

AUG 25 2014

CERTIFIED COPY OF ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DULUTH, MINNESOTA

ORDINANCE 10321 (File No. 14-052)

ADOPTED: JULY 21, 2014

ORDINANCE NO. 10321

AN ORDINANCE ANNEXING PARCEL I IN MIDWAY TOWNSHIP INTO THE
CITY OF DULUTH.

The city of Duluth does ordain:

Section 1. That the city council hereby finds that:

(a) On January 14, 2013, the city entered into an agreement for orderly annexation by and between the city of Duluth and the town of Midway ("Midway") bearing City Contract No. 21799 (the "agreement") providing that certain property in Midway described therein and identified as "Parcel I" was currently substantially owned by the city and was appropriate for annexation by ordinance;

(b) On January 15, 2013, the agreement was filed in the office of the chief administrative law judge of the office of administrative hearings for the state of Minnesota;

(c) Paragraph 5 of the agreement provides that Midway and the city agree that the city would be authorized to annex the property within said Parcel I at such time as it deems appropriate;

(d) Midway and the city agree that it is appropriate at this time for the city to annex the property described in the agreement as Parcel I.

Section 2. Midway has, by resolution, manifested its consent to and approves the annexation of that property located in Midway, referenced as Parcel I in the agreement and described on Public Document No. 14-0721-14, into the city of Duluth.

Section 3. Upon its effective date, the city clerk shall promptly file a copy of this ordinance with the chief administrative law judge of the office of administrative hearings for the state of Minnesota with a request that said official approve said annexation based on a finding that annexation would be in the best interests of the subject area as provided for in Minnesota Statutes Section 414.315, subd. 3(b)(3).

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Section 4. That this ordinance shall take effect 30 days after its passage and publication. (Effective date: August 23, 2014)

Councilor Sipress moved passage of the ordinance and the same was adopted upon the following vote:

Yeas: Councilors Filipovich, Gardner, Hanson, Julsrud, Larson, Russ, Sipress and President Krug -- 8

