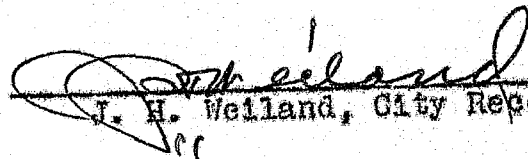


December 23, 1949

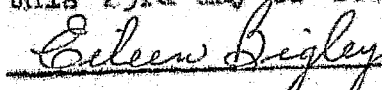
TO WHOM IT MAY CONCERN:

I hereby certify the attached to be true and correct copies of the following original documents on file in the office of the City Recorder at Austin, Minnesota:

1. Petition for annexation
2. Certificate of inspectors
3. Resolution relative to the annexation
4. Notice of Special Election
5. Affidavit of Census


J. H. Welland, City Recorder

Subscribed and sworn to before me
this 23rd day of December, 1949.



My commission expires 8-24-54.

(Seal) EDWIN WILEY
Notary Public, Wagon, County, Minn.
My Commission Expires Aug. 24, 1954.

10998

PETITION

To the Mayor and the members of the Common Council of the City of Austin, Minnesota:

Your petitioners respectfully represent:

1. That they are legal residents and legal voters residing in the boundaries of the following described premises, which said premises have a population of 98 persons, and are not included in any incorporated city or village, but do adjoin the City of Austin in municipal corporation under the laws of the State of Minnesota, and no part of the territory hereinafter described is more than one and one-half miles from the present limits of the City of Austin which it adjoins. Said premises are described as follows:

All of Block 1 except Out Lots 1, 2, and 3 contained therein, and all of Block 4 as located on that certain County Auditor's plat, filed November 4, 1946, being located in the NW Quarter of the NE Quarter of the NE Quarter of Section 4, Township 102 North, Range 18 west, in Mower County, Minnesota.

Also all of Block 5 and all of Block 8 except Out Lots 1 to 6 inclusive in said Block 8 as located in that certain County Auditor's plat, filed November 4, 1946, being located in the SW Quarter of the NE Quarter of the NE Quarter of Section 4, Township 102 north, Range 18 west, in Mower County, Minnesota.

Also including Street Lot Number 1, Street Lot Number 2, Street Lot Number 3, Street Lot Number 6, and Street Lot Number 7, it being the intention to include all land west of said Blocks 1, 4, 5, and 8 up to the east side of Block 2, Block 3, Block 6, and Block 7 as shown on said County Auditor's plat, filed November 4, 1946 in the office of the County Auditor of Mower County, Minnesota, and it further being the intention of the petitioners to include all of Tenth Street to the west side thereof, and all of Grove Street to the middle of Grove Street on the south side of said Block 8; also including all intervening streets between Grove Street and Froeborn Avenue running east and west between Eighth Street in the City of Austin and the above mentioned Tenth Street

2. The undersigned petitioners desire to have the premises above described annexed to the City of Austin, and to have the same become a part thereof. Said petitioners hereby petition the Common Council of Austin, Minnesota to call an election for the determination of such proposed annexation as provided by Section 413.12, Minnesota Statutes for 1945.

3. Your petitioners have caused a census of the resident population of the territory above described, and have found the population to be in excess of seventy-five persons, and that the population consists of 98 persons; that said census was taken by your petitioners within four weeks of the filing of

this petition, and was taken on the 31 st day of October, 1949.

4. The above census was accurately taken, and the statements contained in this petition are true.

WHEREFORE, your petitioners ask that the Common Council take such appropriate procedure as is legally necessary in order to have the question of annexation of the premises above described submitted to an election by the qualified voters residing in the above described territory.

Dated this 1 st day of November, 1949.

Floyd Woolsey

Myles R. Ruble

Ronald J. Radloff

Albert P. Wochaltz

Joseph A. Nelson

STATE OF MINNESOTA

SS

COUNTY OF MOWER

Albert Wochaltz, Ronald Radloff, Floyd Woolsey, Myles Ruble, and

Joseph Nelson being first duly sworn say that they are the petitioners above named; that they have read the foregoing and know the contents thereof; that the allegations therein contained are true.

