

EMMETT F. TIGHE

LAWYER

ST. JAMES, MINNESOTA

TELEPHONE 18

July 14, 1959

Mr. Joseph L. Donovan
Secretary of State
St. Paul 1, Minnesota

Dear Sir:

Re: Village of Ormsby -
Ordinance Annexing Real Property

Under date of June 19, 1959 you wrote me with reference to the above matter as follows:

"We are returning the certified copy of Ordinance Annexing Real Property to the Village of Ormsby, Minnesota.

There is a new annexation code, Chapter 686, Laws 1959, effective April 25, 1959. It is suggested, therefore, reference be made thereto to determine the applicability of said proceedings thereunder."

I have checked the proceedings taken by the Village Council of Ormsby and find that on April 23, 1959 a petition by all of the property owners in the section of property to be annexed to the Village was filed in the office of the Village Clerk.

The Village Council at its meeting held on April 23, 1959 accepted the petition and set a time and place for hearing thereon. After posting notice for the hearing, the Village Council on May 25, 1959 adopted an ordinance annexing real property to the Village of Ormsby.

A certified copy of the ordinance was thereafter filed in the office of the County Auditor of Watonwan County, and also in the office of the County Auditor of Martin County. A certified copy of the ordinance was likewise mailed to your office for filing.

The proceedings taken in this matter was commenced prior to the enactment of Chapter 686 of the Laws of 1959 so I am assuming that it was in order for the Village of Ormsby to complete the annexation proceedings under the old statute.

*Atty Gen.
OK.*

#14171

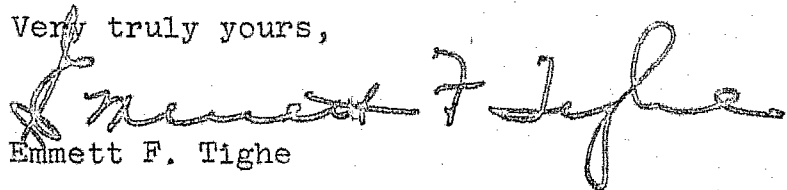
#2 -

Examining Section 686 of the Laws of 1959, particularly Subdivision 7, it appears to me that so far as this annexation proceedings is concerned Subdivision 7 sets out substantially the same provision which was contained in the old statute.

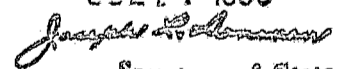
With this explanation I am returning to you the certified copy of the ordinance annexing real property to the Village of Ormsby with the request that the certified copy be filed in your office.

Will you please acknowledge receipt of the enclosure. If, for any reason, you believe that the ordinance should not be filed in your office in view of my explanation, would you please advise me.

Very truly yours,


Emmett F. Tighe

EFT:DG

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
JUL 17 1959

Secretary of State

ORDINANCE ANNEXING REAL PROPERTY TO THE
VILLAGE OF ORMSBY, MINNESOTA

WHEREAS, Alden H. Stroschein and Ruby E. Stroschein
his wife having petitioned the Village Council of the Village of
Ormsby, Watonwan and Martin Counties, State of Minnesota, to
have the real property hereinafter described annexed to the
Village of Ormsby, Minnesota, and

WHEREAS legal notice has been given as provided
by statute, and

WHEREAS, it is now deemed necessary and expedient
that the lands hereinafter described be annexed to the Village
of Ormsby, Minnesota,

BE IT ORDAINED that the real property described
as follows, to-wit:

Commencing at the Southeast corner of the Southwest
Quarter of Section 33, Township 105 North of Range 32
West, thence west on the south section line for a
distance of 1444.4 feet to a point that is 272 feet
east of the east right of way line of the Minneapolis
and St. Louis Railroad; thence slight east along said
section line and turn angle of 78.43 degrees to left
for a distance of 219.2 feet; thence east and parallel
to the south section line to the east line of the
Southwest Quarter of said Section 33; thence south
along east line of said Southwest Quarter for a distance
of 215 feet to the point of commencement, Watonwan
County, Minnesota

Be and the same is hereby annexed to the Village of Ormsby,
Watonwan and Martin Counties, State of Minnesota.

