

REC'D BY  
MBA

APR 15 2014

**ORDINANCE NUMBER** 4-27

An ordinance annexing land into the City of Fosston

**Section 1.** RECITALS.

- A. WHEREAS, the City of Fosston owns real property situated in Brandsvold Township, Polk County, MN, which property abuts said City and is described as follows:

**See attached Exhibit A.**

- B. WHEREAS, the property is unplatted; and
- C. WHEREAS, the property will be used for commercial purposes; and
- D. WHEREAS, The City of Fosston, pursuant to Minnesota Statute § 414.036, shall reimburse said Township in which the annexed property is located the sum of \$1,758.40, payable in equal annual installments of \$351.68 per year for 5 years, commencing with and including the year 2015, the first installment of which shall be paid on or before December 31, 2015. The total amount specified for reimbursement is predicated on former Minnesota Statute § 414.033, subdivision 12 (2005).
- E. WHEREAS, for the area legally described herein there are no special assessments pending or outstanding, nor has any debt been incurred by said Township for which reimbursement is required pursuant to Minnesota Statutes § 414.036.
- F. WHEREAS, no part of said tract is included in another boundary adjustment proceeding pending before the Minnesota Municipal Board, and no other municipality borders said property; and
- G. WHEREAS, members of the Fosston City Council have determined that annexation of the above described real property is and will be in the best interests of the City of Fosston, Minnesota, and of the territory affected.

**Section 2.** THEREFORE, upon motion duly made, seconded and carried,

**IT IS RESOLVED, and the City Council of the City of Fosston, Minnesota, hereby ordains and declares that the afore-described tract be and is hereby annexed and incorporated within the City of Fosston, Minnesota.**

**Section 3.** This ordinance shall be final and shall take effect and be in full force from and after the date on which it is passed, published, recorded and approved by the Municipal Boundary Adjustments.

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Dated and passed by the City Council of the City of Fosston, Minnesota, on this 10<sup>th</sup> day of March ~~January~~, 2014.

CITY OF FOSSTON

By: 

James Offerdahl, Mayor

By: 

Charles Lucken, City Administrator

DRAFTED BY:  
Michael S. Brouse, Attorney  
BROUSE, WOODKE & MEYER, P.L.L.P.  
108 West First Street  
Fosston, MN 56542  
218-435-1661

