

An Equal Opportunity Employer

Phone: 296-2428



STATE OF MINNESOTA
MUNICIPAL COMMISSION

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

Dec. 10, 1974

Mr. Richard T. Zimmer, Clk.-Treas.
City Hall 261 4th Ave.
Foley, Minnesota 56329

Re: Docket Number A-2687 Ordinance Number 148

Dear Sir:

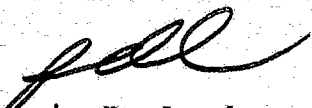
The Minnesota Municipal Commission acknowledges receipt and filing of the above Ordinance and filing fee in accordance with Minnesota Statutes, Chapter 414 and the Rules of Procedure.

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


Patricia D. Lundy
Asst. Executive Secretary

PDL/mg

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

27444

CITY
City of Foley
BENTON COUNTY
Foley, Minnesota
56329

I, RICHARD ZIMMER, Clerk of the City of Foley, County of Benton
and State of Minnesota, and custodian of the records of said City, do
hereby certify that I have compared the foregoing _____

Ordinance No. 148

with the original record thereof preserved in this office and have
found the same to be a correct transcript of the whole thereof.

IN TESTIMONY WHEREOF, I have hereunto
subscribed my name and affixed the Seal
of said City, at Foley, Minnesota, this
7th day of Nov., 1974.

(SEAL)

Richard Zimmer

27444

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

DEC 18 1974

Arden J. Edsell
Secretary of State

ORDINANCE NUMBER 148
CITY OF FOLEY
BENTON COUNTY, MINNESOTA

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF FOLEY

WHEREAS, the territories described below are not presently within the corporate limits of any incorporated city or borough; and

WHEREAS, the territories described in Tract I abut upon the corporate limits of the city at the southerly, westerly and northerly boundaries thereof and are deemed to be urban in character or about to become urban in character; and

WHEREAS, the territories described in Tract I are 60% or more surrounded by or bordering upon the city limits of Foley, Minnesota; and

WHEREAS, Notice of Intention to Annex the territories described in Tract I was given to Gilmanton Township on September 4, 1974, and no objections to the proposed annexation have been filed;

AND, FURTHER, WHEREAS, the properties described in Tract II abut upon the corporate limits of the city of Foley to the west of said city; and

WHEREAS, the properties in Tract II are owned in fee by the city of Foley; and

WHEREAS, the properties in Tract II are deemed to be or about to become urban or suburban in character;

AND, FURTHER, WHEREAS, the property described in Tract III is completely surrounded by land within the municipal limits and is deemed to be urban in character,

NOW, THEREFORE, THE COUNCIL OF THE CITY OF FOLEY, MINNESOTA ORDAINS AS FOLLOWS:

That the 1967 Code of Ordinances be amended by adding Section 100:11 to read as follows:

Section 100:11(1). The corporate limits of the City of Foley are hereby extended to include the unplatted property above referred to as Tract I, and described as follows:

- (a) All that part of the North Half of the Northeast Quarter ($N\frac{1}{2}$ of $NE\frac{1}{4}$) of Section Thirty-five (35), Township Thirty-seven (37) North, Range Twenty-nine (29) West, Fourth Principal Meridian, Benton County, Minnesota, lying southerly of the Burlington-Northern Railroad right of way and northerly of Pine Street, not heretofore annexed to Foley.
- (b) All that part of the Westerly 428 feet of the Northwest Quarter of the Northwest Quarter ($NW\frac{1}{4}$ of $NW\frac{1}{4}$) of Section

Thirty-six (36), Township Thirty-seven (37) North, Range Twenty-nine (29) West, Fourth Principal Meridian, Benton County, Minnesota, not heretofore annexed to Foley.

- (c) All that part of the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ of SW $\frac{1}{4}$) of Section Twenty-five (25), Township Thirty-seven (37) North, Range Twenty-nine (29) West, Fourth Principal Meridian, Benton County, Minnesota, described as follows, to-wit: Commencing at the Southwest Corner of said SW $\frac{1}{4}$ of SW $\frac{1}{4}$; thence due North 337 feet to a point; thence at right angles due East and parallel to the southerly section line 342.80 feet; thence South at right angles 337 feet to a point on the southerly line of said quarter section; thence west at right angles 342.80 feet to the point of beginning.

