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Phone: 296-2428



STATE OF MINNESOTA
MUNICIPAL BOARD

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

November 12, 1976

Mr. James W. Crosby
City Administrator
100 Sibley Street
Hastings, Minnesota 55033

Re: Docket Number A-2553 Ordinance Number 43-B
Hastings Sieben Property

Ladies and Gentlemen:

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, Secretary of State and the Municipal Board. (Since the ordinance has already been filed with the Municipal Board, no additional copies are required.)

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

Sincerely yours,

MUNICIPAL BOARD

Patricia D. Lundy
Assistant Executive Secretary

PDL:es

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

30098

ORDINANCE NO. 43-B SECOND SERIES

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF HASTINGS TO INCLUDE CERTAIN UNINCORPORATED UNPLATTED LAND ABUTTING UPON THE CITY LIMITS.

WHEREAS, a petition has been received, requesting annexation to the City of Hastings of the property described in said petition, which petition was filed:

By Aloysius P. Sieben and Lucille Sieben regarding the North half of the Northeast Quarter of Section 4, Township 114, North, Range 17 West except Powers Place and except Sieben's First Addition, containing 58.42 acres, more or less, according to Government Survey:

WHEREAS, the quantity of land embraced within said petition is less than 200 acres, unplatted land, no part of which is included within the limits of an incorporated city or borough; and

WHEREAS, the petition was signed by the sole owner of the property; and

WHEREAS, no objections to the annexation has been filed with the Minnesota Municipal Board according to advices from the Minnesota Municipal Board, nor has an objection to the annexation been received by the City of Hastings from the Town Board or the governing body of any other municipality; and

WHEREAS, said parcel abuts upon the southerly limits of the City of Hastings;

NOW, THEREFORE;

The City Council of the City of Hastings in Dakota County, Minnesota, does ordain:

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

Section 2. Territory Annexed. The corporate limits of the City

of Hastings is hereby extended to include unplatted lands described as follows, and the same is hereby annexed to include within the City as effectually as if it had originally been a part thereof:

The North half of the Northeast Quarter of Section 4, Township 114 North, Range 17 West except Powers Place and except Sieben's First Addition, containing 58.42 acres, more or less, according to Government Survey.

Section 3. Filing. The City Clerk is hereby directed to file a certified copy of this ordinance with the Minnesota Municipal Board, the Secretary of State, the Town Clerk of Marshan Township and the County Auditor of Dakota County.

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

Adopted by the City Council this 19th day of July, 1976.

/s/ Walter E. Petersen
Walter E. Petersen, Mayor

ATTEST:

/s/ Wallace H. Erickson
Wallace H. Erickson, City Clerk

ATTEST:

James W. Cosby
James W. Cosby, City Administrator

#30098
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
NOV 16 1976
Jean Anderson Howe
Secretary of State

AFFIDAVIT OF PUBLICATION

State of Minnesota } SS.
County of Dakota

LEGAL NOTICE

ORDINANCE NO. 43-B SECOND SERIES
AN ORDINANCE EXTENDING THE CORPORATE LIMITS
OF THE CITY OF HASTINGS TO INCLUDE CERTAIN UN-
INCORPORATED UNPLATTED LAND ABUTTING UPON
THE CITY LIMITS.

WHEREAS, a petition has been received, requesting annexation to the City of Hastings of the property described in said petition, which petition was filed:

By Aloysius P. Sieben and Lucille Sieben regarding the North half of the Northeast Quarter of Section 4, Township 114, North, Range 17 West except Powers Place and except Sieben's First Addition, containing 58.42 acres, more or less, according to Government Survey;

WHEREAS, the quantity of land embraced within said petition is less than 200 acres, unplatted land, no part of which is included within the limits of an incorporated city or borough; and

WHEREAS, the petition was signed by the sole owner of the property; and

WHEREAS, no objections to the annexation has been filed with the Minnesota Municipal Board, according to advices from the Minnesota Municipal Board, nor has an objection to the annexation been received by the City of Hastings from the Town Board or the governing body of any other municipality; and

WHEREAS, said parcel abuts upon the southerly limits of the City of Hastings;

NOW, THEREFORE, The City Council of the City of Hastings in Dakota County, Minnesota, does ordain:

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

Section 2. Territory Annexed. The corporate limits of the City of Hastings is hereby extended to include unplatted lands described as follows, and the same is hereby annexed to include within the City as effectually as if it had originally been a part thereof:

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Section 3. Filing. The City Clerk is hereby directed to file a certified copy of this ordinance with the Minnesota Municipal Board, the Secretary of State, the Town Clerk of Marshan Township, and the County Auditor of Dakota County.