## EXHIBIT A

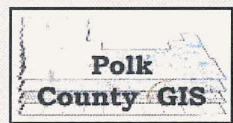
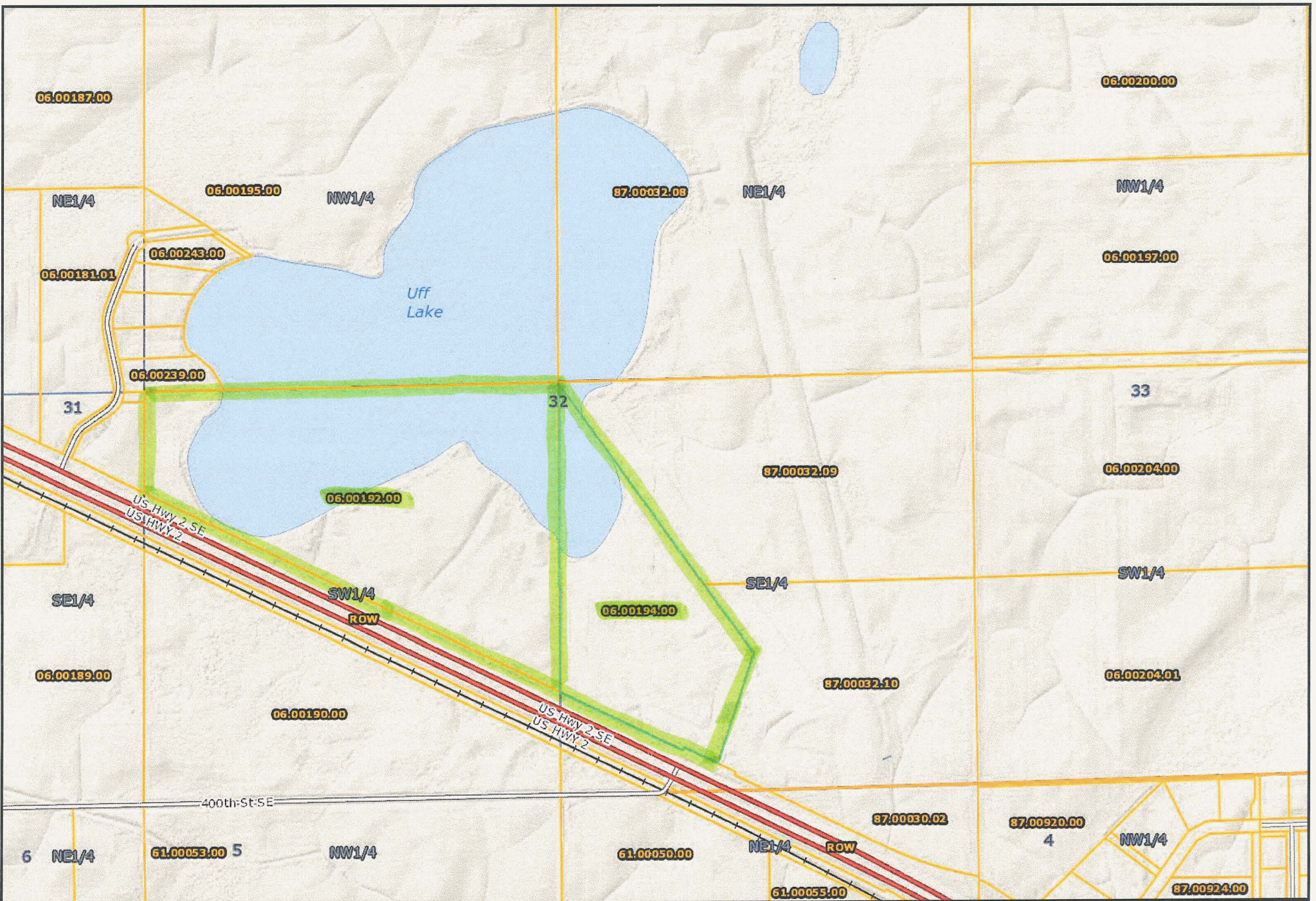
That part of the Southwest Quarter (SW ¼) of Section Thirty-two (32), Township One Hundred Forty-eight (148) North, Range Forty (40) West of the Fifth Principal Meridian, lying and being North of the Great Northern Railway Company's right of way, containing 96 acres, more or less, and all that part of the Southeast Quarter (SE ¼) of Section Thirty-two (32), Township One Hundred Forty-eight (148) North, Range Forty (40), West of the Fifth Principal Meridian, described as follows; Beginning at a point on the South line of said Section 32 which is 300 feet West of the Southeast corner of said Section 32, thence West along the South line of said Section 32 at an assumed bearing of North 90° 00' West, a distance of 1,338 feet to the Northeasterly right of way line of State and Federal Highway No. 2; thence North 62° 23' West along the Highway No. 2 right of way a distance of 524.21 feet; thence North 27° 37' East, which is also at right angles to the Highway No. 2 right of way, a distance of 1,001.93 feet to the Southwest edge of the Northwest-Southeast landing strip; thence North 33° 48' West along the Southwesterly line of the Northwest-Southeast landing strip to the West line of said SE¼ of said Section 32; thence South along the West line of said SE¼ of Sec. 32 to the Northeasterly right of way line of State and Federal Highway No. 2; thence Southeasterly along the Northeasterly right of way line of State and Federal Highway No. 2 to the point of beginning.

**The aforementioned legal description has been redescribed by Surveyor Steven A. Ackerman as follows:**

All that part of the Southwest Quarter and that part of the West Half of the Southeast Quarter of Section 32, Township 148 North, Range 40 West of the 5<sup>th</sup> Principal Meridian, Brandsvold Township, Polk County, Minnesota described as follows: Commencing at the iron monument marking the South Quarter Corner of said Section 32; thence on an assumed bearing of North 00 degrees 53 minutes 00 seconds East on and along the line between the Southeast and the Southwest Quarters of said Section 32 a distance of 657.70 feet to the point on the Northeasterly right of way line of State Highway No. 2, a/k/a U.S. Highway No. 2, said point being 98.00 feet Northeasterly (measured at right angles) of the centerline of the existing west bound lane of State Highway No. 2, a/k/a U.S. Highway No. 2, and to the POINT OF BEGINNING; thence North 62 degrees 58 minutes 08 seconds West on and along said Northeasterly right of way line of Highway No. 2, a/k/a U.S. Highway No. 2, and being 98.00 feet Northeasterly and parallel with said West bound lane centerline, a distance of 2945.42 feet to its intersection with the west line of said Section 32; thence North 01 degrees 21 minutes 54 seconds East on and along said West line of Section 32 a distance of 649.04 feet to set iron monument marking the West Quarter Corner of said Section 32; thence North 89 degrees 55 minutes 06 seconds East on and along the north line of said Southwest Quarter of Section 32 a distance of 440.00 feet to an iron monument on the high west bank of what is commonly known as UFF Lake; thence continuing North 89 degrees 55 minutes 06 seconds East on and along said North line of the Southwest Quarter of Section 32 a distance of 2198.91 feet to the Center of Section Corner of said Section 32; thence South 00 degrees 53 minutes 00 seconds West on and along said line between the Southeast and Southwest Quarters of Section 32 a distance of 102.54 feet; thence South 34 degrees 23 minutes 08 seconds East a distance of 1715.37 feet; thence South 27 degrees 01 minutes 52 seconds West, and being at a right angle from said Northeasterly right of way line of Highway No. 2, a/k/a U.S. Highway No. 2, a distance of 874.93 feet to a point on said Northeasterly right of way line of Highway No. 2, a/k/a U.S. Highway No. 2; thence North 62 degrees 58 minutes 08 seconds West, and being parallel, with and 98.00 feet Northeasterly (measured at right angles) of the west bound lane centerline of State Highway No. 2, a/k/a U.S. Highway No. 2, a distance of 673.88 feet to the point of beginning.

