

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

File

September 16, 1964

Mr. A. G. Rand, Clk.
City Hall
East Grand Forks, Minnesota

Dear Mr. Rand:

The Minnesota Municipal Commission acknowledges receipt of your Ordinances 287, 290, and 291 and filing fees in accordance with Minn. Stat. 1961, Section 414.03, Subd 2 as amended by Laws 1963, Chap. 607, Section 2 and the Rules of Procedure of the Municipal Commission to annex unincorporated property.

The Commission finds that all the requirements of the Municipal Commission Act have been met and accepted the ordinances for filing on September 14, 1964.

If there is any future correspondence or reference to these ordinances, please refer to Pocket Numbers A-487, A-645 and A-660.

Cordially,

MUNICIPAL COMMISSION

Irving R. Noldson
Secretary

cc: Secretary of State ✓
County Auditor
Township Clerk
Attorney

17069

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

September 2, 1964

Mr. A. G. Rand, Clk.
City Hall
East Grand Forks, Minnesota

Dear Mr. Rand:

The Minnesota Municipal Commission acknowledges receipt of your Ordinance No. 189 amending Ord. No. 185.

The Commission finds that all the requirements of the Municipal Commission have been met and accepted the Ordinance for filing on September 1, 1964.

If there is any future correspondence or reference to this ordinance, please refer to Rocket Number A-467.

Cordially,

MUNICIPAL COMMISSION

Irving R. Haldson
Secretary

cc: Secretary of State ✓
County Auditor
Township Clerk

ORDINANCE NO. 189

ORDINANCE NO. 189

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF EAST GRAND FORKS TO INCLUDE CERTAIN UNPLATTED LAND IN GOVERNMENT LOT 9, SECTION 12, TOWNSHIP 151 NORTH, RANGE 50 WEST OF THE FIFTH PRINCIPAL MERIDIAN, SAID CORNER BEING ALSO THE CENTER OF SAID SECTION 12, AND BEING ALSO THE SOUTHEAST CORNER OF MIKKELSON & REILLY'S 3RD ADDITION TO THE CITY OF EAST GRAND FORKS, MINNESOTA, THENCE PROCEEDING WESTERLY ALONG THE NORTH LINE OF SAID GOV'T. LOT 9, A DISTANCE OF 460.00 FEET TO A POINT 500 FEET DISTANT WESTERLY FROM THE SAID NORTHEAST CORNER OF GOV'T. LOT 9; THENCE DEFLECTING LEFT AND PROCEEDING SOUTHERLY, ON A LINE LYING PARALLEL TO THE EAST LINE OF GOV'T. LOT 9, A DISTANCE OF 40.00 FEET; THENCE DEFLECTING LEFT AND PROCEEDING EASTERLY, ON A LINE LYING PARALLEL TO THE NORTH LINE OF GOV'T. LOT 9, A DISTANCE OF 206.00 FEET; THENCE DEFLECTING RIGHT AND PROCEEDING SOUTHERLY, ON A LINE LYING PARALLEL TO THE SAID EAST LINE OF GOV'T. LOT 9, A DISTANCE OF 265.00 FEET; THENCE DEFLECTING LEFT AND PROCEEDING EASTERLY, ON A LINE LYING PARALLEL TO THE SAID NORTH LINE OF GOV'T. LOT 9, A DISTANCE OF 254.00 FEET TO A POINT 40 FEET WEST FROM THE EAST BOUNDARY OF SAID GOV'T. LOT 9; THENCE DEFLECTING LEFT AND PROCEEDING NORTHERLY, PARALLEL TO AND 40.00 FEET DISTANT WESTERLY FROM THE SAID EAST LINE OF GOV'T. LOT 9, A DISTANCE OF 305.00 FEET TO THE TRUE POINT OF BEGINNING, WITH SAID TRACT CONTAINING APPROXIMATELY 1.968 ACRES LYING WHOLLY WITHIN GOV'T. LOT 9, SECTION 12, TOWNSHIP 151 NORTH, RANGE 50 WEST OF THE 5TH PRINCIPAL MERIDIAN, COUNTY OF POLK AND STATE OF MINNESOTA.