Dated May 25th, 1959.

H. J. Winkelman
Mayor

14171
O.D.

A. H. Stroschein
Clerk

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
JUL 17 1959
Joseph A. Coleman
Secretary of State

STATE OF MINNESOTA)
COUNTY OF MARTIN) ss

Gordon Spielman

being duly sworn, on oath says; that he is, and during all the times herein stated has been editor and/or publisher of the newspaper known as The Trimont Progress, and has full knowledge of the facts hereinafter stated; that for more than one year prior to the publication therein of

Ordinance annexing real property to the Village of Ormsby.

Hereinafter described, said newspaper was printed and published in the Village of Trimont, in the County of Martin, 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 city from which it purports to be issued as above stated and in newspaper format and 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 it has not wholly duplicated any other publication, and has not entirely been 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 post office; that a copy of each issue has been filed with the State Historical Society, St. Paul; that there has been on file in the office of the County Auditor of Martin 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 notice hereto attached was cut from the columns of said newspaper, and was printed and published therein in the English

language once each week, for one successive weeks; and that it was first so published on Thursday, the 28th day of

May 19 59

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

abcdefghijklmnopqrstuvwxyz-8

Subscribed and sworn to before me this 1st day of June 19 59

MARTIN COUNTY, MINN.
Notary Public
My commission expires April 17 19 63

ORDINANCE ANNEXING REAL PROPERTY TO THE VILLAGE OF ORMSBY, MINNESOTA

WHEREAS, Alden H. Stroschein and Ruby E. Stroschein his wife having petitioned the Village Council of the Village of Ormsby, Watonwan and Martin

Counties, State of Minnesota, to have the real property hereinafter described annexed to the Village of Ormsby, Minnesota, and

WHEREAS legal notice has been given as provided by statute, and

WHEREAS, it is now deemed necessary and expedient that the lands hereinafter described be annexed to the Village of Ormsby, Minnesota;

BE IT ORDAINED that the real property described as follows, to-wit:

Commencing at the Southeast corner of the Southwest Quarter of Section 33, Township 105 North of Range 32 West, thence west on the south section line for a distance of 1444.4 feet to a point that is 272 feet east of the east right of way line of the Minneapolis and St. Louis Railroad; thence sight east along said section line and turn angle of 78.43 degrees to left for a distance of 219.2 feet; thence east and parallel to the south section line to the east line of the Southwest Quarter of said Section 33; thence south along east line of said Southwest Quarter for a distance of 215 feet to the point of commencement, Watonwan County, Minnesota;

be and the same is hereby annexed to the Village of Ormsby, Watonwan and Martin Counties, State of Minnesota.

Dated May 25th, 1959.
H.J. Winkelmann, Mayor.
A.H. Stroschein, Clerk
(Village Seal)

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
JUL 17 1959
Secretary of State

CERTIFICATE

I, A. H. Stroschein, Clerk in and for the Village of Ormsby, Counties of Watonwan and Martin, State of Minnesota, do hereby certify that the foregoing Ordinance Annexing Real Property to the Village of Ormsby, Minnesota, was duly adopted by the Village Council of the Village of Ormsby, Watonwan and Martin Counties, Minnesota, on the 25th of May 1959, and that said Ordinance was duly published on the 28th of May, 1959 in the *Trisont Progress*, the official newspaper designated for the Village of Ormsby, Minnesota, and that the land described in the foregoing Ordinance has been duly annexed to the Village of Ormsby, Minnesota.

Dated June 10th, 1959.

A. H. Stroschein

A. H. Stroschein, Clerk of the Village of Ormsby, Minnesota

#14171
STATE OF MINNESOTA
DEPARTMENT OF STATE

FILED
JUL 17 1959

Joseph R. Anderson
Secretary of State