



STATE OF MINNESOTA  
MUNICIPAL BOARD

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

August 3, 1988

Charles Lucken  
Fosston City Clerk  
Fosston City Hall  
Fosston, Minnesota 56542

Docket Number A-4507

Ordinance Number 4.15

City of Fosston

Dear Mr. Lucken:

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

A handwritten signature in cursive script, appearing to read "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

138280  
STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED

AUG 11 1988

A handwritten signature in cursive script, appearing to read "James Anderson Howe".  
Secretary of State



*Fosston*

Michael S. Brouse & Associates, P.A.  
ATTORNEYS AT LAW

308 West First Street

Fosston, MN 56542

(218) 435-1661

July 8, 1988

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

Re: City of Fosston - Annexation  
Ordinance 4.15

Dear Ms. Growe:

Enclosed please find copies of the following documents relating to the annexation of real property owned by Esther Reiersen, James S. Murray and Rae Arliss Murray to the City of Fosston:

1. Petition for Annexation;
2. Map;
3. Ordinance 4.15;
4. Certification of Accuracy;
5. Affidavit of Publication; and
6. Waivers of Objection to Annexation signed by the Polk County Board of Commissioners and Rosebud Town Board.

Thank you for your attention in this matter.

Very truly yours,

  
Michael S. Brouse

MSB/kf

Enc.

STATE OF MINNESOTA

COUNTY OF POLK

In Re: The Matter of the Petition)  
Annexation of )

RAE ARLISS MURRAY, JAMES W. )  
MURRAY and ESTHER REIERSON, )  
Petitioners. )

PETITION FOR ANNEXATION

Petitioners, being first duly sworn upon oath, aver the following:

1. They own the real property in Polk County, Minnesota, described as follows:

---A parcel of Land in the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of Section Four (4), Township One Hundred Forty-seven (147) North, Range Forty (40) West of the Fifth Principal Meridian, Polk County, Minnesota, described as follows: Beginning at the 3/4" iron rod at the Northeast corner of said Northwest Quarter; thence South 00 degrees 00 minutes 04 seconds East 1310.05 feet along the quarter line to an iron monument at the Southeast corner of the Northeast Quarter of the Northwest Quarter of said Section 4; thence South 88 degrees 52 minutes 12 seconds West 845.67 feet along the south line of said Northeast Quarter of the Northwest Quarter to an iron monument at the Northwest corner of the Fosston Industrial Park as platted; thence North 00 degrees 00 minutes 04 seconds West 1309.39 feet to a 5/8" rebar with aluminum cap on the North line of said Section 4; thence North 88 degrees 49 minutes 31 seconds East 845.68 feet along said North line of Section 4 to the point of beginning. Said parcel contains 25.42 acres, more or less. All bearings are on assumed datum.---

2. No other person or entity owns or has a fee interest in said property.

3. Said real property abuts the City of Fosston, Minnesota, is unplatted, and does not exceed two hundred acres. Further, no part thereof is included in another boundary adjustment proceeding pending before the Minnesota Municipal Board, and no other municipality borders said property.

MICHAEL S.  
BROUSE  
& ASSOCIATES.  
P.A.

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Fosston, MN  
56542

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4. Petitioners desire that said property be annexed to the City of Fosston, Minnesota, pursuant to Minnesota Statute 414.033 and hereby request same.

5. Petitioners have read the foregoing and know the same to be true except as to those matters stated on information and belief, and as to those matters the petitioners believe them to be true.

PETITIONERS

Dated: Jan. 25, 1988

Rae Arliss Murray  
Rae Arliss Murray

Dated: Jan. 25, 1988

James W. Murray  
James W. Murray

Dated: Feb 10, 1988

Esther Reiersen  
Esther Reiersen

STATE OF INDIANA )  
COUNTY OF Hobson ) ss

Subscribed and sworn to before by Rae Arliss Murray and James W. Murray, husband and wife, this 25 day of January, 1988.

