



STATE OF MINNESOTA
MUNICIPAL BOARD

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

June 12, 1986

Lois Dokken
City Clerk-Treasurer
114 North Kaiser
Fosston, Minnesota 56542

Docket Number A-4170

Amended Ordinance Number 4.14

City of Fosston

Dear Ms. Dokken:

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: Polk County Auditor
Rosebud Township Clerk
Michael S. Brouse, Attorney at Law
Secretary of State

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
JUN 16 1986
Joan Anderson Howe
Secretary of State

#36720



Fosston
Michael S. Brouse & Associates

ATTORNEYS AT LAW

308 West First Street
Fosston, MN 56542

Fosston (218) 435-1661

Crookston (218) 281-4343

May 16, 1986

Ms. Joan Anderson Growe
Secretary of State's Office
180 State Office Building
St. Paul, MN 55155

Re: Amended Annexation Ordinance
No. 4.14--Industrial Park

Dear Ms. Growe:

Enclosed please find copies of the following documents relating to the annexation of real property owned by the City of Fosston to the City of Fosston:

1. Amended Ordinance No. 4.14;
2. Map;
3. Certificate of Accuracy;
4. Affidavit of Publication;
5. Waivers of Objection from Rosebud Town Board and the Polk County Board of Commissioners; and
6. Resolution of the Polk County Board of Commissioners.

Thank you for your attention and consideration in this matter.

Very truly yours,

Michael S. Brouse

MSB/kf

Enc.

cc: City of Fosston

AMENDED ORDINANCE 4.14

An ordinance annexing land into the City of Fosston.

Section 1. RECITALS.

A. WHEREAS, the City of Fosston owns the following described real property abutting said City:

---The Fosston Industrial Park plat and the North 238.0 feet of the East 238.0 feet of the Southeast Quarter of the Northwest Quarter (SE 1/4 of NW 1/4), Section Four (4), Township One Hundred Forty-seven (147) North, Range Forty (40) West of the Fifth Principal Meridian, Polk County, Minnesota.---

B. WHEREAS, no part of said property is included in another boundary adjustment proceeding pending before the Minnesota Municipal Board, and no other municipality borders said property; and

C. WHEREAS, members of the Fosston City Council have determined that annexation of the above described real property is and will be in the best interests of the City of Fosston, Minnesota, and of the territory affected; and

D. WHEREAS, the City previously annexed property pursuant to an erroneous legal description.

Section 2. THEREFORE, upon motion duly made, seconded and carried,

IT IS RESOLVED, that the aforescribed real property be, and is hereby, annexed to and incorporated within the City of Fosston, Minnesota.

IT IS FURTHER RESOLVED that the prior annexation ordinance relating to the following described parcel be repealed:

---That part of the Southeast Quarter of the Northwest Quarter (SE 1/4 of NW 1/4) of Section Four (4), Township One Hundred Forty-seven (147) North of Range Forty (40) West of the Fifth Principal Meridian, described as follows, to-wit: Commencing at a point of the East line of said SE 1/4 of NW 1/4 of Sec. 4 which is 589 feet North of the center of the said Sec. 4, thence West and parallel with the South line of said Sec. 4 a distance of 320 feet, thence North and parallel with the East line of said Sec. 4, a distance of 13.7 feet, thence West and parallel with the South

line of said Sec. 4 a distance of 526 feet, thence North and parallel with the East line of said Sec. 4 a distance 724.6 feet more or less to the North line of the SE 1/4 of NW 1/4 of said Sec. 4, thence East on the North line of said SE 1/4 of NW 1/4 a distance of 846 feet more or less to the Northeast corner of the SE 1/4 of NW 1/4, thence Southerly to the point of beginning, Polk County, Minnesota.---

Section 3. This ordinance shall be final and shall take effect and be in full force from and after the date on which it is passed, published, recorded and approved by the Minnesota Municipal Board.

