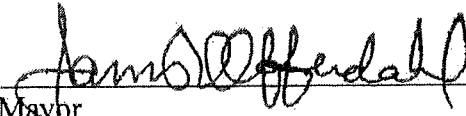
Section 9. Effective Date. This ordinance becomes final after it is approved by the Chief Administrative Law Judge of the State of Minnesota.

Section 10. Publication. This ordinance shall be published in accordance with Minnesota law.

Voting in the negative: None.

Voting in the affirmative: Offerdahl, Dufault, Pearson and Anderson.

Passed this 18th day of May, 2026.



Mayor

ATTEST: 

Clerk

[Published in the thirteen times on May 20, 2026.]