Peggy L Warneman  
Notary Public  
Hobson County, Indiana  
My Comm. Exp: Aug. 18, 1988

STATE OF MINNESOTA )  
COUNTY OF POLK ) ss

Subscribed and sworn to before by Esther Reiersen, a single person, this 10th day of February, 1988.

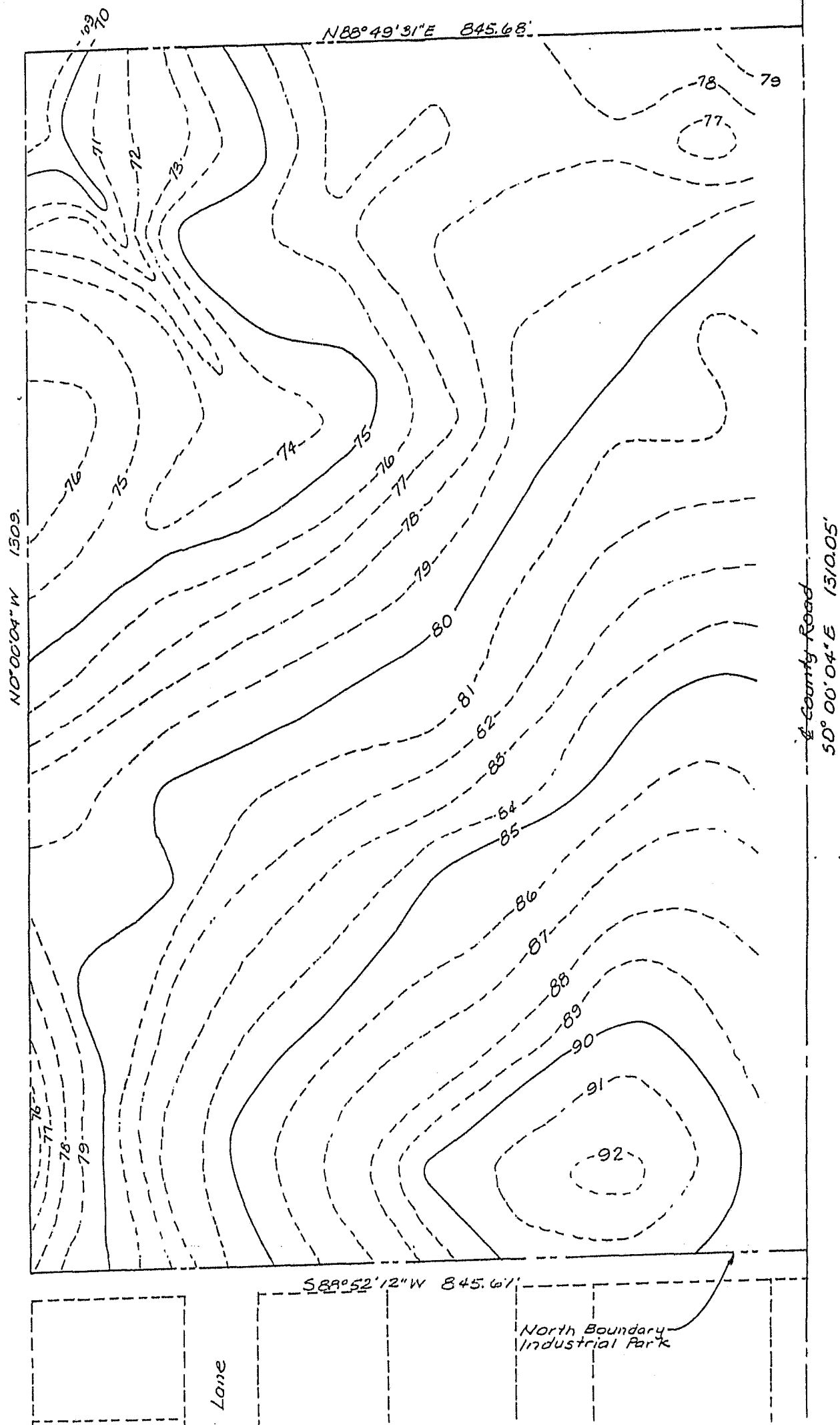
Karla Frickstad  
Notary Public  
Polk County, Minnesota  
My Comm. Exp: 12-08-93

