

City of East Grand Forks

"Center of the Rich Red River Valley"

EAST GRAND FORKS, MINNESOTA 56721

RONALD I. GALSTAD
City Attorney
P.O. Box 386
East Grand Forks, MN 56721
Phone: 218-773-9729
Fax: 218-773-8950

December 22, 2015

VIA U.S. MAIL AND
EMAIL Star.Holman@state.mn.us

Star Holman
State Program Administrator Senior
Municipal Boundary Adjustment Unit
Office of Administrative Hearings
600 Roberts Street North
P. O. Box 64620
St. Paul, Minnesota 55164-0620



RE: **Annexation Ordinance No. 15, 4th Series**

Dear Ms. Holman:

Enclosed please find for filing an Affidavit in Support of Annexation Ordinance No.: 15 4th Series for the City of East Grand Forks, an Affidavit of Service by Mail and an additional check in the amount of \$100.00 for the filing fee.

If you should have any questions, please feel free to call my office.

I would like to thank you in advance for your just consideration.

Respectfully yours,

Ronald I. Galstad
East Grand Forks City Attorney
RIG/jp

Enclosures

CC: Polk County Auditor (w/ encl)
Minnesota Secretary of State (w/ encl) ✓
Grand Forks Township (w/ encl)
David Murphy (w/ encl)

161681

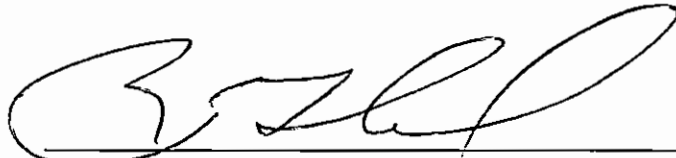
AFFIDAVIT IN SUPPORT OF ANNEXATION
ORDINANCE NO.: 15 4TH SERIES
CITY OF EAST GRAND FORKS, MN 56721

1. I am the City Attorney for the City of East Grand Forks, Minnesota;
2. That I previously filed Ordinance No.; 15 4Th Series to annex approximately 40 Acres of land into the City of East Grand Forks;
3. That when I drafted the Ordinance, In paragraph 11, I errantly stated the property was in Huntsville Township;
4. I submit this affidavit to correct the clerical error. The correct Township is Grand Forks, Township;
5. That attached and incorporated by reference is the corrected page 2 of Ordinance No.: 15 4th Series containing the corrected clerical error in paragraph 11; Exhibit "A";
6. Though the clerical error appeared in the Ordinance service of the annexation Petition, Notice of Public hearing held on June 16, 2015 were all properly served on David Thompson, Clerk of Grand Forks, Township at 44477 110th St. SW, East Grand Forks, MN 56721. Please see attached exhibit "B";
7. Further, I omitted to include a paragraph pursuant to Minn. Stat. Section 414.036 to reimburse the Township for Property taxes for the annexed property;

8. That included by reference is the "Special Assessment Property Tax Agreement between the City of East Grand Forks and Grand Forks Township, Minnesota" attached as Exhibit "C".

FURTHER THE AFFIANT SAYETH NOT

I thank the Minnesota Municipal Adjustment Board for its time and attention to this matter.



Ronald I. Galstad, MN-ATTY-ID # 0242974
East Grand Forks City Attorney

Subscribed and sworn before me, a Notary Public on the 22nd day of December, 2015 by Ronald I. Galstad, East Grand Forks City Attorney.


Notary Public 1-31-2020

Section 7. That the area to be annexed is unplatted and unpopulated property.

Section 8. That electric utility service notice of Minnesota Statute § 414.033 subd. 13, is not applicable as there are no electrical services presently provided in the proposed area.

Section 9. The City hereby annexes the real property situated in the County of Polk, State of Minnesota, legally described as follows, to wit:

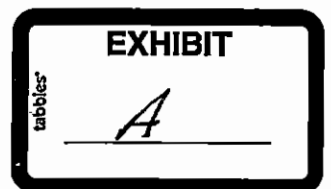
Southeast Quarter of the Southeast Quarter (SE1/4SE1/4), Section Twenty-six (26), Township One Hundred Fifty-two (152) North, Range Fifty (50) West of the Fifth Principal Meridian, Polk County, Minnesota containing approximately 40 acres.

Section 10. That said land is not in the floodplain or shoreland area.

Section 11. The City Administrator/Clerk Treasurer is hereby directed to file certified copies of this ordinance with the Chief Administrative law Judge, Municipal Boundary Adjustments Division of the state Office of Administrative Hearings (Minnesota Municipal Board), Grand Forks Township, Polk County Auditor, and the Minnesota Secretary of State. A copy of the annexation ordinance must be delivered immediately to the Polk County auditor upon approval of the chief administrative law judge.

