

ORDINANCE NO 233
AN ORDINANCE EXTENDING THE CORPORATE LIMITS
OF THE CITY OF DETROIT LAKES, MINNESOTA TO
INCLUDE CERTAIN UNINCORPORATED UNPLATTED
LAND ABUTTING UPON THE CITY LIMITS
(Helen Taylor/Randolph Road)

WHEREAS, a certain petition dated August 28, 2002, requesting annexation of the territory hereinafter described was duly presented to the Council; and

WHEREAS, the petition was signed by all owners; and

WHEREAS, a Public Hearing was held and proper notices were sent to the adjoining property owners and the town board or the government body of any municipality whose boundaries abut upon the boundaries of the land to be annexed; and

WHEREAS, the land described in the petition abuts upon the City limits at the easterly boundary thereof;

NOW THEREFORE, the City Council of the City of Detroit Lakes, Minnesota, does hereby ordain:

Section 1. The City Council hereby determines: 1) that the territory described herein abuts upon the City limits and is urban or suburban in character; and 2) that none of the territory is now included within the limits of any city.

Section 2. The population of the territory is one (1)

Section 3. The territory to be annexed is 0.32 acres, more or less.

Section 4. Upon annexation, the territory annexed will be zoned "R-2" one and two Family Residence District.

Section 5. Territory Annexed. The corporate limits of the City of Detroit Lakes are hereby extended to include the unplatted territory described as follows and the same hereby annexed to and included within the City as effectually as if it had been originally been a part thereof:

Tract A:

That portion of the Burlington Northern Inc. Railroad right of way located within the fence line
Land Description:

That part of the Northwest Quarter of the Southwest Quarter and that part of Government Lot 2 in Section 36, Township 139 North, Range 41 West of the Fifth Principal Meridian in Becker County, Minnesota, described as follows:

Commencing at a southwest corner of said Northwest Quarter of the Southwest Quarter; thence North 01 degree 35 minutes 34 seconds East 35.74 feet on an assumed bearing along the west line of said Northwest Quarter of the Southwest Quarter to the northeasterly right of way line of the Burlington Northern Inc. Railroad; thence South 56 degrees 31 minutes 19 seconds East 49.31 feet along the northeasterly right of way line of said Burlington Northern Inc. Railroad to the point of beginning; thence continuing South 56 degrees 31 minutes 19 seconds East 167.44 feet along the northeasterly right of way line of said Burlington Northern Inc. Railroad; thence South 05 degrees 30 minutes 08 seconds West 41.56 feet; thence North 57 degrees 18 minutes 04 seconds West 184.72 feet; thence North 02 degrees 24 minutes 17 seconds East 27.78 feet; thence North 71 degrees 37 minutes 16 seconds East 19.61 feet to the point of beginning. The above-described tract contains 6952 square feet (0.16 of an acre).

Tri ct B:

REC'D BY
MMB

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That part of the Southwest Quarter of the Southwest Quarter (SW ¼ SW ¼) of Section 36, Township 139 North, Range 41 West of the Fifth Principal Meridian described as follows:

Beginning on the North line of the SW ¼ SW ¼ of Section 36, being Lot 2, in the Township and Range aforesaid, where said line is intersected by the North line of the right of way of the Northern Pacific Railroad; thence east on said north line a distance of 11 rods and 6 feet from the West line of said Section 36; thence South a distance approximately 4 rods and 12 feet to north line of right of way of the Northern Pacific Railroad; thence northwesterly along North line of said right of way to place of beginning.

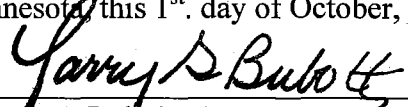
and

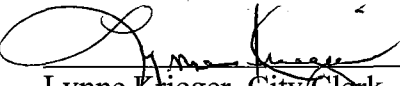
Beginning on the North line of the Southwest Quarter of the Southwest Quarter (SW ¼ SW ¼) of Section 36, being Lot 2 in Township 139 North, Range 41 West of the Fifth Principal Meridian, Becker County, Minnesota where said line is intersected by the North line of the right of way of the Northern Pacific Railroad; thence East on said North line of a distance of 200 feet from the West line of said Section 36; thence South in a straight line to the North line of the right of way of the Northern Pacific Railroad, thence Northwesterly along the north line of said Northern Pacific Railroad right of way to the place of beginning, and there terminating; the aforesaid described premises being a part of the SW ¼ SW ¼ of Section 36, Township 139 North, Range 41 West of the 5th P.M. in Becker Co., Minnesota.

Section 6. Filing. The City Clerk is hereby directed to file certified copies of this Ordinance with the Office of State Planning or its successor agency, the Secretary of State, the Town Clerk, and the County Auditor.

Section 7. Effective Date of Annexation. This Ordinance takes effect upon passage and publication and the filing of certified copies as directed in Section 6, and approval as required by State Law.

Adopted by the City Council of the City of Detroit Lakes, Minnesota, this 1st. day of October, 2002


Larry G. Buboltz, Mayor 3


Lynne Krieger, City Clerk
First Reading: September 3, 2002
Second Reading: October 1, 2002

STATE OF MINNESOTA
COUNTY OF BECKER } ss
CITY OF DETROIT LAKES

I do hereby certify that the foregoing resolution is a true and correct copy of a resolution presented to and adopted by the City Council of the City of Detroit Lakes, Minnesota, at a duly authorized meeting thereof held on the 15th day of Oct., 19~~02~~ as shown by the minutes of said meeting in my possession. I further certify that this resolution has not been rescinded or modified and is still in force and effect.

