

**ORDINANCE NO. 271 - 3RD SERIES**

AN ORDINANCE OF THE CITY OF EAST GRAND FORKS, MINNESOTA, ANNEXING PART OF GOVERNMENT LOTS ONE (1) AND TWO (2), SECTION EIGHTEEN (18), AND THE SOUTH THREE-FOURTHS OF GOVERNMENT LOT FOUR (4), SECTION SEVEN (7), AND PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION EIGHTEEN (18), ALL IN TOWNSHIP ONE HUNDRED FIFTY-ONE (151) NORTH, RANGE FORTY-NINE (49) WEST OF THE 5TH PRINCIPAL MERIDIAN, HUNTSVILLE TOWNSHIP, POLK COUNTY, MINNESOTA, LYING NORTHEAST OF STATE HIGHWAY #220,

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, Subd. 2, clause 2.

Section 2. The real property which is the subject and object of this annexation ordinance (hereinafter referred to as the "Subject Real Property") is completely surrounded by land within the limits of the City of East Grand Forks, Minnesota (hereinafter referred to as the "City"), is situated in Huntsville Township, Polk County, Minnesota, and is legally described as follows:

That part of Lots 1 and 2 in Section 18, and the south Three-fourths (3/4's) of Lot 4 in Section 7, all in Township 151 North, Range 49 West of the 5th Principal meridian, lying northeast of State Highway 220 running through the said lots in a northwesterly direction, except the 6 tracts conveyed, according to the plat thereof on file and of record in the office of the Register of deeds in and for said Polk County, Minnesota (the "Stokes" property),

Parcel No. **40.00044.00**, and  
Parcel No. **40.00144.00**,

**and**

The East 334 feet of the North 130.4 feet of the South 3/4 of Lot 4, Section 7, Township 151, Range 49, Polk County, Minnesota (the "Beauchamp" property),

Parcel No. **40.00045.01**,

**and**

The East 334 feet of the South 65.2 feet of the North 195.6 feet of the South three-quarters of Government Lot 4, Section 7, Township 151 North, Range 49 West of the 5th Principal Meridian, Polk County, Minnesota (the "Senger" property),

Parcel No. **40.00045.00**,

**and**

The East 285 feet of the South 76.4 feet of the North 272.0 feet of the South three quarters of Government Lot 4, Section 7, Township 151 North, Range 49 West of the 5th Principal Meridian, containing one-half acre, more or less (the "Grassel" property),

Parcel No. **40.00047.00**,

**and**

The East 285 feet of the South 76.4 feet of the North 348.4 feet of the South three-quarters of Government Lot 4, Section 7, Township 151 North, Range 49 West of the 5th Principal Meridian, containing one-half acre, more or less (the "Zavoral" property),

Parcel No. **40.00046.00**,

**and**

A tract of land in Government Lot 1 of Section 18, Township 151 North, Range 49 West of the 5th principal Meridian, more particularly described as follows:

Commencing at the Northeast corner of Government Lot 1 in said Section 18; thence south along the lot line, which for the purpose of this description is assumed to be a meridian, a distance of 870.0 feet to the point of beginning; thence south along the lot line a distance of 200.0 feet to a point; thence deflecting to the left on a circular curve with a radius of 28,722.9 feet, having it's radius point 18,876.7 feet south of and 21,821.8 feet west of the point of beginning, a distance of 335.12 feet along the right-of-way line of State Highway #220; thence S. 76-21-00 E. a distance of 225.82 feet to the point of beginning, said tract of land containing 0.50 acre, more or less, according to the United States Government Survey thereof (the "R. Pesch" property),

Parcel No. **40.00145.00**,

**and**

A tract of land in Government Lot One (1), of Section Eighteen (18), Township One Hundred Fifty-one (151) North, Range Forty-nine (49) West, and more particularly described as follows:

Commencing at the Northeast corner of Government Lot One (1), in Section Eighteen (18), Township One Hundred Fifty-one (151) North of Range Forty-nine (49) West; thence south along the lot line, which for the purposes of this description is assumed to be a meridian, a distance of 705 feet to the true point of beginning; thence south along the lot line a distance of 165.00 feet to a point marked by an iron pin; thence North  $76^{\circ}21'00''$  West a distance of 225.82 feet to a point, on the Right-of-Way line of State Highway #220, marked by an iron pin; thence North  $28^{\circ}35'00''$  West a distance of 207.13 feet to a point marked by an iron pin; thence South  $76^{\circ}21'00''$  East a distance of 317.79 feet to the true point of beginning, said tract of land consisting 1.00 acres more or less, (the "D. Pesch" property),

