



STATE OF MINNESOTA
MUNICIPAL BOARD

Suite 165 Metro Square
7th & Robert Streets
St. Paul, Minnesota 55101

April 10, 1986

Viola M. Garrett
City Clerk-Treasurer
Pine River City Hall
Pine River, Minnesota 56474

Docket Number A-4290

Ordinance Number 145

City of Pine River

Dear Ms. Garrett:

The Minnesota Municipal Board has now processed and approved the above ordinance in accordance with Minnesota Statutes, Chapter 414, and the Rules of Procedure.

According to law, this annexation ordinance must be filed with the Township Clerk, County Auditor, Secretary of State, and the Municipal Board. (Since the ordinance has already been filed with the Municipal Board, no additional copies are required.) We also recommend that you file the ordinance with the County Recorder.

The annexation is final upon the date the ordinance is approved by the Board, which is the date of this letter.

Sincerely,

MUNICIPAL BOARD

Patricia D. Lundy
Patricia D. Lundy
Assistant Director

PDL:sg

cc: Cass County Auditor
Walden Township Clerk
Steven W. Tyacke, Attorney at Law
✓ Secretary of State

STATE OF MINNESOTA
DEPARTMENT OF STATE

FILED

APR 14 1986

John Anderson
Secretary of State

36576
D.S.

MAYOR
Shirley "Bunny" Houston
COUNCIL MEMBERS
Edward Bak
Thomas H. Skalsky
Donald Pfeiffer
Douglas Zaske
CLERK/TREASURER
Viola M. Garrett

Pine River

CITY OF PINE RIVER

P.O. BOX 87 CITY HALL
PINE RIVER, MINNESOTA 56474 • PHONE 218/587-2440

MARCH 31, 1986

State of Minnesota Municipal Board
Suite 165 Metro Square Bldg.
7th and Robert Street
St. Paul, Minn. 55101

RE: MMB Docket No. A-4290 Pine River
Minnesota Power

Dear Sirs:

Enclosed are the following documents pertaining to the above annexation process:

- 1) Copy of City of Pine River Ordinance No. 145
- 2) Certification of ordinance.
- 3) Affidavit of publication with copy of publication.
- 4) Survey map showing parcel to be annexed.
- 5) Copy of petition to annex.

If there is anything else that is needed, please let us know.
Thank you.

Sincerely,
Viola M. Garrett
Viola M. Garrett
City Clerk Treas.
c.c. Secretary of State
Cass County Auditor
Walden Township

STATE OF MINNESOTA)
)
COUNTY OF CASS) ss.
)
CITY OF PINE RIVER)

I, the undersigned, being the duly qualified and acting clerk/treasurer of the City of Pine River, Minnesota, do hereby certify that the attached City Ordinance No. 145 is a true and exact copy of the original which is filed in the clerk's office. Also attached is the affidavit of publication and a newspaper clipping of the published ordinance. ORDINANCE NO. 145 IS AN ORDINANCE ANNEXING CERTAIN PROPERTY OWNED BY MINNESOTA POWER ADJACENT TO THE CORPORATE LIMITS OF THE CITY OF PINE RIVER, WHICH IS UNINCORPORATED PROPERTY OWNED BY MINNESOTA POWER AND ABUTTING UPON THE LIMITS OF THE CITY.

Witness my hand as such clerk/treasurer and the corporate seal of the City of Pine River this 21st day of March, 1986.

Viola M. Garrett
Viola M. Garrett
City Clerk/Treas
CITY OF PINE RIVER

CITY SEAL

CITY OF PINE RIVER
P.O. BOX 67
PINE RIVER, MINNESOTA 56474

ORDINANCE # 145

In the Matter of the Petition of Minnesota Power for Annexation
By Ordinance Pursuant to Minnesota Statutes, Section 414.033.

AN ORDINANCE ANNEXING CERTAIN PROPERTY OWNED BY MINNESOTA
POWER ADJACENT TO THE CORPORATE LIMITS OF THE CITY OF PINE RIVER,
WHICH IS UNINCORPORATED PROPERTY OWNED BY MINNESOTA POWER AND
ABUTTING UPON THE LIMITS OF THE CITY.