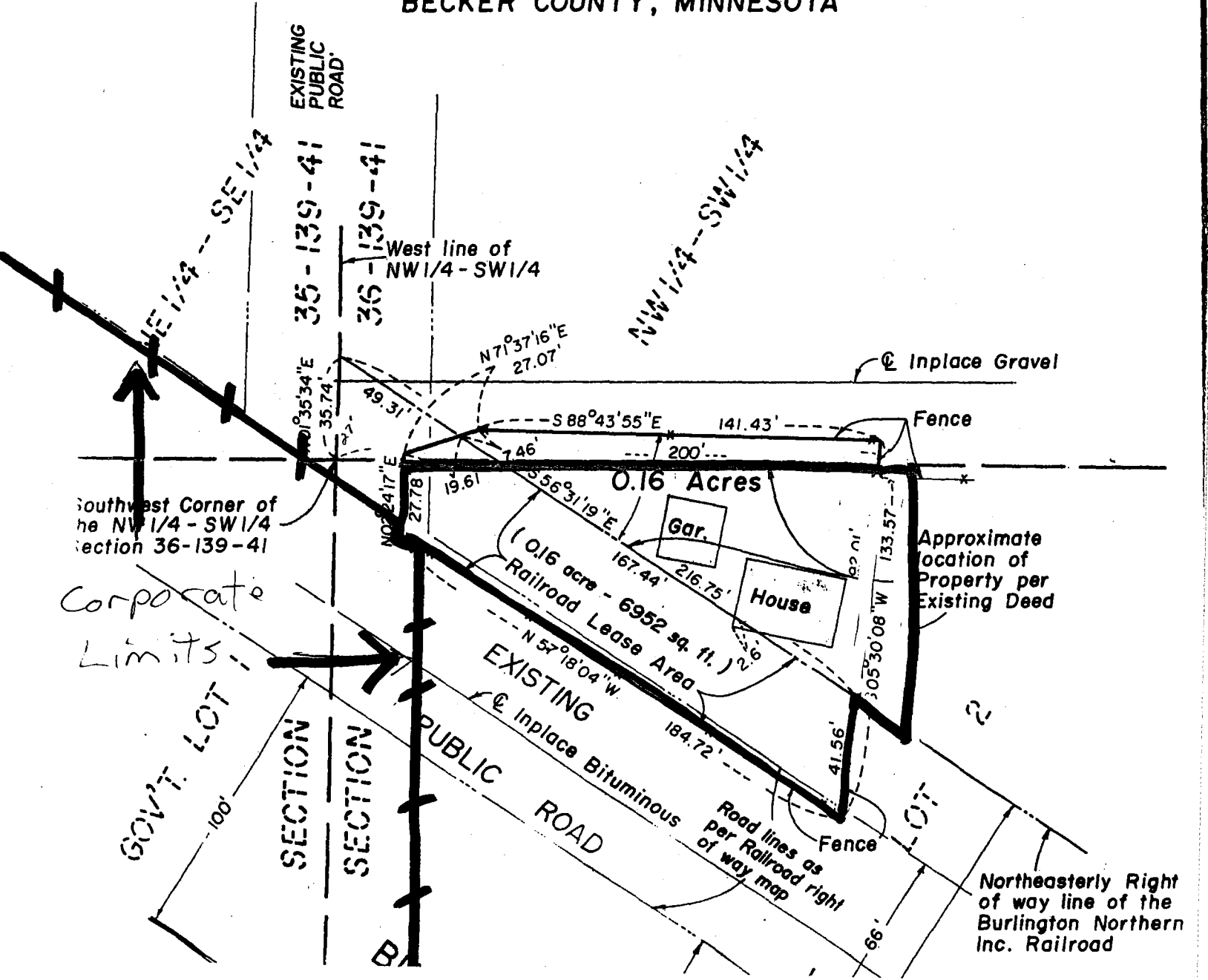
Dated this 16th day of Nov., 19 2002


Asst. City Administrator

REC'D BY
MMB

NOV 08 2002

EXHIBIT MAP
HELEN TAYLOR VS. JOHN STEINHAUS
IN SECTION 36-139-41
BECKER COUNTY, MINNESOTA



Southwest Corner of
the NW 1/4 - SW 1/4
Section 36-139-41

Corporate
Limits

GOVT. LOT
100'

SECTION

SECTION

PUBLIC ROAD

EXISTING
PUBLIC ROAD

Road lines as
per Railroad right
of way map

Approximate
location of
Property per
Existing Deed

Northeasterly Right
of way line of the
Burlington Northern
Inc. Railroad

0.16 Acres

Gar.

House

(0.16 acre - 6952 sq. ft.)
Railroad Lease Area

Inplace Gravel

Fence

141.43'

$N 71^{\circ} 37' 16'' E$
27.07'

$S 88^{\circ} 43' 55'' E$

EXISTING
PUBLIC
ROAD

36 - 139 - 41

36 - 139 - 41

West line of
NW 1/4 - SW 1/4

$N 71^{\circ} 35' 34'' E$
35.74'

$N 02^{\circ} 24' 17'' E$
27.78'

EXISTING
PUBLIC ROAD

EXISTING
PUBLIC ROAD

Fence

66'

133.57'

105.30' 08" W

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