



896
Phone: 221-2420

STATE OF MINNESOTA
MUNICIPAL COMMISSION

304 Capitol Square Building
10th & Cedar Streets
St. Paul, Minnesota 55101

March 9, 1973

Mr. John Nugent, Clk.-Treas.
Village Hall
Foley, Minnesota 56329

Re: Docket Number A-2258 Ordinance Number 134

Dear Sir:

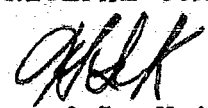
The Minnesota Municipal Commission acknowledges receipt and filing of the above Ordinance and filing fee in accordance with Minn. Statutes, Chapter 414 and the Rules of Procedure.

According to law, this annexation is final upon filing a copy of the ordinance with the Town Clerk, County Auditor and Secretary of State in addition to the Municipal Commission.

Please refer to the above docket and ordinance numbers in any future reference to this annexation.

Sincerely yours,

MUNICIPAL COMMISSION


Howard L. Kaibel, Jr.
Executive Secretary

HLK/mg

c.c. Secretary of State
County Auditor
Township
Attorney
Municipality

RECEIVED
MAR 15 1973
SECRETARY OF STATE
CORPORATION DIVISION
25064

ORDINANCE NUMBER 134
VILLAGE OF FOLEY
BENTON COUNTY, MINNESOTA

WHEREAS, a certain petition dated September 11, 1972, requesting annexation of the territory hereinafter described was duly presented to the Council on September 14, 1972; and

WHEREAS, the quantity of land appraised within the area described in the petition and bounded as described is approximately one-half (1/2) acre of unplatted land, no part of which is included within the limits of an incorporated city, village, or borough; and

WHEREAS, notice of filing of said petition was given to the Board of Supervisors of Gilman Township, the Benton County auditor and the Minnesota Municipal Commission by mail on September 14, 1972; and

WHEREAS, the petition was signed by all of the owners thereof, to-wit: C. and W. Properties, Inc., by Cy Reinert, Secretary-Treasurer; 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 on the south, west and north sides thereof;

AND WHEREAS, the Village of Foley, Minnesota is the sole legal owner of the second tract of land described herein, which tract of land abuts upon the Village of Foley on the south and west sides thereof

AND WHEREAS, said second tract of land is not presently within the corporate limits of any incorporated city, village or borough and is deemed to be urban in character;

THE COUNCIL OF THE VILLAGE OF FOLEY MINNESOTA ORDAINS AS FOLLOWS:

That the 1967 Code of Ordinances of the Village of Foley be amended by adding Section 100:10 to read as follows:

SECTION 100:10(1).

The Village Council hereby determines (1) that the annexation of both of said tracts of land will be to the best interest of the Village and to the territory affected; (2) that the territories described herein abut upon the

village limits and are suburban or urban in character; and (3) that none of said territories are now included within the limits of any city, village or borough.

SECTION 100:10(2). Territories Annexed.

The incorporated limits of the Village of Foley are hereby extended to include the lands described as follows and the same are hereby annexed to and included within the Village as effectually as if they had originally been a part thereof:

- A. All that part of the Northeast quarter (NE $\frac{1}{4}$), Section Thirty-five (35), Township Thirty-seven (37) North, Range Twenty-nine (29) West, Fourth Principal Meridian, described as follows:
Beginning at the Northwest corner of Lot Sixteen (16), Block One (1), Foley Development Plat; thence East along the North line of Lots Sixteen (16) and Fifteen (15), 150 feet to a point; thence due North at right angles 135 feet to a point on the Southerly line of Pine Street; thence West at right angles along the Southerly line of Pine Street 150 feet to a point; thence South at right angles 135 feet to the point of beginning, containing one-half (.50) acre, more or less. (C. and W. Properties, Inc.) Benton County, Minnesota.
- B. That part of the Northwest quarter of Northwest quarter (NW $\frac{1}{4}$ of NW $\frac{1}{4}$) of Section Thirty-six (36), Township Thirty-seven (37), Range Twenty-Nine (29), Fourth Principal Meridian, described as follows, to-wit:
Commencing at the Northwest corner of Section Thirty-six (36), Township and Range aforesaid; thence East 178 feet to a point; thence South 33 feet to a point, said point being the point of beginning; thence South a distance of 431 feet to a point; thence East a distance of 250 feet to a point; thence North a distance of 431 feet to a point; thence West 250 feet to the point of beginning and there terminating, containing 2.478 acres, more or less. (Now owned by Village of Foley; site of 1971 Village water well.) Benton County, Minnesota.

SECTION 100:10(3). Filing.

The Village Clerk is directed to file copies of this Ordinance with the Minnesota Municipal Commission, the Secretary of State, the Benton County Auditor and the Clerk of the Gilmanton Town Board.

SECTION 100:10(4). Effective Date.

This Ordinance takes effect upon its passage and publication and the filings as directed in Section 100:10(4).

PASSED AND ADOPTED at the regular meeting of the Village Council on the 21st day of November, 1972, by unanimous vote of all members present.

/s/ H. J. Chmielewski
H. J. Chmielewski, Mayor

ATTEST:

/s/ Richard Zimmer
Richard Zimmer, Village Clerk

#25064
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

MAR 15 1973

Arlen J. Edsall
Secretary of State