

ORDINANCE NO. 250

AN ORDINANCE ANNEXING LAND EAST OF HIGHWAY 71 IN
SECTION 2, TOWNSHIP 139 NORTH, RANGE 35 WEST,
STRAIGHT RIVER TOWNSHIP, HUBBARD COUNTY, MINNESOTA,
TO THE CITY OF PARK RAPIDS, MINNESOTA PURSUANT TO
MINNESOTA STATUTES 414.033, SUBD. 2 (3), PERMITTING
ANNEXATION BY ORDINANCE

THE COUNCIL OF THE CITY OF PARK RAPIDS HEREBY ORDAINS:

SECTION 1. That the unincorporated land located East of Highway 71 North in Section 2, Township 139 North, Range 35 West, Straight River Township, Hubbard County, Minnesota, described more fully herein, abuts upon the limits of the City of Park Rapids, is not now included within the limits of any city, is 60 acres or less in size, is or is about to become urban or suburban in character, and 100 percent of all owners of property within the described area have signed a petition requesting the property be annexed to the City of Park Rapids.

SECTION 2. That the corporate limits of the City of Park Rapids are hereby extended to include the unplatted land described as follows and the same is hereby annexed to be included within the City of Park Rapids, Minnesota, containing 37.3 acres.

Parcel 1 (Plant Site Description, 18.7 acres)

All those parts of the East one-half of Section 2, Township 139 North, Range 35 West of the 5th Principal Meridian described as follows: Commencing at the Northeast corner of Section 2; thence South 88 degrees 37 minutes 43 seconds West along the North line of said Section 2 a distance of 872.87 feet to the Easterly right-of-way line of U.S. Trunk Highway 71 as now constructed and traveled; thence South 08 degrees 32 minutes 17 seconds West along said right-of-way line a distance of 2431.70 feet to the point of beginning; thence continuing along said right-of-way line a distance of 92.79 feet; thence South 81 degrees 27 minutes 43 seconds East a distance of 100.00 feet; thence South 67 degrees 42 minutes 35 seconds East a distance of 441.46 feet; thence South 01 degrees 19 minutes 37 seconds West a distance of 895.52 feet; thence North 88 degrees 34 minutes 17 seconds East a distance of 761.04 feet to the East line of said Section 2; thence North 00 degrees 00 minutes 00 second West along said East line a distance of 200.00 feet; thence North 90 degrees 00 minutes 00 seconds West a distance of 104.44 feet; thence North 01 degrees 19 minutes 37 seconds East a distance of 911.40 feet; thence North 88 degrees 40 minutes 23 seconds West a distance of 1051.79 feet; thence North 81 degrees 27 minutes 43 seconds West a distance of 100.00 feet to the Easterly right-of-way line of U.S. Trunk Highway 71 and the point of beginning and there terminating, all in Hubbard County, Minnesota.

Parcel 3 (12.6 acres)

That part of the East Half ($E\frac{1}{2}$) of Section 2, Township 139 North, Range 35 West of the Fifth Principal Meridian, Hubbard County, Minnesota, that is included in the following tract: From the Northeast Corner of said Section 2, bear South 88 degrees 37'42" West along the North Line of said Section 2 a distance of 771.36 feet, more or less, to a point of intersection with the East Right of Way Line of the Burlington Northern Railroad; thence South 08 degrees 32'17" West along said East Railroad Right-of-Way Line a distance of 2,541.95 feet to the point of beginning of the tract of land herein described; thence South 67 degrees 42'35" East a distance of 441.46 feet; thence South 01 degrees 19'37" West distance of 895.52 feet, more or less, to a Point of intersection with a line which is parallel with the South Line of said Section 2, said parallel line being also the North Line of the tract of land owned by Richard and Helen Rude and described in Instrument D135330 on file in the Office of the County Recorder, Hubbard County, Minnesota; thence South 88 degrees 34'17" West along the last-described parallel line a distance of 549.51 feet, more or less, to a Point of Intersection with the East Right-of-Way Line of the Burlington Northern Railroad; thence North 08 degrees 32'17" East along the last-described East Right-of-Way Line a distance of 1,088.48 feet, more or less, to the Point of Beginning. Said tract of land contains 10.999 acres, more or less, exclusive of all Rights-of-Way, and is subject to such easements as are of record, including Clear Zone Easement for the Park Rapids, Minnesota, Municipal Airport.

Parcel 4 (6 acres, exceptions not included)

All that portion of Burlington Northern Railroad's 100 foot wide Wadena to Park Rapids, Minnesota Branch Line right-of-way, now discontinued, being 50 feet wide on each side of the main track centerline, as originally located and constructed upon, over and across the $E\frac{1}{2}$ of Section 2, Township 139 North, Range 35 West of the 5th P.M., Hubbard County, Minnesota, lying Southerly of a line drawn parallel with and distant 1,000 feet Southerly measured at right angles to the North line of said $E\frac{1}{2}$ of said Section 2, LESS AND EXCEPT the following two (2) tracts:

Tract 1: That part of the Southeast Quarter of Section 2, Township 139 North, Range 35 West of the 5th Principal Meridian described as follows: Commencing at the Southwest corner of said Southeast Quarter; thence East, assumed bearing along the south line of said Southeast Quarter, 947.72 feet to the intersection with the easterly right of way line of Minnesota Trunk Highway 71; thence North 10 degrees 02 minutes 02 seconds East, along said highway right of way, 439.72 feet to the point of beginning of the land to be described; thence East 101.55 feet to the intersection with the easterly right of way line of the Burlington Northern Railroad (now abandoned); thence North 10 degrees 02 minutes 02 seconds East, along said railroad right of way, 1340.50 feet; thence West 101.55

feet to the intersection with said highway right of way; thence south 10 degrees 02 minutes 02 seconds West, along said highway right of way 1340.50 feet to the point of beginning. Containing 3.08 acres more or less.

Tract 2: That part of the South Half of the Southeast Quarter of Section 2, Township 139 North, Range 35 West of the 5th Principal Meridian described as follows: Commencing at the Southwest corner of said Southeast Quarter; thence East, assumed bearing along the South line of said Southeast Quarter, 947.72 feet to the intersection with the easterly right-of-way line of Minnesota Trunk Highway 71, the point of beginning of the land to be described; thence continue East, along said South line, 101.55 feet to the intersection with the easterly right-of-way line of the Burlington Northern Railroad (now abandoned); thence North 10 degrees 02 minutes 02 seconds East, along said railroad right-of-way line, 439.72 feet; thence West 101.55 feet to the intersection with said easterly highway right-of-way line; thence South 10 degrees 02 minutes 02 seconds West, along said easterly highway right-of-way line, 439.72 feet to the point of beginning. Containing 1.01 acres more or less. Subject to any and all valid and existing prior reservations or conveyance of minerals and mineral right, if any, of record, and subject to any and all valid and existing easements, including an easement for road purposes over the South 33.00 feet thereof.

The north line of the property described in Parcel 4 abuts the southerly right-of-way of the abandoned Burlington Northern Railroad which is a part of the City of Park Rapids.

SECTION 3: The City Administrator is hereby directed to file certified copies of this ordinance with the Minnesota Municipal Board, the Secretary of State, the Straight River Town Clerk, and the Hubbard County Auditor.

Adopted this 14th day of February, 1994.

Certified Copy:

Bev Rohwer

Bev Rohwer February 15, 1994
City Clerk Date

CITY OF PARK RAPIDS

