

Minnesota Municipal Commission
51 State Office Building
St. Paul 1, Minnesota

August 13, 1964

Mr. Redger A. Mousman,
City Clerk-Treasurer
Fergus Falls, Minnesota

Dear Mr. Mousman:

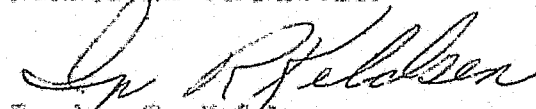
The Municipal Commission acknowledges receipt of your Ordinance No. 289 and filing fee in accordance with Minn. Stat. 1961, Sec. 414.02, Subd. 2 as amended by Laws 1963, Chap. 107, Sec. 7 and the Rules of Procedure of the Municipal Commission to annex unincorporated property.

The Commission finds that all the requirements of the Commission Act have been met and accepted the ordinance for filing on August 10th, 1964.

If there is any future correspondence or reference to this ordinance, please refer to Docket Number 4-611.

Cordially,

MUNICIPAL COMMISSION


Irving R. Haldsen
SECRETARY

IRH/pdl

cc: Secretary of State
County Auditor
Township Clerk
City Attorney

17058

STATE OF MINNESOTA)
) ss.
COUNTY OF OTTER TAIL)

I, Rodger A. Neumann, the duly appointed, qualified, and acting City Clerk of the City of Fergus Falls, Minnesota, do hereby certify that I am custodian of all proceedings had by the City Council of said city, and that the attached is a true and correct copy of an Ordinance duly adopted by the City Council at its regular meeting held on May 18, 1964.

IN WITNESS WHEREOF, I have hereunto placed my hand and signature this 20th day of May, 1964, and have hereunto affixed the seal of said city.

Rodger A. Neumann
City Clerk

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
AUG 26 1964

Joseph L. Asmann
Secretary of State

ORDINANCE NO. 319

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF
THE CITY OF FERGUS FALLS TO INCLUDE CERTAIN
UNINCORPORATED UNPLATTED LAND NOT EXCEEDING 200
ACRES IN AREA ADJUTING UPON THE CITY LIMITS

WHEREAS, A certain petition dated January 17, 1964, requesting annexation of the territory hereinafter described was duly presented to the council on the 16th day of March, 1964, and

WHEREAS, The quantity of land embraced within the area described in the petition and bounded as described is 194.8 acres of unplatted land, no part of which is included within the limits of an incorporated city, village, or borough, and

WHEREAS, The petition was signed by all owners of said real estate, and

WHEREAS, No objections to the annexation have been received from the town board, the county board, or the governing body of any municipality whose boundaries abut upon the boundaries of the land to be annexed, and

WHEREAS, A copy of said petition was mailed to the Town Board and the County Board involved, and a copy of said petition was sent to the Municipal Commission of the State of Minnesota, and

WHEREAS, The land described in the petition abuts upon the city of Fergus Falls' limits at the east boundary thereof,

The City Council of the City of Fergus Falls, Minnesota, ordains:

Section 1. The City Council hereby determines that the annexation will be to the best interests of the city and of the territory affected, that the territory described herein abuts upon the city limits and is about to become urban or suburban in character, and that none of said territory is now included within the limits of any city, village, or borough.

Section 2. Territory Annexed. The corporate limits of the city are hereby extended to include the unplatted land described as follows and the same is hereby annexed to and included within the city as effectually as if it had originally been a part thereof:

All of the North one-half (N $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) and all of the Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) and a part of the Southwest Quarter (SW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) and a part of the North One-half (N $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$), all of which is a part of Section Two (2), Township One Hundred Thirty-two (132) North, Range Forty-three (43) West, Otter Tail County, Minnesota, and all lying within a parcel of land described by notes and bounds as follows: Beginning at the quarter-section corner on the north line of said Section Two (2) (said corner being a brass monument set in concrete), thence running South nineteen hundred eighty-three (1983) feet along the