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

Adopted by the City Council this 19th day of July, 1976.
Walter E. Petersen, Mayor

ATTEST:
Wallace H. Erickson, City Clerk
ATTEST:
James W. Cosby, City Administrator
(Sept. 16, 1976)

I, _____, being duly sworn, on oath says he is and during

_____ publisher and printer of

_____ NEWS GAZETTE, and has full knowledge of the facts herein set forth. (1) Said newspaper is printed in the English language in newspaper format and in printed space to at least 900 square inches. (2) Said newspaper is published at least once each week. (3) Said newspaper has 50% of local interest to the community which it purports to serve per publication and is not made up entirely of patents, plate matter or other material. (4) Said newspaper is circulated in and near the municipality which it purports to serve and has 10 copies regularly delivered to paying subscribers, has an circulation currently paid or no more than three months in arrears in its local post-office. (5) Said newspaper purports to be published and open during its regular business hours for the sale of subscriptions and maintained by the Publisher in his employ and subject to his direction and control during the publication of said newspaper. (6) Said newspaper is published at which said newspaper is printed. (7) Said newspaper is published in accordance with the State Historical Society. (8) Said newspaper is published at a price to any person, corporation, partnership or other person, and making the applicable payment. (9) Said newspaper is published under the following conditions for at least two years preceding the date hereof. (10) Said newspaper has filed with the Secretary of State and signed by the publisher of said newspaper, stating that the newspaper is a legal newspaper.

_____ printed Ordinance No. 43-B Second Series
_____ extending Corporate Limits of City _____

_____ cut from the columns of said newspaper, and was printed

_____ language, once each week, for One (1) successive

_____ on Thursday the 16th day of September

_____ and published on every Thursday to and including the

_____ of _____ 19_____, and that the following

_____ alphabet from A to Z, both inclusive and in hereby acknowledged type used in the composition and publication of said notice,

abcdefghijklmnopqrstuvwxyz

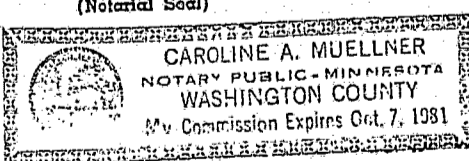
abcdefghijklmnopqrstuvwxyz

abcdefghijklmnopqrstuvwxyz

Frank A. Anderson

Subscribed and sworn to before me this 16th day of September, 1976.

Caroline A. Muellner



Notary Public, Washington County, Minnesota
My Commission Expires October 7, 1981

#30098
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
NOV 16 1976
John Anderson Howe
Secretary of State

An Equal Opportunity Employer.

Phone: 296-2428



STATE OF MINNESOTA
MUNICIPAL BOARD

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

December 17, 1976

City of Hastings
C/O Wallace Erickson, City Clerk
100 Sibley Street
Hastings, Minnesota 55033

Mr. Nick Leifeld
Marshan Township Clerk
RFD 2
Hastings, Minnesota 55033

Mr. David E. Tanner
Attorney at Law
6th and Vermillion
Hastings, Minnesota 55033

Dakota County Board
C/O Carl D. Onischuk, Auditor
Dakota County Government Center
Hastings, Minnesota 55033

Re: A-2553 Hastings Annexation - Sieben Property

Gentlemen:

This is to notify all parties that on December 10, 1976 the Minnesota Municipal Board declared Hastings Ordinance No. 43-B a nullity because the petition was jurisdictionally defective in that:

The Municipal Board on November 12, 1976 approved the ordinance for filing; however, it has since been brought to the Board's attention that there was an error in the description of the petition and ordinance. All of the property owners did not, therefore, petition as stated in the ordinance, and a public hearing was not held by the city after 30 days mailed notice to all property owners.

The Municipal Board has, therefore, declared Ordinance No. 43-B a nullity, and the Board will take no action on the amended petition. We have been informed that a new petition for annexation of this property will be filed in the near future.

If you have any questions regarding this matter, please don't hesitate to contact our office.

Sincerely,

MUNICIPAL BOARD

Patricia D. Lundy
Assistant Executive Secretary

PDL:b
cc: Secretary of State
Department of Transportation

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
DEC 20 1976

John Anderson
Secretary of State