

ORDINANCE NO. 33, SECOND SERIES

AN AMENDMENT TO ORDINANCE NO. 394 ENTITLED
"AN ORDINANCE EXTENDING THE CORPORATE LIMITS
OF THE CITY OF FERGUS FALLS TO INCLUDE
CERTAIN UNINCORPORATED LAND NOT EXCEEDING TWO
HUNDRED (200) ACRES IN AREA ABUTTING UPON THE
CITY LIMITS".

WHEREAS, A certain petition signed by Peter A. Miller, Leonard Christopherson and Solveig E. Christopherson, and dated October 20, 1969, requesting annexation of the territory hereinafter described was duly presented to the Council on the 20th day of October, 1969; and

WHEREAS, The quantity of land embraced within the area described in said petition and bounded as described thirty-two acres (32), more or less, of unplatted land, no part of which is included within the limits of an unincorporated city, village or borough; and

WHEREAS, The petition was signed by all owners of the territory hereinafter described; and

WHEREAS, No objections to the annexation have been received from the Town Board of Buse Township or the county board of Otter Tail County; and

WHEREAS, The land described in the petition abuts the city limits at the southerly boundary thereof; and

WHEREAS, The City Council of the City of Fergus Falls duly adopted an Ordinance No. 394 entitled "An Ordinance Extending the Corporate Limits of the City of Fergus Falls to Include Certain Unincorporated Land Not Exceeding Two Hundred (200) Acres in Area Abutting Upon the City Limits" but that said ordinance is in need of amendment.

The City Council of the City of Fergus Falls, Minnesota, does ordain:

Section 1. That Sections 1 and 2 of Ordinance No. 394 entitled "An Ordinance Extending the Corporate Limits of the City of Fergus Falls to Include Certain Unincorporated Land Not Exceeding Two Hundred (200) Acres in Area Abutting Upon the City Limits" are hereby amended in their entirety so as to read as follows:

Section 1. The City Council hereby determines (1) that the annexation will be to the best interests of the City and of the territory affected; (2) that the territory described herein abuts the city limits and is about to become urban or suburban in character; and (3) 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:

The Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ of NW $\frac{1}{4}$) of Section 10, Township 132, Range 43, except the following described tract: Beginning at the Northeast corner of said Northwest Quarter (NW $\frac{1}{4}$) of Section 10; Thence N 89° 20' W on the Northerly line of said Section 10 for a distance of 306.5 feet; thence S 00° 06' E 418 feet to a point 306.3 feet westerly of the easterly line of said Northwest Quarter (NW $\frac{1}{4}$); thence S 89° 31' 15" W 23.70 feet on the prolongation

westerly of the southerly line of a tract deeded to Samuel Olson February 20, 1915, and filed of record in the office of the Register of Deeds in Book 118 of Deeds, page 128; thence S 0°04'30" E parallel to the Easterly line of said Northwest Quarter (NW $\frac{1}{4}$) for a distance of 909.49 feet to the Southerly line of said Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$) of NW $\frac{1}{4}$); thence S 89°20'40" E on last said southerly line for a distance of 330 feet to the easterly line of said Northwest Quarter (NW $\frac{1}{4}$); thence N 0°04'30" W on last said easterly line for a distance of 1327.90 feet to point of beginning.

-and-

The South 12 rods of the East 20 rods of the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ of NW $\frac{1}{4}$) of Section 10, Township 132, Range 43.

Section 2. Filing. The City Administrator is hereby directed to file certified copies of this ordinance and a detailed map of the territory affected with the Minnesota Municipal Commission, the Town Clerk of Buse Township, the County Auditor of Otter Tail County, and the Secretary of State of the State of Minnesota.

Section 3. Effective Date. This ordinance takes effect upon its passage and publication and the filing of the certified copies as directed in Section 2.

The above ordinance was introduced at a regular meeting of the City Council held on January 2, 1973, by Alderman Beck _____; and was adopted on January 15, 1973, by the following vote:

AYES
Nelson
Nirschl
Beck
Barnum
Arneson
Korp
Stemsrud
Olson

NAYS
None

ATTEST:

Rodger A. Neumann
City Administrator

APPROVED:

Barbara B. Donohoe
Mayor

25640
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

SEP 7 - 1973

Arden J. Edahl
Secretary of State



STATE OF MINNESOTA
MUNICIPAL COMMISSION

304 Capitol Square Building
10th & Cedar Streets
St. Paul, Minnesota 55101

November 2, 1972

Mr. Edgar J. Norman, Administrator
City Hall 112 Washington Ave. W.
Fergus Falls, Minnesota 56537

Re: Ordinance Number 396 Adopted 8-2-70

Dear Mr. Norman:

The Secretary of State's Office has informed us that they have received the above ordinance, however, the Municipal Commission has no record of receiving any information pertaining to it.

Will you please check into this matter for us and give us any information available regarding this ordinance as I am sure you understand that in accordance with the law no ordinances are valid or effective unless a variety of procedures are complied with including the filing of various documents with the Minnesota Municipal Commission.

I want to emphasize that the above ordinance has not effectively amended anything and that if there is anything I can do to be of assistance, please don't hesitate to call.