Floyd Woolsey

Myles R. Ruble

Ronald J. Radloff

Albert P. Wochaltz

Joseph A. Nelson

Subscribed and sworn to before me
this 2 nd day of November, 1949.

/s/ R. A. DUNNETTE

R. A. Dunnette
Notary Public, Mower County, Minn.
My Commission Expires May 4, 1951

(Notary Seal)

STATE OF MINNESOTA

SS

COUNTY OF HOWAR

Mrs. Joe A. Nelson, Mrs. Floyd Woolsey, and Albert Wacholtz,
being first duly sworn, hereby state and certify as follows:

1. That they are the duly qualified and acting inspectors of
the special election held on December 9, 1949, and were appointed by
Resolution No. 2339 passed by the Common Council of Austin, Minnesota
on the 21st day of November, 1949.

2. They further state that they did act as judges of the
election above mentioned and they hereby certify that a canvass of the
returns of said election, as the same appears upon the face of the returns,
shows that thirty-five votes were cast in favor of annexing the certain
premises to the City of Austin, and that three votes were cast against
annexing the certain premises to the City of Austin, and that a total of
thirty-eight votes were cast at said election, and there were no spoiled
ballots.

3. Said special election, at which the issue of whether certain
premises should be annexed to the City of Austin or not, was voted upon
on December 9, 1949, pursuant to a special election ordered by the Common
Council of Austin, Minnesota for December 9, 1949 to be held between the
hours of 7:00 a.m. and 8:00 p.m. on that day, and all the directions of
Resolution Number 2339 have been faithfully complied with in
conducting said election.

Mrs. Joe A. Nelson
Mrs. Floyd Woolsey
Albert Wacholtz
8

Subscribed and sworn to before me
this 13th day of December, 1949.

J. H. ...
Notary Public, State of Minnesota
My Commission Expires Aug. 12, 1951

(2)

RESOLUTION NO. 2339

Relative to the annexation to the City of Austin, Minnesota of certain premises hereinafter described and more particularly described in that certain plat filed in the office of the County Auditor, Hovor County, Minnesota on November 4, 1946.

WHEREAS, a verified petition signed by six residents and legal voters residing in the premises hereinafter described, has been presented to the Common Council of the City of Austin, Minnesota requesting that a special election be held to determine whether or not said land be annexed to the City of Austin, said land which it is desired by said petitioners to be annexed to the City of Austin, Minnesota being described as follows:

All of Block 1 except Outlots 1, 2, and 3 contained therein, and all of Block 4 as located on that certain County Auditor's plat, filed November 4, 1946, being located in the NW Quarter of the NE Quarter of the NE Quarter of Section 4, Township 102 north, Range 18 west, in Hovor County, Minnesota.

Also all of Block 5 and all of Block 8 except Outlots 1 to 6 inclusive in said Block 8 as located in that certain County Auditor's plat, filed November 4, 1946, being located in the SW Quarter of the NE Quarter of the NE Quarter of Section 4, Township 102 north, Range 18 west, in Hovor County, Minnesota.

Also including Street Lot Number 1, Street Lot Number 2, Street Lot Number 3, Street Lot Number 4, and Street Lot Number 7, it being the intention to include all land west of said Blocks 1, 4, 5, and 8 up to the east side of Block 2, Block 3, Block 6, and Block 7 as shown on said County Auditor's plat, filed November 4, 1946 in the office of the County Auditor of Hovor County, Minnesota, and it further being the intention of the petitioners to include all of Tenth Street to the west side thereof, and all of Grove Street to the middle of Grove Street on the south side of said Block 8; also including all intervening streets between Grove Street and Freeborn Avenue running east and west between Eighth Street in the City of Austin and the above mentioned Tenth Street.

AND WHEREAS, the Common Council has examined said petition and said territory itself, and finds that the territory comprised in the petition according to the census duly taken, has a resident population of ninety-eight people; that said territory is not included in any incorporated city or village, and that no part of said territory is more than one and one-half miles from the present limits of the City of Austin which it adjoins upon the west; and finally that said petition correctly sets forth the boundaries of such territory, the quantity of land embraced therein and the number of actual residents thereon; and that said petition is in all things in accordance with the statute.

