

RESOLUTION NO. 2023-0214B

IN THE MATTER OF ANNEXING AN AREA DESIGNATED FOR ORDERLY ANNEXATION (RANDOLPH ROAD AND COUNTY HIGHWAY 54)

WHEREAS, The City of Detroit Lakes and the Township of Lake View and entered into an Orderly Annexation Agreement OA1695-1, which has been previously approved by the Office of Administrative Hearings or its predecessor agency, to provide for the annexation of certain lands as described therein to the City of Detroit Lakes; and

WHEREAS, The lands described in this resolution are contained in the Orderly Annexation Area, and are scheduled according to said agreement for annexation to the City; and

WHEREAS, The land contains 50.11 acres and has a population of zero.

NOW THEREFORE BE IT RESOLVED By the City Council of the City of Detroit Lakes that the following described is annexed to the City of Detroit Lakes on the date set forth herein:

The following description is meant to follow existing property and boundary lines. Distances and bearings are approximate for description purposes, not for legal land description purposes.

That part of Government Lot 2, that part of Government Lot 3 and that part of the West Half of the Southwest Quarter of the Northeast Quarter in Section 1, Township 138 North, Range 41 West of the Fifth Principal Meridian in Becker County, Minnesota as shown on Meadowland Surveying, Inc.'s Certificate of Survey 10203-15 dated August 12, 2022, described as follows:

Commencing at an iron monument which designates the north quarter corner of said Section 1; thence South 00 degrees 13 minutes 04 seconds East 1145.37 feet on an assumed bearing along the east line of said Government Lot 3 to an iron monument on the northeasterly line of MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 03-34 (hereinafter referred to as RIGHT OF WAY PLAT); thence South 80 degrees 18 minutes 52 seconds East 45.62 feet along the northeasterly line of said RIGHT OF WAY PLAT to an iron monument, said point is the point of beginning, thence North 11 degrees 39 minutes 52 seconds East 19.91 feet to an iron monument; thence continuing North 11 degrees 39 minutes 52 seconds East 329.26 feet to an iron monument; thence North 77 degrees 07 minutes 56 seconds West 174.98 feet to an iron monument; thence South 81 degrees 47 minutes 33 seconds West 281.53 feet to an iron monument; thence continuing South 81 degrees 47 minutes 33 seconds West 64.32 feet to the easterly line of the BNSF Railway; thence North 26 degrees 48 seconds 02 seconds West 227.44 feet along the easterly line of said BNSF Railway; thence northwesterly continuing along the easterly line of said BNSF Railway on a curve concave to the southwest, having a central angle of 02 degrees 00 minutes 03 seconds and a radius of 5829.65 feet, for a distance of 203.57 feet (chord bearing North 27 degrees 48 minutes 04 seconds West); thence northwesterly continuing along the easterly line of said BNSF Railway on a curve concave to the

southwest, having a central angle of 10 degrees 50 minutes 15 seconds and a radius of 2744.58 feet, for a distance of 519.14 feet (chord bearing North 34 degrees 13 minutes 12 seconds West); thence northwesterly continuing along the easterly line of said BNSF Railway on a curve concave to the southwest, having a central angle of 00 degrees 29 minutes 24 seconds and a radius of 3225.36 feet, for a distance of 27.58 feet (chord bearing North 39 degrees 53 minutes 02 seconds West) to the north line of said Section 1; thence South 89 degrees 16 minutes 29 seconds East 95.96 feet along the north line of said Section 1 to an iron monument; thence continuing South 89 degrees 16 minutes 29 seconds East 803.79 feet along the north line of said Section 1 to an iron monument at said north quarter corner; thence continuing South 89 degrees 16 minutes 29 seconds East 1326.28 feet along the north line of said Section 1 to an iron monument at the northeast corner of said Government Lot 2; thence South 00 degrees 18 minutes 40 seconds East 1331.89 feet along the east line of said Government Lot 2 to an iron monument at the southeast corner of said Government Lot 2; thence North 89 degrees 27 minutes 36 seconds West 664.19 feet along the south line of said Government Lot 2 to an iron monument at the northeast corner of said West Half of the Southwest Quarter of the Northeast Quarter; thence South 00 degrees 15 minutes 52 seconds East 125.12 feet along the east line of said West Half of the Southwest Quarter of the Northeast Quarter to an iron monument; thence continuing South 00 degrees 15 minutes 52 seconds East 76.38 feet along the east line of said West Half of the Southwest Quarter of the Northeast Quarter to the centerline of County State Aid Highway No. 54; thence northwesterly along the centerline of said County State Aid Highway No. 54 on a curve concave to the southwest, having a central angle of 07 degrees 04 minutes 37 seconds and a radius of 769.36 feet, for a distance of 95.03 feet (chord bearing North 47 degrees 56 minutes 20 seconds West) to the northeasterly line of said RIGHT OF WAY PLAT; thence North 38 degrees 22 minutes 19 seconds East 33.00 feet along the northeasterly line of said RIGHT OF WAY PLAT to an iron monument; thence North 51 degrees 28 minutes 14 seconds West 125.00 feet continuing along the northeasterly line of said RIGHT OF WAY PLAT to an iron monument; thence North 25 degrees 39 minutes 56 seconds West 235.00 feet continuing along the northeasterly line of said RIGHT OF WAY PLAT to an iron monument; thence South 86 degrees 54 minutes 38 seconds West 230.35 feet continuing along the northeasterly line of said RIGHT OF WAY PLAT to an iron monument; thence North 80 degrees 18 minutes 52 seconds West 143.30 feet continuing along the northeasterly line of said RIGHT OF WAY PLAT to the point of beginning. The above tract contains 50.11 acres.

SUBJECT TO the rights of the public for road purposes for Randolph Road over, under and across the westerly part of the above described tract.

FURTHER SUBJECT TO the rights of the public for road purposes for Warnake Road over, under and across the northerly part of the above described tract.

FURTHER SUBJECT TO the rights of the public for road purposes for County State Aid Highway No. 54 over, under and across the most southerly part of the above described tract.

Except any land already with the City.

BE IT FURTHER RESOLVED As stated in the Orderly Annexation Agreement that no alteration of the stated boundaries as described herein is appropriate, that no consideration by the

Director is necessary. The Director may review and comment, but shall, within 30 days, order the annexation in accordance with the terms of this resolution.

BE IT FURTHER RESOLVED That the City of Detroit Lakes will reimburse Lake View Township for property taxes as follows:

<u>Year</u>	<u>Amount</u>
2024	\$84.40
2025	\$84.40
2026	\$84.40
2027	\$84.40

The City at its discretion may make a lump sum payment of \$337.60 in January of 2024 as payment in full for this reimbursement.

BE IT FURTHER RESOLVED That a copy of this resolution be filed with the required state and local officials as specified by State Law.

BE IT FURTHER RESOLVED That upon annexation, the territory annexed will be zoned "R-M" Multi-Family Residential.

Passed and adopted this 14th day of February 2023.

Approved this 14th day of February 2023.



Matt Boeke, Acting Vice Mayor



Glori French, City Clerk



