

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF DETROIT LAKES,
MINNESOTA TO INCLUDE CERTAIN UNINCORPORATED UNPLATTED
LAND ABUTTING UPON THE CITY LIMITS

51.86 Acres

(Lakebreeze Estates LLC)

WHEREAS, a certain petition dated April 28, 2004, 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 zero (0).

Section 3. The territory to be annexed is 51.86 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:

That part of Government Lot 1 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:

Beginning at a found iron monument which designates the south quarter corner of said Section 36; thence North 89 degrees 59 minutes 10 seconds West 781.44 feet on an assumed bearing along the south line of said Section 36 to the northeasterly line of the Burlington Northern and Santa Fe Railroad; thence northwesterly along the northeasterly line of said Burlington Northern and Santa Fe Railroad on a curve concave to the southwest, having a central angle of 01 degree 37 minutes 52 seconds and a radius of 2844.42 feet, for a distance of 80.97 feet (chord bearing North 39 degrees 35 minutes 01 second West) to an iron monument at a point of compound curvature; thence northwesterly continuing along the northeasterly line of said Burlington Northern and Santa Fe Railroad on a curve concave

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to the southwest, having a central angle of 05 degrees 29 minutes 10 seconds and a radius of 3325.22 feet, for a distance of 318.39 feet (chord bearing North 43 degrees 08 minutes 32 seconds West) to an iron monument at a point of compound curvature; thence northwesterly continuing along the northeasterly line of said Burlington Northern and Santa Fe Railroad on a curve concave to the southwest, having a central angle of 11 degrees 16 minutes 18 seconds and a radius of 2417.90 feet, for a distance of 475.67 feet (chord bearing North 51 degrees 31 minutes 16 seconds West) to an iron monument; thence North 57 degrees 09 minutes 25 seconds West 35.67 feet continuing along the northeasterly line of said Burlington Northern and Santa Fe Railroad to an iron monument; thence continuing North 57 degrees 09 minutes 25 seconds West 384.56 feet along the northeasterly line of said Burlington Northern and Santa Fe Railroad to an iron monument; thence North 03 degrees 43 minutes 16 seconds East 486.28 feet to an iron monument; thence continuing North 03 degrees 43 minutes 16 seconds East 9.02 feet to the north line of said Government Lot 2; thence North 89 degrees 50 minutes 56 seconds East 821.72 feet along the north line of said Government Lot 2 and along the north line of said Government Lot 1 to a point hereinafter referred to as Point A; thence continuing North 89 degrees 50 minutes 56 seconds East 268.18 feet along the north line of said Government Lot 1 an iron monument; thence continuing North 89 degrees 50 minutes 56 seconds East 673.31 feet along the north line of said Government Lot 1 to a found iron monument at the northeast corner of said Government Lot 1; thence South 00 degrees 51 minutes 48 seconds West 551.65 feet along the east line of said Government Lot 1 to an iron monument; thence continuing South 00 degrees 51 minutes 48 seconds West 765.63 feet along the east line of said Government Lot 1 to the point of beginning. The above described tract contains 43.14 acres.

SUBJECT TO an easement for public road purposes (Warnake Road) over, under and across that part of the above tract described as follows:

Beginning at a found iron monument at the aforementioned point of beginning; thence North 89 degrees 59 minutes 10 seconds West 781.44 feet along the south line of said Section 36 to the northeasterly line of said Burlington Northern and Santa Fe Railroad; thence northwesterly along the northeasterly line of said Burlington Northern and Santa Fe Railroad on a curve concave to the southwest, having a central angle of 00 degrees 27 minutes 59 seconds and a radius of 2844.42 feet, for a distance of 23.15 feet (chord bearing North 39 degrees 00 minutes 05 seconds West); thence North 83 degrees 31 minutes 54 seconds East 63.37 feet; thence North 89 degrees 49 minutes 37 seconds East 214.62 feet; thence South 89 degrees 07 minutes 37 seconds East 518.75 feet to the east line of said Government Lot 1; thence South 00 degrees 51 minutes 48 seconds West 18.07 feet along the east line of said Government Lot 1 to the point of beginning of said public road easement (Warnake Road).

AND FURTHER SUBJECT TO that part of a 16.50 foot wide utility easement to Northwestern Bell Telephone Company as described in Document No. 342766 and recorded

in the office of the Recorder in said County over, under, and across part of the above tract. The centerline of said 16.50 foot wide utility easement is described as follows:

Commencing at a found iron monument at the aforementioned point of beginning; thence North 89 degrees 59 minutes 10 seconds West 692.39 feet along the south line of said Section 36 to the point of beginning of the centerline to be described; thence North 01 degree 48 minutes 09 seconds East 349.60 feet; thence North 23 degrees 54 minutes 35 seconds West 1030.92 feet; thence North 89 degrees 44 minutes 30 seconds West 645.27 feet to the westerly boundary of the above described tract and said centerline there terminates. The sidelines of said 16.50 foot wide utility easement shall be prolonged or shortened to terminate on the southerly and westerly boundaries of the above described tract.

AND FURTHER SUBJECT TO an easement for public road purposes (Lemmon Road) over, under and across that part of the above tract described as follows:

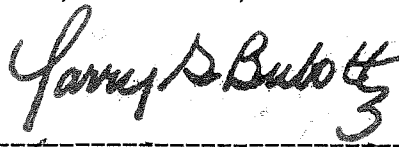
Beginning at the aforementioned Point A; thence South 89 degrees 50 minutes 56 seconds West 821.72 feet along the north line of said Government Lot 1 and along the north line of said Government Lot 2; thence South 03 degrees 43 minutes 16 seconds West 9.02 feet to an iron monument; thence continuing South 03 degrees 43 minutes 16 seconds West 1.96 feet; thence South 89 degrees 16 minutes 56 seconds East 822.20 feet; thence North 00 degrees 43 minutes 04 seconds East 23.43 feet to the point of beginning of said public road easement (Lemmon Road).

The total area to be annexed is 51.86 acres more or less.

Section 6. Filing. The City Clerk is hereby directed to file certified copies of this Ordinance with the Minnesota Department of Administration- Municipal Boundary Adjustments, 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 6th day of July 2004.



Larry G. Buboltz, Mayor

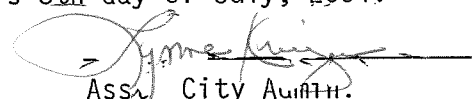


Lynne Krieger, City Clerk

First Reading: June 2, 2004

Second Reading: July 6, 2004

I do hereby certify that the foregoing ordinance is a true and correct copy of an ordinance presented to and adopted by the City Council of the City of Detroit Lakes, Minnesota at a duly authorized meeting thereof held on the 6th day of July, 2004, as shown by the minutes of said meeting in my possession.
Dated this 8th day of July, 2004.



James Krieger
Asst. City Auditor

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ANNEXATION REQUEST 5-2004
TOWNSHIP 139 N, RANGE 41 TO THE CITY
OF DETROIT LAKES
LAKEBREEZE ESTATES LLC RANDOLPH RD
19.24 ACRE TRACT

ANNEXATION REQUEST 5-2004
TOWNSHIP 139 N, RANGE 41 TO THE CITY
OF DETROIT LAKES
LAKEBREEZE ESTATES LLC RANDOLPH RD
51.86 ACRE TRACT

