

ORDINANCE NO. 216 - 3RD SERIES

AN ORDINANCE OF THE CITY OF EAST GRAND FORKS, MINNESOTA, ANNEXING A PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AND OF THE WESTERLY TEN ACRES OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION SEVEN (7), TOWNSHIP ONE HUNDRED FIFTY-ONE (151) NORTH, RANGE FORTY-NINE (49) WEST OF THE FIFTH PRINCIPAL MERIDIAN, POLK COUNTY, MINNESOTA.

## THE CITY OF EAST GRAND FORKS ORDAINS:

Section 1. This annexation ordinance is being passed and adopted pursuant to the provisions of Minnesota statute §414.033, Subdivision 2(3).

Section 2. On or about October 16, 1997, the City of East Grand Forks, Minnesota received a "Petition for Annexation of Real Property into the City of East Grand Forks, Minnesota" dated October 15, 1997 and signed by the Secretary-Treasurer of Park West, Ltd. and the Mayor and Clerk-Treasurer of East Grand Forks, Minnesota.

Section 3. The area described in the Petition is owned by Park West, Ltd. and the City of East Grand Forks, Minnesota, abuts the City, contains approximately 19.41 acres more or less, and is unpopulated.

Section 4. Pursuant to Minnesota statute §414.033, Subdivision 2(b), a public hearing of the Petition was held by the East Grand Forks City Council at its regularly scheduled meeting commencing at 7:30 o'clock p.m. on November 20, 1997, notice of such hearing being posted and published in The Exponent newspaper on November 5, 1997. No objections to the Petition were heard by the East Grand Forks City Council at the public hearing.

Section 5. Pursuant to Minnesota statute §414.033, Subdivision 2(b), a notice of the annexation Petition and public hearing was mailed by certified mail on October 21, 1997 to the town affected by the proposed annexation ordinance and to all landowners within and contiguous to the area to be annexed.

Section 6. In their Petition the Petitioners waived the 30 day notice required by Minnesota statute §414.033, Subdivision 13 that the cost of electric utility service to the Petitioners may change if the subject real property is annexed into the City.

Section 7. The City hereby annexes real property situated in the Township of Huntsville, County of Polk, State of Minnesota, legally described as follows, to-wit:

That part of the Southeast Quarter of the Southwest Quarter and the Westerly 10.00 acres of the Southwest Quarter of the Southeast Quarter of Section 7, Township 151 North, Range 49 West of the 5th Principal Meridian, Polk County, Minnesota described as follows:

Commencing at the northeast corner of said Southeast Quarter of the Southwest Quarter of Section 7; thence southerly along the east line of said Southeast Quarter of the Southwest Quarter having an assumed bearing of South 00 degrees 24 minutes 54 seconds West a distance of 375.00 feet to the point of beginning; thence North 89 degrees 19 minutes 10 seconds East parallel with the north line of said Southwest Quarter of the Southeast Quarter a distance of 340.56 feet to the east line of said Westerly 10.00 acres of the Southwest Quarter of the Southeast Quarter; thence South 00 degrees 24 minutes 54 seconds West along said east line a distance of 901.39 feet to the southeast corner of said Westerly 10.00 acres of the Southwest Quarter of the Southeast Quarter; thence South 88 degrees 22 minutes 49 seconds West along the south line of said Southwest Quarter of the Southeast Quarter a distance of 340.72 feet to the southeast corner of said Southeast Quarter of the Southwest Quarter; thence South 88 degrees 48 minutes 04 seconds West along the south line of said Southeast Quarter of the Southwest Quarter a distance of 577.94 feet; thence North 00 degrees 46 minutes 30 seconds West parallel with the West line of said Southeast Quarter of the Southwest Quarter a distance of 923.46 feet to a line being 375.00 feet southerly of and parallel with the north line of said Southeast Quarter of the Southwest Quarter; thence South 89 degrees 35 minutes 03 seconds East along said parallel line a distance of 596.88 to the point of beginning. Containing 19.41 acres more or less.

Section 8. The City Clerk-Treasurer is hereby directed to file certified copies of this Ordinance with the Minnesota Municipal Board, Huntsville Township, Polk County Auditor, and the Minnesota Secretary of State.

Section 9. City Code Chapter 1 entitled "Definitions and General Provisions Applicable to Entire City Code Including Penalty for Violation" is hereby adopted in its entirety, by reference, as though repeated verbatim herein.

DECEMBER 2 1997

Section 10. This ordinance shall take effect and be in force from and after its passage and publication and be given the Number 216, 3rd Series, and after its approval by the Minnesota Municipal Board.

VOTING AYE: Krassel, Trembath, Mongoven, Wogaman, Cosmey, Hagen, Beauchamp  
VOTING NAY: None  
ABSENT: None

The President declared the Ordinance passed.

ATTEST:

PASSED: December 2, 1997

D. E. Mack  
Clerk-Treasurer

Robert C. Beauchamp  
President of Council

I hereby approve the foregoing Ordinance this 8<sup>th</sup> day of December, 1997.

Lynn Stauss  
Mayor

(ORD-PARK.doc/kl26-97jc)

DEC 24 1997

CENTER OF  
SECTION 7-151-49

7-151-49

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SE'14

NE  $\frac{1}{4}$  SW  $\frac{1}{4}$ .

GLS

~ NW  $\frac{1}{4}$  SE  $\frac{1}{4}$

Commence

Point of Beginning

SW 1/4 SE 1/4

SE SW 1/4

40-41

40-42

40-410135  
250  
40-4101

40-41.01

577.94

340.72

REC'D BY DEC 24 1960

ANNEXED  
PROPERTY