The City Council of the City of East Grand Forks, Minnesota, do hereby ordain as follows:

Section 1. Ordinance No. 185 of the City of East Grand Forks, Minnesota, is hereby repealed in its entirety.

Section 2. A Petition for Annexation has been filed with the City Council of the City of East Grand Forks, Minnesota, by the Community Christian Reformed Church, a Non-Profit Corporation under the Laws of the State of Minnesota, and the City of East Grand Forks, Minnesota, a Municipal Corporation, under the Laws of the State of Minnesota, the sole owners of the following described real estate, to have such land included within the City of East Grand Forks, Minnesota; that Copies of said Petition were filed with the Rhinehart Township Board on August 1, 1963, with the Polk County Board on August 8, 1963, and with the State of Minnesota Municipal Commission; that said land is described as follows, to-wit:

A tract of land in Government Lot Nine (9), Section Twelve (12), Township One Hundred Fifty-one (151) North, Range Fifty (50) West of the Fifth Principal Meridian, County of Polk and State of Minnesota, which tract is described as follows, to-wit:

Commencing at the Northeast corner of Government Lot 9, Section 12, Township 151 North, Range 50 West of the Fifth Principal Meridian, said corner being also the center of said Section 12, and being also the Southeast Corner of Mikkelsen & Reilly's 3rd Addition to the City of East Grand Forks, Minnesota thence proceeding westerly along the north line of said Gov't. Lot 9, said north line being also the south line of Mikkelsen & Reilly's Additions, a distance of 40.00 feet to the true point of beginning; thence continuing westerly along the said north line of Gov't. Lot 9 a distance of 460.00 feet to a point 500 feet distant westerly from the said Northeast corner of Gov't. Lot 9; thence deflecting left and proceeding southerly, on a line ly-

ing parallel to the east line of Gov't. Lot 9, a distance of 40.00 feet; thence deflecting left and proceeding easterly, on a line lying parallel to the north line of Gov't. Lot 9, a distance of 206.00 feet; thence deflecting right and proceeding southerly, on a line lying parallel to the said east line of Gov't. Lot 9, a distance of 265.00 feet; thence deflecting left and proceeding easterly, on a line lying parallel to the said north line of Gov't. Lot 9, a distance of 254.00 feet to a point 40 feet west from the east boundary of said Gov't. Lot 9; thence deflecting left and proceeding northerly, parallel to and 40.00 feet distant westerly from the said East line of Gov't. Lot 9, a distance of 305.00 feet to the true point of beginning, with said tract containing approximately 1.968 acres lying wholly within Gov't. Lot 9, Section 12, Township 151 North, Range 50 West of the 5th Principal Meridian, County of Polk and State of Minnesota.

Section 3. The quantity of land embraced within the foregoing description is 1.968 acres, more or less.

Section 4. The City Council hereby determines (1) that the quantity of land embraced within the foregoing description is less than 200 acres; (2) that the annexation will be to the best interests of the City of East Grand Forks, Minnesota, and of the territory affected; (3) that the territory and land described as above abuts upon the City of East Grand Forks, Minnesota, is suitably conditioned for municipal government, and is urban in character; (4) that the petitioners are the sole owners of the land and real estate herein described.

Section 5. The corporate limits of the City of East Grand Forks, Minnesota, are hereby extended to include the property described in Section 2, and the same is hereby annexed to and included in the City of East Grand Forks, Minnesota, as effectually as if it had originally been a part thereof.

Section 6. The City Clerk is hereby directed to file certified copies of this Ordinance with the State of Minnesota Municipal Commission, the County Auditor and the Secretary of State of the State of Minnesota.

Section 7. This Ordinance takes effect upon its passage and publication, and the filing of the certified copies as directed in Section 6, and be given the number 189.

Voting Aye: Solariski, Stauss, Nelson, Hjelmstad, Driscoll, Tweten. Voting Nay: None.

Absent: Jacobs.

The President declared the Ordinance passed.

