

ORDINANCE NO. 11, 4th SERIES

AN ORDINANCE OF THE CITY OF EAST GRAND FORKS, MINNESOTA, ANNEXING THAT PART OF GOVERNMENT LOT ONE (1), SECTION EIGHTEEN (18), TOWNSHIP ONE FIFTY-ONE (151) NORTH, RANGE FORTY-NINE (49), WEST OF THE FIFTH PRINCIPAL MERIDIAN, POLK COUNTY, MINNESOTA.

THE CITY OF EAST GRAND FORKS ORDAINS:

Section 1. This annexation is being passed and adopted pursuant to the provisions of Minnesota Statute § 414.033 subd. 2 clause 1.

Section 2. The City of East Grand Forks, Minnesota (hereinafter referred to the “City”) acquired real property from Polk County via warranty deed which was recorded in the office of the Polk County Recorder as Document number A000596185 on September 16, 2002. Hereby attached and incorporated by reference.

Section 3. The land abuts the City of East Grand Forks, is urban or suburban in character and is owned by the City.

Section 4. That the City Council has determined that it is the best interest of the City that said parcel is to be annexed into the City so that it can have access to all City utilities and services.

Section 5. That the notice and public hearing requirements of Minnesota Statute § 414.033 subd. 2b are not required because the parcel is owned by the City.

Section 6. That Minnesota Statute § 414.033 subd. 3, does not control because it is appropriate for annexation under Minnesota Statute § 414.033 subd. 2, clause 1.

Section 7. That the area to be annexed is unplatted and unpopulated property.

Section 8. The City hereby annexes the real property situated in the County of Polk, State of Minnesota, legally described as follows, to wit:

That part of Government Lot One (1), Section Eighteen (18), Township One Hundred Fifty-one (151) North, Range Forty-nine (49), West of the Fifth Principal Meridian, Polk County, Minnesota described as follows: Commencing at the Northwest corner of said Section 18; thence easterly along the North line of said Section 18 a distance of 217.5 feet to the centerline of State Highway No. 220; thence south 42 degrees 51minutes east, along said center line, a distance of 531.9 feet; thence south 1 degree 11 minutes east a distance of 120.34 feet to the point of beginning of the tract herein conveyed on the southwesterly boundary of the right of way of said Highway No. 220; thence south 1 degree 11 minutes east a distance of 455.0 feet; thence at right angles easterly a distance of 296 feet, more or less, to the center of the coulee; thence northerly along the center of said coulee to its intersection with the Southwesterly boundary of right of way of said Highway No. 220;

thence northwesterly along said boundary line a distance of 437 feet, more or less, to the point of beginning; containing 2.0 acres.

Section 9. That said land is not in the floodplain or shoreland area.

Section 10. The City Administrator/Clerk Treasurer is hereby directed to file certified copies of this ordinance with the Chief Administrative law Judge, Municipal Boundary Adjustments Division of the state Office of Administrative Hearings (Minnesota Municipal Board), Huntsville Township, Polk County Auditor, and the Minnesota Secretary of State. A copy of the annexation ordinance must be delivered immediately to the Polk County Auditor upon approval of the chief administrative law judge.

Section 11. City Code Chapter 10 entitled Definitions and General Provisions Applicable to the Entire City Code Including Penalty for violation” is hereby adopted in its entirety, by reference, as repeated verbatim herein.

Section 12. This ordinance shall take effect and be in force from and after its passage and publication and be given number 11, 4th series, and after its approval by the Chief Administrative law Judge, Municipal Boundary Adjustments Division of the state Office of Administrative Hearings (Minnesota Municipal Board).

Voting Aye: Tweten, Olstad, Leigh, Grassel, Vetter, and Buckalew.

Voting Nay: None.

Absent: None.

The Vice-President declared the Ordinance passed.

ATTEST:

PASSED: January 21, 2014

City Administrator/Clerk-Treasurer

Vice-President of Council

I hereby approve the foregoing Ordinance this 21st day of January, 2014.

Mayor