

ORDINANCE NO. 58. FIFTH SERIES

AN ORDINANCE OF THE CITY OF FERGUS FALLS
ANNEXING LAND LOCATED IN THE TOWN OF BUSE,
OTTER TAIL COUNTY, MINNESOTA, TO THE CITY OF
FERGUS FALLS, OTTER TAIL COUNTY, MINNESOTA,
PURSUANT TO MINNESOTA STATUTES SECTION
414.033, PERMITTING ANNEXATION BY ORDINANCE.

RECITALS

The City of Fergus Falls hereby makes the following findings:

A.

The City is in receipt of a Petition for Annexation duly signed by Rogness Brothers, a general partnership, for the annexation of the following described tracts of land situated in the Township of Buse, Otter Tail County, Minnesota, described as follows, to-wit:

Parcel A:

Lot 40 and the South 184 feet of Lot 25, State Subdivision of the South Half (S½) of Section Four (4), Township One Hundred Thirty-two (132) and Range Forty-three (43), except those portions of said Lots 40 and 25 which have been acquired for highway purposes.

and

Parcel B:

All that part of Lot 25, described as follows: Commencing at the Northeast corner of said State Subdivision Lot 25, thence running south on the Easterly boundary of said Lot 25 for a distance of 226 feet to the point of beginning; thence running Westerly parallel with the north line of said Lot 25 to a point which is 200 feet Easterly (measured along a line parallel with the north line of said Lot 25) of the Easterly right of way line of County Aid Road No. 1; thence Southerly parallel to the Easterly right of way line of County Aid Road No. 1 to a point on the Northerly boundary of a tract described as the south 184 feet of said Lot 25; thence running Easterly on the Northerly boundary of a tract described as the south 184 feet of said

Lot 25 to the Easterly boundary of said Lot 25; thence northerly on the easterly boundary of said Lot 25 to the point of beginning; except those portions of said Lot 25 which have been acquired by the State of Minnesota for highway purposes, said Lot being in the State subdivision of the South Half (S½) of Section 4, Township 132, Range 43, according to the recorded plat thereof.

and

Parcel C:

That part of State Subdivision Lot 25 of the South Half (S½) of Section 4, Township 132, Range 43, Otter Tail County, Minnesota, according to the recorded plat thereof described as follows: Commencing at the intersection of the Easterly right of way line of County Aid Road No. 1 and the South line of said State Subdivision Lot 25, thence Northerly 84 feet along the Easterly right of way line of County Aid Road No. 1 to the point of beginning; thence Easterly from said described point of beginning, along a line and at right angles to the Easterly right of way line of County Aid Road No. 1 for a distance of 200 feet to a point, thence northerly along a line and parallel to the Easterly right of way line of County Aid Road No. 1 for a distance of 200 feet to a point, thence Westerly along a line for a distance of 200 feet to a point on the Easterly right of way line of County Aid Road No. 1, thence Southerly along a line which line is also the Easterly right of way line of County Aid Road No. 1 for a distance of 200 feet to the point of beginning.

and

Parcel 4:

The westerly 392 feet of sublots Seven (7) and Ten (10), all of sublots Eight (8), Nine (9), and Twenty-four (24), all of the same being a portion of State Subdivision of the South Half (S½) of Section Four (4), Township One Hundred Thirty-two (132), Range Forty-three (43), excepting therefrom all highways, roadways, highway easements and any other easements of record and further excepting the following described tracts of land, to-wit:

Exception #1: The South 400 feet of the East 300 feet of the West 392 feet of Sublot Ten (10) of the State Subdivision of

the South Half (S½) of Section Four (4), Township One Hundred Thirty-two (132), Range Forty-three (43), together with a right of access for ingress and egress as an easement along and over the existing roadway entering said premises which extends generally along the East 2 rods of the West 65 feet of Sublot Seven (7) and Ten (10) of said Auditor's Subdivision.

