

ORDINANCE NO. 32, 4th Series**AN ORDINANCE OF THE CITY OF EAST GRAND FORKS, MINNESOTA ANNEXING LAND LOCATED IN HUNTSVILLE TOWNSHIP, POLK COUNTY, MINNESOTA PURSUANT TO MINNESOTA STATUTES § 414.033 SUBDIVISION 2(3), PERMITTING ANNEXATION BY ORDINANCE**

WHEREAS, a petition signed by all the property owners dated October 20, 2021, requesting that property legally described herein be annexed to the City of East Grand Forks Minnesota, was duly presented to the Council of the City of East Grand Forks, Minnesota on the 16th day of November, 2021; and

WHEREAS, said property is unincorporated and abuts the City of East Grand Forks on its eastern boundary just north of Polk County Road 17; is less than 120 acres; is not presently served by public sewer facilities or public sewer facilities are not otherwise available; and

WHEREAS, said property is not located within a flood plain or shoreland area.

WHEREAS, said property is currently agricultural and annexation is requested to facilitate the extension of city services for industrial development of the property; and

WHEREAS, the City of East Grand Forks held a public hearing pursuant to Minnesota Statutes § 414.033 Subd. 2b, on January 18, 2022, following thirty (30) days written notice by certified mail to the Town of Huntsville and to all landowners within and contiguous to the area legally described herein to be annexed; and

WHEREAS, provisions of Minnesota Statutes § 414.033 Subd. 13 are not applicable in that there will be no change in the electric utility service provider resulting from the annexation of the territory to the municipality.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EAST GRAND FORKS HEREBY ORDAINS AS FOLLOWS:

1. The City Council hereby determines that the property as hereinafter described abuts the city limits and is or is about to become urban or suburban in nature in that industrial use is being proposed for said property the construction of which requires or will need city services, including public sewer facilities.
2. None of the property is now included within the limits of any city, or in any area that has already been designated for orderly annexation pursuant to Minnesota Statute § 414.0325.

3. The corporate limits of the City of East Grand Forks, Minnesota, are hereby extended to include the following described property, said land abutting the City of East Grand Forks, Minnesota and being 120 acres or less in area, and is not presently served by public sewer facilities or public sewer facilities are not otherwise available, and the City having received a petition for annexation from all property owners of the land, to wit:

The easterly 2.0 acres of the West Half of the Southeast Quarter and that part of the East Half of the Southeast Quarter, all in Section 6, Township 151 North, Range 49 West of the 5th Principal Meridian, Polk County, Minnesota, described as follows:

Commencing at the southeast corner of said Section 6; thence westerly along the south line of said Section 6 having a grid bearing of South 87 degrees 24 minutes 17 seconds West, a distance of 276.73 feet; thence North 02 degrees 30 minutes 30 seconds West, a distance of 1895.00 feet to the point of beginning of that tract of land to be described herein; thence continuing North 02 degrees 30 minutes 30 seconds West, a distance of 756.29 feet to the north line of said Southeast Quarter; thence South 87 degrees 06 minutes 48 seconds West, along said north line, a distance of 1070.67 feet; thence South 02 degrees 27 minutes 00 seconds East, parallel with the west line of said East Half of the Southeast Quarter, a distance of 2645.85 feet to the south line of said Southeast Quarter; thence North 87 degrees 24 minutes 17 seconds East, along said south line, a distance of 80.00 feet; thence North 02 degrees 27 minutes 00 seconds West, parallel with the west line of said East Half of the Southeast Quarter, a distance of 1889.96 feet; thence North 87 degrees 06 minutes 48 seconds East, a distance of 991.44 feet to the point of beginning.

The above-described property consists of a total of 22.06 acres, more or less. Copies of the corporate boundary map showing the property to be annexed and its relationship to the corporate boundaries and all appropriate plat maps are attached hereto.

4. That the population of the area legally described herein and hereby annexed is Zero. The area is not populated.

5. The City of East Grand Forks, pursuant to Minnesota Statutes § 414.036, that with respect to the property taxes payable on the area legally described (herein or attached exhibit), hereby annexed, shall make a cash payment to the Town of Huntsville in accordance with the following schedule:

- a. In the first year following the year in which the City of East Grand Forks could first levy on the annexed area, an amount equal to \$335.65; and
- b. In the second year, an amount equal to \$335.64.

6. That pursuant to Minnesota Statutes § 414.036 with respect to any special assessments assigned by the Town to the annexed property and any portion of debt incurred by the Town prior to the annexation and attributable to the property to be annexed:

There are no special assessments or debt incurred by the Town on the subject are for which reimbursement is required.

7. That the City Clerk of the City of East Grand Forks is hereby authorized and directed to file a copy of this Ordinance with the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, the Minnesota Secretary of State, the Polk County Auditor, and the Huntsville Township Clerk.