Nays: Councilor Fosle -- 1

ATTEST:
JEFFREY J. COX, City Clerk


Passed July 21, 2014
Approved July 21, 2014
DON NESS, Mayor

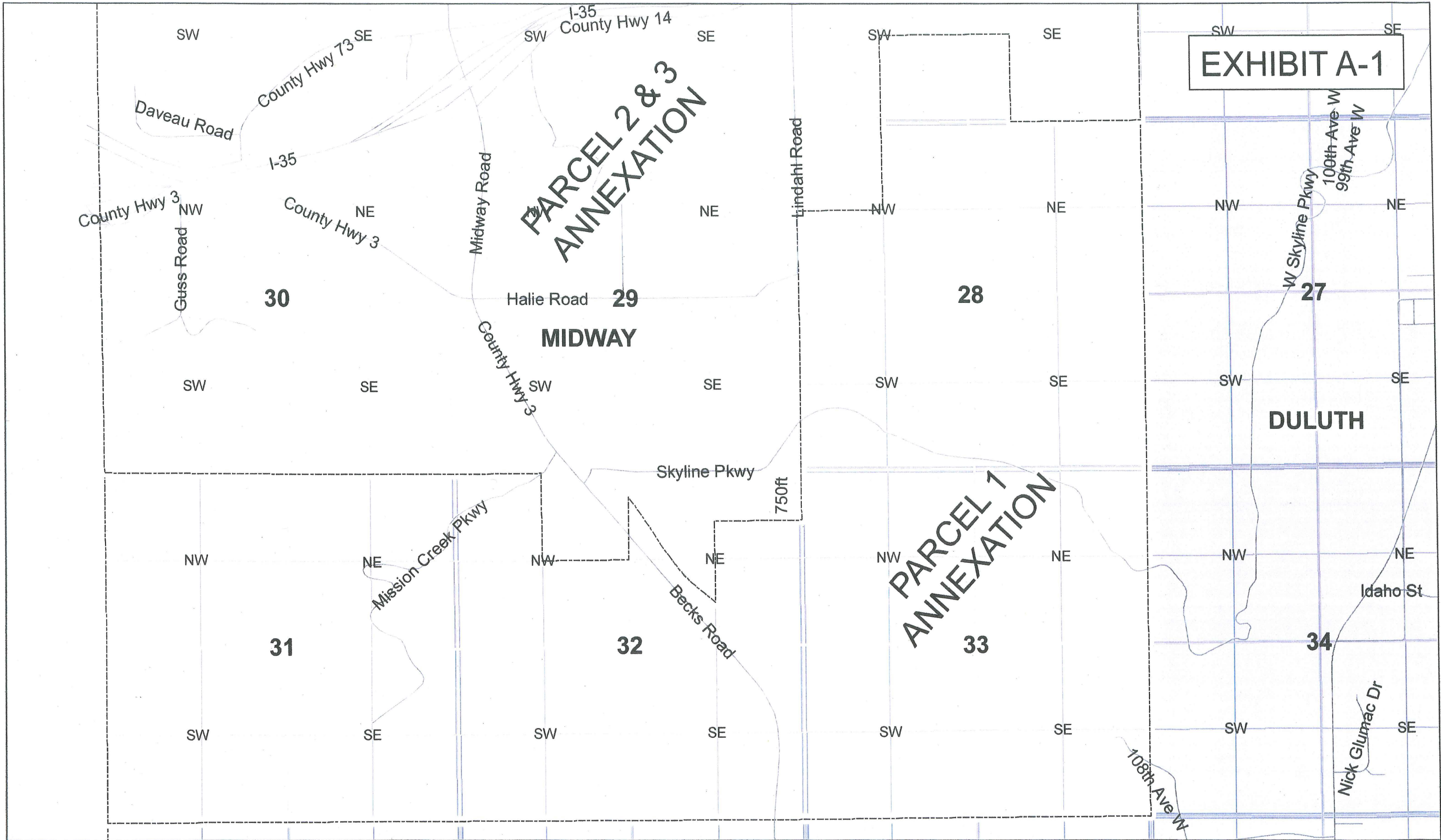
I, JEFFREY J. COX, city clerk of the city of Duluth, Minnesota, do hereby certify that I have compared the foregoing ordinance passed by the city council on the 21st day of July, 2014, with the original in my custody as city clerk of said city and that the same is a true and correct transcript therefrom.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said city of Duluth, this 22nd day of August, 2014.