AND

All that part of the West Half of the Southeast Quarter (W ½ SE ¼) of Section Thirty-two (32), Township One Hundred Forty-eight (148) North, Range Forty (40) West of the Fifth Principal Meridian, Brandsvold Township, Polk County, Minnesota described as follows: Commencing at an iron monument marking the South Quarter Corner of said Section 32; thence on an assumed bearing of North 00 degrees 53 minutes 00 seconds East on and along the west line of said Southeast Quarter of Section 32 a distance of 657.70 feet to a point on the Northeasterly right-of-way line of State Highway No. 2, a/k/a U.S. Highway No. 2, said point being 98.00 feet Northeasterly (measured at right angles) of the centerline of the existing west bound lane of said State Highway No. 2, a/k/a U.S. Highway No. 2; thence South 62 degrees 58 minutes 08 seconds East on and along said Northeasterly right-of-way line of State Highway No. 2, a/k/a U.S. Highway No. 2, and being 98.00 feet Northeasterly of and parallel with said west bound lane centerline, a distance of 673.88 feet to its intersection with the Easterly line of that certain tract described and recorded in Book 358 of Deeds on Page 1, said Book on file in the office of the County Recorder in and for said Polk County, Minnesota, and to the POINT OF BEGINNING; thence North 27 degrees 01 minutes 52 seconds East on and along the Easterly line of said tract described and recorded in Book 358 of Deeds on Page 1, a distance of 874.93 feet to the Northeasterly Corner of said tract described in Book 358 of Deeds on Page 1; thence North 34 degrees 23 minutes 08 seconds West on and along the North line of said tract described in Book 358 of Deeds on Page 1 a distance of 1715.37 feet to a point on the west line of said Southeast Quarter, said point being the Northwesterly corner of said tract described in Book 358 of Deeds on Page 1; thence North 00 degrees 53 minutes 00 seconds East on and along said west line of the Southeast Quarter of Section 32 a distance of 89.66 feet to a point that is 12.88 feet southerly of the Center of Section Corner of said Section 32; thence South 34 degrees 23 minutes 08 seconds East, parallel with and 51.77 feet Northeasterly (measured at right angles) of the North line of said tract described in Book 358 of Deeds on Page 1, a distance of 2141.41 feet; thence South 19 degrees 15 minutes 26 seconds West a distance of 736.35 feet to a point on said Northeasterly right-of-way line of State Highway No. 2, a/k/a U.S. Highway No. 2, said point being 120.00 feet Northeasterly (measured at right angles) of said existing west bound centerline of State Highway No. 2, a/k/a U.S. Highway No. 2; thence North 62 degrees 58 minutes 08 seconds West on and along said Northeasterly right-of-way line of State Highway No. 2, a/k/a U.S. Highway No. 2 a distance of 233.41 feet to an existing Highway Department right-of-way post; thence South 27 degrees 01 minutes 52 seconds West and continuing along the Northeasterly right-of-way line of State Highway No. 2, a/k/a U.S. Highway No. 2, a distance of 22.00 feet to an existing Highway Department right-of-way post and being 98.00 feet Northeasterly (measured at right angles) of the centerline of the west bound lane of said Highway No. 2; thence North 62 degrees 58 minutes 08 seconds West, parallel with and 98.00 feet Northeasterly of said west bound lane centerline, on and along the Northeasterly right-of-way line of said State Highway No. 2, a/k/a U.S. Highway No. 2, a distance of 200.79 feet to the point of beginning. The above described tract contains 9.30 acres, more or less, and is subject to easements of record, if any.



# Golf Course Property

1/6/2014

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