Parcel No. **40.00146.00**,

**and**

That part of the NE1/4 NW1/4 of Section 18, Township 151 North of Range 49 West described as follows: Beginning at an iron monument marking the NE1/4 NW1/4 of Section 18; thence South on the west boundary of said NE1/4 NW1/4 705.00 feet to the point of beginning; thence at right angles East 323.00 feet; thence at right angles South 115.00 feet; thence at right angles West 323.00 feet to the west boundary of said NE1/4 NW1/4; thence at right angles North along said west boundary, 115.00 feet to the point of beginning (the "Qualley" property),

Parcel No. **40.00140.00**,

**and**

That part of the Northeast Quarter of the Northwest Quarter (NE1/4 NW1/4) of Section Eighteen (18), Township One Hundred Fifty-one (151) North, Range Forty-nine (49) West of the Fifth Principal Meridian, described as follows: Beginning at an iron monument marking the Northwest corner of the NE1/4 NW1/4 of Sec. 18; thence South on the West boundary of said NE1/4 NW1/4 820.00 feet to the point of beginning; thence at right angles East 323.00 feet; thence at right angles South 155.00 feet; thence at right angles West 323.00 feet to the West

boundary of said NE1/4 NW1/4; thence at right angles North along said West boundary 155.00 feet to the point of beginning, containing 1.15 acre. The same being subject to road easement along the Westerly side (the "Jespersion" property),

Parcel No. **40.00138.00**,

**and**

That part of the Northeast Quarter of the Northwest Quarter (NE1/4 NW1/4) of Section 18, Township 151 North, Range 49 West of the 5th principal Meridian, described as follows: Beginning at an iron monument marking the Northwest corner of the NE1/4 NW1/4 of Section 18; thence South on the West boundary, 974.00 feet to the point of beginning; thence at right angles East 323.00 feet; thence at right angles South 57.40 feet; thence deflecting 49 degrees 41 minutes 45 seconds right and Southwesterly 269.40 feet to the northerly right of way line of Trunk Highway No. 220; thence Northwesterly, along said right of way line, 181.02 feet to its intersection with the west boundary of said NE1/4 NW1/4; thence North to the point of beginning (the "Abar" property),

Parcel No. **40.00139.00**.

Section 3. The Subject Real Property contains approximately 45 acres, more or less, and is not presently served by public sewer facilities.

Section 4. A public hearing to discuss the annexation of the Subject Real Property was noticed and held by the City Council commencing at 7:30 o'clock p.m. on August 5, 2003, in the City Council Chambers in City Hall, East Grand Forks, Minnesota, notice of such hearing being mailed via certified mail to Huntsville Township and to all landowners within and contiguous to the Subject Real Property more than 30 days prior to the hearing date, thereby satisfying the notice requirements of Minnesota Statute §414.033, Subd. 2b.

Section 5. The notice requirement of Minnesota Statute §414.033, Subd. 3 is not applicable to the City's adoption of this ordinance since the Subject Real property is greater than 40 acres.

Section 6. Portions of the Subject Real Property are populated.

Section 7. The City hereby annexes the Subject Real Property.

Section 8. The City Administrator is hereby directed to file certified copies of this ordinance with the Minnesota Planning Municipal Boundary Adjustments, Huntsville Township, the 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.

Section 10. This ordinance shall take effect and be in force from and after its passage and publication and be given the Number **271 - 3rd Series**, and after its approval by the Minnesota Municipal Board.

VOTING AYE: Grassel, Trembath, Tweten, Driscoll, Holy, Gander

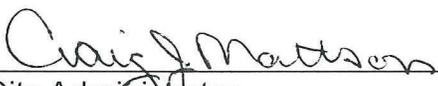
VOTING NAY: None

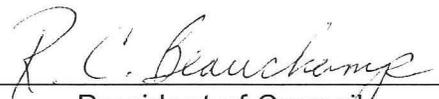
ABSENT: Council President, R.C. Beauchamp

The President declared the Ordinance passed.

