

VILLAGE OF CHANHASSEN

ORDINANCE NO. 1

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE VILLAGE OF CHANHASSEN TO INCLUDE CERTAIN UNINCORPORATED UNPLATTED LAND NOT EXCEEDING 200 ACRES IN AREA ABUTTING UPON THE VILLAGE LIMITS.

WHEREAS, a certain petition filed May 11, 1967, requesting annexation of the territory hereinafter described was duly presented to the Council on the 5TH day of July, 1967; and

WHEREAS, the quantity of land embraced within the area described in the petition and bounded as described is 18.31 acres of unplatted land, no part of which is included within the limits of any incorporated city, village, or borough; and

WHEREAS, the petition was signed by the sole owner of the territory hereinafter described; and

WHEREAS, no objections to the annexation have been received from the Town Board, the County Board, or the governing body of any municipality whose boundaries abut upon the boundaries of the land to be annexed; and

WHEREAS, the land described in the petition abuts upon the Village limits at the southern boundary thereof;

The Council of the Village of Chanhassen, Minnesota, ordains:

Section 1. The Village Council hereby determines (1) that the annexation will be to the best interests of the Village and of the territory affected; (2) that the territory described herein abuts upon the Village limits and is or is about to become urban or suburban in character; and (3) that none of the territory is now included within the limits of any city, village, or borough.

Section 2. Territory Annexed. The corporate limits of the Village are hereby extended to include the unplatted land described as follows and the same is hereby annexed to and ,

19183

included within the Village as effectually as if it had originally been a part thereof:

That part of the Northwest Quarter (NW $\frac{1}{4}$) of Section 3, Township 115 North, Range 23 West, Carver County, Minnesota, described as follows: Beginning at a point in the West line of said Section 3 distant 1795.7 feet due South of the Northwest corner thereof, said point being in the Southeasterly right of way line of the Minneapolis & St. Louis Railroad; thence running Northeasterly along said right of way line 997.8 feet; thence running due South Parallel with the West line of said Section 3, 272.18 feet to a point in the centerline of the industry spur track, said point being the actual point of beginning of the tract of land to be described, said point also being in a curve having a radius of 694.69 feet, the radius point of said curve being S 46°57'E, 694.69 feet from said actual point of beginning; thence running Northeasterly along the centerline of said industry spur track and along the arc of said curve to the right a distance of 89.72 feet to the end of said curve; thence running N50°27'E tangent to said curve and along the centerline of said industry spur track 1270.56 feet to the beginning of a curve to the left having a radius of 599.39 feet; thence running Northeasterly along the arc of said curve to the left and along the centerline of said industry spur track, a distance of 307.21 feet to the end of said curve; thence running N21°05'E tangent to said curve and along the centerline of said industry spur track, 151.69 feet to the beginning of a curve to the right having a radius of 532.18 feet; thence running Northeasterly along the arc of said curve to the right and along the centerline of said industry spur track 142.42 feet to its intersection with the Southeasterly right of way line of the Minneapolis & St. Louis Railroad, said point being 48.93 feet Southwesterly from the North line of said Section 3 as measured along said Southeasterly right of way line, thence running Northeasterly along said Southeasterly right of way line 48.93 feet to a point in the North line of said Section 3; thence running East along said North line 146.4 feet, more or less to the Northwest corner of the parcel of land conveyed to St. John's Evangelical Lutheran Church as recorded in Book 46 Deeds, Page 19, filed August 23, 1950; thence running South at right angles 593.85 feet,

thence deflecting 53°47' to the right and running Southwesterly parallel with the Northerly right of way line of the Chaska and Shakopee Road, 150 feet; thence deflecting 53°47' to the left and running Southerly 175 feet to a point in the Northerly right of way line of the Chaska and Shakopee Road; thence running Southwesterly along said Northerly right of way line 1676.9 feet, more or less, to a point in a line drawn parallel with the West line of said Section 3 from the actual point of beginning; thence running North along said parallel line 367.62 feet, more or less, to the actual point of beginning, excepting therefrom a strip of land 8.5 feet in width lying immediately South of and adjacent to the centerline of the industry spur track, said 8.5 foot strip of land being the right of way of said industry spur track. Said above described tract of land containing 18.31 acres. For the purpose of this description the West line of Section 3, Township 115 North, Range 23 West is considered to be a due North and South line.

Section 3. Filing. The Village Clerk is hereby directed to file certified copies of this Ordinance with the Minnesota Municipal Commission, the Secretary of State, and the County Auditor.

Section 4. Effective Date. This Ordinance takes effect upon its passage and publication and the filing of the certified copies as directed in Section 3.

Adopted by the Council this 5 day of July, 1967.

ATTEST:

Ray J. Ringdahl
Clerk

Eugene A. Coulter
MAYOR

#19183

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

AUG 14 1967

Joseph A. Olson
Secretary of State

CERTIFIED COPY OF ORDINANCE

I, KAY KLINGELHUTZ, do hereby certify that I am the duly appointed Clerk of the Village of Chanhassen, Minnesota, and that attached hereto and made a part of this certification is a true and correct copy of that certain Ordinance duly enacted at a meeting of the Council of the Village of Chanhassen, convened and held in accordance with law on the 5th day of July, 1967, said Ordinance having been published in The Minnetonka Herald on the 13 day of July, 1967, and that said Ordinance is now in full force and effect.

