

BEFORE THE OFFICE OF STRATEGIC
AND LONG RANGE PLANNING
OF THE STATE OF MINNESOTA

IN THE MATTER OF THE PETITION FOR) ORDER ALLOWING
THE ANNEXATION OF CERTAIN LAND) WITHDRAWAL OF OBJECTION
TO THE CITY OF DEER RIVER PURSUANT) AND NOTICE OF
TO MINNESOTA STATUTES 414) CANCELLATION OF HEARING

WHEREAS, on September 5, 2000, a petition requesting the annexation of certain property to the City of Deer River was filed with the Office of Strategic and Long-Range Planning (hereinafter referred to as "Minnesota Planning") pursuant to Minnesota Statutes 414.033, Subd. 5; and

WHEREAS, an objection by the Town of Morse was received on September 27, 2000; and

WHEREAS, on October 16, 2000, the Director of Minnesota Planning, pursuant to Minnesota Statutes 414.01, Subd. 16, ordered the City of Deer River, the Town of Morse, and the petitioners to meet up to three times over a period of sixty days to address resolution of contested issues; and

WHEREAS, after due and appropriate legal notice, a hearing was convened on the petition on November 9, 2000 pursuant to statutory requirements, and was continued to an indefinite date to allow the parties time to complete the directed meetings; and

WHEREAS, on December 29, 2000, Minnesota Planning received a request from the Town of Morse to withdraw their objection to the annexation; and

WHEREAS, on January 18, 2001, the Director of Minnesota Planning granted

Town of Morse's request to withdraw its objections and cancel the continued hearing;

IT IS HEREBY ORDERED: That the above-entitled objection is withdrawn and the continued hearing in this matter is canceled. The City of Deer River may now proceed to annex the following described property by ordinance:

James Liston and Donna Liston: That portion of Government Lot Two (2), Section Thirty-five (35), Township One Hundred Forty-five (145) North, Range Twenty-five (25) West of the Fifth Principal Meridian, lying and being North of U.S. Highway No. 2, LESS Revised Descriptions 1-12,

AND

That portion of Lot Two (2), Section Thirty-five (35), Township One Hundred Forty-five (145) North, Range Twenty-five (25) West of the Fifth Principal Meridian, described as follows: Commencing at the Northwest corner of Lot Two (2); thence South on West line 117.6 feet; thence South 58 degrees 51 minutes 15 seconds East a distance of 1067.55 feet to the point of beginning. Thence Southeast on same bearing, 100.0 feet; thence right a 90 degrees in southwesterly direction a distance of 150.0 feet; thence right at 90 degrees (along the Northerly boundary of US Highway #2) a distance of 100.0 feet; thence right at 90 degrees in Northeasterly direction a distance of 150 feet to the point of beginning. Containing .34 acres, more or less. (Revised Description No. 4)

James Tubbs and Melvina Tubbs: A tract of land situated in Government Lot Two (2), Section Thirty-five (35), Township One Hundred Forty-five (145), Range Twenty-five (25), described as follows: Commencing at the Northwest corner of said Lot 2 and assuming West boundary of Lot 2 as being a north and south bearing; thence south along the west boundary of Lot 2 a distance of 292.3 feet to the northerly boundary of U.S. Highway #2; thence South 58° 51' 15" East along the northerly boundary of Highway a distance of 576.9 feet to the point of beginning; thence North 31° 08' 45" East a distance of 150 feet; thence South 58° 51' 15" East a distance of 100 feet; thence South 31° 08' 45" West a distance of 150 feet to northerly boundary of Highway; thence along northerly boundary of Highway a distance of 100 feet to point of beginning. Tract containing 0.34 acres more or less. (Revised Description No. 3)