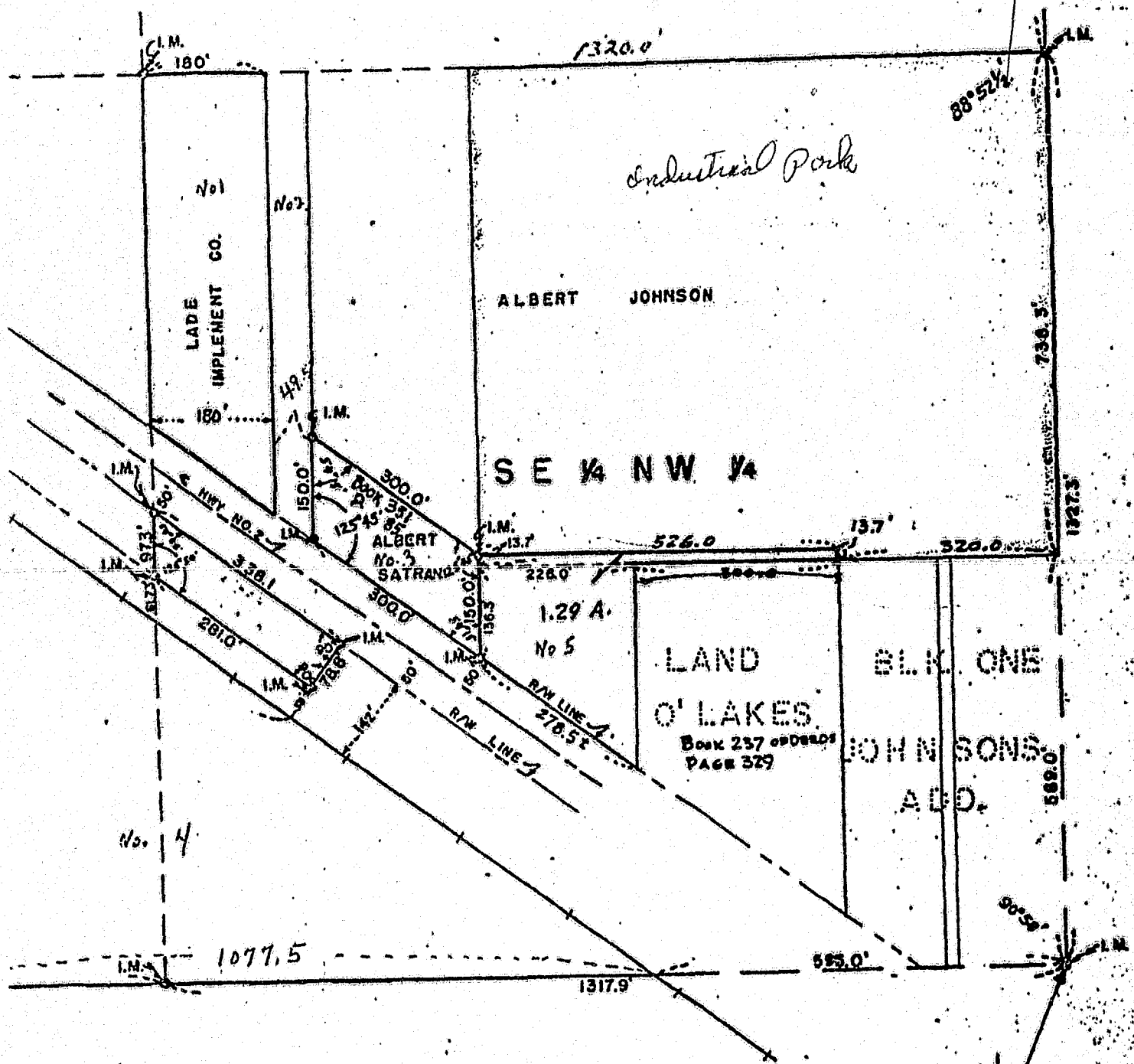
Dated and passed by the City Council of the City of Fosston, Minnesota, on this 12th day of August, 1985.

THE CITY OF FOSSTON

By: Arvid Clementson
Arvid Clementson, Mayor

By: Lois Dokken
Lois Dokken, Clerk-Treas.

Industrial Park



SURVEY OF TRACTS IN THE
 SPACING OF SEC. 4
 T. 107 N., R. 40 W.,
 ROSEBUD TWP.
 FOR: ALBERT JOHNSON

LLOYD ØYSTEDAL Scales:
 1" = 200'

CERTIFICATION OF ACCURACY

The undersigned, being the City Clerk for the City of Fosston, Minnesota, hereby certifies that the attached copy of the Amended Ordinance Number 4.14 is a true and correct copy of Amended Ordinance Number 4.14 passed by the Fosston City Council and placed on file therewith on the 12th of August, 1985.