Section 12. City Code Chapter 10 entitled Definitions and General Provisions Applicable to the Entire City Code Including Penalty for violation" is hereby adopted in its entirety, by reference, as repeated verbatim herein.

Section 13. This ordinance shall take effect and be in force from and after its passage and publication and be given number 15 4th_series, and after its approval by the Minnesota Municipal Board.



Affidavit of Mailing Public Hearing Notice – Johnson Annexation

State of Minnesota)
)
Council of East Grand Forks)

David Murphy, being first duly sworn, deposes and says:

I am a United States citizen, over 18 years of age, and the City Administrator of the City of East Grand Forks, Minnesota.

On July 13, 2015, acting on behalf of the said city, I deposited in the United States mail at 10:00am, Minnesota, copies of the attached notice of a hearing on the proposed annexation, enclosed in certified envelopes, with postage thereon fully prepaid, addressed to the following persons at the addresses appearing opposite their respective names:

Name	Address
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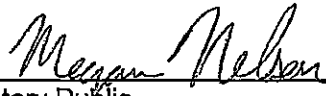
See Attached List

There is delivery service by United States mail between the place of mailing and the places so addressed.



Signature

Subscribed and sworn to before me this 13th day of July, 2015.



Notary Public



EXHIBIT

B

SCHRYVER CHRIS & JANELLE M 2235 3RD AVE NW EAST GRAND FORKS, MN 56721	KRAFT RANDY & ANDREA 2241 PIONEER CT NW EAST GRAND FORKS, MN 56721	MERKENS SETH A & CHRISTINA L 2233 PIONEER CT NW EAST GRAND FORKS, MN 56721
BLACKER STEVEN D & SUSAN F 2225 PIONEER CT NW EAST GRAND FORKS, MN 56721	JOHNSON JEFFREY K & MISTY M 2219 PIONEER CT NW EAST GRAND FORKS, MN 56721-1235	COWGER MARK J & DEBRA L 2228 5TH AVE NW EAST GRAND FORKS, MN 56721
KLINER SCOTT L & CONNIE L 2215 PIONEER CT NW EAST GRAND FORKS, MN 56721	NEWHOUSE TROY & JENNIFER MAU 2227 5TH AVE NW EAST GRAND FORKS, MN 56721	STRICKER PAUL SCOTT & JAN MARIE 2221 5TH AVE NW EAST GRAND FORKS, MN 56721
FOGARTY BRIAN 2215 5TH AVE NW EAST GRAND FORKS, MN 56721	GORDON DAVID S & DENISE A PIKER- GORDON 2232 PIONEER CT NW EAST GRAND FORKS, MN 56721	LINNERTZ DON & THERESE TRUSTEES 2226 PIONEER CT NW EAST GRAND FORKS, MN 56721
ABBAY BLAKE B & HOLLY M 2248 PIONEER CT NW EAST GRAND FORKS, MN 56721	RITCHIE BETTY L TRUSTEE 33 S SAINTE MARIE ST BARRON, WI 54812-1336	PRAIRIE VIEW INVESTMENTS 304 22ND ST NW EAST GRAND FORKS, MN 56721
CENTURY PROPERTIES INC 1800 5TH AVE NE EAST GRAND FORKS, MN 56721	JEFFREY AND SUSAN BAKKE 2218 5TH AVE NW EAST GRAND FORKS, MN 56721	JAMES AND ANGELINE BELBAS 2210 5TH AVE NW EAST GRAND FORKS, MN 56721
MELISSA AND CLINT DIETRICH 2209 PIONEER CT NW EAST GRAND FORKS, MN 56721	KROKE STEVEN J & EVELYN 14778 ST HWY 220 SW EAST GRAND FORKS, MN 56721	MCKAY ROBIN J & NANCY L 14848 ST HWY 220 SW EAST GRAND FORKS, MN 56721
MESA JOHN L & SANDRA J 14832 ST HWY 220 SW EAST GRAND FORKS, MN 56721	BYE LUCAS & BRITTANY SCHROEDER 14772 STATE HIGHWAY 220 SW EAST GRAND FORKS, MN 56721	JABLINSKE BETTY A ETAL, LIFE ESTATE 14868 ST HWY 220 SW EAST GRAND FORKS, MN 56721
RINGUETTE TIM & JEANNETTE 14884 STATE HWY 220 SW EAST GRAND FORKS, MN 56721	MARTINEZ LOUIS & DENISE 1410 CENTRAL AVE NE EAST GRAND FORKS, MN 56721	TACK LARRY L & JEANNE M TRUSTEES 44930 150TH ST SW EAST GRAND FORKS, MN 56721
DAVID THOMPSON 44477 110TH St SW EAST GRAND FORKS, MN 56721		

**SPECIAL ASSESSMENT PROPERTY TAX AGREEMENT BETWEEN THE CITY OF
EAST GRAND FORKS AND GRAND FORKS TOWNSHIP, MINNESOTA**

IN THE MATTER OF ANNEXATION OF LAND FROM GRAND FORKS TOWNSHIP TO
THE CITY OF EAST GRAND FORKS, MINNESOTA PURSUANT TO MINNESOTA
STATUTES § 414.033, SUBD. 2(3)

WHEREAS, Johnson Farms a North Dakota partnership petitioned the City requesting that the City join in the request to annex property located in Grand Forks Township into the City of East Grand Forks. Johnson Farms was approached by a developer to build multi-family housing units to accommodate the Northland Community and Technical College student population.

