

## CITY OF AUSTIN

AUSTIN, MINN.

RODNEY A. DUNNETTE  
CITY ATTORNEY

November 3, 1959

Honorable Joseph Donovan  
Secretary of State  
Capitol Building  
St. Paul, Minnesota

Dear Mr. Donovan:

I have your letter returning Ordinances numbered 887,906, 907, and 894 which were annexation ordinances and I am also returning to you my letter of October 10th with your comments to them on the bottom. The Municipal Commission of the State of Minnesota, also returned the same ordinances to me, because of said information was lacking in the ordinances, but they permitted me to supply the missing information by affidavits and I trust that you will also accept the enclosed affidavit instead of requiring that all of the ordinances be rewritten and re-passed which would mix things up considerably on our records down here and cause confusion. There are a few more ordinances that have also been passed that do not include sufficient information and when those are sent to you, I will also have the affidavits prepared. However, I assure you that after this I will have all of the correct information incorporated in the ordinances.

I regret the inconvenience I have caused you. I am sorry that the ordinances were not complete and did not contain the information which you requested. I understand the situation now, and this situation will work itself out I am sure to everyone's satisfaction if you accept the enclosed affidavit inasmuch as the Municipal Commission was willing to accept an affidavit regarding the annexation ordinances, I trust you will do likewise.

I apologize for the inconvenience but trust that I can correct the matter to your satisfaction by the enclosed affidavit.

Yours truly,

*Rodney Dunnette*

Rodney A. Dunnette  
City Attorney

RAD:mp  
Enc.

STATE OF MINNESOTA  
DEPARTMENT OF STATE  
**FILED**  
NOV - 6 1959  
*Joseph H. Holloman*  
Secretary of State

# 14314

STATE OF MINNESOTA  
SS  
COUNTY OF MOWER

Rodney L. Dunnette being first duly sworn says that he is the City Attorney of Austin, Minnesota, and has charge with having and preparing Ordinances passed by the Common Council of Austin, Minnesota. He also has personal knowledge of the situations involved in said Ordinances and of the territory annexed by Ordinances numbered 887, 906, 907, and 894 heretofore passed by the Common Council of Austin, Minnesota.

Affiant knows that all of the above annexed Ordinances were for the best interest of the City of Austin and also the territory annexed to the City of Austin. That all of said territory had a common boundary with the City of Austin and said annexed territory was well fitted to be under municipal government and adapted for municipal use.

Affiant further states that all of said parcels of land annexed are less than 200 acres and that the petitions for annexation were all signed by all of the owners of the annexed property.

Affiant further states that said annexations were not final only until a copy of said Ordinance had been filed with the Municipal Commission of the State of Minnesota, the Secretary of State, and the County Auditor of Mower County, Minnesota.

Affiant makes this affidavit for the purpose of complying with Chapter 686 Section 3, Subdivision 7 of the laws of 1959.

Subscribed and sworn to before me  
3<sup>rd</sup> day of November, 1959

Edna McCarthy  
Notary Public, Mower County

EDNA MCCARTHY,  
Notary Public, Mower County, Minn.  
My Commission Expires Sept. 30, 1962.

Rodney L. Dunnette

#14314  
O. J.

STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED  
NOV - 6 1959  
Joseph R. Anderson  
Secretary of State

ORDINANCE NO. 887

Extending the corporate limits of Austin to the Southeast.

WHEREAS all of the owners owning the premises hereinafter described have petitioned the Common Council of Austin, Minnesota, to have the hereinafter described premises annexed to the corporate limits of Austin, Minnesota, and

WHEREAS said premises adjoin the City of Austin and are subject to incorporation within the corporate limits of Austin, Minnesota, by petition to the governing body of the City of Austin,

NOW THEREFORE THE COMMON COUNCIL OF THE CITY OF AUSTIN DO ORDAIN:

SECTION 1: That the land hereinafter described be added to and incorporated within the corporate limits of Austin, Minnesota, and said Common Council does hereby declare said premises hereinafter described to be incorporated within and to be a part of the City of Austin.

Commencing at the Southwest Corner of Section 1, Township 102 North, Range 18 West; thence 670.82 feet North on section line; thence 1354.34 feet East at a deflection angle of  $88^{\circ} 54'$  right to a point hereinafter called the point of beginning; thence on an extension of the last described line 677.30 feet East; thence 511.00 feet South at a deflection angle of  $91^{\circ} 06'$  right; thence 677.72 feet West at a deflection angle of  $88^{\circ} 54'$  right; thence 511.00 feet North at a deflection angle of  $91^{\circ} 07'$  right to the point of beginning.

SECTION 2: The above described land extending the corporate limits of the City of Austin, Minnesota, shall be added to the end of 2300.63, Austin Compilation, in its regular chronological order.

Passed by a vote of the yeas and nays this 20th day of April, 1959.

Yeas -7- Nays -0-

APPROVED:

Charles R. Hansen  
Mayor

ATTEST:

J. H. Weiland  
City Recorder

by: Ray Hanson  
Assistant City Recorder

# 14314  
O.D.  
STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED  
NOV - 6 1959  
James H. Nelson  
Secretary of State