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Phone: 296-2428



STATE OF MINNESOTA
MUNICIPAL BOARD

Suite 165 Metro Square
7th & Robert Streets
St. Paul, Minnesota 55101

September 10, 1976

Mr. H. J. Oien
City Clerk
City Hall
Shelly, Minnesota, 56581

Re: Docket Number A-2964 Ordinance Number #50
Shelly

Dear Sir:

The Minnesota Municipal Board 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 Board.

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

Sincerely yours,

MUNICIPAL BOARD

Patricia D. Lundy
Patricia D. Lundy
Assistant Executive Secretary

PDL/eas

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

29939

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF SHELLY TO INCLUDE CERTAIN UNPLATTED LAND HEREIN DESCRIBED AND LOCATED IN THE NORTHEAST QUARTER (NE $\frac{1}{4}$) OF SECTION NINETEEN (19), OF SHELLY TOWNSHIP, NORMAN COUNTY, MINNESOTA

WHEREAS, A Petition was presented to, and filed with, the City Council of the City of Shelly on September 22, 1975, copies of said Petition also having been filed on September 22, 1975, with the Town Board of the Township of Shelly and with the County Board of Norman County and with the Municipal Commission of Minnesota, which Petition was signed by all of the owners of the two (2) contiguous tracts of land described therein, which two (2) tracts combined make up one (1) description as hereinafter used, which does not exceed two hundred (200) acres in area, and abutts the City of Shelly, Minnesota, which Petition requested the annexation of said lands to the City of Shelly; and whereas, no objections to the annexation thereof have been received from the Municipal Commission, the Township of Shelly, Norman County, or any other municipalities, now therefore,

THE CITY COUNCIL OF THE CITY OF SHELLY, MINNESOTA, DOES HEREBY ORDAIN:

Section 1. DECLARATION. It is hereby determined that the hereinafter described tract is unplatted land not exceeding fifteen (15) acres in area; that said tract abutts on the South boundary of the City of Shelly and is not presently included within the corporate limits of any municipality; and that said tract is urban in character; and that the annexation thereof would be in the best interests of the City of Shelly and said tract and the owners thereof.

Section 2. TERRITORY ANNEXATION. The corporate limits of the City of Shelly are hereby extended to include the tract of land in the County of Norman and State of Minnesota described as follows:

Beginning at a point on the North line of Section Nineteen (19) in Township One Hundred Forty-six (146), Range Forty-eight (48), Norman County, Minnesota, where said North Section line is intersected by the West Right-of-Way line of U.S. Highway No. 75; which point is Eleven Hundred Forty-eight and Nineteen Hundredths (1148.19') feet West of the Northeast corner of said Section Nineteen (19); thence West on the Section line a distance of Three Hundred Sixty and Two Hundredths (360.02') feet, more or less, to the point where the East line of the Burlington Northern Railroad Right-of-Way intersects said North line of Section Nineteen (19); thence deflecting 74°12' left and Southerly along the East line of said Railroad Right-of-Way a distance of Thirteen Hundred Seventy-seven and Two Tenths (1377.2') feet; thence deflecting 107°10' left and Easterly a distance of Three Hundred Eighteen and Three Tenths (318.3') feet, more or less, to the West Right-of-Way line of said U.S. Highway No. 75; thence Northeasterly along the West Right-of-Way line of U.S. Highway No. 75 to the point of beginning.


Section 3. FILING. The City Clerk is hereby directed to file copies of this Ordinance with the Minnesota Municipal Commission, the Secretary of State, the County Auditor of Norman County, and the Town Clerk of the Township of Shelly.

Section 4. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its publication and the filing of the copies as directed in Section 3 herein.

Adopted by the City Council of Shelly, Minnesota, this 14 day of May, 1976.


Dean Dennison, Mayor


ATTEST:

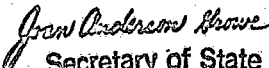

H.J. Oien, City Clerk

C E R T I F I C A T I O N

I, H.J. Oien, Clerk of the City of Shelly, in the County of Norman and State of Minnesota, do hereby certify that I have compared the foregoing copy of Ordinance No. 50 with the original thereof now remaining of record in my office, and that the same is a true and correct copy of said original and the whole thereof.

WITNESS, My Hand and Seal of said City of Shelly, Minnesota, this 14 day of May, 1976.


H.J. Oien, City Clerk

29939
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
SEP 20 1976

Secretary of State

ORD #50

Affidavit of Service by Mailing

STATE OF MINNESOTA }
COUNTY OF POLK } ss.

JUDY AMIOT

....., being first duly sworn,
deposes and says that she is a clerk-stenographer in the office of Padden, Dickel, Johannson,
and Wall, Attorneys-at-law, Polk County State Bank Building, Crookston Minnesota, that
on the 22nd day of September, 1975, she served
the attached PETITION
on Secretary Municipal Commission

~~XXXXXXXXXXXXXXXX~~..... by placing a copy thereof in
an envelope, properly addressed to them at their office, State Office Building,
St. Paul, Minnesota,
which address is the last address of said attorneys known to her, and the envelope with
postage prepaid was deposited by her in the United States Mail at Crookston, Minnesota, for
delivery by the United States Post Office Department as directed by said envelope.

