

COPY

REC'D BY
MMR JUL 28 1994

ORDINANCE NO. 105, 3rd Series

An Ordinance extending corporate limits of the City of Wadena to include certain unincorporated property owned by and abutting upon the limits of the City.

WHEREAS, the territory described below is not presently within the corporate limits of any incorporated city; AND

WHEREAS, this territory abuts upon the corporate limits of the city at it's northerly boundaries thereof and is deemed to be urban or suburban in character; AND

WHEREAS, this territory is owned in fee by the City of Wadena.

The City Council of Wadena therefore ordains as follows:

SECTION 1. TERRITORY ANNEXED.

The corporate limits of the City of Wadena is hereby extended to include the unplatted property described as follows now owned by the City, to-wit:

(FORMER BURLINGTON NORTHERN RAILROAD RIGHT-OF-WAY)

All that part of the Burlington Railroad Company's 300 foot wide right-of-way and station ground property at Leaf River, Minnesota on the Wadena to Park Rapids, Minnesota Branch Line right-of-way, now discontinued, being 100 feet wide on the westerly side and 200 feet wide on the easterly side of the main track centerline, as originally located and constructed upon, over, and across the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ of SE $\frac{1}{4}$) of Section Twenty-two (22), Township One Hundred Thirty-five (135) North, Range Thirty-five (35) West of the Fifth Principal Meridian, Wadena County, Minnesota lying south of the north line of McKinley Avenue (as now located in said City) on said West side and lying Southerly of the centerline of Roosevelt Avenue (as now located in said City) on the East side of said main track centerline.

AND

All that portion of said Railroad Company's 100 feet wide Branch Line right-of-way, being 50 feet wide on each side of said Main Track Centerline, situated in the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ of NE $\frac{1}{4}$); the East Half of the Northwest Quarter (E $\frac{1}{2}$ of NW $\frac{1}{4}$); the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ of SW $\frac{1}{4}$) and the West Half of the Southwest Quarter (W $\frac{1}{2}$ of SW $\frac{1}{4}$) of Section Twenty-seven (27) and the Northeast Quarter (NE $\frac{1}{4}$), Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ of NW $\frac{1}{4}$), Northwest Quarter of Southeast Quarter (NW $\frac{1}{4}$ of SE $\frac{1}{4}$) and the Southwest Quarter (SW $\frac{1}{4}$) of Section Thirty-three (33), Township One Hundred Thirty-five (135) North, Range Thirty-five (35) West

of the Fifth Principal Meridian, also;

All that portion of said Railroad Company's 150 feet wide Branch Line right-of-way, being 75 feet wide on each side of said Main Track Centerline, situated in the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ of SE $\frac{1}{4}$) of Section Twenty-eight (28), Township One Hundred Thirty-five (135) North, Range Thirty-five (35) West of the Fifth Principal Meridian.

EXCEPTING THEREFROM, that portion conveyed by the Great Northern Railway Company (now Burlington Northern Railroad Company) to the State of Minnesota by Quit Claim Deed dated November 2, 1924 and being more particularly described as follows:

Beginning at the point of intersection of the South line of said Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ of SE $\frac{1}{4}$) of said Section Twenty-eight (28) and a line drawn parallel with and distant 75 feet Northwesterly, measured at right angles to said Main Track Centerline; thence Northeasterly along said parallel line to the point of intersection of a line drawn parallel with and distant 40 feet Easterly, measured radially to the Centerline of Minnesota State Highway No. 4, as now located and constructed; thence Southerly along said parallel line to the point of intersection of a line drawn parallel with and distant 50 feet Northwesterly, measured at right angles to said Main Track Centerline; thence Southwesterly along said parallel line to the point of intersection of said South line of said Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ of SE $\frac{1}{4}$), thence Westerly along said South line to the point of beginning.

AND

That part of the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ of SE $\frac{1}{4}$), also being part of the former railroad property, lying South of County Road No. 162 and Northerly of the extension Easterly of the South line of Lot Thirteen (13), Block Three (3), Young's Rearrangement of the Townsite of Leaf River on file and of record in the office of the County Recorder, all in Section Twenty-two (22), Township One Hundred Thirty-five (135), Range Thirty-five (35), Wadena County, Minnesota, described as follows:

Commencing at the Northeast corner of Lot Twenty-four (24), of said Block Three (3); thence North 89 degrees, 29 minutes, 17 seconds East, assumed bearing, 117.95 feet along the extension easterly of the North line of Lot Twenty-four (24), being also the South right-of-way line of said County Road No. 162, to the point of beginning; thence continuing North 89 degrees 29 minutes, 17 second East 33.27 feet along said extension Easterly of the North line of Lot Twenty-four (24), being also said South right-of-way line of County Road No. 162, to the centerline of said former railroad; thence South 6 degrees, 44 minutes, 45

seconds West, 302.42 feet along said former railroad centerline to it's intersection with said extension easterly of the South line of Lot Thirteen (13); thence South 89, degrees 29 minutes, 17 seconds West 33.27 feet along said extension Easterly of the South line of said Lot Thirteen (13); thence North 6 degrees, 44 minutes, 45 seconds East 302.42 feet to the point of beginning.