Lois Dokken

Lois Dokken
City Clerk, Fosston, MN

Subscribed and sworn to before me
this 22nd day of August, 1985.

Karen M. Kalinoski

Notary Public, Polk County, MN
My Comm. Exp: XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX



PUBLIC NOTICE

The Fosston City Council ordains that Ordinance No. 4.14 be amended as follows:

AMENDED ORDINANCE 4.14

An ordinance annexing land into the City of Fosston.

Section 1. RECITALS

A. WHEREAS, the City of Fosston owns the following described real property abutting said City:

--The Fosston Industrial Park plat and the North 238.0 feet of the East 238.0 feet of the Southeast Quarter of the Northwest Quarter (SE 1/4 of NW 1/4), Section Four (4), Township One Hundred Forty-seven (147) North, Range Forty (40) West of the Fifth Principal Meridian, Polk County, Minnesota.--

B. WHEREAS, no part of said property is included in another boundary adjustment proceeding pending before the Minnesota Municipal Board, and no other municipality borders said property; and

C. WHEREAS, members of the Fosston City Council have determined that annexation of the above described real property is and will be in the best interests of the City of Fosston, Minnesota, and of the territory affected; and

D. WHEREAS, the City previously annexed property pursuant to an erroneous legal description.

Section 2. THEREFORE, upon motion duly made, seconded and carried,

IT IS RESOLVED, that the aforescribed real property be, and is hereby, annexed to and incorporated within the City of Fosston, Minnesota.

IT IS FURTHER RESOLVED that the prior annexation ordinance relating to the following described parcel be repealed:

--That part of the Southeast Quarter of the Northwest Quarter (SE 1/4 of NW 1/4) of Section Four (4), Township One Hundred Forty-seven (147) North of Range Forty (40) West of the Fifth Principal Meridian, described as follows, to-wit: Commencing at a point of the East line of said SE 1/4 of NW 1/4 of Sec. 4 which is 589 feet North of the center of the said Sec. 4, thence West and parallel with the South line of said Sec. 4 a distance of 320 feet; thence North and parallel with the East line of said Section 4, a distance of 19.7 feet; thence West and parallel with the South line of said Sec. 4 a distance of 526 feet; thence North and parallel with the East line of said Sec. 4 a distance of 724.6 feet more or less to the North line of the SE 1/4 of NW 1/4 of said Sec. 4; thence East on the North line of said SE 1/4 of NW 1/4 a distance of 846 feet more or less to the Northeast corner of the SE 1/4 of NW 1/4, thence Southerly to the point of beginning, Polk County, Minnesota.

Section 3. This ordinance shall be final and shall take effect and be in full force from and after the date on which it is passed, published, recorded and approved by the Minnesota Municipal Board.

Dated and passed by the City Council of the City of Fosston, Minnesota, on this 12th day of August, 1985.

THE CITY OF FOSSTON

By: Arvid Clementson, Mayor
By: Lois Dokken, Clerk-Treas.

Aug. 15

PRINTER'S AFFIDAVIT OF PUBLICATION

Printer's Affidavit of Publication. (Chapter 128, Laws of 1939.)

STATE OF MINNESOTA

County of Polk

ss.

Franklin Vikan, being duly sworn, on oath says: that he is, and during all the times herein stated has been editor and publisher of the newspaper known as THE THIRTEEN TOWNS, and has full knowledge of the facts herein after stated; that for more than one year prior to the publication

therein of the 19 Public Notice - Amended Ordinance 4.14 (Annexing land into the City of Fosston) @ \$33.25

hereinafter described, said newspaper was printed and published in said Village of Fosston, in the County of Polk, State of Minnesota, on Thursday of each week; that during all said time said newspaper has been printed in the English language from its known office of publication within the Village from which it purports to be issued as above stated and in newspaper format in column and sheet form equivalent in space to at least 450 running inches of single column, two inches wide; has been issued once each week from a known office established in said place of publication and employing skilled workmen and the necessary material for preparing and printing the same; that the press work on that part of the newspaper devoted to local news of interest to the community it purports to serve has been done in its known office of publication; that during all said time in its makeup not less than twenty-five per cent of its news columns have been devoted to local news of interest to the community it purports to serve; that during all said time it has not wholly duplicated any other publication, and has not been entirely made up of patents, plate matter and advertisements; has been circulated in and near its said place of publication to the extent of at least two hundred and forty (240) copies regularly delivered to paying subscribers and has entry as second class matter in its local postoffice; and that there has been on file in the office of the County Auditor of Polk County, Minnesota, the affidavit of a person having knowledge of the facts, showing the name and location of said newspaper and the existence of the conditions constituting its qualifications as a legal newspaper.