Passed: May 25, 1964.

HENRY G. TWETEN,
President of Council

Attest:

A. G. RAND, City Clerk.

I hereby approve the foregoing Ordinance this 1st day of June, 1964.

LOUIS A. MURRAY, Mayor

I hereby certify that the foregoing Ordinance was introduced and received its first reading at a regular meeting on May 5, 1964; and that it received its second reading at an adjourned regular meeting on May 12, 1964; that it received its third reading and was passed at an adjourned regular meeting on May 25, 1964.

I further certify that the within Ordinance on May 25, 1964, and after the same was duly passed by the City Council was delivered to Louis A. Murray, Mayor, and that said Ordinance was returned to me by Louis A. Murray, Mayor, on the 1st day of June, 1964, duly approved by him.

Dated this 1st day of June, 1964.

A. G. RAND, City Clerk
East Grand Forks, Minn.
(Publish June 4, 1964)

I hereby certify that the within Ordinance was published in the "Record" of East Grand Forks, Minnesota, the official newspaper of the City, in the issue of June 4, 1964.

A. G. Rand
A. G. RAND, City Clerk

I hereby certify that a certified copy of Ordinance No. 189 was filed with each of the following at the date shown below, to-wit:
With Municipal Commission of Minnesota on

With the Secretary of State of Minnesota on

With the County Auditor of Polk County, Minnesota on

With the Register of Deeds of Polk Co., Minn., on

STATE OF MINNESOTA

DEPARTMENT OF STATE

FILED

SEP 4 1964

A. G. RAND, City Clerk

Joseph L. Allen
Secretary of State

State of Minnesota)
County of Polk (ss
City of East Grand Forks)

I, A. G. Rand, City Clerk of the City of East Grand Forks, Minnesota, hereby certify that the attached ORDINANCE NO. 189, set out the reverse side hereof, is a true and exact copy of an ordinance passed and adopted by the City Council of the City of East Grand Forks, Minnesota, at an adjourned regular meeting of said Council held at the City Hall in said City on May 25, 1964, and approved by the Mayor of said City on June 1, 1964, together with all endorsements thereon, the Original of which is now on file in the Office of the City Clerk of the City of East Grand Forks, Minnesota.

I further certify that said Ordinance was published in the RECORD of East Grand Forks, the official newspaper of the said City, in the issue of June 4, 1964, and that the Publishers Affidavit of such publication of said Ordinance in said issue is attached to the Original Ordinance on file with the said City Clerk.

I further certify that this certified copy is being filed pursuant to Section 6 of said Ordinance No. 189, and in accordance with Minnesota State Law.

Dated this 25th day of August, 1964.

A.G. Rand
A.G. Rand, City Clerk
City of East Grand Forks, Minnesota

I further certify that on August 25, 1964, I did mail, for filing with each a certified copy of said Ordinance No. 189 to each of the following agencies:

Municipal Commission
51 State Office Building
St. Paul, Minnesota

Martin L. Vanseth
Polk County Auditor
Courthouse
Crookston, Minnesota

Secretary of State
State of Minnesota
State Office Building
St. Paul, Minnesota

Walter Acker
Register of Deeds Polk County
Courthouse
Crookston, Minnesota

and did enclose to each a second copy of said Ordinance requesting that each certify thereon that a copy of said Ordinance 189 was filed with them, and to return the acknowledgement to me for my file.

A.G. Rand
A.G. Rand, City Clerk
City of East Grand Forks, Minn

I hereby acknowledge and certify that a certified copy of the within Ordinance No. 189 of the City of East Grand Forks, Minnesota, as set out on the reverse side hereof, was filed in this office, the Secretary of State of Minnesota, St. Paul, Minn., on this ____ day of _____, 1964.

Secretary of State

CITY OF EAST GRAND FORKS
EAST GRAND FORKS, MINNESOTA

See Ord # 189

April 28, 1964

State of Minnesota
Municipal Commission
51 State Office Building
St. Paul, Minnesota 55101

Attn: Mr. Irving R. Koldsen, Sec'y.