JEFFREY J. COX
City Clerk

by


Assistant
CITY OF DULUTH, MINNESOTA



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REC'D BY
MBA

OCT 08 2014

Exhibit A-1

PARCEL 1

DULUTH ANNEXATION OF MIDWAY TWP

Township 49 Range 15

2014

Municipal Boundaries

1:15,840

1 inch = 0.25 miles

0 0.125 0.25 Miles

Photo Date: May 2013
Print Date: 10/7/2014

Prepared By:
The City of Duluth GIS Office

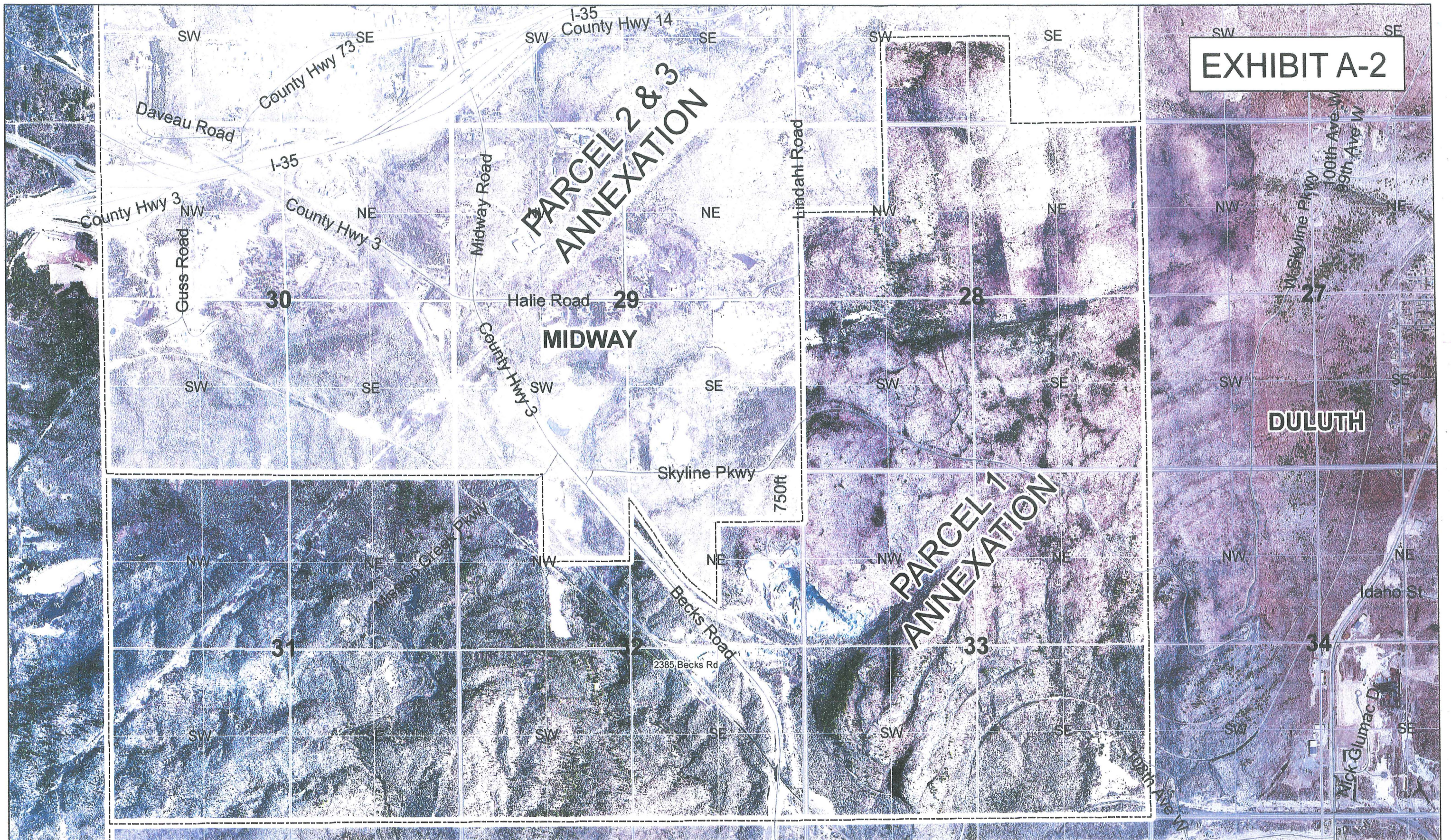


EXHIBIT A-2

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Municipal Boundaries

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OCT 08 2014

Exhibit A-2
PARCEL 1
DULUTH ANNEXATION OF MIDWAY TWP
Township 49 Range 15
2014



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0 0.125 0.25 Miles

Photo Date: May 2013
Print Date: 10/7/2014
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EXHIBIT B

PARCEL I LEGAL DESCRIPTION

That part of Township Forty-nine (49) North, Range Fifteen (15) West of the 4th Principal Meridian described as follows:

Southeast Quarter of Southwest Quarter (SE1/4 of SW1/4), Section Twenty-one (21);

West Half of Southwest Quarter of Southeast Quarter (W1/2 of SW1/4 of SE1/4), Section Twenty-one (21);

All of Section Twenty-eight (28), EXCEPT the Northwest Quarter of Northwest Quarter (NW1/4 of NW1/4);

All of Section Thirty-two (32), EXCEPT the Northeast Quarter of Northwest Quarter (NE1/4 of NW1/4), and EXCEPT all that part of the West Half of Northeast Quarter (W1/2 of NE1/4) lying northeasterly of the right-of-way of the Duluth, Winnipeg and Pacific Railroad Company, and EXCEPT the North Seven Hundred Fifty feet (750.00') of the Northeast Quarter of Northeast Quarter (NE1/4 of NE1/4); and

All of Sections Thirty-one (31) and Thirty-three (33).