

MEMO

TO: City Council
FROM: Planning Commission
DATE: October 18, 2016
SUBJECT: Annexation – Airport

At the October 18, 2016 Planning Commission meeting a public hearing was held regarding the annexation the Perham Municipal Airport. This property is owned by the City and such, per statute, could have been annexed without a public hearing however, as a courtesy to Perham Township the hearing was held.

No one from the public in opposition of the annexation appeared at the hearing nor was any correspondence regarding this annexation received. Rich McCrady owner of Wings Flight School and private hangar owner and Mike Larson owner of Larson Helicopters, an adjacent land owner were present.

It is the recommendation of the Planning Commission that the City Council approve annexation of the airport

Below are excerpts from the meeting minutes as they pertain to this issue.

Public Hearing – Annexation of Airport

Chairman Tellinghuisen opened the public hearing at 7:30 a.m. No one in opposition of the annexation was present nor had communication been received. Rich McCrady owner of the flight school and a private hangar questioned what the tax increase would be. City Manager Smith stated that the township share of taxes would go from \$191 to \$469. McCrady questioned what benefits would be gained. City Manager Smith said that in this case, since the property is already owned by the City the benefits are already in place and that the tax dollars would now be going toward those benefits and not to Perham Township which does not provide any services to the airport. McCrady also stated that he would like to see a master plan for the airport as has been discussed at airport committee meetings. Mike Larson owner of the aerial spraying service questioned the easements currently in place for ingress and egress. City Manager Smith noted that all current easements will remain in place. It was also noted that with the annexation all City zoning ordinance requirements would apply. The public hearing closed at 7:44 a.m.

Discussion and Action – Annexation of Airport

Rich McCrady mentioned the need to clean up debris on part of the easterly portion of the airport property. He also mentioned an existing well in this area. City Manager Smith will bring this issue to the attention of the Public Works Director. With no further discussion Commissioner Keil made a motion recommending the City Council approve annexation of the airport. The motion was seconded by Commissioner Stoll and passed without dissent.

**City of Perham
Public Notice
Annexation Hearing**

Notice is hereby given that Planning Commission of the City of Perham will meet to conduct a Public Hearing at 7:30 A.M. on Tuesday, October 18, 2016 to consider annexation of the Perham Municipal Airport to the City of Perham as allowed by §414.033:

The Public Hearing will be held in the Council Chambers of the City Administration Building, 125 2nd Avenue N.E., P.O. Box 130, Perham, MN 56573.

All persons desiring to be heard regarding this matter will be heard at that time. Written comments on the request may be submitted to the City Manager at the above address prior to hearing.

PLEASE PUBLISH:

Thursday, September 15, 2016

Affidavit and billing to City of Perham

AFFIDAVIT OF MAILING

I, Mary Holzer, a City employee, certify that on the 8th day September, 2016, I deposited in the U.S. Mail, copies of the attached notice to the individuals or organizations listed below and to the addresses below.

see attached

Mary Holzer
Signature

9/8/2016
Date

I personally know the above individual and witnessed them sign this document of their own free will this 8th day of September, 2016.

[Signature]
Notary Public



MICHAEL LARSON
42208 COUNTY HWY 80
PERHAM MN 56573

STEPHAN NELSON
7656 128TH ST W
APPLE VALLEY MN 55124

ALLEN & ARLENE RUSCHE
547 2ND ST SW
PERHAM MN 56573

MN DAKOTA GENERATION CO
P O BOX 496
FERGUS FALLS MN 56538

GREAT RIVER ENERGY
12300 ELM CREEK BLVD
MAPLE GROVE MN 55369-4718

AMY WASHEK
45105 425TH AVE
PERHAM MN 56573

JEFFREY PARKS
CYNTHIA KUBE
45108 425TH AVE
PERHAM MN 56573

CAVENDISH FARMS
ATTN: MARK UTQUHART
5855 3RD ST SE
JAMESTOWN ND 58401

RD OFFUTT
P O BOX 7160
FARGO ND 58106

RICHARD & NANCY DINNEL
43075 COUNTY HWY 34
PERHAM MN 56573

ARVIG ENTERPRISES INC
150 2ND AVE SW
PERHAM MN 56573

ORDINANCE NO. _____

**ANNEXATION OF A PARCEL CURRENTLY IDENTIFIED AS
PERHAM MUNICIPAL AIRPORT
COUNTY OF OTTER TAIL, STATE OF MINNESOTA
AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF PERHAM, TO INCLUDE CERTAIN
UNINCORPORATED PROPERTY ABUTTING THE LIMITS OF THE CITY
PURSUANT TO MINNESOTA STATUTE 414.0033 SUBDIVISION 2 SECTION 1**

WHEREAS, the territory described below is not presently within the corporate limits of any incorporated City, Village or Borough; and
WHEREAS, the property is currently owned by the City of Perham; and
WHEREAS, the territory to be annexed is approximately 200.88 acres; and
WHEREAS, this territory abuts the boundary of the City of Perham; and
WHEREAS, this territory is urban or about to become urban in character; and
WHEREAS, all adjoining property owners were duly notified and a public hearing was held on October 18, 2016 according to Minnesota State Statute 414.033 subdivision 2b.