Re: Ordinance No. 185 Annexation
City of East Grand Forks, Minnesota

Gentlemen:

There is considerable confusion as to the status of the above annexation Ordinance, which has arisen by virtue of the amendment to Minnesota Statutes Section 414.03, subdivision 2, which was passed by the 1963 Minnesota Legislature. As to the above amendment, the law was effective and applied to all petitions and ordinances for annexation which had not been passed and filed prior to May 22, 1963. As to all other amendments, the new law did not apply until after July 1st.

The advice from your office, pursuant to your letters of August 16th, 1963, and February 4, 1964, was that this annexation Ordinance had met all requirements of the Municipal Commission, and your office accepted the Ordinance for filing on August 9, 1963.

However, the office of the Secretary of State has taken a contrary position, and has indicated that because of the amendments made by the 1963 legislature, the annexation was defective, and accordingly refused to accept it for filing.

Accordingly, we are abandoning the prior annexation. A new Petition for Annexation was filed with the City Council of East Grand Forks, Minnesota, on July 9, 1963. Copies of that petition were filed with the Township of Rhinchart, in which township the subject property is situated, on August 1, 1963, and filed with the County Board of Polk County, in which county the subject property is situated, on August 8, 1963.

I am at this time enclosing for filing in your office two copies of the new "Petition for Annexation", along with the certificate of the City Clerk of the City of East Grand Forks attesting to the filing of copies with the Town Board and the County Board on the dates set forth above.

As will be immediately ascertained, more than 30 days have elapsed since the filing of the above Petition with the county and township, and the new Annexation Ordinance will be introduced to the City Council in the immediate future. Amongst other things, the new Ordinance will annul the prior Ordinance No. 185.

I hope this letter and enclosures will clarify the situation. The Ordinance No. 185 which you now have on file should be ignored. If you have any questions whatsoever, please feel free to inquire of this writer. I regret the confusion which has ensued.

Very truly yours,

Robert A. Matt
Robert A. Matt, City Att'y.

CITY OF EAST GRAND FORKS
EAST GRAND FORKS, MINNESOTA

Page two: Ordinance No. 185

April 28, 1964

RAM:dm
enc's.

cc's:

State of Minnesota
Secretary of State
State Capitol
St. Paul, Minnesota 55101 (Copy of City Clerk's certificate enclosed.)

Mr. Martin Vanseth
Polk County Auditor
Crookston, Minnesota (Copy of City Clerk's Certificate enclosed.)

Mr. A. G. Rand
City Clerk
Box 373
E. Grand Forks, Minnesota

Community Reformed Church
c/o Dr. Benjamin DeDoer
312 Alpha Avenue
Grand Forks, North Dakota

State of Minnesota ()
County of Polk) ss
City East Grand Forks ()

I, A. G. Rand, City Clerk of the City of East Grand Forks, in the County of Polk and State of Minnesota hereby certify:

1. That on July 9, 1963 a "PETITION FOR ANNEXATION" was filed with me, the City Clerk of the City of East Grand Forks, Minnesota, and that a true and exact copy of said "Petition For Annexation" so filed, is hereto attached.
2. I further certify that said land is in Rhinehart Township in Polk County, Minnesota.
3. I further certify that on August 1, 1963 two copies of said "Petition For Annexation" were filed with the Town Board of said Rhinehart Township, as shown by the attached copy of the written acknowledgment of Evelyn C. Kittle, Clerk of said Rhinehart Town Board of Rhinehart Township in Polk County, Minnesota, that said Petition was filed with her on August 1, 1963.
4. I further certify that on August 8, 1963 two copies of said "PETITION FOR ANNEXATION" were filed with the County Board of Polk County, Minnesota, as shown by the attached copy of the written acknowledgment of Martin L. Vanseth, County Auditor of Polk County, Minnesota, that said Petition was filed with him on August 8, 1963.
5. I further certify that on this 28th day of April, 1964, I have mailed a copy of this Certificate to the County Auditor of the County of Polk, state of Minnesota, at Crookston, Minnesota, and also have mailed a copy of this Certificate today to the Secretary of State of Minnesota, at St. Paul, Minnesota.