WHEREAS, Minnesota Power is the sole owner of a certain tract
of land abutting upon the limits of the City of Pine River; and

WHEREAS, this property is not presently within the corporate
limits of any incorporated city, and;

WHEREAS, this property is deemed to be urban in character,
and;

WHEREAS, this property does not exceed two hundred (200) acres
in size and is unplatted, and;

WHEREAS, the owner, Minnesota Power, has petitioned the City of
Pine River for annexation by Ordinance pursuant to Minnesota Statutes,
Section 414.033, said Petition dated February 7, 1986, and;

WHEREAS, since Petition for annexation has been filed with the
Town Board of Walden Township, the Minnesota Municipal Board, the
County of Cass, and the City of Pine River, and;

WHEREAS, no objections to this annexation have been filed, and;

WHEREAS, the Township of Walden, in Cass County, Minnesota, which
is immediately adjacent to the boundaries of the tract petitioning
for annexation has waived any objections to annexation by Resolution
dated January 14, 1986, a copy of which is hereto attached as Ex-
hibit A, and;

WHEREAS, No other municipality borders the land to be annexed;

NOW, THEREFORE,

The City Council of the City of Pine River ordains:

Section 1. Territory Annexed. The corporate limits of
the City of Pine River is hereby extended to include the unplatted
property described as follows:

Zoning designation: light industrial.

That portion of the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ -NE $\frac{1}{4}$), or Government Lot One (1), Section One (1), Township One Hundred Thirty-seven (137) North, Range Thirty (30) West, more particularly described as follows:

Commencing at a point 2 rods West and 2 rods South of the Northeast corner of said Northeast Quarter of Northeast Quarter (NE $\frac{1}{4}$ -NE $\frac{1}{4}$), thence West 20 rods, thence South 38 rods, thence East 20 rods; thence North 38 rods to the point of commencement; AND

Commencing at a point 22 rods West of the Northeast corner of said Northeast Quarter of Northeast Quarter (NE $\frac{1}{4}$ -NE $\frac{1}{4}$), thence South 40 rods, thence West 18 rods, thence North 40 rods; thence East 18 rods to the point of commencement:

LESS:

That part of the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ -NE $\frac{1}{4}$) commencing at a point 660 feet West of the Northeast corner of said Northeast Quarter of Northeast Quarter (NE $\frac{1}{4}$ -NE $\frac{1}{4}$), thence South 390 feet, thence East 132 feet, thence North 390 feet, thence West 132 feet to the point of commencement.

Section 2. Filing. The City Clerk is directed to file certified copies of this Ordinance with the Secretary of State, the County Auditor of Cass County, the Walden Township Clerk, and the Minnesota Municipal Board.

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

Adopted by the City of Pine River, Minnesota, 11 March, 1986.

Attest:

Viola M. Garrett
Clerk

Shirley Houston
Mayor

Published in the Pine River Journal 20th day of March, 1986.

RESOLUTION

WHEREAS, Minnesota Power has purchased real estate presently located in Walden Township, Cass County, Minnesota, immediately adjacent to the boundaries of the City of Pine River, Minnesota more particularly described on Exhibit A appended hereto;

WHEREAS, such real estate will be used by Minnesota Power as a site to construct and operate a new area office and service facility with respect to its electric utility operations to serve customers in and around the City of Pine River, Minnesota;

WHEREAS, Minnesota Power intends to petition the City of Pine River, Minnesota to annex such real estate and will serve copies of the petition on the Minnesota Municipal Board, Walden Township, and on Cass County, Minnesota;

WHEREAS, Walden Township, Minnesota, recognizes that it has the right to object to such petition for annexation and to have and appear at a hearing held before the Minnesota Municipal Board on the issue of annexation in accordance with Minnesota Statutes 414.031; and

WHEREAS, Walden Township after consideration of the matter at its duly convened meeting held on January 14, 1986 has decided to waive such right to objection and to a hearing on Minnesota Power's annexation petition,

IT IS HEREBY RESOLVED as follows:

RESOLVED, that Walden Township, Minnesota has no objections to annexation of this real estate by the City of Pine River, Minnesota; and hereby waives its right to object to Minnesota Power's petition, and further waives its right to a

hearing and determination by the Minnesota
Municipal Board, on annexation of the real estate
described on Exhibit A hereto to the City of Pine
River, Minnesota.