Exception #2: The East 300.00 feet of the West 392.00 feet of Sublot 10 of the State Subdivision of the South Half of Section 4, Township 132, Range 43, Otter Tail County, Minnesota, according to the recorded plat thereof, except the South 400.00 feet of said Sublot 10.

Exception #3: The South 73.00 feet of the East 300.00 feet of the West 392.00 feet of Sublot 7 of the State Subdivision of the South Half (S½) of Section 4, Township 132, Range 43, Otter Tail County, Minnesota, according to the recorded plat thereof.

B.

The Petitioner is requesting annexation of the above described tracts of land for the reason that Petitioner desires to develop said tracts of land for residential purposes and is in need of municipal, water and sewer services.

C.

The tracts of land described above are unincorporated and abutt the southerly corporate limits of the City of Fergus Falls, Minnesota.

D.

The tracts of land to be annexed are urban or suburban or about to become so by reason of the proposed residential development in the area included in this ordinance.

E.

The tracts of land described above contain 34.43 acres, more or less.

F.

The population of the area to be annexed is 0 people.

G.

The City of Fergus Falls held a public hearing on this matter on October 16, 2000, and has provided thirty (30) days written notice by certified mail to the Township of Buse and to all land owners within and contiguous to the area to be annexed.

H.

This annexation is brought under the sixty acre provision of the above referenced statute and the area to be annexed does not lie in a flood plain or shoreland area.

BASED UPON THE FOREGOING AND PURSUANT TO MINNESOTA STATUTES SECTION 414.033, THE CITY OF FERGUS FALLS DOES ORDAIN:

1. The following tracts of land are hereby annexed to the City of Fergus Falls, Minnesota:

Parcel A:

Lot 40 and the South 184 feet of Lot 25, State Subdivision of the South Half (S½) of Section Four (4), Township One Hundred Thirty-two (132) and Range Forty-three (43), except those portions of said Lots 40 and 25 which have been acquired for highway purposes.

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Parcel B:

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Northerly boundary of a tract described as the south 184 feet of said Lot 25 to the Easterly boundary of said Lot 25; thence northerly on the easterly boundary of said Lot 25 to the point of beginning; except those portions of said Lot 25 which have been acquired by the State of Minnesota for highway purposes, said Lot being in the State subdivision of the South Half (S½) of Section 4, Township 132, Range 43, according to the recorded plat thereof.

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Parcel C:

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and

Parcel 4:

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Exception #3: The South 73.00 feet of the East 300.00 feet of the West 392.00 feet of Sublot 7 of the State Subdivision of the South Half (S½) of Section 4, Township 132, Range 43, Otter Tail County, Minnesota, according to the recorded plat thereof.

2. The Township of Buse, Otter Tail County, Minnesota, may continue to levy on the annexed area for calendar year 2000. The City of Fergus Falls will levy on the annexed area for the year 2001 and thereafter. In the first year following the year when the City of Fergus Falls can first levy on the annexed area and thereafter, property taxes on the annexed land shall be paid to the City of Fergus Falls but the City of Fergus Falls shall make a cash payment to the Township of Buse, Otter Tail County, Minnesota, for the period and in accordance with the following schedule:

On June 30 of each year during the following schedule, the City of Fergus shall pay to the Township of Buse, Otter Tail County, Minnesota, the following:

2001	\$236.58
2002	\$243.68
2003	\$250.99
2004	\$258.52
2005	\$266.27

3. The effective date of this ordinance shall be on the date the ordinance is approved by the Minnesota Planning Agency of the State of Minnesota.

THIS ORDINANCE was introduced on October 16, 2000, and adopted by the City Council of the City of Fergus Falls, Minnesota, on the 16th day of October, 2000, by the following vote:

AYES: Whipple, Bergerud, Kvenvolden, Anderson, Melby, Fish, Shelstad

NAYS: None

ABSENT: Hunt

ATTEST:

APPROVED:



City Administrator



Mayor

Published in the Fergus Falls Daily Journal on November 22, 2000.

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and city/rogness.ann/ordinace.o00

Ordinance No. 58 - Fifth Series
Annexation of ROGNER'S Property
IN Base Twp.

