

ORDINANCE NO. 236 3RD SERIES

AN ORDINANCE OF THE CITY OF EAST GRAND FORKS, MINNESOTA, ANNEXING A PORTION OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 151 NORTH, RANGE 50 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 provisions of Minnesota Statute §414.033, Subdivision 2(3).

Section 2. On or about December 8, 1998, the City of East Grand Forks, Minnesota received a "Petition for Annexation of Real Property into the City of East Grand Forks, Minnesota" dated December 8, 1998 and signed by Charlene Absey, single.

Section 3. The area described in the Petition is owned by Charlene Absey, abuts the municipality, is 60 acres or less, and is not presently served by public sewer facilities, or public facilities are not otherwise available.

Section 4. The perimeter of the area to be annexed is 60% or more bordered by the municipality and the area to be annexed is 40 acres or less.

Section 5. A Notice of Filing of a Petition for Annexation of Real Property into the City of East Grand Forks, Minnesota, and a copy of the Petition for Annexation of Real Property into the City of East Grand Forks, Minnesota, was sent via certified mail return receipt requested to all land owners within and contiguous to the area to be annexed and to Rhinehart Township thirty (30) days prior to a public hearing of the matter.

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

Section 7. A Notice of the Annexation Petition was mailed to the Minnesota Municipal Board, to the Town Board of Rhinehart Township, and to the Polk County Clerk and Polk County Auditor on December 9, 1998.

Section 8. The City Council hereby determines that the real property described in the Petition is now or is about to become urban or suburban in character.

Section 9. The City hereby annexes real property situated in the Township of Rhinehart, County of Polk, State of Minnesota, legally described as follows, to-wit:

That part of the West one-half of the Southwest quarter of the Southeast quarter (W1/2 of SW1/4 of SE1/4) Section Twelve (12) Township One Hundred Fifty-one (151) North of Range Fifty (50) West of the Fifth Principal Meridian, described as follows: Commencing at a point on the quarter line running North and South through said Section twelve, which point is 124 feet North of the Southwest corner of said SE1/4; thence East parallel to and 124 feet distant from the South line of said Section a distance of 190 feet; thence North a distance of 61 feet; thence West and parallel to the South line of said Section a distance of 190 feet to the quarter line running North and South through said Section 12; thence South along said quarter line a distance of 61 feet to the point of beginning.

Section 10. The City Clerk-Treasurer is hereby directed to file certified copies of this Ordinance with the Minnesota Municipal Board, the Town Board of Rhinehart Township, the Polk County Auditor, and the Minnesota Secretary of State.

Section 11. 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.

Section 12. This ordinance shall take effect and be in force from and after its passage and publication and be given the Number 236, 3rd Series, and after its approval by the Minnesota Municipal Board.

VOTING AYE: Torgerson, Wogaman, Holy, Hagen, Beauchamp, Grassel, Trembath  
VOTING NAY: None  
ABSENT: None

The President declared the Ordinance passed.

ATTEST:

PASSED: February 2, 1999

D.E. Mack  
Clerk-Treasurer

R.C. Beauchamp  
President of Council

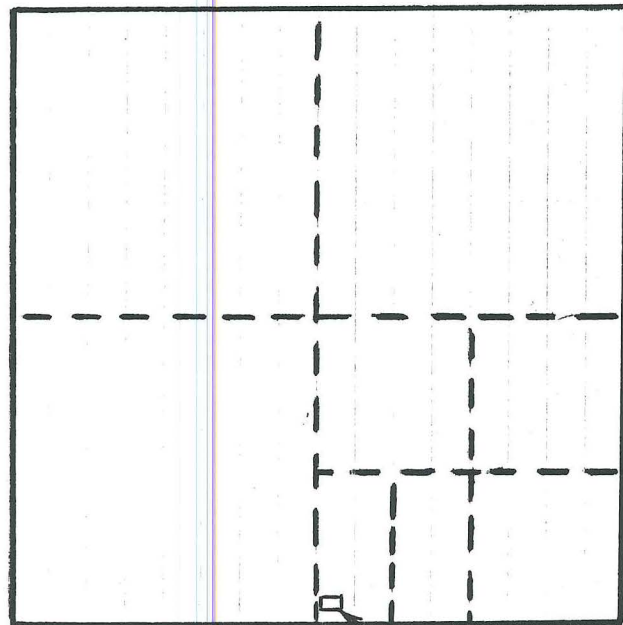
I hereby approve the foregoing Ordinance this 8<sup>th</sup> day of February, 1999.

