

REC'D. BY DEC 11 1995
MMR

Amendment

11-09-95
Draft

BEFORE THE MUNICIPAL BOARD
OF THE STATE OF MINNESOTA

Robert J. Ferderer
Paul B. Double
Lea De Souza Speeter

Chair
Vice Chair
Commissioner

IN THE MATTER OF THE JOINT RESOLUTION)
OF THE CITY OF FERGUS FALLS AND THE TOWN)
OF BUSE FOR THE ORDERLY ANNEXATION OF)
CERTAIN LAND TO THE CITY OF FERGUS FALLS)
PURSUANT TO MINNESOTA STATUTES 414)

JOINT RESOLUTION OF THE CITY OF FERGUS FALLS
AND THE TOWN OF BUSE

WHEREAS, the City of Fergus Falls has received inquiries from residents of Buse Township relating to the annexation of certain lands to the City of Fergus Falls; and

WHEREAS, the City of Fergus Falls (hereinafter "City") and the Township of Buse (hereinafter "Town") have been meeting periodically to implement annexation of an area of Buse to the City; and

WHEREAS, the parties have agreed upon the provisions for an Orderly Annexation Agreement,

NOW, THEREFORE BE IT RESOLVED, the following Joint Resolution be adopted by the City and Town, and submitted to the Minnesota Municipal Board for review and comment. No alteration of the boundaries are appropriate and no consideration by the Municipal Board is necessary. This Resolution provides generally for the terms of annexation by the City of Fergus Falls and portion of Buse Township in several regards.

RESOLVED, by the City and Town as follows:

1. Orderly Annexation Area. The following described area in Buse Township is properly subject to orderly annexation pursuant to Minnesota Statutes 414.0325. The parties designate this area as in need of orderly annexation as provided by statute.

(See attached real estate description marked Scheduled I).

The Town, upon the passage of this Resolution and its adoption by the Council of the City, confers jurisdiction (which jurisdiction is limited by and strictly within the terms of this Resolution) upon the Minnesota Municipal Board so as to accomplish said orderly annexation in accordance with the terms of this Resolution.

2. No Municipal Board Hearing - 1995 Annexation. The Town will not object to the annexation during 1995 of the tract of land described in attached Schedule I.

(These tracts are commonly referred to as the Iverson tract, Beyer tract, Peterson tract, and the Swedberg tract.)

It is agreed that with respect to said real estate described in Schedule I that it is in need of annexation pursuant to Minnesota Statutes §414.0325. No alteration of the boundaries thereof stated herein are appropriate. No consideration by the Municipal Board is necessary. The Municipal Board may review and comment only.

3. Population. The Town and City agree that the population of the area described in Schedule I is 4 people. Upon annexation, the City's population shall increase by 4 and the Town's population shall decrease by 4 people.

CITY OF FERGUS FALLS:

Passed and adopted by the City of Fergus Falls this 20th day of Nov, 1995.

ATTESTED:

James L. Nichols
City Administrator

APPROVED:

Ken Fergus
Mayor

TOWNSHIP OF BUSE:

Passed and adopted by the Town of Buse this 14 day of Nov, 1995.

ATTESTED:

Carolyn Sund
Township Clerk

APPROVED:

Curtis D. Svane
Chairman

CITY OF FERGUS FALLS - TOWNSHIP OF BUSE ANNEXATION

Schedule I

A). Iverson Tract:

The NW $\frac{1}{4}$ of NE $\frac{1}{4}$, SW $\frac{1}{4}$ of NE $\frac{1}{4}$, NW $\frac{1}{4}$ of SE $\frac{1}{4}$ and NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 14, Township 132, Range 43 lying West of Highway No. 59 except the following tracts:

EXCEPT: Beginning at the northwest corner of NW $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 14-132-43, thence south on the west line 319 feet; thence North 52 deg 10' east 260 feet to the center of the State road, thence northwesterly along the center of said state road 176 feet to the north line of said NW $\frac{1}{4}$ of NE $\frac{1}{4}$; thence west on the north line 133 feet to the place of beginning containing 1 acre

ALSO EXCEPT: That part of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 14, Township 132, Range 43, described as follows, to wit: Beginning at a point 319 feet south of the northwest corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 14, on the West line of the said NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, thence North 52°10' East 188 feet to a point on the West right of way line of U.S. Highway No. 52 and 59, thence in a Southeasterly direction along the U.S. Highway right of way 905 feet; thence angle right 97°06' West 543.3 feet to the west line of said NW $\frac{1}{4}$ of the NE $\frac{1}{4}$; thence North along West Line of said NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, 866.5 feet to the point of beginning.