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quarter-section line to its intersection with the northeasterly right of way line of the Great Northern Railway property, thence South thirty-eight (38) degrees and seventeen (17) minutes East fifteen hundred seventy-eight and eight tenths (1578.8) feet along said railway right-of-way line, and thence deflect to the right on a one (1) degree curve (delta angle 11 degrees and 30 minutes) five hundred eighty-six and five-tenths (586.5) feet along said railway right-of-way line to where it intersects the north right-of-way line of the public highway (now known as T.M. No. 210), thence North seventy-two (72) degrees and thirty-eight (38) minutes East fourteen hundred twenty-four and five tenths (1424.5) feet along said highway right-of-way line to its intersection with the east line of said Section Two (2), thence North one (1) degree and three (3) minutes West thirty-three hundred sixty-four (3364) feet along said section line to the northeast corner of said Section Two (2), thence South eighty-eight (88) degrees and five (5) minutes West twenty-six hundred seventeen and five tenths (2617.5) feet to the point of beginning and containing one hundred ninety-four and eight tenths (194.8) acres more or less, and subject to transmission line easements to the Otter Tail Power Company, a corporation, and also subject to lease and option to the Commodity Credit Corporation, as now of record.

Section 3. Filing. The City Clerk is hereby directed to file certified copies of this ordinance with the Minnesota Municipal Commission, the Secretary of State, and the County Auditor.

Section 4. Effective Date. This ordinance takes effect upon its passage and publication and the filing of the certified copies as directed in Section 3.

The above ordinance was introduced at a regular meeting of the City Council held on May 4, 1964, by Alderman Mel Olson, given its first reading on May 4, 1964, its second reading on May 18, 1964, and was adopted by the following vote:

AYES: Beck, Freye, W. G. Olson, Warren, Larson, and Quarum.

NAYS: None (Aldermen Mel Olson and Vollbrecht absent).

APPROVED: V. I. Hanson
MAYOR

ATTEST: Rodger A. Neumann
CITY CLERK-TREASURER

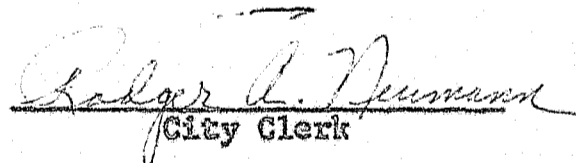
17058
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
AUG 26 1964

Joseph L. Henneman
Secretary of State

STATE OF MINNESOTA)
) ss
COUNTY OF OTTER TAIL)

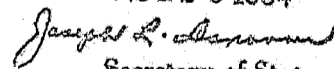
I, Rodger A. Neumann, the duly appointed, qualified, and acting City Clerk of the City of Fergus Falls, Minnesota, do hereby certify that the attached is a true and correct copy of a Petition for Annexation presented by the Fergus Falls Industrial Development Corporation to the City Council of said City of Fergus Falls, at its regular meeting held on the 16th day of March, 1964.

IN WITNESS WHEREOF, I have hereunto placed my hand and signature this 20th day of March, 1964, and have hereunto affixed the seal of said city.


City Clerk

#17058

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
AUG 26 1964


Secretary of State

PETITION FOR ANNEXATION

TO THE CITY OF FERGUS FALLS, MINNESOTA, AND THE CITY COUNCIL OF THE CITY OF FERGUS FALLS, MINNESOTA:

We, the undersigned, all of the owners of the territory described below, hereby request the council to annex this territory to the City of Fergus Falls and to extend the city boundaries to include the same, and for that purpose respectfully state:

1. The territory to be annexed consists entirely of unplatted lands, which is on file and of record in the office of the Register of Deeds of Otter Tail County, Minnesota. All of these lands lie entirely within the County of Otter Tail and State of Minnesota, and the description of such lands is as follows:

All of the North one-half (N $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) and all of the Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) and a part of the Southwest Quarter (SW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) and a part of the North One-half (N $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$), all of which is a part of Section Two (2), Township One Hundred Thirty-two (132) North, Range Forty-three (43) West, Otter Tail County, Minnesota, and all lying within a parcel of land described by metes and bounds as follows:

Beginning at the quarter-section corner on the north line of said Section Two (2) (said corner being a brass monument not in evidence), thence running South nineteen hundred eighty-three (1983) feet along the quarter-section line to its intersection with the northeasterly right of way line of the Great Northern Railway property, thence South thirty-eight (38) degrees and seventeen (17) minutes East fifteen hundred seventy-eight and eight tenths (1578.8) feet along said railway right-of-way line, and thence deflect to the right on a one (1) degree curve (delta angle 13 degrees and 30 minutes) five hundred eighty-six and five tenths (586.5) feet along said railway right-of-way line to where it intersects the north right-of-way line of the public highway (now known as T.H. No. 210), thence North seventy-two (72) degrees and thirty-eight (38) minutes East fourteen hundred twenty-four and five tenths (1424.5) feet along said highway right-of-way line to its intersection with the east line of said Section Two (2), thence North one (1) degree and three (3) minutes West thirty-three hundred sixty-four (3364) feet along said section line to the northeast corner of said Section Two (2), thence South eighty-eight (88) degrees and five (5) minutes West twenty-six hundred seventeen and five tenths (2617.5) feet to the point of beginning and containing one hundred ninety-four and eight tenths (194.8) acres more or less, and subject to transmission line easements to the Otter Tail Power Company, a corporation, and also subject to lease and option to the Commodity Credit Corporation, as now of record.

That the above-described land consists of less than two hundred acres.

2. The territory described above abuts the City of Fergus Falls limits at the east boundary thereof, and none of it is presently included within the corporate limits of any incorporated city, village, or borough.

3. All of this territory is or is about to become urban or suburban in character.

Dated: January 17, 1964.

FERGUS FALLS INDUSTRIAL DEVELOPMENT CORPORATION
By B. K. Sabo
Its Secretary
Donald W. Mollerud
Its Secretary

CONSENT AND APPROVAL OF ANNEXATION
BY OTTER TAIL POWER COMPANY

The Otter Tail Power Company, a corporation, does hereby approve of and join in the petition for annexation above set forth, to which special reference is herein made.

Dated January 17, 1964.

OTTER TAIL POWER COMPANY

By

W. A. Smith
Vice President

John W. West
Secretary

CONSENT AND APPROVAL OF ANNEXATION
BY COMMODITY CREDIT CORPORATION

The Commodity Credit Corporation does hereby approve of and join in the petition for annexation above set forth, to which special reference is herein made.

Dated January _____, 1964.

COMMODITY CREDIT CORPORATION

By _____
Vice President

STATEMENT OF PHILIP R. MONSON, CITY ATTORNEY,
OF FERGUS FALLS, MINNESOTA

The reason the Commodity Credit Corporation was asked to join in the foregoing annexation is that it has thirty five acres of the Fergus Falls site, which is embraced in the property in question. The office of the General Counsel, USDA, 218 Federal Courthouse Building, St. Paul, Minnesota, stated in part: "We see nothing in the material submitted with your memorandum of January 28 to show that Commodity Credit Corporation has any interest one way or the other in the annexation of 200 acres to the City of Fergus Falls." Said Counsel further states that he has been advised that no grade is needed in the bins and that there is a plan to abandon the site. This abandonment will take place later this Spring of 1964 as it is impossible to dig out the anchor rings until the frost has left the ground.

In view of the foregoing disclaimer of interest, it is my opinion that the ASC County Committee of Otter Tail County, Minnesota, does not have a sufficient interest in the annexation to require its joining in the foregoing petition, and this petition is submitted with that understanding.

Dated March 13, 1964.

17058
Philip R. Monson
PHILIP R. MONSON, CITY ATTORNEY
FERGUS FALLS, MINNESOTA