8. This ordinance shall take effect and be in force from and after its passage and publication and final upon the date this Ordinance is approved by the Office of Administrative Hearings. Further it shall be given number 32, 4th series, and after its approval by the Office of Administrative Hearings.

Voting Aye: Olstad, Larson, Vetter, Riopelle, and Johnson.

Voting Nay: None.

Abstain: DeMers.

Absent: Helms.

The President declared the Ordinance passed.

ATTEST:

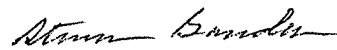


City Administrator



Council President

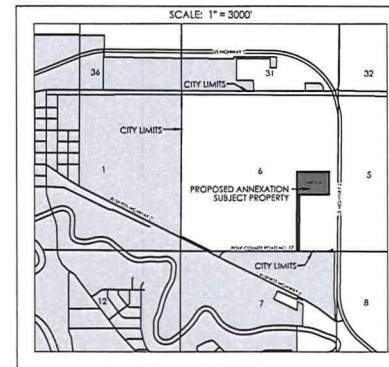
I hereby approve the foregoing Ordinance this 1st day of February, 2022.



Mayor

CERTIFICATE OF SURVEY

VICINITY MAP



ANNEXATION LAND DESCRIPTION - PARCEL A

The easterly 2.0 acres of the West Half of the Southeast Quarter and that part of the East Half of the Southeast Quarter, all in Section 6, Township 151 North, Range 49 West of the 5th Principal Meridian, Polk County, Minnesota, described as follows:

Commencing at the southeast corner of said Section 6; thence westerly along the south line of said Section 6 having a grid bearing of South 87 degrees 24 minutes 17 seconds West, a distance of 276.73 feet; thence North 02 degrees 30 minutes 30 seconds West, a distance of 1895.00 feet to the point of beginning of that tract of land to be described herein; thence continuing North 02 degrees 30 minutes 30 seconds West, a distance of 754.29 feet to the north line of said Southeast Quarter; thence South 87 degrees 06 minutes 48 seconds West, along said north line, a distance of 1070.67 feet; thence South 02 degrees 27 minutes 00 seconds East, parallel with the west line of said East Half of the Southeast Quarter, a distance of 2645.85 feet to the south line of said Southeast Quarter; thence North 87 degrees 24 minutes 17 seconds East, along said south line, a distance of 80.00 feet; thence North 02 degrees 27 minutes 00 seconds West, parallel with the west line of said East Half of the Southeast Quarter, a distance of 1889.96 feet; thence North 87 degrees 06 minutes 48 seconds East, a distance of 991.44 feet to the point of beginning.

Said tract of land contains 22.06 acres, more or less.

LAND DESCRIPTION - PARCEL B

That part of the East Half of the Southeast Quarter, Section 6, Township 151 North, Range 49 West of the 5th Principal Meridian, Polk County, Minnesota, described as follows:

Commencing at the southeast corner of said Section 6; thence westerly along the south line of said Section 6 having a grid bearing of South 87 degrees 24 minutes 17 seconds West, a distance of 276.73 feet to the point of beginning of that tract of land to be described herein; thence North 02 degrees 30 minutes 30 seconds West, a distance of 1895.00 feet; thence continuing South 87 degrees 06 minutes 48 seconds West, a distance of 991.44 feet; thence South 02 degrees 27 minutes 00 seconds East, parallel with the west line of said East Half of the Southeast Quarter, a distance of 1889.96 feet to the south line of said East Half of the Southeast Quarter; thence North 87 degrees 24 minutes 17 seconds East, along said south line, a distance of 993.34 feet to the point of beginning.

Said tract of land contains 43.11 acres, more or less.

LAND DESCRIPTION - PARCEL C

That part of the East Half of the Southeast Quarter, Section 6, Township 151 North, Range 49 West of the 5th Principal Meridian, Polk County, Minnesota, described as follows:

Commencing at the southeast corner of said Section 6; thence westerly along the south line of said Section 6 having a grid bearing of South 87 degrees 24 minutes 17 seconds West, a distance of 276.73 feet; thence North 02 degrees 30 minutes 30 seconds West, a distance of 2651.29 feet to the north line of said Southeast Quarter; thence North 87 degrees 06 minutes 48 seconds East, along said north line, a distance of 131.45 feet to the point of beginning of that tract of land to be described herein; thence South 02 degrees 24 minutes 58 seconds East, a distance of 1318.12 feet; thence South 02 degrees 21 minutes 31 seconds East, a distance of 1276.71 feet to the westerly line of US Highway No. 2 right-of-way; thence North 42 degrees 30 minutes 31 seconds East, along said westerly right-of-way line, a distance of 107.48 feet; thence North 02 degrees 23 minutes 15 seconds West, along said westerly right-of-way line, a distance of 2519.36 feet to the north line of said East Half of the Southeast Quarter; thence South 87 degrees 06 minutes 48 seconds West, along said north line, a distance of 75.88 feet to the point of beginning.

Said tract of land contains 4.43 acres, more or less.