Adopted by the Board of Walden Township, Cass County,
Minnesota on January 14, 1986.

ATTEST:

Township Clerk

Cherlene Neiro

Township Chairman

Robert C. Kangas

EXHIBIT "A"

LEGAL DESCRIPTION

That portion of the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ -NE $\frac{1}{4}$) or Government Lot 1, Section One (1), Township One Hundred Thirty-Seven (137) North, Range Thirty (30) West, more particularly described as follows:

Commencing at a point 2 rods West and 2 rods South of the Northeast corner of said Northeast Quarter of Northeast Quarter (NE $\frac{1}{4}$ -NE $\frac{1}{4}$), thence West 20 rods, thence South 38 rods, thence East 20 rods; thence North 38 rods to the point of commencement; AND

Commencing at a point 22 rods West of the Northeast corner of said Northeast Quarter of Northeast Quarter (NE $\frac{1}{4}$ -NE $\frac{1}{4}$), thence South 40 rods, thence West 18 rods, thence North 40 rods; thence East 18 rods to the point of commencement;

LESS:

That part of the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ -NE $\frac{1}{4}$) commencing at a point 660 feet West of the Northeast corner of said Northeast Quarter of Northeast Quarter (NE $\frac{1}{4}$ -NE $\frac{1}{4}$), thence South 390 feet, thence East 132 feet, thence North 390 feet, thence West 132 feet to the point of commencement.

Affidavit of Publication, The Pine River Journal

**CITY OF PINE RIVER
ORDINANCE NO. 145**

AN ORDINANCE ANNEXING CERTAIN PROPERTY OWNED BY MINNESOTA POWER ADJACENT TO THE CORPORATE LIMITS OF THE CITY OF PINE RIVER, WHICH IS UNINCORPORATED PROPERTY OWNED BY MINNESOTA POWER AND ABUTTING UPON THE LIMITS OF THE CITY OF PINE RIVER.

WHEREAS, Minnesota Power is the sole owner of a certain tract of land lying upon the limits of the City of Pine River; and

WHEREAS, this property is not presently within the corporate limits of an incorporated city; and

WHEREAS, this property is deemed to be urban in character; and

WHEREAS, this property does not exceed two hundred (200) acres in size and is unplatted; and

WHEREAS, the owner, Minnesota Power, has petitioned the City of Pine River for annexation by Ordinance pursuant to Minnesota Statutes, Section 414.033, said Petition dated February 7, 1986; and

WHEREAS, since Petition for annexation has been filed with the Town of Walden Township, the Minnesota Municipal Board, the County of Cass, and the City of Pine River; and

WHEREAS, no objections to this annexation have been filed; and

WHEREAS, the Township of Walden, in Cass County, Minnesota, which immediately adjacent to the boundaries of the tract petitioning for annexation waived any objections to annexation by Resolution dated January 14, 1986, copy of which is hereto attached as Exhibit A; and

WHEREAS, No other municipality borders the land to be annexed;

NOW, THEREFORE,

The City Council of the City of Pine River ordains:

Section 1. Territorial Annexed. The corporate limits of the City of Pine River hereby extended to include the unplatted property described as follows:
Zoning designation: light industrial.
That portion of the Northeast Quarter of the Northeast Quarter (NE¹/₄ NE¹/₄) or Government Lot One (1), Section One (1), Township One Hundred Thirty-seven (137) North, Range Thirty (30) West, more particularly described as follows:
Commencing at a point 2 rods West and 2 rods South of the Northeast corner of said Northeast Quarter of Northeast Quarter (NE¹/₄ NE¹/₄), thence East 20 rods, thence South 36 rods, thence East 20 rods; thence North 36 rods to the point of commencement; AND
Commencing at a point 22 rods West of the Northeast corner of said Northeast Quarter of Northeast Quarter (NE¹/₄ NE¹/₄), thence South 40 rods, thence West 18 rods, thence North 40 rods; thence East 18 rods to the point of commencement.