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BROUSE  
& ASSOCIATES,  
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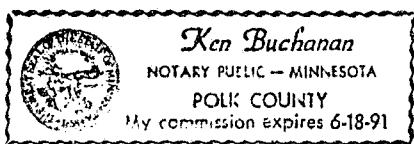
(218) 435-1661

ORDINANCE 4.15



CERTIFICATION OF ACCURACY

The undersigned, being the City Clerk for the City of Fosston, Minnesota, hereby certifies that the attached copy of the Ordinance Number 4.15 is a true and correct copy of Ordinance Number 4.15 passed by the Fosston City Council and placed on file therewith on the 22nd of February, 1988.



Charles Lucken  
Charles Lucken  
City Clerk, Fosston, MN

Subscribed and sworn to before me  
this 22 day of February, 1988

Ken Buchanan

Notary Public, Polk County, MN  
My Comm. Exp: 6-18-91

MICHAEL S.  
BROUSE  
& ASSOCIATES,  
P.A.

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## ORDINANCE 4.15

An ordinance annexing land into the City of Fosston.

### Section 1. RECITALS.

A. WHEREAS, the Esther Reiersen, a single person, and James W. Murray and Rae Arliss Murray, husband and wife, own the following described real property abutting said City:

---A parcel of Land in the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of Section Four (4), Township One Hundred Forty-seven (147) North, Range Forty (40) West of the Fifth Principal Meridian, Polk County, Minnesota, described as follows: Beginning at the 3/4" iron rod at the Northeast corner of said Northwest Quarter; thence South 00 degrees 00 minutes 04 seconds East 1310.05 feet along the quarter line to an iron monument at the Southeast corner of the Northeast Quarter of the Northwest Quarter of said Section 4; thence South 88 degrees 52 minutes 12 seconds West 845.67 feet along the south line of said Northeast Quarter of the Northwest Quarter to an iron monument at the Northwest corner of the Fosston Industrial Park as platted; thence North 00 degrees 00 minutes 04 seconds West 1309.39 feet to a 5/8" rebar with aluminum cap on the North line of said Section 4; thence North 88 degrees 49 minutes 31 seconds East 845.68 feet along said North line of Section 4 to the point of beginning. Said parcel contains 25.42 acres, more or less. All bearings are on assumed datum.---

B. WHEREAS, said Esther Reiersen, James W. Murray and Rae Arliss Murray are the sole owners of said property; and

C. WHEREAS, the members of the Fosston City Council are familiar with said property and believe same is now or is about to become urban or suburban in character; and

D. WHEREAS, said real property abuts the City of Fosston, is unplatted and does not exceed two hundred (200) acres; and

E. 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

F. WHEREAS, members of the Fosston City Council have determined that annexation of the above described real

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BROUSE  
& ASSOCIATES,  
P.A.

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property is and will be in the best interests of the City of Fosston, Minnesota, and of the territory affected; and

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

IT IS RESOLVED, and the City Council of the City of Fosston, Minnesota, hereby ordains and declares that the aforescribed property be and is hereby annexed and included in the City of Fosston, Minnesota, as if it had been originally been a part thereof.

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 22 day of February, 1988.

THE CITY OF FOSSTON

By: Arvid Clementson  
Arvid Clementson, Mayor

By: Charles Lucken  
Charles Lucken,  
Clerk-Treasurer

MICHAEL S.  
BROUSE  
& ASSOCIATES,  
P.A.