Ryan Staus  
Mayor

(ORD-ANNEX/kl34-99jc)



REC'D. BY  
MAB MAY 24 1999



Section 12-151-50

ANNEXED PROPERTY

NORTH



1/4  
line

190

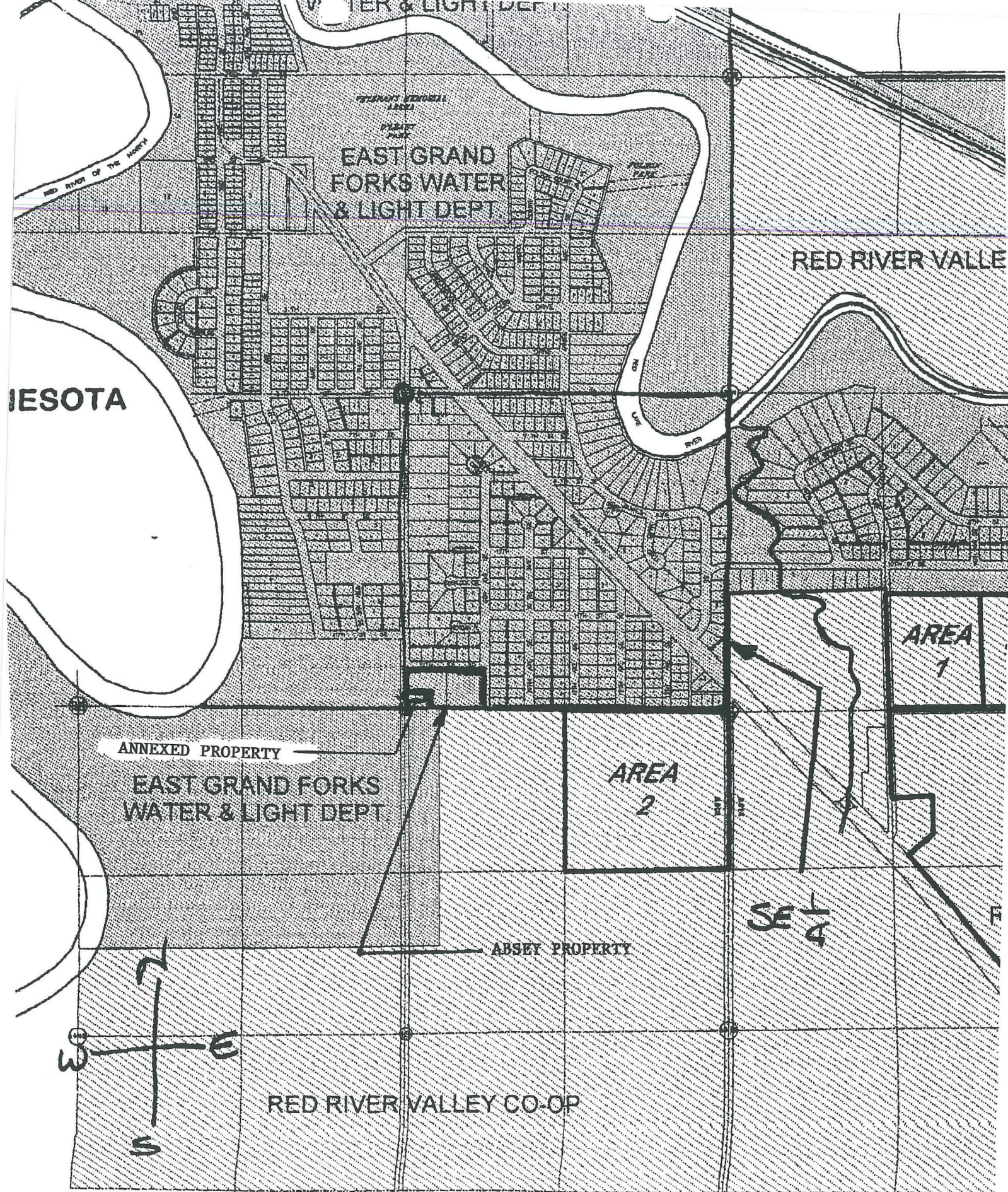
61

124

South Section Line

Southwest Corner of SE1/4





REC'D BY MAY 24 1999  
M/AB