Together with that part of County State Aid Road Number 4 abutting upon the above described tract, which is the easterly extension of Broadway Avenue in the City of Foley.

Section 100:11(2) The corporate limits of the City of Foley are hereby extended to include the unplatted property above referred to as Tract II, now owned by the City of Foley and described as follows:

- (a) That part of the township road, formerly C.S.A.H. Number 4, legally described as follows:
Thirty-three (33') feet on the north side and thirty-three (33') feet on the south side of the entire length of the north line of the Northwest Quarter (NW $\frac{1}{4}$) of Section Thirty-five (35), Township Thirty-seven (37) North, Range Twenty-nine (29) West, Fourth Principal Meridian, Benton County, Minnesota.

Said tract being the westerly extension of Glen Street in the City of Foley, Minnesota, turned back to the City of Foley by joint resolution of the Gilmanton Town Board dated August 5, 1974, and of the Council of the City of Foley dated August 6, 1974.

- (b) All that part of the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ of NE $\frac{1}{4}$) of Section Thirty-four (34), Township Thirty-seven (37), Range Twenty-nine (29), Benton County, Minnesota lying southerly of Minnesota Trunk Highway 23 as now constructed and traveled, June 1974; together with all that part of the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ of NE $\frac{1}{4}$) of Section Thirty-four (34), Township Thirty-seven (37), Range Twenty-nine (29), Benton County, Minnesota lying northerly of the Burlington Northern Railroad right of way; together with all that part of the Northwest Quarter (NW $\frac{1}{4}$) of Section Thirty-five (35), Township Thirty-seven (37), Range Twenty-nine (29), Benton County, Minnesota lying northerly of the Burlington-Northern Railroad right of way, southerly of Minnesota Trunk Highway 23 as now constructed and traveled, June-1974, and westerly of Minnesota Trunk Highway 25 as now constructed and traveled, June-1974; containing a combined total of 102.30 acres.

Also that part of State Trunk Highway 25 abutting thereon.

Section 100:11(3) The corporate limits of the City of Foley are hereby extended to include the unplatted property above referred to as Tract III, which property is completely surrounded by the municipal limits of the City of Foley, and described as follows:

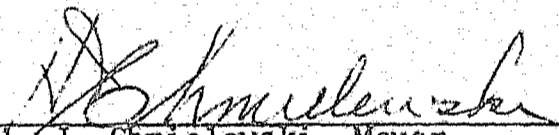
All that part of the West half of the Northeast Quarter (W¹/₂ of NE¹/₄) which has not already been annexed and which is situated south of Pine Street and North of the Foley Development Plat in the City of Foley, being in Section Thirty-five (35), Township Thirty-seven (37), Range Twenty-nine (29).

Section 100:11(4) The City Council hereby determines (1) that the annexations will be to the best interest of the City and to the territories affected; (2) that the territories described herein abut upon the City Limits and are urban or suburban in character; and (3) that none of said territories are now included within the limits of any city or borough.

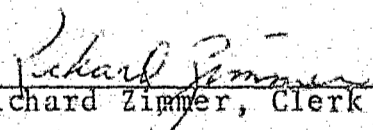
Section 100:11(5) Filing. The City Clerk is hereby directed to file certified copies of this Ordinance with the Municipal Commission, the Secretary of State, the County Auditor and the Clerk of the Gilmanton Township Board.


Section 100:11(6) Effective Date. This Ordinance takes effect upon its passage and publication and the filing of the certified copies as directed in Section 100:11(4).

Passed and adopted at the regular meeting of the City Council on the 6th day of November, 1974, by unanimous vote of all members present.


H. J. Chmielewski, Mayor

ATTEST:


Richard Zimmer, Clerk

#27444
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
DEC 18 1974

Secretary of State