AND

That part of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ of SE $\frac{1}{4}$), lying South of County Road No. 162 and that part of the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ of SE $\frac{1}{4}$) lying East of right-of-way of Great Northern Railway Company (now Burlington Northern) in Section Twenty-two (22); the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ of SW $\frac{1}{4}$) of Section Twenty-three (23); Government Lot Three (3) of Section Twenty-six (26); the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ of NE $\frac{1}{4}$) and Government Lot One (1) of Section Twenty-seven (27); all in Township One Hundred Thirty-five (135), Range Thirty-five (35);

AND

The Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ of SW $\frac{1}{4}$) and the West One (1) acre of the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ of SW $\frac{1}{4}$) of Section Twenty-two (22), and the North Half of the Northwest Quarter of the Northwest Quarter (N $\frac{1}{2}$ of NW $\frac{1}{4}$ of NW $\frac{1}{4}$) of Section Twenty-seven (27), all in Township One Hundred Thirty-five (135), Range Thirty-five (35), containing 61 acres, more or less, less those certain tracts of land sold to William Neitzke as follows: That part of the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ of SW $\frac{1}{4}$) of said Section Twenty-two (22), described as follows: From the Northwest corner of said forty, thence East on the 1/16th line, 50 feet to the East right-of-way line of Trunk Highway No. 71; thence South on said right-of-way line, 893.15 feet to the point of beginning; thence North on said right-of-way line, 270 feet; thence East at right angles 300 feet; thence South and parallel with the West line of said forty, 300 feet; thence Westerly to the point of beginning. And less that certain tract of land sold to William Neitzke as follows: A part of the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ of SW $\frac{1}{4}$) of said Section Twenty-two (22), described as follows: From the Northwest corner of said forty, thence East on the 1/16th line 50 feet to the East right-of-way line of Trunk Highway No. 71; thence South on said right-of-way line 623.15 feet; thence East at right angles 300 feet; thence South and parallel with the West line of said forty, 300 feet to the point of beginning of the tract herein described; thence continuing South parallel with the West line of said forty 16.6 feet; thence Westerly at an angle of 84 degrees, 17 minutes with the last described line a distance of 137.9 feet; thence North 16.6 feet to the South line of the land heretofore conveyed by Deed dated August 7, 1957 and recorded in Book 33 of Deeds on Page 450;

thence easterly along the South line of said line heretofore conveyed a distance of 137.9 feet to the point of beginning;

AND

The Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ of SW $\frac{1}{4}$) except a one acre strip along the West line and that part of the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ of SE $\frac{1}{4}$) lying West of the right-of-way line of Burlington Northern Railway formerly Great Northern Railway and South of the platted track, all being in Section Twenty-two (22), Township One Hundred Thirty-five (135), Range Thirty-five (35) containing 42 acres according to the survey thereof being the same, more or less.

AND EXCEPT

That part of the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ of SE $\frac{1}{4}$) of Section Twenty-two (22), Township One Hundred Thirty-five (135), Range Thirty-five (35), Wadena County, Minnesota lying South of County Road No. 162, described as follows:

Beginning at the Northwest corner of Lot Twenty-four (24), Block Three (3), Young's Rearrangement of the Townsite of Leaf River, on file and of record in the Office of the County Recorder in said Wadena County; thence South 89 degrees, 29 minutes, 17 seconds West, assumed bearing, 33.00 feet along the extension Southwesterly of the North line of said Lot Twenty-four (24), being also the South right-of-way line of said County Road No. 162; thence South 00 degrees, 30 minutes, 43 seconds East 300.00 feet to the extension Southwesterly of the South line of Lot Thirteen (13) in said Block Three (3); thence North 89 degrees, 29 minutes, 17 seconds East 33.00 feet along said extension Southwesterly of Lot Thirteen (13) to the Southwest corner thereof; thence North 00 degrees, 30 minutes, 43 seconds West 300.00 feet along the West lines of Lots Thirteen (13) through Twenty-four (24) inclusive to the point of beginning.

SECTION 2. FILING.

