

**IN THE MATTER OF THE ORDERLY ANNEXATION BETWEEN
THE CITY OF FOSSTON AND BRANDSVOLD TOWNSHIP
PURSUANT TO MINNESOTA STATUTES, SECTION 414.0325**

WHEREAS, on November 28, 2023, a Notice of Intent to include property in an orderly annexation area was published pursuant to the requirements of Minnesota Statutes, Section 414.0325 Subd. 1b.

WHEREAS, the City of Fosston and Brandsvold Township jointly agree to designate and request the immediate annexation of the following described land located within Brandsvold Township to the City of Fosston, County of Polk, State of Minnesota:

Parcel Nos. 06.00199.00:

Owner: Thomas J. Freeman and Morgan Freeman

Legal Description:

---That part of the Southwest Quarter of the Southeast Quarter of Section 33, Township 148 North, Range 40 West of the 5th Principal Meridian, Polk County, Minnesota being further described as follows: Beginning at the Southwest Corner of the Southeast Quarter (SE1/4) of Section 33; thence N89°11'52"E on the south line of said SE1/4 a distance of 1,327.94 feet to the west line of the East Half of the Southeast Quarter (E1/2SE1/4); thence N00°21'17"W on said west line a distance of 33.00 feet; thence S89°59'22"W a distance of 1,327.97 feet to the west line of said SE1/4; thence S00°23'55"W on said west line a distance of 51.35 feet to the Point of Beginning AND That part of the East Half of the Southeast Quarter of Section 33, Township 148 North, Range 40 West of the 5th Principal Meridian, Polk County, Minnesota being further described as follows: The South 33.00 feet of the East Half of the Southeast Quarter (E1/2SE1/4), except that area already within the City of Fosston. (consisting of approximately 1.29 acres, more or less)

WHEREAS, the City of Fosston and Brandsvold Township are in agreement as to the orderly annexation of the unincorporated land described.

WHEREAS, Minnesota Statutes, Section 414.0325 provides a procedure whereby the City of Fosston and Brandsvold Township may agree on a process of orderly annexation of a designated area.

WHEREAS, the City of Fosston and Brandsvold Township have agreed to all the terms and conditions for the annexation of the above-described lands, and the signatories hereto agree that no alteration of the designated area is appropriate and no consideration by the Chief Administrative Law Judge is necessary. The Chief Administrative Law Judge may review and comment, but shall within thirty (30) days, order the annexation in accordance with the terms of the resolution.

NOW, THEREFORE, BE IT RESOLVED, jointly by the City Council of the City of Fosston and the Township Board of Brandsvold Township as follows:

Section 1. Property. That the following described land is subject to orderly annexation pursuant to Minnesota Statutes, Section 414.0325, and that the parties hereto designate the area for orderly annexation and agree that the land be immediately annexed:

---That part of the Southwest Quarter of the Southeast Quarter of Section 33, Township 148 North, Range 40 West of the 5th Principal Meridian, Polk County, Minnesota being further described as follows: Beginning at the Southwest Corner of the Southeast Quarter (SE1/4) of Section 33; thence N89°11'52"E on the south line of said SE1/4 a distance of 1,327.94 feet to the west line of the East Half of the Southeast Quarter (E1/2SE1/4); thence N00°21'17"W on said west line a distance of 33.00 feet; thence S89°59'22"W a distance of 1,327.97 feet to the west line of said SE1/4; thence S00°23'55"W on said west line a distance of 51.35 feet to the Point of Beginning AND That part of the East Half of the Southeast Quarter of Section 33, Township 148 North, Range 40 West of the 5th Principal Meridian, Polk County, Minnesota being further described as follows: The South 33.00 feet of the East Half of the Southeast Quarter (E1/2SE1/4), except that area already within the City of Fosston.

Section 2. Acreage/Population/Usage. That the orderly annexation area consists of approximately 1.29 acres, no one lives in the annexation area, and the land is comprised primarily of a township road and associated right-of-way.

Section 3. Jurisdiction. That Brandsvold Township and the City of Fosston, by submission of this joint resolution to the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, confers jurisdiction upon the Chief Administrative Law Judge so as to accomplish said orderly annexation in accordance with the terms of this resolution.