LESS:
That part of the Northeast Quarter of the Northeast Quarter (NE¹/₄ NE¹/₄) commencing at a point 600 feet West of the Northeast corner of said Northeast Quarter of Northeast Quarter (NE¹/₄ NE¹/₄), thence South 300 feet, thence East 132 feet, thence North 300 feet, thence West 132 feet to the point of commencement.

Section 2. Filing. The City Clerk is directed to file certified copies of this Ordinance with the Secretary of State, the County Auditor of Cass County, the Walden Township Clerk, and the Minnesota Municipal Board.

Section 3. Effective Date of Annexation. This Ordinance takes effect upon passage and publication and the filing of certified copies as directed in Section 1.

Adopted by the City of Pine River, Minnesota, 15 March, 1986

Attest:
Viola M. Garrett/s, Clerk
Shirley Houston/s, Mayor
Published in the Pine River Journal 20 day of March, 1986.

**EXHIBIT A
RESOLUTION**

WHEREAS, Minnesota Power has purchased real estate presently located in Walden Township, Cass County, Minnesota, immediately adjacent to the boundaries of the City of Pine River, Minnesota, more particularly described on Exhibit A appended hereto;

WHEREAS, such real estate will be used by Minnesota Power as a site to construct and operate a new area office and service facility with respect to its electric utility operations to serve customers in and around the City of Pine River, Minnesota;

WHEREAS, Minnesota Power intends to petition the City of Pine River, Minnesota to annex such real estate and will serve copies of the petition on the Minnesota Municipal Board, Walden Township, and on Cass County, Minnesota;

WHEREAS, Walden Township, Minnesota, recognizes that it has the right to object to such petition for annexation and to have and appear at a hearing held before the Minnesota Municipal Board on the issue of annexation in accordance with Minnesota Statutes 414.031; and

WHEREAS, Walden Township after consideration of the matter at its duly convened meeting held on January 14, 1986 has decided to waive such right to objection and to a hearing on Minnesota Power's annexation petition,

IT IS HEREBY RESOLVED as follows:

RESOLVED, that Walden Township, Minnesota has no objections to annexation of this real estate by the City of Pine River, Minnesota; and hereby waives its right to object to Minnesota Power's petition, and further waives its right to a hearing and determination by the Minnesota Municipal Board, on annexation of the real estate described on Exhibit A hereto to the City of Pine River, Minnesota.

Adopted by the Board of Walden Township, Cass County, Minnesota on January 14, 1986.

Attest:
Charlene Heino/s, Township Clerk
Robert C. Kangas/s, Township Chairman
Exhibit "A"

LEGAL DESCRIPTION

That portion of the Northeast Quarter of the Northeast Quarter (NE¹/₄ NE¹/₄) or Government Lot 1, Section One (1), Township One Hundred Thirty-seven (137) North, Range Thirty (30) West, more particularly described as follows:
Commencing at a point 2 rods West and 2 rods South of the Northeast corner of said Northeast Quarter of Northeast Quarter (NE¹/₄ NE¹/₄), thence East 20 rods, thence South 36 rods, thence East 20 rods; thence North 36 rods to the point of commencement; AND
Commencing at a point 22 rods West of the Northeast corner of said Northeast Quarter of Northeast Quarter (NE¹/₄ NE¹/₄), thence South 40 rods, thence West 18 rods, thence North 40 rods; thence East 18 rods to the point of commencement;

LESS:
That part of the Northeast Quarter of the Northeast Quarter (NE¹/₄ NE¹/₄) commencing at a point 600 feet West of the Northeast corner of said Northeast Quarter of Northeast Quarter (NE¹/₄ NE¹/₄), thence South 300 feet, thence East 132 feet, thence North 300 feet, thence West 132 feet to the point of commencement.

Pub. March 20, 1986
Pine River Journal.

State of Minnesota } ss.
County of Cass }

Amanda E. Amy being duly sworn, on oath says that he/she is the publisher or authorized agent and employee of the publisher of the newspaper known as the Pine River Journal, and has full knowledge of the facts which are stated below:

(A) The newspaper has complied with all of the requirements constituting qualification as a qualified newspaper, as provided by Minnesota Statute 331A.02, 331A.07, and other applicable laws, as amended.