The City Administrator is directed to file certified copies of this Ordinance with the Secretary of State, the County Auditor of Wadena County, the Town Clerk of Leaf River Township, and the Minnesota Municipal Board.

SECTION 3. EFFECTIVE DATE OF ANNEXATION.

This Ordinance takes effect upon it's passage and publication and filing of certified copies as directed in Section Two.

REC'D BY JUL 28 1994
MMR

Adopted by the City of Wadena this 22nd day of
June, 1994.

ATTEST:

James N. Lundquist
MAYOR

Bradley A. Swenson
CITY ADMINISTRATOR

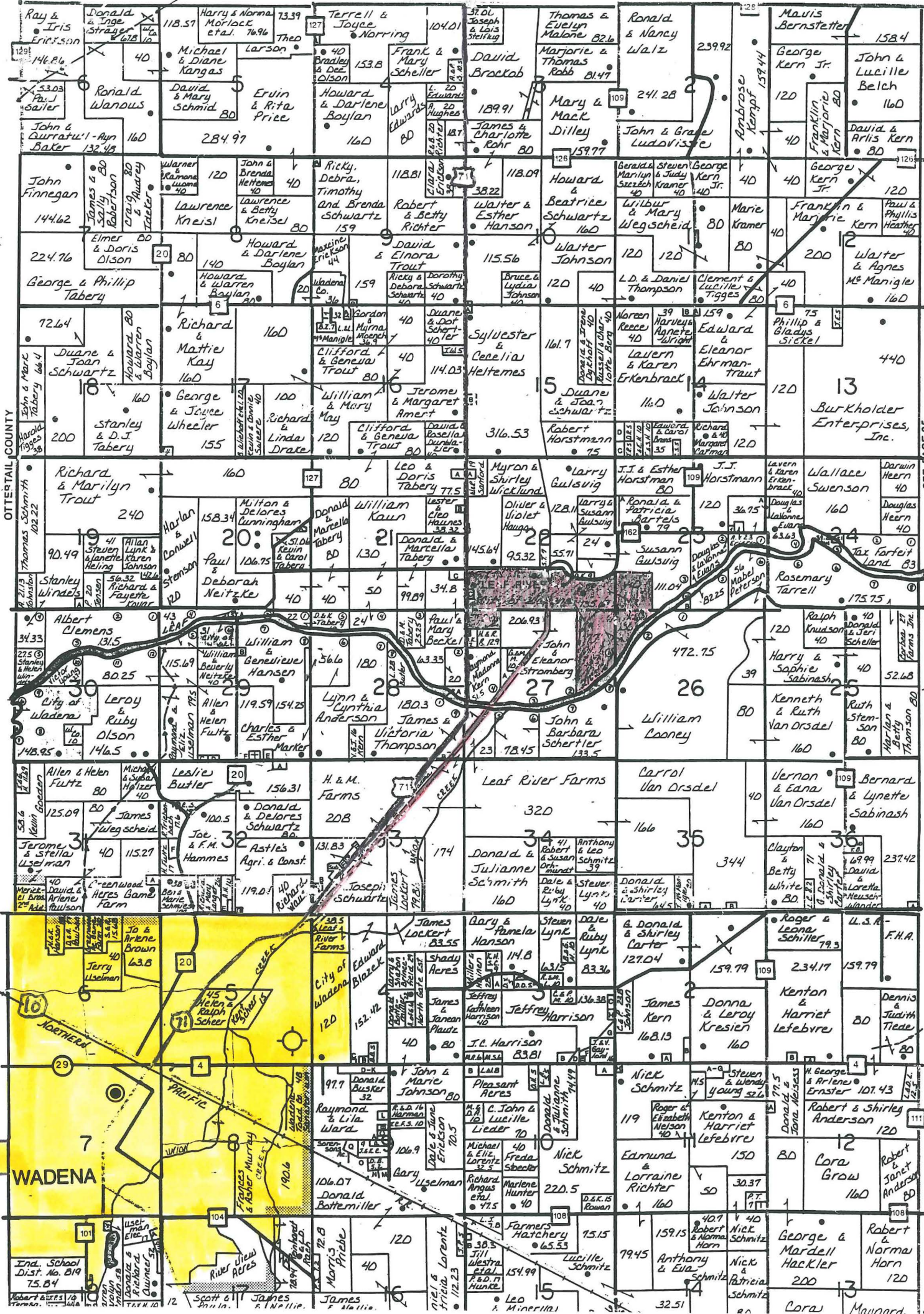
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OTTERTAIL COUNTY

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WADENA

Leaf River Farms

Ind. School Dist. No. B19 75.84

Robert & Norma Horn 120