Section 4. No Municipal Reimbursement/Tax Exempt Property. Brandsvold Township and the City of Fosston agree that there shall be no reimbursement. The property is primarily comprised of a township road and associated right-of-way being owned by Thomas J. Freeman and Morgan Freeman.

Section 5. Assessments and Debt. That pursuant to Minnesota Statutes § 414.036 with respect to any special assessment assigned by the Township to the annexed property and any portion of debt incurred by the Township prior to the annexation and attributable to the property to be annexed, but for which no special assessments are outstanding, for the area legally described there are no special assessments or debt.

Section 6. Review and Comment. The City of Fosston and Brandsvold Township agree that upon receipt of this resolution, passed and adopted by each party, the Chief Administrative Law Judge may review and comment, but shall within thirty (30) days, order the annexation in accordance with the terms of the resolution.

Section 7. Filing and Costs. The City of Fosston is responsible for filing this resolution with the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, paying all filing costs and publication costs associated with the orderly annexation, and for providing additional information or corrections as may be needed to complete the requested annexation.

Adopted by affirmative vote of all the members of the Brandsvold Township Board of Supervisors this 13th day of December, 2023.

BRANDSVOLD TOWNSHIP

By: Michael W Appel
Chairperson
Board of Supervisor

ATTEST:

By: Bridget Landsverk
Township Clerk



Adopted by affirmative vote of the City Council of Fosston this 11th day of December 2023.

CITY OF FOSSTON

By: [Signature]
Mayor

ATTEST:

By: Cassie Heide
City Administrator

Approved this 11th day of December 2023.