That the same

hereto attached was cut from the columns of said newspaper, and was printed and published therein in the English language, once each week, for

1 successive weeks; that it was first so published on Thursday, the 15th day of August 1986; and thereafter on Thursday of each week to and including the

day of 19; and that the following is a printed copy of the lower case alphabet from A to Z, both inclusive, and hereby acknowledged as being the size and kind of type used in the composition and publication of said notice, to-wit: same

abcdefghijklmnopqrstuvwxy

Franklin Vikan

Subscribed and sworn before me this 21st day of Jan. 1986.

Notary Public, Polk County, Minnesota

NOTARY PUBLIC - MINNESOTA
POLK COUNTY

My commission expires

My Comm. Expires Jan. 16, 1981

WAIVER OF OBJECTION TO ANNEXATION

The undersigned clerk of the Rosebud Town Board hereby states:

1. On March 4th, 1986, the Rosebud Town Board met at a duly convened meeting.

2. At said meeting, the Board members discussed the proposed annexation of the property described in the annexation Amended Ordinance No. 4.14 filed with the City of Fosston, Minnesota, by the City of Fosston, dated August 12, 1985.

3. Pursuant to resolution passed at said meeting, the Rosebud Town Board hereby waives any and all objections to the annexation by the City of Fosston of the property described in Amended Ordinance No. 4.14.

ROSEBUD TOWN BOARD

By: Oscar Juurud
Oscar Juurud, Rosebud Town
Clerk

MICHAEL S.
BROUSE
& ASSOCIATES

ATTORNEYS
Fosston, MN
56542

(218) 435-1661

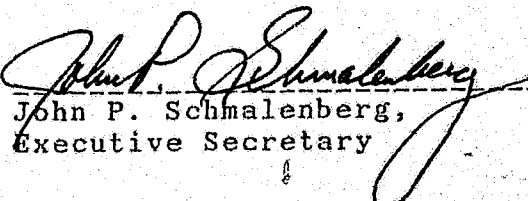
WAIVER OF OBJECTION TO ANNEXATION

The undersigned executive secretary of the Polk County Board of Commissioners hereby states:

1. On February 5, 1986, the Polk County Board of Commissioners met at a duly convened meeting.
2. At said meeting, the Board members discussed the proposed annexation of the property described in the annexation Amended Ordinance No. 4.14 filed with the City of Fosston, Minnesota, by the City of Fosston, dated August 12, 1985.
3. Pursuant to resolution passed at said meeting, the Polk County Board of Commissioners hereby waives any and all objections to the annexation by the City of Fosston of the property described in Amended Ordinance No. 4.14.

POLK COUNTY BOARD OF COMMISSIONERS

By:


John P. Schmalenberg,
Executive Secretary

MICHAEL S.
BROUSE
& ASSOCIATES

ATTORNEYS
Fosston, MN
56542

(218) 435-1661

RESOLUTION OF THE POLK COUNTY
BOARD OF COMMISSIONERS

The following resolution was offered by Commissioner
Wold:

BE IT RESOLVED, By the Board of County Commissioners of
Polk County that Polk County hereby waives any and all
objections to the Annexation by the City of Fosston of
property described in an amended Ordinance No. 4.14
duly adopted by the City of Fosston.

Commissioner Radi seconded the foregoing resolution and
it was declared adopted upon the following vote: YEAS:
Bakken, Radi, Wold, NAYS: None.

STATE OF MINNESOTA)
) ss.
COUNTY OF POLK)

I, John P. Schmalenberg, County Coordinator to and Clerk of
the Polk County Board of Commissioners do hereby certify
that I have compared the foregoing resolution with the
original resolution filed in my office on the 5th day of
February, 1986 and that the same is a true and correct copy
of the whole thereof.

WITNESS my hand and Official Seal of Polk County at
Crookston, Minnesota this 5th day of February, 1986.

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
JUN 16 1986
John Anderson Howe
Secretary of State

John P. Schmalenberg
John P. Schmalenberg
County Coordinator
Clerk of the Board

#36720