IN WITNESS WHEREOF, I have subscribed my name as Village Clerk this 14 day of July, 1967.

Kay Klingelhutz
Kay Klingelhutz, Village Clerk

*Municipal Order A-1146
approved August 7, 1967*

#19183
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
AUG 14 1967
James A. Palmer
Secretary of State

JAMES E. DORSEY (1889-1959)

DAVID E. BRONSON
KENNETH M. OWEN
DONALD WEST
WALDO F. MARQUART
JOHN W. WINDHORST
HENRY HALLADAY
JULE M. HANNAFORD
ARTHUR B. WHITNEY
RUSSELL W. LINDQUIST
DAVID R. BRINK
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MORTON L. SHAPIRO
JAMES F. MECKER
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ROBERT J. STRUTYK

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JAMES H. OHAGAN
JOHN M. HASON
MICHAEL W. WRIGHT
LOREN R. KNOTT
JOHN W. LARSON
PHILLIP H. MARTIN
JOHN J. HELD

OF COUNSEL
LEAVITT R. BARKER
LELAND W. SCOTT
HUGH H. BARBER

DORSEY, OWEN, MARQUART, WINDHORST & WEST

LAW OFFICES

2400 FIRST NATIONAL BANK BUILDING
MINNEAPOLIS, MINN. 55402

TELEPHONE: 332-3351

AREA CODE: 612

CABLE ADDRESS: DOROW

May 10, 1967

Secretary of State
State Capitol
St. Paul, Minnesota

Dear Sir:

On May 3, 1967, the day following the election approving the consolidation of the Village of Chanhassen and the Township of Chanhassen into the new Village of Chanhassen, I caused a petition on behalf of the M. A. Gedney Company to be filed in your office pursuant to the Minnesota Municipal Commission rules, Rule 16(c).

Because the Statutes governing this proceeding are not entirely clear as to whether such a petition may be filed the day following an election of this kind, or whether it should be filed only after the election results approving the consolidation are filed, we are again sending you a copy of the petition with the request that it be filed in your office at this time.

Pet'd
A carbon copy of this request for filing is also enclosed herewith. Please have it marked appropriately to indicate that the requested filing has been completed and return it to us for our records. Enclosed is a stamped, addressed envelope for your convenience.

Very truly yours,

DORSEY, OWEN, MARQUART, WINDHORST & WEST

By *Larry L. Vickrey*
Larry L. Vickrey

LLV:ir
Encl.

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
MAY 12 1967

Joseph P. Donovan
Secretary of State

STATE OF MINNESOTA)
) SS.
COUNTY OF HENNEPIN)

CERTIFICATE
OF
FILING

I, the undersigned, being one of the attorneys for the M. A. Gedney Company, a corporation organized and existing under the laws of the State of Minnesota, hereby certify that I caused the attached petition to be filed on *May 10*, 1967, by delivering to, or depositing in the United States mails on that date, duplicate originals of said petition with a request for filing same to each of the following:

Village of Chanhassen
Township of Chanhassen
Minnesota Municipal Commission
City of Chaska
Carver County
Township of Chaska
Secretary of State

WITNESS my hand this *15th* day of *May*, 1967.

Larry L. Vickrey

PETITION FOR ANNEXATION

To the Board of Supervisors of the Town of Chanhassen and to the Village Council of the Village of Chanhassen, the governing bodies of the Village of Chanhassen, Minnesota:

M. A. Gedney Company, a corporation organized and existing under the laws of the State of Minnesota, sole owner of the territory described below, by and through its attorneys, Dorsey, Owen, Marquart, Windhorst & West, hereby request the governing bodies of the Village of Chanhassen to annex this territory to the Village and to extend the Village boundaries to include the same, and for that purpose respectfully states:

1. The territory to be annexed consists entirely of lands which have not been platted and which do not exceed 200 acres in aggregate area. All of these lands lie entirely within the County of Carver, Minnesota and the description of such lands is as follows:

That part of the Northwest Quarter (NW $\frac{1}{4}$) of Section 3, Township 115 North, Range 23 West, Carver County, Minnesota, described as follows: Beginning at a point in the West line of said Section 3 distant 1795.7 feet due South of the Northwest corner thereof, said point being in the Southeasterly right of way line of the Minneapolis & St. Louis Railroad; thence running Northeasterly along said right of way line 997.8 feet; thence running due South parallel with the West line of said Section 3, 272.18 feet to a point in the centerline of the industry spur track, said point being the actual point of beginning of the tract of land to be described, said point also being in a curve having a radius of 694.69 feet, the radius point of said curve being S 46°57'E, 694.69 feet from said actual point of beginning; thence running Northeasterly along the centerline of said industry spur track and along the arc of said curve to the right a distance of 89.72 feet to the end of said curve; thence running N50°27'E tangent to said curve and along the centerline of said industry spur track 1270.56 feet to the beginning of a curve to the left having a radius of 599.39 feet; thence running Northeasterly along the arc of said curve to the left and along the centerline of said industry spur track, a distance of 307.21 feet to the end of said curve; thence running N21°05'E tangent to said curve and along the centerline of said industry spur track, 151.69 feet to the beginning of a curve to the right having a radius of 532.18 feet; thence running Northeasterly along the arc of said curve to the right and along the centerline of said industry spur track 142.42 feet to its intersection with the Southeasterly right of way line of the Minneapolis & St. Louis Railroad, said point being 48.93 feet Southwesterly from the North line of said Section 3 as measured along said Southeasterly right of way line, thence running Northeasterly along said Southeasterly right of way line 48.93 feet to a point in the North line of said Section 3; thence running East along said North line 146.4 feet, more or less to the Northwest corner of the parcel of land conveyed to St. John's Evangelical Lutheran Church as recorded in Book 46 Deeds, Page 19, filed August 23, 1950; thence running South at right angles 593.85 feet,

thence deflecting 53°47' to the right and running Southwesterly parallel with the Northerly right of way line of the Chaska and Shakopee Road, 150 feet; thence deflecting 53°47' to the left and running Southerly 175 feet to a point in the Northerly right of way line of the Chaska and Shakopee Road; thence running Southwesterly along said Northerly right of way line 1676.9 feet, more or less, to a point in a line drawn parallel with the West line of said Section 3 from the actual point of beginning; thence running North along said parallel line 367.62 feet, more or less, to the actual point of beginning, excepting therefrom a strip of land 8.5 feet in width lying immediately South of and adjacent to the centerline of the industry spur track, said 8.5 foot strip of land being the right of way of said industry spur track. Said above described tract of land containing 18.31 acres. For the purpose of this description the West line of Section 3, Township 115 North, Range 23 West is considered to be a due North and South line.

2. The territory described above abuts the Village limits for a distance of 146.4 feet along the North line of Section 3, Township 115, Range 23W and none of it is presently included within the corporate limits of any incorporated city, village or borough.
3. All of this territory is or is about to become urban or suburban in character.

Dorsey, Owen, Marquart, Windhorst & West
2400 First National Bank Building
Minneapolis, Minnesota

By Larry L. Vickrey

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

MAY 12 1967

Joseph L. Johnson
Secretary of State

JAMES E. DORSEY (1889-1959)
DAVID E. BRONSON
KENNETH M. OWEN
DONALD WEST
WALDO F. MARQUART
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LAW OFFICES

2400 FIRST NATIONAL BANK BUILDING
MINNEAPOLIS, MINN. 55402

TELEPHONE: 332-3351
AREA CODE: 612
CABLE ADDRESS: DOROW

May 2, 1967

Secretary of State
State Capitol
St. Paul, Minnesota

Dear Sir:

We enclose herewith for filing a copy of a petition on behalf of the M. A. Gedney Company requesting annexation to the new Village of Chanhassen.

If there should be any fee in connection with the filing, please advise and we will promptly remit.

A carbon copy of this letter is also enclosed. Please indicate on the carbon copy the time and date of filing and return it to this office for our records.

Very truly yours,

DORSEY, OWEN, MARQUART, WINDHORST & WEST

By

Larry L. Vickrey
Larry L. Vickrey

LLV/bms
Enclosure

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
MAY 3 - 1967

Joseph L. Anderson
Secretary of State

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS.

CERTIFICATE
OF
FILING

I, the undersigned, being one of the attorneys for the M. A. Gedney Company, a corporation organized and existing under the laws of the State of Minnesota, hereby certify that I caused the attached petition to be filed on May 3, 1967, by delivering to, or depositing in the United States mails on that date, duplicate originals of said petition with a request for filing same to each of the following:

Village of Chanhassen
Town of Chanhassen
Minnesota Municipal Commission
City of Chaska
Carver County
Township of Chaska
Secretary of State

WITNESS my hand this 3rd day of May, 1967.

Larry L. Vickrey

PETITION FOR ANNEXATION

To the Board of Supervisors of the Town of Chanhassen and to the Village Council of the Village of Chanhassen, the governing bodies of the Village of Chanhassen, Minnesota:

M. A. Gedney Company, a corporation organized and existing under the laws of the State of Minnesota, sole owner of the territory described below, by and through its attorneys, Dorsey, Owen, Marquart, Windhorst & West, hereby request the governing bodies of the Village of Chanhassen to annex this territory to the Village and to extend the Village boundaries to include the same, and for that purpose respectfully states:

1. The territory to be annexed consists entirely of lands which have not been platted and which do not exceed 200 acres in aggregate area. All of these lands lie entirely within the County of Carver, Minnesota and the description of such lands is as follows:

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By Larry L. Vickrey

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DEPARTMENT OF STATE

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MAY 3 - 1967

Secretary of State