Sincerely yours,

MUNICIPAL COMMISSION

Howard L. Knobel, Jr.
Executive Secretary

C.C. Mr. E. W. Hansen, Auditor
Mr. David Nyblenco, Attorney at Law
Gail Dion, Secretary of State's Office

Fergus Falls

NYCKLEMOE, NYCKLEMOE & NYCKLEMOE
ATTORNEYS AND COUNSELLORS AT LAW
FERGUS FALLS, MINNESOTA 56537
PHONE 736-5873

HENRY NYCKLEMOE
PAUL H. NYCKLEMOE
DAVID H. NYCKLEMOE

March 19, 1970

Secretary of State
State of Minnesota
State Capitol
St. Paul, Minnesota 55101

Dear Sir:

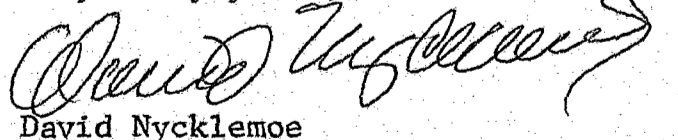
Re: Docket Number A-1704
Miller-Christopherson Annexation

I am herewith enclosing a certified copy of Ordinance #394 entitled "An Ordinance Extending the Corporate Limits of the City of Fergus Falls to Include Certain Unincorporated Land Not Exceeding Two Hundred (200) Acres in Area Abutting Upon the City Limits" which was duly passed by the City Council of the City of Fergus Falls on February 2, 1970, and published in the Fergus Falls Daily Journal on February 7, 1970.

You will also find enclosed a copy of a detailed map showing the location of this particular annexation tract.

This ordinance and map are sent to you pursuant to Minnesota Statutes 414.033, Subdivision 7.

Very truly yours,



David Nycklemoe


DN:bjm
Enc. 2

cc: State of Minnesota Municipal Commission
Clerk of Buse Township
Otter Tail County Auditor

STATE OF MINNESOTA)
COUNTY OF OTTER TAIL) ss.

I, Rodger A. Neumann, the duly appointed, qualified, and acting City Administrator of the City of Fergus Falls, Minnesota, do hereby certify that the attached is a true and correct copy of an Ordinance Extending the Corporate Limits of the City of Fergus Falls, which ordinance was adopted by the City Council of said city on February 2, 1970, and duly published in the Fergus Falls Daily Journal on February 7, 1970.

IN WITNESS WHEREOF, I have hereunto placed my hand and signature this 11th day of March, 1970, and have hereunto affixed the seal of said city.


City Administrator

ORDINANCE NO. 394

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF FERGUS FALLS TO INCLUDE CERTAIN UNINCORPORATED LAND NOT EXCEEDING TWO HUNDRED (200) ACRES IN AREA ABUTTING UPON THE CITY LIMITS.

WHEREAS, A certain petition signed by Peter A. Miller, Leonard Christopherson and Solveig E. Christopherson, and dated October 20, 1969, requesting annexation of the territory hereinafter described was duly presented to the Council on the 20th day of October, 1969; and

WHEREAS, The quantity of land embraced within the area described in said petition and bounded as described thirty-two acres (32) acres, more or less, of unplatted land, no part of which is included within the limits of an unincorporated city, village, or borough; and

WHEREAS, The petition was signed by all owners of the territory hereinafter described; and

WHEREAS, No objections to the annexation have been received from the town board of Buse Township or the county board of Otter Tail County; and

WHEREAS, The land described in the petition abuts the city limits at the southerly boundary thereof;

The City Council of the City of Fergus Falls, Minnesota, does ordain:

Section 1. The City Council hereby determines (1) that the annexation will be to the best interests of the city and of the territory affected; (2) that the territory described herein abuts the city limits and is about to become urban or suburban in character; and (3) 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:

The Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ of NW $\frac{1}{4}$) of Section 10, Township 132, Range 43, except the following described tract: Beginning at the Northeast corner of said Northwest Quarter (NW $\frac{1}{4}$) of Section 10; thence N 89°20' W on the Northerly line of said Section 10 for a distance of 306.5 feet; thence S 80°06' E 418 feet to a point 306.3 feet westerly of the easterly line of said Northwest Quarter (NW $\frac{1}{4}$); thence S 89°31'15" W 23.70 feet on the prolongation westerly of the southerly line of a tract deeded to Samuel Olson February 20, 1915, and filed of record in the Office of the Register of Deeds in Book 118 of Deeds, page 128; thence S 0°04'30"

E parallel to the Easterly line of said Northwest Quarter (NW $\frac{1}{4}$) for a distance of 909.49 feet to the Southerly line of said Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ of NW $\frac{1}{4}$); thence S 89°20'40" E on last said southerly line for a distance of 330 feet to the easterly line of said Northwest Quarter (NW $\frac{1}{4}$); thence N 0°04'30" W on last said easterly line for a distance of 1327.90 feet to point of beginning. Subject to Cascade Avenue South.

-and-

The South 12 rods of the East 20 rods of the Northeast Quarter of the Northwest (NE $\frac{1}{4}$ of NW $\frac{1}{4}$) of Section 10, Township 132, Range 43, subject to street right of way.

Section 3. Filing. The City Administrator is hereby directed to file certified copies of this ordinance and a detailed map of the territory affected with the Minnesota Municipal Commission, the town clerk of Buse Township, the county auditor of Otter Tail County, and the Secretary of State of the State of Minnesota.

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 January 19, 1970, by Alderman Beck, and was adopted on February 2, 1970, by the following vote:

AYES: Beck, Nirschl, Olson,
Tomhave, Fleming, Arneson,
Stemsrud, and Sanderson.

NAYS: None.

ATTEST:

APPROVED:

Rodger A. Neumann
City Administrator

Doyle E. Tomlinson
Acting Mayor

