

Introduced by Councilmember Zona Kaml
Seconded by Councilmember James Aure

ORDINANCE NO. 12-05-2005

AN ORDINANCE OF THE CITY OF FISHER, MINNESOTA, ANNEXING A PART OF THE NE1/4SW1/4 AND THE NW1/4SE1/4 OF SECTION 22, TOWNSHIP 150 NORTH RANGE 48 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FISHER TOWNSHIP, POLK COUNTY, MINNESOTA.

THE CITY COUNCIL OF THE CITY OF FISHER, MINNESOTA, ORDAINS:

Section 1. This annexation ordinance is being passed and adopted pursuant to the provisions of Minnesota Statutes, Section 414.033, Subd. 2, clause (3).

Section 2. The City of Fisher, Minnesota (hereinafter referred to as the "City") has received a petition to annex real property which is the subject and object of this annexation ordinance (hereinafter referred to as the "Subject Real Property") from, and signed by, all of the property owners of the Subject Real Property.

Section 3. The Subject Real Property is situated in Fisher Township, Polk County, Minnesota, and is legally described as follows:

--That part of the Northeast Quarter of the Southwest Quarter and the Northwest Quarter of the Southeast Quarter of Section 22, Township 150 North, Range 48 West of the 5th Principal Meridian, lying southerly of and adjacent to Wagner's Addition, Beiswenger Second Addition and southeasterly of DeMers and Thompson First Addition all to the City of Fisher, Minnesota, according to the plats thereof on file and of record in the office of the County Recorder, Polk County, Minnesota, described as follows:

Commencing at the southwest boundary corner of said Wagner's Addition; thence southerly along the east line of said Southwest Quarter having an assumed bearing of South 00 degrees 04 minutes 05 seconds East a distance of 76.87 feet to the point of beginning; thence continuing South 00 degrees 04 minutes 05 seconds East along said east line a distance of 73.13 feet to the southwest boundary corner of said Beiswenger Second Addition; thence South 89 degrees 54 minutes 05 seconds East along the south line of said Beiswenger Second Addition a distance of 40.00 feet to the southwest corner of Lot 1, Block 2 of said Beiswenger Second Addition and a line being 40.00 feet easterly of and parallel with the west line of said Southeast Quarter; thence South 00 degrees 04 minutes 05 seconds East along said parallel line a distance of 550.00 feet to a line being 700.00 feet southerly of and parallel with the south line of said Wagner's Addition; thence North 89 degrees 54 minutes 05 seconds West along said parallel line a distance of 772.82 feet to a line being the southerly extension of the west boundary line of said Wagner's Addition; thence North 00 degrees 07 minutes 55 seconds East along said west boundary line extended southerly a distance of 389.69 feet to a line being 330.00 feet southeasterly of and parallel with the southerly line of Elm Avenue in said DeMers and Thompson First Addition; thence North 72 degrees 23 minutes 01 seconds East along said parallel line a distance of 767.16 feet to the point of beginning. Containing 9.01 acres more or less.—

Section 4. The Subject Real Property is unincorporated and is presently a part of the Town of Fisher.

Section 5. The Subject Real Property abuts the City limits, consists of 9.01 acres and is not presently serviced by public water facilities or public sewer facilities are not otherwise available.

Section 6. The Subject Real Property is not within designated flood plain, as provided by Minnesota Statutes, Section 103F.11, subdivision 4, or a shoreland area, as provided by Minnesota Statutes, Section 103F.205, subdivision 4.

Section 7. The Subject Real Property is not populated.

Section 8. No portion of the Subject Real Property is platted.

Section 9. The Subject Real Property is not included in any area that has already been designated for orderly annexation pursuant to Minnesota Statutes, Section 414.0325 or in any other proceeding currently pending before the Department of Administration-Municipal Boundary Adjustments.

Section 10. A public hearing was held by the City on the proposed annexation of the Subject Real Property after notice pursuant to and as required by Minnesota Statutes, Section 414.033, Subd. 2b.