(B) The printed *Ordinance # 145* which is attached was cut from the columns of said newspaper, and was printed and published once each week, for successive weeks; it was first published on the *20th day of March, 1986*, and was thereafter printed and published on every to and including the day of 19.....; and printed below is a copy of the lower case alphabet from A to Z, both inclusive, which is hereby acknowledge as being the size and kind of type used in the composition and publication of the notice:

*abcdefghijklmnopqrstuvwxyz
BY: *Amanda E. Amy*
TITLE: *Publisher*

Subscribed and sworn to before me on this *25th day of March, 1986*

Notary Public *Verna L. Klein*
*Alphabet should be in the same size and kind of type as the notice.



RATE INFORMATION

- (1) Lowest classified rate paid by commercial users for comparable space *70%*
- (2) Maximum rate allowed by law for the above matter *90%*
- (3) Rate actually charged for the above matter *90.98*

\$ _____
(Line, word, or inch rate)

\$ _____
(Line, word, or inch rate)

\$ _____
(Line, word, or inch rate)

CITY OF PINE RIVER, MINNESOTA

BEFORE THE CITY COUNCIL

RECEIVED FEB 11 1986

In the Matter of the Petition
of Minnesota Power for Annexation
By Ordinance Pursuant to Minnesota
Statutes, Section 414.033.

PETITION

Petitioner Minnesota Power states as follows to the
Honorable Members of the City Council of Pine River, Minnesota:

1. Petitioner is a Minnesota corporation engaged among other things in the generation, distribution and sale of electrical energy to its customers in the State of Minnesota. In connection therewith, Petitioner intends to build a Service Center to serve its customers in the Pine River, Minnesota area.
2. Petitioner is the sole owner of the following described property lying the the Township of Walden, County of Cass, State of Minnesota:

That portion of the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ -NE $\frac{1}{4}$) or Government Lot 1, Section One (1), Township One Hundred Thirty-Seven (137) North, Range Thirty (30) West, more particularly described as follows:

Commencing at a point 2 rods West and 2 rods South of the Northeast corner of said Northeast Quarter of Northeast Quarter (NE $\frac{1}{4}$ -NE $\frac{1}{4}$), then West 20 rods, thence South 38 rods, thence East 20 rods; thence North 38 rods to the point of commencement; AND

Commencing at a point 22 rods West of the Northeast corner of said Northeast Quarter of Northeast Quarter (NE $\frac{1}{4}$ -NE $\frac{1}{4}$), thence South 40 rods, thence West 18 rods, thence North 40 rods; thence East 18 rods to the point of commencement;

LESS:

That part of the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ -NE $\frac{1}{4}$) commencing at a point 660 feet West of the Northeast corner of said Northeast Quarter of Northeast Quarter (NE $\frac{1}{4}$ -NE $\frac{1}{4}$), thence South 390 feet, thence East 132 feet, thence North 390 feet, thence West 132 feet to the point of commencement.

3. Said property is unincorporated and abutts upon the present limits of the City of Pine River, Minnesota. The property is not included within any other municipality. Said property is unplatted and is 7.9 acres in area.
4. The Township of Walden, Minnesota has waived its right to object to this Petition by resolution of its Township Board dated January 14, 1986, a copy of which is attached as Exhibit A.
5. A copy of this Petition is being served for informational purposes on Walden Township, Cass County, Minnesota and on the Minnesota Municipal Board.

WHEREFORE, Petitioner requests that said property be annexed to be included within the City of Pine River, Minnesota pursuant to Minnesota Statutes §414.033.

Dated: February 7, 1986.

MINNESOTA POWER

By Steven W. Tyacke
Steven W. Tyacke
Attorney
Attorney Registration No. 111508
30 West Superior Street
Duluth, Minnesota 55802
Telephone: (218)723-3963

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
APR 14 1986
Jean Anderson Howe
Secretary of State

#36576
O.D.

36576

**SEE
OVERSIZED
DOCUMENT!!**