THE CITY COUNCIL OF PERHAM, MINNESOTA DOES HEREBY ORDAIN:

Section 1. Territory Annexed.

The corporate limits of the City of Perham, Minnesota are hereby extended to include the property described as follows:

That part of the Northwest Quarter of the Southwest Quarter of Section 4, Township 136 North Range 39 West of the Fifth Principal Meridian in Otter Tail County, Minnesota described as follows: Beginning at an iron monument which designates the southwest corner of said Northwest Quarter of the Southwest Quarter; thence North 00 degrees 37 minutes 10 second East 244.57 feet on an assumed bearing along the west line of said Northwest Quarter of the Southwest Quarter to an iron monument on the southerly line of STATE HIGHWAY RIGHT OF WAY PLAT NO. 56-1, said plat on file and of record in the office of the Recorder of said County; thence South 63 degrees 17 minutes 26 seconds East 401.13 feet along the southerly line of said STATE HIGHWAY RIGHT OF WAY PLANT NO. 56-1 to a found cast iron right of way monument; thence South 57 degrees 28 minutes 43 seconds east continuing along the southerly line of said STATE HIGHWAY RIGHT OF WAY PLANT NO. 56-1 to the south line of said Northwest Quarter of the Southwest Quarter; thence westerly along the south line of said Northwest Quarter of the Southwest Quarter to the point of beginning. The above described tract contains 1.3 acres more or less; and

That part of the East Half of the Southeast Quarter of Section 5, Township 136 North, Range 39 West, of the Fifth Principal Meridian in Otter Tail County, Minnesota described as follows: Commencing at an iron monument which designates the southeast corner of said Section 5; thence North 00 degrees 37 minutes 10 seconds East 359.53 feet on an assumed bearing along the east line of said Section 5 to an iron monument on the easterly line of STATE HIGHWAY RIGHT OF WAY PLAT NO. 56-1, said plat is on file and of record in the office of the Recorder of County, to the point of beginning; thence North 88 degrees 38 minutes 13 seconds

West 27.18 feet along the easterly line of said STATE HIGHWAY RIGHT OF WAY PLAT NO. 56-1 to a found cast iron right of way monument; thence North 20 degrees 20 minutes 34 seconds West 750.48 feet continuing along the easterly line of said STATE HIGHWAY RIGHT OF WAY PLAT NO. 56-1 to a found cast iron right of way monument; thence North 15 degrees 45 minutes 31 seconds West 675.67 feet continuing along the easterly line of said STATE HIGHWAY RIGHT OF WAY PLAT NO. 56-1 to a found cast iron right of way monument; thence South 77 degrees 45 minutes 11 seconds East 335.04 feet along southerly line of said STATE HIGHWAY RIGHT OF WAY PLAT NO. 56-1 to a found cast iron right of way monument; thence South 63 degrees 17 minutes 26 seconds East 175.96 feet along the southerly line of STATE HIGHWAY RIGHT OF WAY PLAT NO. 56-1 to an iron monument on the east line of said Section 5; thence south 00 degrees 37 minutes 10 seconds West 1204.50 feet along the East line of said Section 5 to the point of beginning. The above described tract contains 7.78 acres; and