AND

All that part of Government Lot Two (2), Section Thirty-five (35), Township One Hundred Forty-five (145), Range Twenty-five (25), lying North of U.S. Highway 2 described as follows: Commencing at a point on the ¼ Section corner between Sections Twenty-six (26) and Thirty-five (35), Township 145, Range 25, on a South bearing along the North and South ¼ line Section 35, Township 145, Range 25 a distance of 117.6 feet; thence in a Southeasterly direction along a bearing of South 58 degrees 51 minutes 15 seconds East a distance of 667.55 feet to a point; thence Southeasterly on the same bearing a distance of 500 feet to the point of beginning; thence continuing Southeasterly on the same bearing a distance of 125 feet to a point; thence at right angles South and West a distance of 150 feet to the North boundary of U.S. Highway #2; thence North and West along said boundary of U.S. Highway #2 a distance of 125 feet to a point; thence at right angles North and East a distance of 150 feet to the point of beginning, according to the government survey thereof on file and of record with the County Recorder of and for said County and State. (Revised Description No. 12)

Earl Seelye: All that part of Government Lot Two (2), Section Thirty Five (35), Township One Hundred Forty-five (145) North, Range Twenty-five (25), West of the Fifth Principal Meridian lying North of U.S. Highway No. 2, described as follows: South from the $\frac{1}{4}$ Section corner between Sections 26 and 35 on the South bearing along the North and South $\frac{1}{4}$ line of Section 35, a distance of 292.9 feet; thence in a Southeasterly direction on a bearing of South 58 degrees 51 minutes 15 seconds East a distance of 76.90 feet along the North right of way line of U.S. Highway 2 to a point; thence North 31 degrees 08 minutes 45 seconds East a distance of 381.71 feet to the point of beginning; thence returning to the previous point and proceeding South 58 degrees 51 minutes 15 seconds East along the North right of way line of U.S. Highway 2 a distance of 500 feet to a point; thence proceeding North 31 degrees 08 minutes 45 seconds East a distance of 665.93 feet to the North line of Government Lot 2; thence proceeding West along the North line of Government Lot 2 to the point of beginning.

Joseph Gareri: That part of Government Lot Two (2), Section Thirty-five (35), Township One Hundred Forty-five (145) North, Range Twenty-five (25), West of the Fifth Principal Meridian, Itasca County, Minnesota lying Northerly of the northerly right of way line of U.S. Highway No. 2 and Westerly of the following described line: Commencing at the Northwest corner of said Government Lot 2; thence South, bearing assumed, along the West line of said Government Lot 2, a distance of 293.94 feet to the Northerly right of way of U.S. Highway No. 2; thence South 58 degrees 51 minutes 15 seconds East, along said Northerly right of way, a distance of 76.90 feet to the point of beginning of the line to be described; thence North 31 degrees 08 minutes 45 seconds East, a distance of 381.71 feet to the North line of said Government Lot 2 and there terminate. (Revised Description No. 9)

AND

The Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$), Section Thirty-five (35), Township One Hundred Forty-five (145) North, Range Twenty-five (25) West of the Fifth Principal Meridian LESS the West 395.1 feet of that part lying and being North and East of U.S. Highway No. 2

AND

The Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$), Section Twenty-six (26), Township One Hundred Forty-five (145) North, Range Twenty-five (25) West of the Fifth Principal Meridian.

AND

The Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$), Section Twenty-six (26), Township One Hundred Forty-five (145) North, Range Twenty-five (25) West of the Fifth Principal Meridian, LESS the West 395.1 feet of the East 610.1 feet of the South 330 feet.

Fred Bartick and Kathy Bartick: The West 395.1 feet of the East 610.1 feet of the South 330 feet of the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$), Section Twenty-six (26), Township One Hundred Forty-five (145) North, Range Twenty-five (25) West of the Fifth Principal Meridian.

AND

The West 395.1 feet of that part of the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$), Section Thirty-five (35), Township One Hundred Forty-five (145) North, Range

Twenty-five (25) West of the Fifth Principal Meridian lying and being North and East of U.S. Highway No. 2.

IT IS FURTHER ORDERED: That the effective date of this order is January 18, 2001.

Dated this 19th day of January, 2001.

Office of Strategic and Long Range Planning
658 Cedar Street - Room 300
St. Paul, MN 55155-1603

A handwritten signature in black ink, reading "Christine M. Scotillo". The signature is written in a cursive, flowing style.

Christine M. Scotillo
Executive Director
Municipal Boundary Adjustments