NOW THEREFORE BE IT RESOLVED, by the Common Council of the City of Austin that said petition shall be and it is hereby received and placed on file.

BE IT FURTHER RESOLVED, that an election to determine whether or not said territory shall be annexed to the City of Austin, shall be held on the Tenth day of December, 1949 at a grocery store located on Outlot 10, Block 4, in the NW Quarter of the NE Quarter of the NE Quarter of Section 4, Township 102, Range 18, County Auditor's plat filed November 4, 1946, which said store is owned and operated by one Albert F. Wacholtz, which said

date of election on December twelfth, 1949 is not less than ten nor more than thirty days after posting the notice of election.

BE IT FURTHER RESOLVED, that a copy of said petition together with a notice of election, a form of which is hereinafter set forth, shall be posted forthwith in three public places within the territory above described.

BE IT FURTHER RESOLVED, that the following named inspectors to wit:

Mrs. Myles Ruble Mrs. Floyd Woolsey
Albert Wacholtz and Mrs. Joseph Nelson (alternate),

(alternate), who are residents of the territory proposed to be annexed shall act as judges of election, and conduct the same as far as practicable in accordance with the laws regulating the election of town officers. Only voters residing within the territory proposed to be annexed shall be entitled to vote. The ballots shall bear the words, "For Annexation, Yes , No ," with a space after each of the last two words, in one of which spaces voters shall make a cross to indicate his choice.

Immediately after such election the inspectors shall canvass the ballots, and forthwith make and file with the City Recorder of the City of Austin, a certificate stating the time and place of holding said election, that they have canvassed the ballots cast thereat, and the number of ballots cast for and against said proposition. Said certificate shall be signed and verified by all of the said inspectors to the effect that the statements therein contained are true.

The form of notice to be attached to the petition will read as follows:

"NOTICE OF SPECIAL ELECTION"

NOTICE IS HEREBY GIVEN that on the twelfth day of December, 1949 at a grocery store located on Outlet 10 in Block 4 in the NW Quarter of the NE Quarter of the NE Quarter of Section 4, Township 102 north, Range 18 west, Hower County, Minnesota, as shown on County Auditor's plat filed in the office of the County Auditor at Hower County, Minnesota on November 4, 1946, an election will be held for the purpose of determining whether or not the premises hereinafter described together with the adjacent streets and alleys shall be annexed to the City of Austin. Said premises to be annexed are described as follows:

All of Block 1 except Outlets 1, 2, and 3 contained therein, and all of Block 4 as located on that certain County Auditor's plat, filed November 4, 1946, being located in the NW quarter of the NE quarter of the NE quarter of Section 4, Township 102 north, Range 18 west, in Hower County, Minnesota.

Also all of Block 5 and all of Block 8 except Outlets 1 to 6 inclusive in said Block 8 as located in that certain County Auditor's plat, filed November 4, 1946 being located in the SW quarter of the NE quarter of the NE quarter of Section 4, Township 102 north, Range 18 west, in Hower County, Minnesota.

Also including Street Lot Number 1, Street Lot Number 2, Street Lot Number 3, Street Lot Number 6, and Street Lot Number 7, it being the intention to include all land west of said Blocks 1, 4, 5, and 8 up to the

east side of Block 2, Block 5, Block 6, and Block 7
as shown on said County Auditor's plat, filed November 4,
1946 in the office of the County Auditor of Mower County,
Minnesota, and it further being the intention of the
petitioners to include all of Tenth Street to the
west side thereof, and all of Grove Street to the
middle of Grove Street on the south side of said Block 6;
also including all intervening streets between Grove
Street and Freeborn Avenue running east and west be-
tween Eighth Street in the City of Austin and the above
mentioned Tenth Street.

Said polls shall be open at 7:00 a.m. and close at
8:00 p.m. Only legal voters residing within the
above territory shall be entitled to vote at said
election. The inspectors who shall act as judges of
said election are

~~Mrs. Nyles Kable~~
~~Mrs. Floyd Woolsey~~ ~~Albert Wackelitz~~
and ~~Mrs. Joseph Nelson~~ (alternate).