Judy Amiot *Judy Amiot*

Subscribed and sworn to before me
this 22nd day of September, 1975
Marguerite Moe
Marguerite Moe
Notary Public, Polk County, Minnesota
My commission expires 1/14/81

(SEAL)

22 # 50

P E T I T I O N

TO: The City Council of the City of Shelly, Minnesota
A Municipal corporation

The undersigned, being all of the owners of the real estate hereinafter described, hereby petition the City Council of the City of Shelly, Minnesota, as follows:

- (1) That the undersigned are the owners of all of the land hereinafter described, and that said land abuts the City of Shelly, Minnesota;
- (2) That the land is presently unplatted, but that it does not exceed 200 acres in size;
- (3) That Erling Lee and Grace Lee, husband and wife, as joint tenants, and not as tenants in common, are the legal owners of the real estate hereinafter described, and that Shelly Implement, Inc., a corporation under the laws of the State of Minnesota, is the equitable owner under a Contract for Deed dated August 29th, 1975, to the following described real estate, to-wit:

That part of the Northeast Quarter (NE $\frac{1}{4}$) of Section Nineteen (19), Township One Hundred Forty-six (146), North, Range Forty-eight (48), West of the Fifth Principal Meridian, Norman County, Minnesota, described as follows: Commencing at the northeast corner of Section Nineteen (19), of said township and range, thence west along the line between Sections Eighteen (18) and Nineteen (19), a distance of 1408.21 feet to the easterly boundary of the right of way of the Burlington Northern Railway right of way; thence deflecting 74°12' left and southerly along said right of way line 686.10 feet to the point of beginning of the tract of land conveyed herein; thence continuing southerly along said right of way line 691.10 feet; thence deflecting 107°10' left and easterly 318.30 feet to the westerly right of way line of trunk highway #75, thence northerly along said highway right of way line 690.0 feet; thence westerly parallel with the north line of said Section Nineteen (19), a distance of 342.80 feet to the point of beginning, containing 5.05 acres.

That Norman County Post No. 2594, Shelly, Minnesota, is the equitable owner under a Contract for Deed dated August 29th, 1975, to the following described tract of land, to-wit:

PADDEN,
DICKEL,
JOHANNSON
& WALL
ATTORNEYS AT LAW
CROOKSTON, MINN.

A part of the Northeast Quarter (NE $\frac{1}{4}$) of Section Nineteen (19), Township One Hundred Forty-six (146), North, Range Forty-eight (48), West of the Fifth Principal Meridian, which part is described as follows: Commencing at the northeast corner of Section Nineteen (19) of said township and range; thence 1,148.19 feet West along the section line between Section Eighteen (18) and Nineteen (19) to the west boundary of the right of way of trunk highway #75, to the point of beginning of the tract of land conveyed herein; thence west along said section line 360.02 feet to the Burlington Northern Railroad right of way; thence deflecting 74°12' left and southerly along said railroad right of way 686.10 feet; thence deflecting 105°48' left and easterly 342.80 feet to the right of way line of highway #75; thence northerly along the said highway right of way to the point of beginning, containing 5.41 acres.

WHEREFORE, the undersigned petitioners, pray for enactment of an ordinance by the City Council of the City of Shelly, determining that the annexation of the above described property will be in the best interests of the municipality and of the territory affected.

DATED this 15th day of September, 1975.

Erling Lee

Erling Lee

Grace Lee

Grace Lee

SHELLY IMPLEMENT, INC.

by: *Darold Swenson*

Darold Swenson, President

Jeanne Swenson

Jeanne Swenson, V-President
Secretary

NORMAN COUNTY POST NO. 2594,
SHELLY, MINNESOTA

by: *Bernard Lemming Corn*

Its

Paul V. Swett

Its

Austin

CERTIFICATE

Richard Benzkofer, City Recorder of the City of Austin, does hereby certify and state:

1. That he is the duly appointed, qualified, and acting Recorder of the City of Austin
2. That as such City Recorder he has charge of all minute, resolution and ordinance books of the City of Austin, and all official records of the City of Austin. That as such City Recorder he also has charge of the corporate seal of the City of Austin, which seal is affixed to this Certificate.
3. That he has compared the document attached to this Certificate with the original document on file in his office and that the attached copy is a full, true, and correct copy of the original Ordinance Number 1295 in all respects.
4. That said Ordinance Number 1295 was duly passed and approved upon the date shown upon the said document and was duly published in the official newspaper of the City of Austin.
5. That all formalities required by the Charter of the City of Austin, or the laws of the State of Minnesota have been complied with in the passage of this (motion) (resolution) (ordinance) and it is now in full force and effect.

Subscribed and sworn to before me this
 ... 2 ... day of September 1976
 ...
 Notary Public, Mower County, Minn
 My Commission Expires 7/21/80

Richard Benzkofer