WHEREAS, the real property situated in Grand Forks Township, County of Polk, State of Minnesota, is legally described as follows:

Southeast Quarter of the Southeast Quarter (SE1/4SE1/4), Section Twenty-six (26), Township One Hundred Fifty-two (152) North, Range Fifty (50) West of the Fifth Principal Meridian, Polk County, Minnesota containing approximately 40 acres.

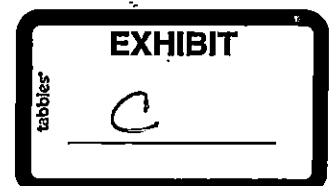
WHEREAS, the City Council determined that it was in the best interest of the City to annex the parcel into the City so that it can have access to all City utilities and services for the multi-family housing development;

WHEREAS, the notice and public hearing requirements of Minnesota Statute § 414.033 subd. 2b were provided to the Grand Forks Township and a public hearing was held on June 16, 2015;

WHEREAS, Grand Forks Township did not object to the proposed annexation;

WHEREAS, the City annexed the property into the city by ordinance pursuant to Minnesota Statute § 414.033 subd. 2(3);

WHEREAS, it is a requirement of Minnesota Statute § 414.036 that the City enter into an agreement to reimburse to the Township to annex taxable property;



WHEREAS, the City must provide reimbursement for all or part of the taxable property and shall pay the Township in substantially equal payments as property tax reimbursement over not less than two nor more than eight years from the time of annexation.

WHEREAS, the property taxes due to the Township for the entire Quarter section that contains the 40 acre parcel that was annexed is \$407.30 per year;

NOW THEREFORE THE PARTIES AGREE AS FOLLOWS:


The City of East Grand Forks shall pay to Grand Forks Township as reimbursement of real estate property taxes the amount of \$407.30 per year for a total of \$814.60. Payment will be made by March 1 in each calendar year 2016 and 2017 for full, final and complete reimbursement of the City's obligation as set forth in Minn.Stat. § 414.036.

DATED 12-15-15

GRAND FORKS TOWNSHIP



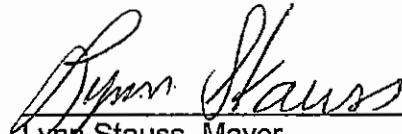
Greg Stocker, Chairman



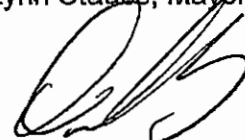
David Thompson, Clerk

DATED 12-17-15

CITY OF EAST GRAND FORKS



Lynn Stauss, Mayor



David Murphy, City Administrator

STATE OF MINNESOTA

COUNTY OF POLK

)
) SS
)

AFFIDAVIT OF SERVICE BY MAIL

The undersigned, being first duly sworn, says that a copy of the attached:

1. **Affidavit in Support of Annexation Ordinance No.: 15 4th Series City of East Grand Forks; and**
2. **Exhibits A, B, & C.**

was served upon:

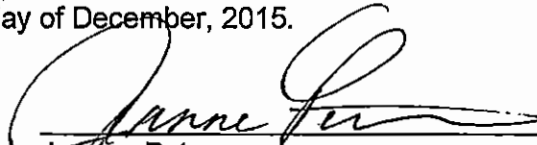
Polk County Auditor' Office
612 North Broadway, Suite 207
Crookston, MN 56716

Grand Forks Township
ATTN: David Thompson, Clerk
44477 110th St SW
East Grand Forks, MN 56721

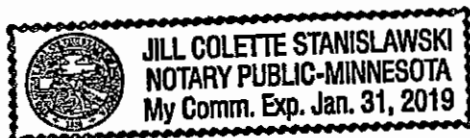
Minnesota Secretary of State
180 State Office Building
100 Rev. Dr. Martin Luther King Jr.
St. Paul, MN 55155-1299


Minnesota Municipal Boundary Adjustment
600 Roberts Street North
P.O. Box 64620
St. Paul, MN 55164-0620

by enclosing the same in an envelope addressed to such party at the above address with postage fully prepaid and depositing said envelope in a United States Postal Service mailbox at East Grand Forks, Minnesota on the 22 day of December, 2015.


Jeanne Peterson

Subscribed and sworn to before me on this 22 day of December, 2015, by Jeanne Peterson.




Notary Public
My Commission Expires: 01-31-2019