That part of the South Half of the Southwest Quarter of Section 4, Township 136 North, Range 39 West of the Fifth Principal Meridian in Otter Tail County, Minnesota, described as follows: Beginning at an iron monument which designates the northwest corner of the Southwest Quarter of the Southwest Quarter of said Section 4; thence South 00 degrees 37 minutes 10 seconds West 959.93 feet on an assumed bearing along the west line of said Southwest Quarter of the Southwest Quarter to an iron monument on the northerly line of State Highway Right Of Way Plat No. 56-1, said plat is on file and of record in the office of the Recorder of said County; thence South 88 degrees 38 minutes 13 seconds East 38.82 feet along the easterly line of said State Highway Right Of Way Plat No. 56-1 to a found cast iron right of way monument; thence South 19 degrees 45 minutes 43 seconds East 383.24 feet continuing along the easterly line of said State Highway Right Of Way Plat No. 56-1 to an iron monument on the south line of said Section 4; thence South 89 degrees 18 minutes 26 seconds East 1985.53 feet along the south line of said Section 4 to an iron monument on the southwesterly right of way line of old Trunk Highway No. 10; thence North 49 degrees 22 minutes 41 seconds West 1555.65 feet along said southwesterly right of way line of old Trunk Highway No. 10 to a found cast iron right of way monument on the southerly line of said State Highway Right of Way Plat No. 56-1; thence South 40 degrees 38 minutes 24 seconds West 60.00 feet along the southerly line of said State Highway Right of Way Plat No. 56-1 to a found cast iron right of way monument; thence North 49 degrees 21 minutes 36 seconds West 200.00 feet along the southerly line of said State Highway Right Of Way Plat No. 56-1 to the southerly right of way line of old Trunk Highway No. 10; thence South 40 degrees 38 minutes 24 seconds West 84.00 feet along said southerly right of way line of old Trunk Highway No. 10; thence North 49 degrees 21 minutes 36 seconds West 40.00 feet along said southerly right of way line of old Trunk Highway No. 10; thence North 40 degrees 38 minutes 24 seconds East 84.00 feet along said southerly right of way line of old Trunk Highway No. 10 to the southerly line of said State Highway Right Of Way Plat No. 56-1; thence North 49 degrees 21 minutes 36 seconds West 260.00 feet along the southerly line of said State Highway Right Of Way Plat No. 56-1 to a found cast iron right of way monument; thence North 57 degrees 28 minutes 43 seconds West continuing along the southerly line of said State Highway Right Of Way Plat No. 56-1 to the north line of said Southwest Quarter of the Southwest Quarter; thence westerly along the north line of said Southwest Quarter of Southwest Quarter to the point of beginning. The above described tract contains 40.0 acres, more or less; and

Commencing at an iron monument which designates the north quarter corner of said Section 9; thence South 01 degree 22 minutes 11 seconds West 1076.97 feet on an assumed bearing along the east line of said North Half of the Northwest Quarter to an iron monument; thence North 46 degrees 11 minutes 46 seconds West 779.08 feet to an iron monument, said point is the point of beginning; thence South 01 degree 22 minutes 11 seconds West 694.50 feet to an iron monument; thence North 48 degrees 42 minutes 49 seconds West 1903.99 feet to an iron monument on the north line of said North Half of the Northwest Quarter; thence South 89 degrees 18 minutes 26 seconds East 872.40 feet along the north line of said North Half of the Northwest Quarter to an iron monument ; thence South 46 degrees 11 minutes 46 seconds East 796.66 feet to the point of beginning. The above described tract contains 17.09 acres; and

That part of the Northeast Quarter of the Northwest Quarter, Section 9, Township 136, Range 39 of the Fifth Principal Meridian in Otter Tail County, Minnesota described as follows: Commencing at an iron monument which designates the north quarter corner of said Section 9; thence South 01 degree 22 minutes 11

seconds West 416.97 feet on an assumed bearing along the east line of said Northeast Quarter of the Northwest Quarter to an iron monument on the southwesterly right of way line of old Trunk Highway N. 10, said point is the point of beginning; thence continuing South 01 degree 22 minutes 11 seconds West 660.00 feet along the east line of said Northeast Quarter of the Northwest Quarter to an iron monument; thence North 46 degrees 11 minutes 46 seconds West 779.08 feet to an iron monument; thence continuing North 46 degrees 11 minutes 46 seconds West 796.66 feet to an iron monument on the north line of said Northeast Quarter of the Northwest Quarter; thence South 89 degrees 18 minutes 26 seconds East 660.00 feet along the north line of said Northeast Quarter of the Northwest Quarter to an iron monument on said southwesterly right of way line of old Trunk Highway No. 10; thence South 49 degrees 22 minutes 41 seconds East 649.59 feet along said southwesterly right of way line of old Trunk Highway No. 10 to the point of beginning. The above described tract contains 11.97 acres; and

That part of the Northwest Quarter, Section 9, Township 136, Range 39, more particularly described as follows, to wit: Beginning at a point on the north-south centerline of Section 9, Township 136, Range 39, 660 feet south of the intersection of said centerline with the southwesterly boundary of State Trunk Highway No. 10; thence south for a distance of 390.8 feet; thence west and at right angles with said centerline for a distance of 575 feet; thence north and at right angles to previously described line for a distance of 916.5 feet; thence southeasterly at an angle of 47 degrees and 32 minutes with the previously described line for a distance of 778.7 feet to the point of beginning. Said tract of land contains 8.63; and

