

BEFORE THE CITY COUNCIL

In the Matter of the Petition
of Minnesota Power for Annexation
By Ordinance Pursuant to Minnesota
Statutes, Section 414.033.

PETITION

Petitioner Minnesota Power states as follows to the
Honorable Members of the City Council of Pine River, Minnesota:

1. Petitioner is a Minnesota corporation engaged among other things in the generation, distribution and sale of electrical energy to its customers in the State of Minnesota. In connection therewith, Petitioner intends to build a Service Center to serve its customers in the Pine River, Minnesota area.
2. Petitioner is the sole owner of the following described property lying the the Township of Walden, County of Cass, State of Minnesota:

That portion of the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ -NE $\frac{1}{4}$) or Government Lot 1, Section One (1), Township One Hundred Thirty-Seven (137) North, Range Thirty (30) West, more particularly described as follows:

Commencing at a point 2 rods West and 2 rods South of the Northeast corner of said Northeast Quarter of Northeast Quarter (NE $\frac{1}{4}$ -NE $\frac{1}{4}$), then West 20 rods, thence South 38 rods, thence East 20 rods; thence North 38 rods to the point of commencement; AND

Commencing at a point 22 rods West of the Northeast corner of said Northeast Quarter of Northeast Quarter (NE $\frac{1}{4}$ -NE $\frac{1}{4}$), thence South 40 rods, thence West 18 rods, thence North 40 rods; thence East 18 rods to the point of commencement;

LESS:

That part of the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ -NE $\frac{1}{4}$) commencing at a point 660 feet West of the Northeast corner of said Northeast Quarter of Northeast Quarter (NE $\frac{1}{4}$ -NE $\frac{1}{4}$), thence South 390 feet, thence East 132 feet, thence North 390 feet, thence West 132 feet to the point of commencement.

3. Said property is unincorporated and abutts upon the present limits of the City of Pine River, Minnesota. The property is not included within any other municipality. Said property is unplatted and is 7.9 acres in area.
4. The Township of Walden, Minnesota has waived its right to object to this Petition by resolution of its Township Board dated January 14, 1986, a copy of which is attached as Exhibit A.
5. A copy of this Petition is being served for informational purposes on Walden Township, Cass County, Minnesota and on the Minnesota Municipal Board.

WHEREFORE, Petitioner requests that said property be annexed to be included within the City of Pine River, Minnesota pursuant to Minnesota Statutes §414.033.

Dated: February 7, 1986.

MINNESOTA POWER

By Steven W. Tyacke
Steven W. Tyacke
Attorney
Attorney Registration No. 111508
30 West Superior Street
Duluth, Minnesota 55802
Telephone: (218) 723-3963

RESOLUTION

WHEREAS, Minnesota Power has purchased real estate presently located in Walden Township, Cass County, Minnesota, immediately adjacent to the boundaries of the City of Pine River, Minnesota more particularly described on Exhibit A appended hereto;

WHEREAS, such real estate will be used by Minnesota Power as a site to construct and operate a new area office and service facility with respect to its electric utility operations to serve customers in and around the City of Pine River, Minnesota;

WHEREAS, Minnesota Power intends to petition the City of Pine River, Minnesota to annex such real estate and will serve copies of the petition on the Minnesota Municipal Board, Walden Township, and on Cass County, Minnesota;

WHEREAS, Walden Township, Minnesota, recognizes that it has the right to object to such petition for annexation and to have and appear at a hearing held before the Minnesota Municipal Board on the issue of annexation in accordance with Minnesota Statutes 414.031; and

WHEREAS, Walden Township after consideration of the matter at its duly convened meeting held on January 14, 1986 has decided to waive such right to objection and to a hearing on Minnesota Power's annexation petition,

IT IS HEREBY RESOLVED as follows:

RESOLVED, that Walden Township, Minnesota has no objections to annexation of this real estate by the City of Pine River, Minnesota; and hereby waives its right to object to Minnesota Power's petition, and further waives its right to a

hearing and determination by the Minnesota
Municipal Board, on annexation of the real estate
described on Exhibit A hereto to the City of Pine
River, Minnesota.

Adopted by the Board of Walden Township, Cass County,
Minnesota on January 14, 1986.

ATTEST:

Township Clerk Charlene Neino

Township Chairman Robert C. Kuyper

LEGAL DESCRIPTION

That portion of the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ -NE $\frac{1}{4}$) or Government Lot 1, Section One (1), Township One Hundred Thirty-Seven (137) North, Range Thirty (30) West, more particularly described as follows:

Commencing at a point 2 rods West and 2 rods South of the Northeast corner of said Northeast Quarter of Northeast Quarter (NE $\frac{1}{4}$ -NE $\frac{1}{4}$), thence West 20 rods, thence South 38 rods, thence East 20 rods; thence North 38 rods to the point of commencement; AND

Commencing at a point 22 rods West of the Northeast corner of said Northeast Quarter of Northeast Quarter (NE $\frac{1}{4}$ -NE $\frac{1}{4}$), thence South 40 rods, thence West 18 rods, thence North 40 rods; thence East 18 rods to the point of commencement;

LESS:

That part of the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ -NE $\frac{1}{4}$) commencing at a point 660 feet West of the Northeast corner of said Northeast Quarter of Northeast Quarter (NE $\frac{1}{4}$ -NE $\frac{1}{4}$), thence South 390 feet, thence East 132 feet, thence North 390 feet, thence West 132 feet to the point of commencement.

AFFIDAVIT OF SERVICE

I, Steven W. Tyacke, attorney for Petitioner, Minnesota Power, state and depose that I have served a copy of the attached Petition for filing on Pine River, Minnesota; on Walden Township, Minnesota; on Cass County, Minnesota; and on the Minnesota Municipal Board by means of deposit in the U.S. Mail addressed to the following:

City of Pine River, Minnesota
City Clerk's Office
P. O. Box 87
Pine River, MN 56474
Attn: Viola Garrett

Walden Township, Minnesota
Town Clerk's Office
Star Route 78
Pine River, MN 56474
Attn: Charlene Heino

County of Cass
Cass County Board
Walker, Minnesota 56484

Minnesota Municipal Board
Suite 165 Metro Square
St. Paul, Minnesota 55101

Steven W. Tyacke
Steven W. Tyacke

Subscribed and sworn to before me
on February 10, 1986.

Donna C. Zimm
Notary Public