SURVEYOR'S CERTIFICATE

I, GERALD D. PRIBULA, REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA DO HEREBY CERTIFY THAT THIS SURVEY WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION.

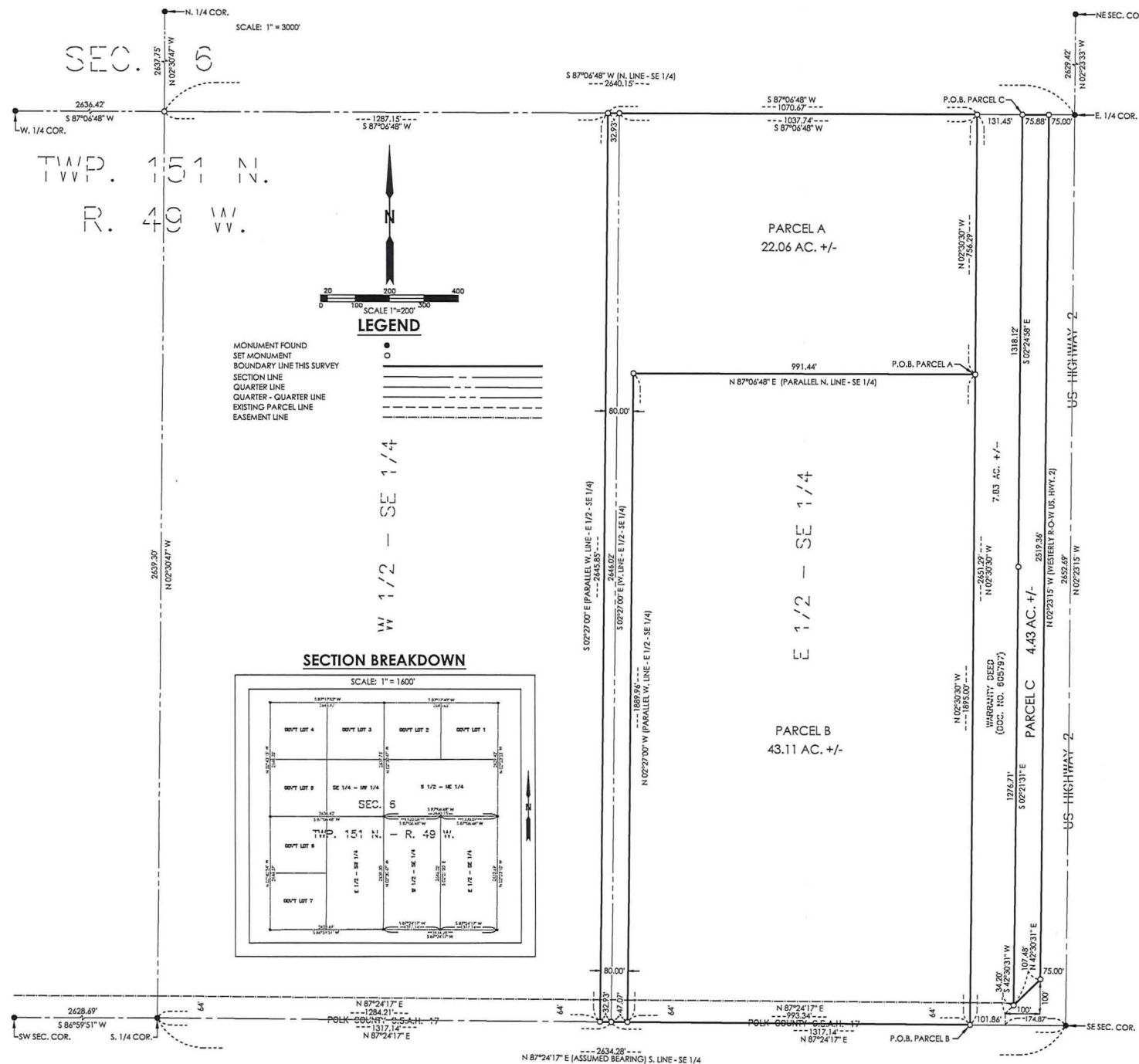
Gerald D. Pribula
GERALD D. PRIBULA MN. REG. NO. 13468
DATE: 11-1-2021

PART OF SOUTHEAST QUARTER, SECTION 6, TWP. 151 N., R. 49 W.
HUNTSVILLE TOWNSHIP, POLK COUNTY, MINNESOTA

SCALE: 1" = 200' APPROVED BY: DRAWN BY: BP
DATE: 11-1-2021 REVISED:

REQUESTED BY: JOHN ZAVORAL: RJ ZAVORAL & SONS, INC
1706 BYGLAND ROAD SOUTHEAST
EAST GRAND FORKS, MN 56721

PRIBULA ENGINEERING, PLLC
208 3RD AVENUE NW
EAST GRAND FORKS, MN 56721
DRAWING NUMBER:
21-1018



East Grand Forks City Limits