That part of the Southeast Quarter of the Northwest Quarter of Section 9, Township 136, Range 39 West of the Fifth Principal Meridian in Otter Tail County Minnesota described as follows: Commencing at an iron monument which designates the north quarter corner of said Section 9; thence South 01 degree 22 minutes 11 seconds West 1467.77 feet on an assumed bearing along the north-south quarter line of said Section 9 to an iron monument, said point is the point of beginning; thence continuing South 01 degree 22 minutes 11 seconds West 259.08 feet along the east line of said Southeast Quarter of the Northwest Quarter to an iron monument; thence North 48 degrees 42 minutes 49 seconds West 403.76 feet to an iron monument; thence South 88 degrees 37 minutes 49 seconds East 309.68 feet to the point of beginning. The above described tract contains 0.92 acres; and

That part of the Northeast Quarter (NE $\frac{1}{4}$) of Section 9, Township 135, Range 39 West, lying and being south of the Northern Pacific Railway Company right of way and the State Highway No. 10 of the State of Minnesota. Containing approximately 70.19 acres; and

Commencing at a point on the east-west center line of Section 9, Township 136 North, Range 39 West, which lies 1971.2 feet east of the center of said section; thence south at right angles to the east-west center line of said section for a distance of 180 feet; thence west and parallel to the east-west center line of said section for distance of 500 feet; thence north at right angles to the east-west center line of said section for a distance of 180 feet; thence east on the east-west center line of said section a distance of 500 feet to the point of beginning. The described tract of land lies in the Northeast Quarter of the Southeast Quarter, Section 9, Township 136 North, Range 39 West and contains 2.07 acres, more or less; and

That part of the Southwest Quarter of the Northwest Quarter of Section 10, Township 136 North, Range 39 West of the fifth Principal Meridian in Otter Tail County, Minnesota, described as follows: Beginning at an iron monument which designates the southwest corner of said Southwest Quarter of the Northwest Quarter; thence North 01 degree 39 minutes 03 seconds East 75.34 feet on an assumed bearing along the west line of said Southwest Quarter of the Northwest Quarter to an iron monument on the southwesterly right of way line of old Trunk Highway no. 10; thence South 49 degrees 22 minutes 41 seconds East along the southwesterly right of way line of old Trunk Highway No. 10 to the south line of said Southwest Quarter of the Northwest Quarter; thence westerly along the south line of said Southwest Quarter of the Northwest Quarter to the point of beginning. The above described tract contains 0.1 of an acre, more or less; and

That part of the North half of the Southeast Quarter of Section 9, Township 136 North, Range 39 West of the Fifth Principal Meridian in Otter Tail County, Minnesota, described as follows: Beginning at an iron monument which designates the northeast corner of said North half of the Southeast Quarter; thence North 89 degrees 30 minutes 47 seconds West 650.0 feet on an assumed bearing along the north line of said North

half of the Southeast Quarter to an iron monument; thence South 00 degrees 29 minutes 13 seconds West 180.00 feet to an iron monument; thence North 89 degrees 30 minutes 47 seconds West 500.00 feet to an iron monument; thence North 00 degrees 29 minutes 13 seconds East 180.00 feet to an iron monument on the north line of said North half of the Southeast Quarter; thence North 89 degrees 30 minutes 47 seconds West 435.34 feet along the north line of said North half of the Southeast Quarter to an iron monument; thence South 48 degrees 42 minutes 49 seconds East 1661.71 feet to an iron monument; thence North 41 degrees 17 minutes 11 seconds East 493.21 feet to an iron monument on the east line of said North half of the Southeast Quarter; thence North 00 degrees 54 minutes 08 seconds East 712.44 feet along the east line of said North half of the Southeast Quarter to the point of beginning. The above described tract contains 20.31 acres; and

That part of the Northwest Quarter of the Southwest Quarter of Section 10, Township 136 North, Range 39 West of the Fifth Principal Meridian in Otter Tail County, Minnesota, described as follows: Beginning at an iron monument which designates the northwest corner of said Northwest Quarter of said Southwest Quarter, thence South 00 degrees 54 minutes 08 seconds West 712.44 feet on an assumed bearing along the west line of said Northwest Quarter of the Southwest Quarter to an iron monument, thence North 41 degrees 17 minutes 11 seconds East 306.79 feet to an iron monument; thence continuing North 41 degrees 17 minutes 11 seconds East 299.82 feet to an iron monument on the southwesterly right of way line of old Trunk Highway No. 10; thence North 49 degrees 22 minutes 41 seconds West along said southwesterly right of way line of old Trunk Highway No. 10 to the north line of said Northwest Quarter of the Southwest Quarter; thence westerly along the north line of said Northwest Quarter of the Southwest Quarter to the point of beginning. The above described tract contains 3.5 acres, more or less; and