335th Ave SE
CO HWY 30

S33 T148N
R40W

SWSE

06.00199.00

Annexation Area

400th

87.00032.07

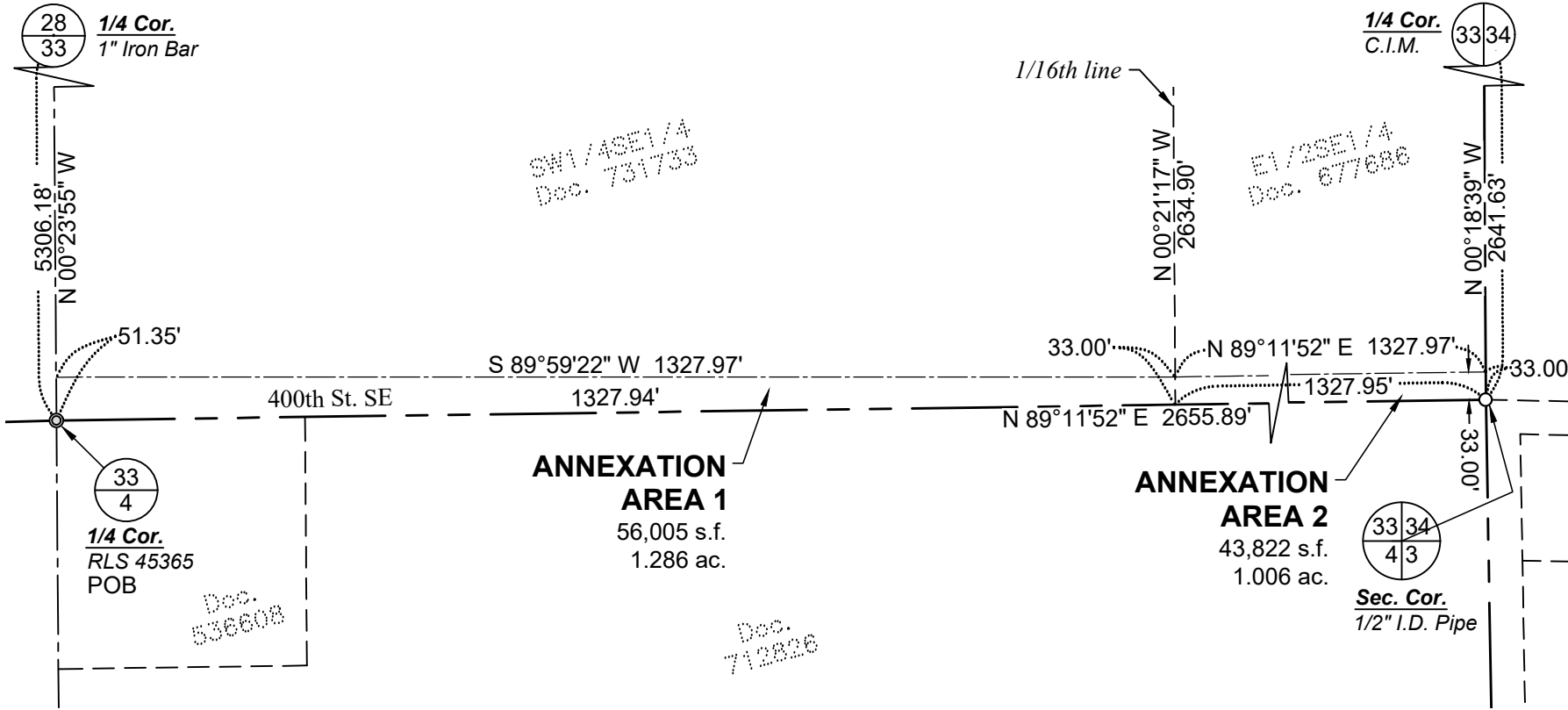
N Omland Ave
CO HWY 30

S04 T147N
GL 2 R40W

87.00032.07

CERTIFICATE OF SURVEY

PART OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 148 NORTH,
RANGE 40 WEST OF THE 5th PRINCIPAL MERIDIAN , POLK COUNTY, MINNESOTA



Annexation Area 1 Legal Description

That part of the Southwest Quarter of the Southeast Quarter of Section 33, Township 148 North, Range 40 West of the 5th Principal Meridian, Polk County, Minnesota being further described as follows:

Beginning at the Southwest Corner of the Southeast Quarter (SE1/4) of Section 33; thence N89°11'52"E on the south line of said SE1/4 a distance of 1,327.94 feet to the west line of the East Half of the Southeast Quarter (E1/2SE1/4); thence N00°21'17"W on said west line a distance of 33.00 feet; thence S89°59'22"W a distance of 1,327.97 feet to the west line of said SE1/4; thence S00°23'55"W on said west line a distance of 51.35 feet to the Point of Beginning.

Said tract contains 56,005 square feet, or 1.286 acres, more or less.

Annexation Area 2 Legal Description

That part of the East Half of the Southeast Quarter of Section 33, Township 148 North, Range 40 West of the 5th Principal Meridian, Polk County, Minnesota being further described as follows:

The South 33.00 feet of the East Half of the Southeast Quarter (E1/2SE1/4).

Said tract contains 43,822 square feet, or 1.006 acres, more or less.

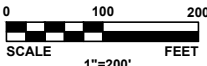
BASIS OF BEARINGS:
POLK COUNTY
COORDINATE SYSTEM,
NAVD 88, GEOID 12
Distances are Ground,
U.S. Survey Feet



LEGEND

- Found Iron Monument With Plastic Cap
- Found Iron Monument
- Proposed Annexation Line
- Section Line
- Quarter Line
- Proposed Parcel Line
- Existing Parcel Line

NOTE:
THIS SURVEY IS INTENDED ONLY FOR THE BENEFIT OF THE PARTY TO WHOM IT WAS PREPARED FOR AND SHOULD NOT BE RELIED UPON BY ANY OTHER PARTY OR FOR ANY OTHER PURPOSE WITHOUT FIRST CONTACTING THE SURVEYOR WHO DEVELOPED AND MADE THIS DRAWING. UNAUTHORIZED REPRODUCTION OF THIS DOCUMENT IS PROHIBITED.



I HEREBY CERTIFY THAT THIS SURVEY, PLAN, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.
NAME: Nick Statteiman LIC. NO. 49835 DATE: 12/18/23

DESIGNED:
DRAWN:
CHECKED:



TRUE NORTH SURVEYS, P.A.
5503 W Ponderosa Dr.
Horace, ND 58047
Phone: 218-230-4358

DATE OF SURVEY: 12/12/2023
JOB #: 2023-98
OWNER: Freeman / Fosston