ATTORNEYS  
Fosston, MN  
56542

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ORDINANCE 4.15

An ordinance annexing land into the City of Fosston

Section 1. RECITALS

A. WHEREAS, The Esther Reiersen, a single person, and James W. Murray and Rae Arliss Murray, husband and wife, own the following described real property abutting said City:

-A parcel of Land in the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$ ) of Section Four (4), Township One Hundred Forty-seven (147) North, Range Forty (40) West of the Fifth Principal Meridian, Polk County, Minnesota, described as follows: Beginning at the 7/8" iron rod at the Northeast corner of said Northwest Quarter; thence South 00 degrees 00 minutes 04 seconds East 1310.05 feet along the quarter line to an iron monument at the Southeast corner of the Northeast Quarter of the Northwest Quarter of said Section 4; thence South 88 degrees 52 minutes 12 seconds West 845.67 feet along the south line of said Northeast Quarter of the Northwest Quarter to an iron monument at the Northwest corner of the Fosston Industrial Park as platted; thence North 00 degrees 00 minutes 04 seconds West 1309.39 feet to a 5/8" rebar with aluminum cap on the North line of said Section 4; thence North 88 degrees 49 minutes 31 seconds East 845.68 feet along said North line of Section 4 to the point of beginning. Said parcel contains 25.42 acres, more or less. All bearings are on assumed datum. -

B. WHEREAS, said Esther Reiersen, James W. Murray and Rae Arliss Murray are the sole owners of said property; and

C. WHEREAS, the members of the Fosston City Council are familiar with said property and believe same is now or is about to become urban or suburban in character; and

D. WHEREAS, said real property abuts the City of Fosston, is unplatted and does not exceed two hundred (200) acres; and

E. 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

F. 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

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

IT IS RESOLVED, and the City Council of the City of Fosston, Minnesota, hereby ordains and declares that the abovescribed property be and is hereby annexed and included in the City of Fosston, Minnesota, as if it had been originally been a part thereof.

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 22nd day of February, 1988.

THE CITY OF FOSSTON

By: Arvid Clementson, Mayor

By: Charles Lucken, Clerk-Treasurer

Feb. 25 Mar. 8

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 23rd Public Notice: Ordinance

4.15 (Annexing land into the City of Fosston

@ \$40.25 = \$80.50

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

2

successive weeks; that it was first so published on

Thursday, the 25th day of February 19 88; and

thereafter on Thursday of each week to and including the 3rd

day of March 19 88; 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-

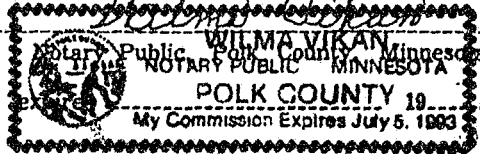
wit: same

abcdefghijklmnopqrstuvwxyz

Subscribed and sworn before me this 11 day of

March 19 88

My commission



WAIVER OF OBJECTION TO ANNEXATION

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

1. On April 5, 1988, 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 Ordinance No. 4.15 filed with the City of Fosston, Minnesota, by the City of Fosston, dated February 22, 1988.

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 Ordinance No. 4.15.

POLK COUNTY BOARD OF COMMISSIONERS

By: John P. Schmalenberg  
John P. Schmalenberg,  
Executive Secretary

MICHAEL S.  
BROUSE  
& ASSOCIATES,  
P.A.

ATTORNEYS  
Fosston, MN  
56542

(218) 435-1661

WAIVER OF OBJECTION TO ANNEXATION

The undersigned clerk of the Rosebud Town Board hereby states:

1. On June 6, 1988, 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 Ordinance No. 4.15 filed with the City of Fosston, Minnesota, by the City of Fosston, dated February 22, 1988.
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 Ordinance No. 4.15.

ROSEBUD TOWN BOARD

By: Katherine Caskey  
Katherine Caskey  
Rosebud Town Clerk

138280

STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED

AUG 11 1988

John Andrew Howe  
Secretary of State

MICHAEL S.  
BROUSE  
& ASSOCIATES,  
P.A.

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