That part of the East half of the Southeast Quarter of Section 9, Township 136 North, Range 39 West of the Fifth Principal Meridian in Otter Tail County, Minnesota described as follows: Commencing at an iron monument which designates the northeast corner of said East half of the Southeast Quarter; thence South 00 degrees 54 minutes 08 seconds West 712.44 feet on an assumed bearing along said East half of the Southeast Quarter to an iron monument; said point is the point of beginning; thence continuing South 00 degrees 54 minutes 08 seconds West 742.19 feet along the east line of said East half of the Southeast Quarter to an iron monument; thence North 40 degrees 10 minutes 58 seconds West 486.25 feet to an iron monument; thence North 41 degrees 17 minutes 11 seconds East 493.21 feet to the point of beginning. The above described easement contains 2.72 acres; and

That part of the West Half of the Southwest Quarter of Section 10, Township 136 North, Range 39 West of the Fifth Principal Meridian in Otter Tail County described as follows: Commencing at an iron monument which designates the northwest corner of said West half of the Southwest Quarter; thence South 00 degrees 54 minutes 08 seconds West 712.44 feet on an assumed bearing along the west line of said West Half of the Southwest Quarter to an iron monument, said point is the point of beginning; thence North 41 degrees 17 minutes 11 seconds East 306.79 feet to an iron monument; thence South 57 degrees 14 minutes 40 seconds East 672.69 feet to an iron monument; thence South 40 degrees 31 minutes 00 seconds West 329.96 feet to an iron monument; thence South 49 degrees 22 minutes 20 seconds East 330.33 feet to an iron monument; thence South 41 degrees 17 minutes 11 seconds West 723.66 feet to an iron monument; thence North 40 degrees 10 minutes 58 seconds West 524.93 feet to an iron monument on the West line of said West Half of the Southwest Quarter; thence North 00 degrees 54 minutes 08 seconds East 742.19 feet along the west line of said West Half of the Southwest Quarter to the point of beginning. The above described easement contains 16.39 acres; and

That part of the Northwest Quarter of the Southwest Quarter of Section 10, Township 136 North, Range 39 West of the Fifth Principal Meridian in Otter Tail County described as follows: Commencing at an iron monument which designates the northwest corner of said Northwest Quarter of the Southwest Quarter; thence South 00 degrees 54 minutes 08 seconds West 712.44 feet on an assumed bearing along the west line of said Northwest Quarter of the Southwest Quarter to an iron monument; thence North 41 degrees 17 minutes 11 seconds East 306.79 feet to an iron monument; thence South 57 degrees 14 minutes 40 seconds East 672.69 feet to an iron monument on the northwesterly line of Schmitz's land as recorded in Book 492 of Deeds, page 3 in the office of the Recorder of said County, said point is the point of beginning; thence South 40

degrees 31 minutes 00 seconds West 329.96 feet along the northwesterly line of said Schmitz's land to a found iron monument; thence South 49 degrees 22 minutes 20 seconds East 330.33 feet along the southwesterly line of said Schmitz's land to an iron monument; thence North 41 degrees 17 minutes 11 seconds East 376.34 feet to an iron monument; thence North 57 degrees 14 minutes 40 seconds West 338.49 feet to the point of beginning. The above described easement contains 2.70 acres.

Subject to easements, restrictions, or reservations of record if any.

Section 2. Filing.

The City Manager is directed to file certified copies of this Ordinance with the Board of the Township in which the property is located, the Secretary of State, The County Auditor of the County in which the property is located, the Municipal Boundary Adjustment and any other parties as may be required pursuant to Minnesota Statutes 414.033, Subdivision 7.

Section 3. Property Tax.

That with respect to the property taxes payable due to the private hangars located on the area legally described above, hereby annexed, the total Township taxes payable 2016 are at or near \$430.33. The City of Perham recommends that, in accordance with Minnesota Statute 414.036, it be ordered to make a cash payment to Perham Township in accordance with the following schedule:

- a. The City of Perham will pay to Perham Township two payments of \$1,075.83 each, one on June 1, 2017, and one on November 1, 2017 for a total of \$2,151.66 representing five (5) years of Perham Township property tax reimbursement for these properties.

Section 4. Effective Date of Annexation.

This Ordinance is effective and final on the date of publication and filing pursuant to Minnesota Statutes 414.033, Subdivision 7.

Adopted this 14th day of November, 2016 by the City Council of Perham, Minnesota.

Mayor

ATTEST:

City Manager