Section 11, The subject Real Property Addition extending the whole distance of subject real property and that Brian Beiswenger shall be able to maintain as needed to allow for drainage of adjoining property at no cost to the City of Fisher.

Section 12. The City hereby annexes the Subject Real Property.

Section 13. The City Clerk-Treasurer is directed to file certified copies of this Ordinance with the Director of Minnesota Municipal Boundary Adjustments, Township of Fisher, Floan Sanders, Inc, the Polk County Auditor and the Minnesota Secretary of State.

Section 14. This Ordinance shall take affect and be in force from and after its passage and publication, and after its approval by the Director of Minnesota Municipal Boundary Adjustments.

Voting in the negative: N/A

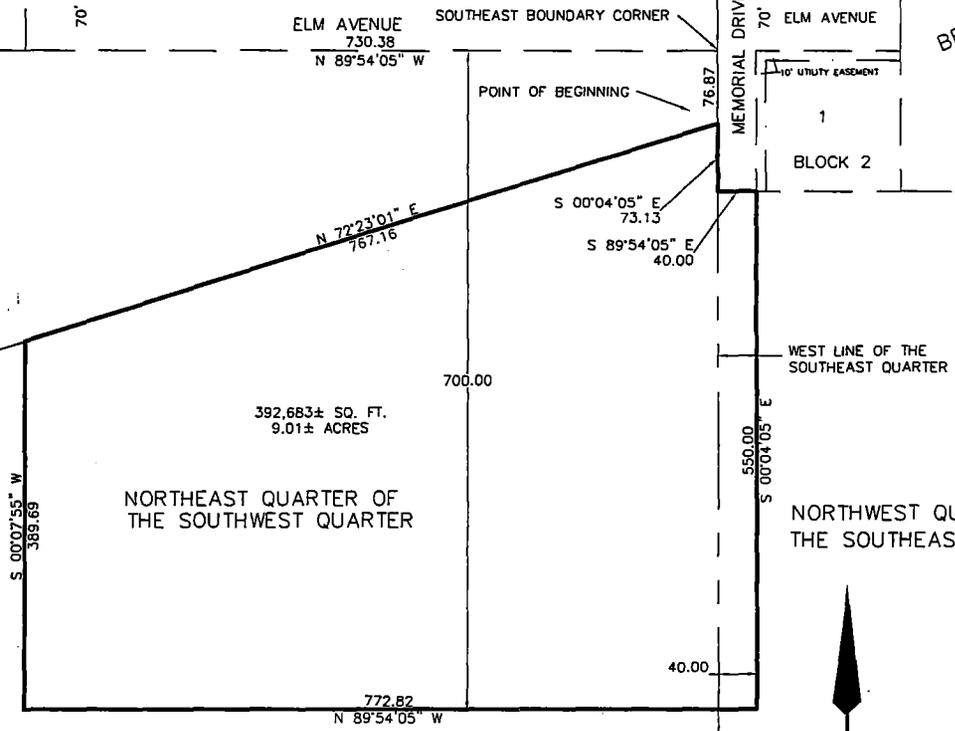
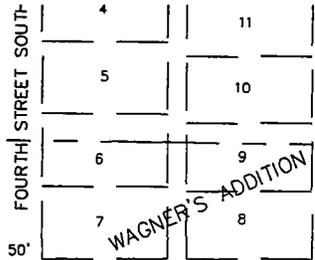
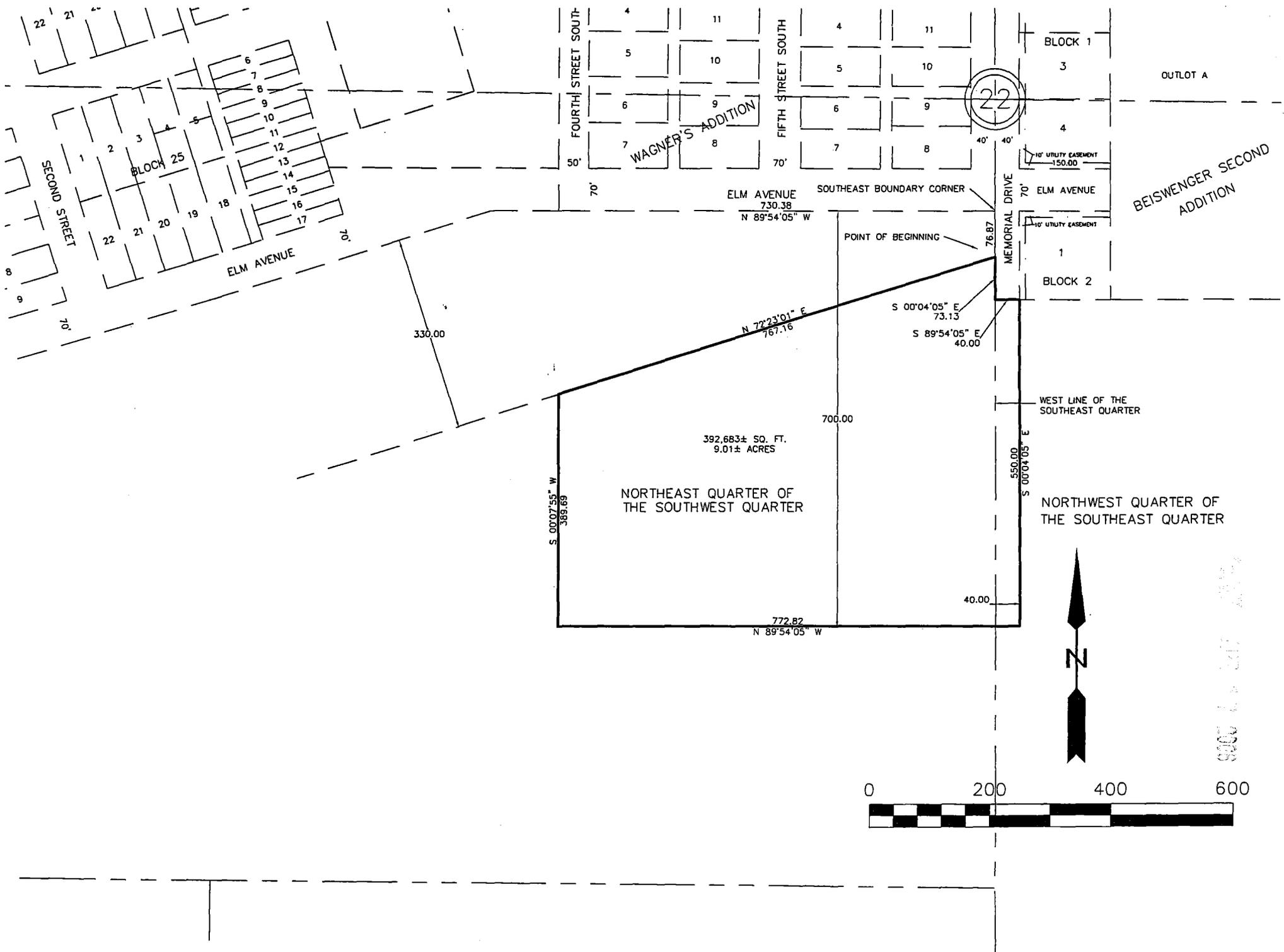
Voting in the affirmative: Eddie Bowden, Mayor, Bonnie Nygren, Zona Kaml, and James Aure. Absent was Mike Marschall.

Passed this _____ day of _____, 2006.

Eddie L. Bowden
Mayor

ATTEST: Bette Leri
Clerk-Treasurer

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NORTHWEST QUARTER OF THE SOUTHWEST QUARTER



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