J. H. Wolland,
City Recorder"

Passed by a vote of the Yeas and Nays this Twenty Third day of November,
1949.

Yeas 7 Nays 0

APPROVED:

Mrs. Nelson
Mayor

ATTEST:

J. H. Wolland
City Recorder

Nov 29

ORDER OF THE BOARD OF SUPERVISORS

WHEREAS IS HEREBY GIVEN that on the 9th day of November, 1946 at a grocery store located on Outlet 10 in Block 4 in the NE quarter of the NE quarter of the NE quarter of Section 4, Township 103 north, Range 13 west, Howe County, Minnesota, as shown on County Auditor's plat filed in the office of the County Auditor at Howe County, Minnesota on November 4, 1946, an election will be held for the purpose of determining whether or not the premises hereinafter described, together with the adjacent streets and alleys, shall be annexed to the City of Austin. Said premises to be annexed are described as follows:

All of Block 1 except Outlets 1, 2, and 3 contained therein, and all of Block 4 as located on that certain County Auditor's plat, filed November 4, 1946, being located in the NE quarter of the NE quarter of the NE quarter of Section 4, Township 103 north, Range 13 west, in Howe County, Minnesota.

Also all of Block 5 and all of Block 6 except Outlets 1 to 6 inclusive in said Block 6 as located in that certain County Auditor's plat, filed November 4, 1946 being located in the SE quarter of the NE quarter of the NE quarter of Section 4, Township 103 north, Range 13 west, in Howe County, Minnesota.

Also including Street lot Number 1, Street lot Number 2, Street lot Number 3, Street lot Number 6, and Street lot Number 7, it being the intention to include all land west of said Blocks 1, 4, 5, and 6 up to the east side of Block 3, Block 5, Block 6, and Block 7 as shown on said County Auditor's plat, filed November 4, 1946 in the office of the County Auditor of Howe County, Minnesota, and it further being the intention of the petitioners to include all of Tenth Street to the west side thereof, and all of Grove Street to the middle of Grove Street on the south side of said Block 6; also including all intervening streets between Grove Street and Franklin Avenue running east and west between Eighth Street in the City of Austin and the above mentioned Tenth Street.

Said polls shall be open at 7:00 a.m. and close at 6:00 p.m. Only legal voters residing within the above territory shall be entitled to vote at said election. The inspectors who shall act as judges of said election are Mrs. Myles Ruble,

Mrs. Floyd Woolsey , Albert Wacholtz ,

and Mrs. Joseph Nelson (alternate).

J. H. Holland,
City Recorder

STATE OF MINNESOTA

SS

COUNTY OF MOWER

AFFIDAVIT OF CENSUS

Albert Wacholtz, Robert Radloff, Floyd Woolsey, Miles Ruble, and Joseph Nelson being first duly sworn state as follows:

1. That they are legal residents and legal voters residing within the following described territory:

All of Block 1 except out lots 1, 2, and 3 and all of Block 4 as located on that certain County Auditor's plat, filed November 4, 1946, being located in the NW Quarter of the NE Quarter of the NE Quarter of Section 4, Township 102 north, Range 18 west, in Mower County, Minnesota.

Also all of Block 5 and all of Block 8 except out lots 1 to 6 inclusive in said Block 8 as located in that certain County Auditor's plat, Filed November 4, 1946, being located in the SW Quarter of the NE Quarter of the NE Quarter of Section 4, Township 102 north, Range 18 west, in Mower County, Minnesota.

2. That on the 31st day of October, 1949 the undersigned caused to be taken a census of the resident population of the persons residing in the above described territory and found the total population to be 98 persons.

3. Said census was accurately taken, and the statements contained herein are true.

Floyd Woolsey
Miles R. Ruble
Ronald J. Radloff
Albert P. Wacholtz
Joseph A. Nelson

Subscribed and sworn to before me this 1st day of November, 1949.

Rodney A. Summitt

R. A. I.
Notary Public for Mower County, Minn.
My Commission Expires May 4, 1951.

R. A. D. WHITE,
Notary Public for Mower County, Minn.
My Commission Expires May 4, 1951.

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
DEC 20 1949

William J. ...
Secretary of State.

10998