Dated this 28th day of April, 1964.

A G Rand
A G Rand, City Clerk
City of East Grand Forks, Minnesota.

CITY OF EAST GRAND FORKS
EAST GRAND FORKS, MINNESOTA 56721

LOUIS A. MURRAY
Mayor
HENRY G. TWETEN
Alderman - Pres. of Council
WALTER J. SOLARSKI
Alderman

AL STAUSS
Alderman - V. Pres. of Council
MICHAEL R. JACOBS
Alderman
VIGGO NELSON
Alderman

WALLY HJELMSTAD
Alderman
LEONARD DRISCOLL
Alderman

ROBERT A. MATT
City Attorney
A. G. RAND
City Clerk

March 18, 1964

State of Minnesota
Secretary of State
St. Paul, Minnesota

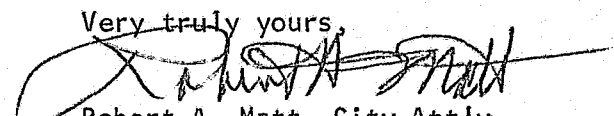
Gentlemen:

I am enclosing herewith for filing two ~~XXX~~ copies of Ordinance No. 185 of the City of East Grand Forks, Minnesota, annexing a tract of land to said city.

It has been called to our attention by the Minnesota Municipal Commission that the same has never been filed with your office, per the enclosed Thermofax copy of their letter of February 4, 1964. Also enclosed is copy of their letter of August 16, 1963, wherein they acknowledge receipt of said Ordinance, find all requirements have been met, and accept the Ordinance for filing.

Kindly forgive our oversight in neglecting to file the same in your office.

Very truly yours,


Robert A. Matt, City Att'y.
East Grand Forks, Minnesota

RAM:dm
enc's.

cc: Minnesota Municipal Commission
Attn: Mr. Irving R. Kelson, Secretary

Mr. A. G. Rand, City Clerk
E. Grand Forks, Minnesota

P.S. Would you kindly return the one copy of the Ordinance, indicating the filing data in your office. Thank you.

RMatt

3/23/64 RETURNED FOR CERTIFICATION OF CITY CLERK.

August 16, 1963

Mr. A. G. Rand, Clerk
East Grand Forks
Minnesota

Dear Mr. Rand:

The Minnesota Municipal Commission acknowledges receipt of your Ordinance No. 185 in accordance with Minnesota Statutes 1961 Section 414.03, Subdivision 2, as amended by Laws 1963 Chapter 807.

The Commission finds that all the requirements of the Municipal Commission Act have been met and accepted the Ordinance for filing on August 9, 1963.

If there is any future correspondence or reference to this ordinance, please refer to Docket Number A-487.

Cordially,

MUNICIPAL COMMISSION

Irving R. Keldsen
S e c r e t a r y

cc: County Auditor
Secretary of State

RECEIVED

AUG 19 1963

SECRETARY OF STATE
CORPORATION DIVISION



STATE OF MINNESOTA
MUNICIPAL COMMISSION

51 State Office Building
St. Paul, Minnesota 55101

221-2429

JOSEPH RODDIE
Minneapolis
Chairman

ROBERT W. JOHNSON
Ancker
Vice Chairman

TERRANCE OTTOLE
St. Paul

IRVING R. KILGREN
Minneapolis
Secretary

February 4, 1964

Mr. A. G. Rand
City Clerk
East Grand Forks, Minnesota

Dear Mr. Rand:

The Municipal Commission has been informed by the Secretary of State that they have not received your annexation Ordinance No. 185.

According to Minn. Statutes 414.03, Subdivision 2, "Any annexation provided for in this subdivision shall be deemed final upon filing a copy of the ordinance with the commission, the county auditor, and the Secretary of State."

The above ordinance will be deemed final, therefore, only after it has been filed with the Secretary of State.

Cordially,

MUNICIPAL COMMISSION

Irving R. Kilgren
Secretary

IRK/pal

17069