ATTEST:

PASSED: August 21, 2003

  
\_\_\_\_\_  
City Administrator

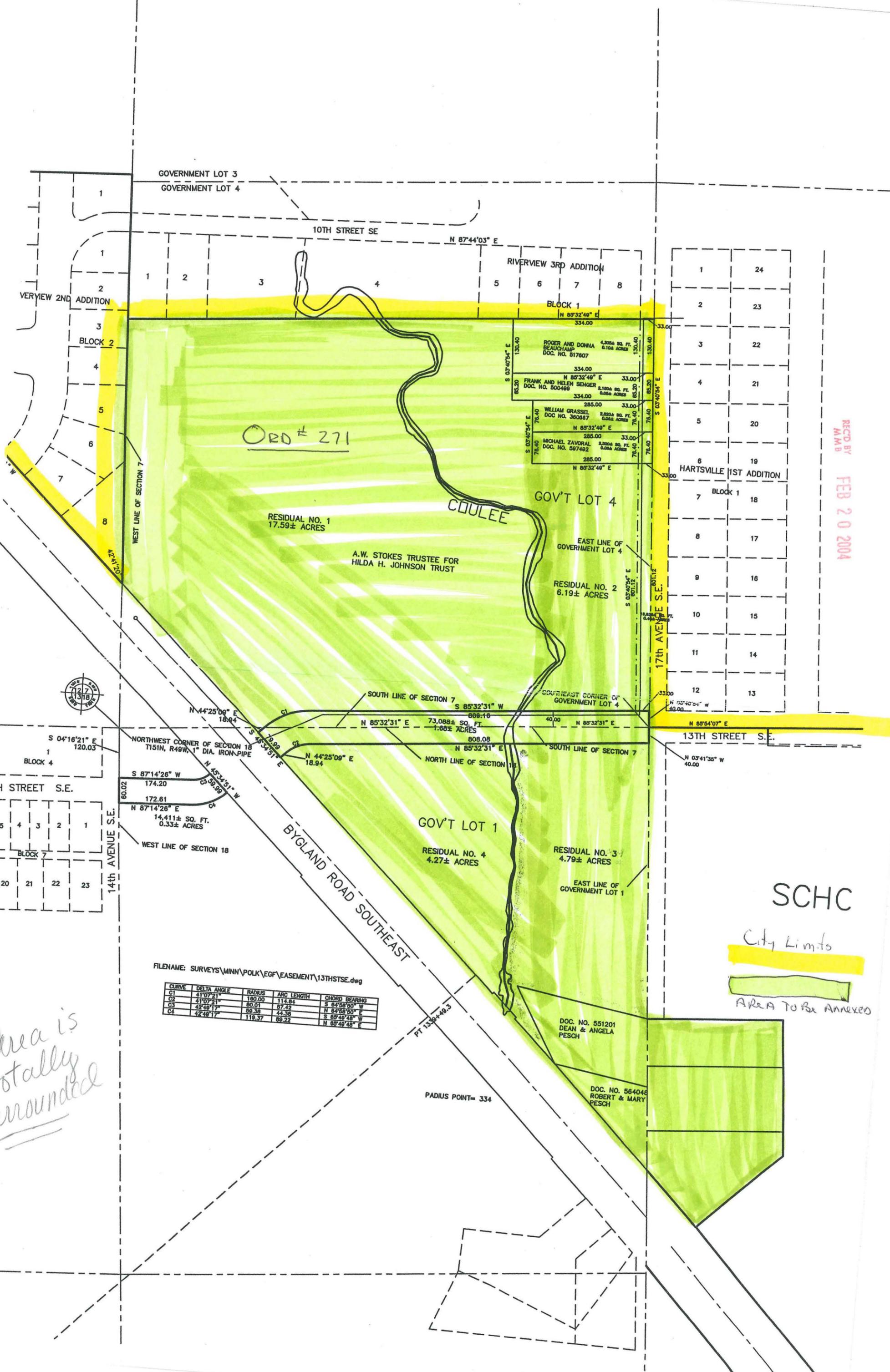
 2/20/04  
\_\_\_\_\_  
President of Council

I hereby approve the foregoing Ordinance this 21st day of August, 2003.

  
\_\_\_\_\_  
Mayor

(A:kl-48-stokes.ordinance)

REC'D BY  
MWB  
FEB 20 2004



ORD # 271

SCHC

City Limits  
 [Yellow shaded area]  
 Area To Be Annexed  
 [Green shaded area]

FILENAME: SURVEYS\MINN\POLK\EGF\EASEMENT\13THSTSE.dwg

CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	CHORD BEARING
C1	41°07'21"	180.00	114.84	S 64°58'50" W
C2	41°07'21"	80.01	57.42	N 64°58'50" E
C3	42°49'17"	89.38	44.38	S 65°49'48" W
C4	42°49'17"	119.37	89.22	N 65°49'48" E

Area is totally unrounded

PADIUS POINT= 334