ALSO EXCEPT: That tract of land in the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 14, Township 132, Range 43 described as Parcel 1 of the plat of Otter Tail County W.A. No. 45 recorded June 23, 1978 in Q of Plats, page 254 containing 20.11 acres, more or less

Also subject to easement for ingress & egress over part of N $\frac{1}{2}$ of SE $\frac{1}{4}$ in Section 14-132-43 as described in Warranty Deed recorded in Book 500 of Deeds, page 673 as follows: right of ingress & egress over & across tract of land lying in N $\frac{1}{2}$ SE $\frac{1}{4}$ more particularly described as beginning at a point on the west right-of-way line of State Hwy. 59, 546.56 feet northwesterly (as measured along said right of way) of the south line of said N $\frac{1}{2}$ SE $\frac{1}{4}$, thence N 63° 46' 14" W. 145.86 feet; thence N. 82°36'26" E., 97.80 feet to a point on the west right of way line of State Hwy. 59; thence S. 23°43'16"E. with said right of way 84.17 feet to point of beginning

ALSO EXCEPT: That part of the Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ of NE $\frac{1}{4}$), Section Fourteen (14), Township One Hundred Thirty-two (132) North, Range Forty-three (43) West, Otter Tail County, Minnesota described as follows: Commencing at the iron monument at the northwest corner of said Northeast Quarter (NE $\frac{1}{4}$), thence South, assumed bearing along the west line of said Northeast Quarter (NE 1/4), a distance of 1638.33 feet to an iron pipe monument, the point of beginning of the tract to be described; thence continuing South 480.00 feet along the west line of said Southwest Quarter, Northeast Quarter (SW $\frac{1}{4}$, NE $\frac{1}{4}$) to an iron pipe monument; thence North 69 degrees 33 minutes 57 seconds East 344.60 feet to an iron pipe monument; thence North 24 degrees 25 minutes 45 seconds West 450.89 feet to an iron pipe monument; thence South 69 degrees 33 minutes 57 seconds West 145.60 feet to the point of beginning containing 2.53 acres. Iverson tract contains 55.54 acres.

B). Beyer Tract:

Commencing at the Southeast corner of the Northeast Quarter of the Southwest Quarter (NE 1/4 of SW 1/4) of Section 11, Township 132, Range 43; thence 150 feet north to point of beginning; thence North 728.98 feet; thence Southwesterly 695.68 feet to the East right of way line of Trunk Highway 59; thence Southeasterly along said right of way line 451.8 feet to a point 150 feet North of the South line of the Northeast Quarter of the Southwest Quarter (NE 1/4 of SW 1/4); thence East 440 feet to point of beginning, containing 7.72 acres.

C). Peterson Tract:

All that part of Government Lot Five (5) of Section Four (4), Township One Hundred Thirty-two (132), Range Forty-three (43), Otter Tail County, Minnesota, which lies easterly of the West 165 feet of said Government Lot Five (5) and lying westerly of the following described line: Commencing at the southwest corner of said Government Lot Five (5); thence on an assumed bearing of East along the south line of said Government Lot Five (5), a distance of 616.00 feet to the point of beginning of the line to be described; thence on a bearing of North and at right angles a distance of 1378 feet more or less to the North line of said Government Lot Five (5) and there terminating, containing 14.27 acres more or less, subject to a public road easement over the South 50 feet thereof and subject to an ingress and egress easement over and across said Government Lot Five (5), being 66 feet to the left of the following described line: Commencing at the southwest corner of said Government Lot Five (5); thence on an assumed bearing of East along the south line of said Government Lot Five (5), a distance of 616.00 feet to the point of beginning of the line to be described; thence on a bearing of North and at right angles a distance of 600.00 feet and there terminating. Peterson tract contains 14.27 acres.

D). Swedberg Tract:

All that part of Government Lot Five (5) of Section Four (4), Township One Hundred Thirty-two (132), Range Forty-three (43), Otter Tail County, Minnesota, described as follows: Commencing at the southwest corner of said Government Lot Five (5); thence on an assumed bearing of East along the south line of said Government Lot 5 a distance of 616.00 feet; thence on a bearing of North and at right angles a distance of 373.47 feet to the point of beginning of the land to be described; thence on a bearing of East a distance of 404.00 feet; thence on a bearing of North a distance of 331.11 feet; thence on a bearing of East a distance of 290.22 feet to the east line of said Government Lot Five (5); thence North 00 degrees 55 minutes 46 seconds West along said east line a distance of 650 feet more or less to the North line of Government Lot Five (5); thence westerly along the North line of Government Lot Five (5) to the intersection with a line which bears North from the point of beginning; thence on a bearing of South a distance of 970 feet more or less to the point of beginning, containing 15.58 acres more less. Together with an ingress and egress easement over and across said Government Lot Five (5), being 66 feet to the left of the following described line: Commencing at the southwest corner of said Government Lot Five (5); thence on an assumed bearing of East along the south line of said Government Lot Five (5), a distance of 616.00 feet to the point of beginning of the line to be described; thence on a bearing of North and at right angles a distance of 600.00 feet and there terminating. Swedberg tract contains 15.58 acres.

CO. HWY. NO. 29

RAILROAD

11

B
BEYER
7.72 AC.

CO

HWY.

NO

82

CORPORATE

PEBBLE

LIMITS

PEBBLE LAKE
DRIVE
ESTATES

SHOREVIEW

LAKE

CORPORATE

ROLLINS
BEACH
ADD
FIRST ADDITION TO
ROLLINS BEACH

GOLF LOT 2

PEBBLE

PEBBLE SHORE

14

A.

IVERSON
55.54 AC.

LIMITS

