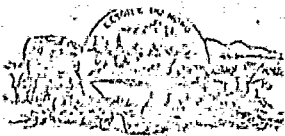


An Equal Opportunity Employer

Phone: 296-2428



STATE OF MINNESOTA

MUNICIPAL BOARD

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

May 13, 1977

Mr. Richard Benzkofer
City Recorder
City Hall
500 Fourth Avenue N.W.
Austin, Minnesota 55912

Re: Docket Number A-3135 Ordinance Number #1303
Austin - Austin Utilities

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

A handwritten signature in cursive script, reading "Patricia D. Lundy".

Patricia D. Lundy
Assistant Executive Secretary

PDL:es

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

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 1303 in all respects.
- 4. That said Ordinance Number 1303 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

31 day of March 1977
Orvis L. Anderson

Richard Benzkofer

Notary Public, Mower County, Minn.

My Commission Expires 3/21/80

ORDINANCE NO. 1303

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF AUSTIN TO INCLUDE CERTAIN UNPLATTED LAND NOT EXCEEDING 200 ACRES ADJUTING THE CITY LIMITS.

WHEREAS, a petition was filed requesting annexation of the territory hereinafter described, which petition was duly presented to the Common Council on the 7th day of March, 1977, and,

WHEREAS, the quantity of land embraced within the area described in a petition is 5.9 acres of unplatted land, no part of which is included within the limits of any incorporated city, village, or borough, and,

WHEREAS, the petitioner, Austin Utilities, a Municipal Utility, is the owner of the hereinafter described territory, and,

WHEREAS, the land described in the petition abuts upon the City of Austin at the northwest boundary thereof.

THE COMMON COUNCIL OF THE CITY OF AUSTIN DO ORDAIN:

SECTION ONE:

The City Council hereby determines that the annexation will be to the best interest of the City and of the territory affected and that the territory described herein abuts the City limits and is used for Public Utility purposes and that none of said territory is now included in the limits of any city, village, or borough.

SECTION TWO:

The corporate limits of the City of Austin are hereby extended to include the unplatted land described as follows, and the same is hereby annexed to, and included within the City of Austin as effectually as if it had originally been a part thereof:

Beginning at a point on the East line of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 5, Township 102 North, Range 18 West, Mower County, Minnesota, which point is 411.0 feet South of the Northeast Corner thereof; thence Westerly 565.7 feet on a line parallel to the North line of said SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 5; thence Southerly 655 feet more or less on a line parallel to the East line of said Quarter-Quarter Section, to the Northerly right-of-way line of Interstate Highway No. 90; thence Northeasterly 640 feet more or less along said right-of-way line to the East line of said Quarter-Quarter Section; thence Northerly along the East line of said Quarter-Quarter Section to the place of beginning,

subject to 33 foot roadway easement on the East side thereof and except the following described tract: Commencing at a point 688.3 feet South of the Northeast Corner of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 5, thence South and along the Section Line a distance of 100 feet; thence West a distance of 133 feet; thence North a distance of 100 feet; thence East a distance of 133 feet to the point of beginning.

SECTION THREE:

The City Recorder is hereby directed to file certified copies of this ordinance with the Minnesota Municipal Commission, Secretary of State, County Auditor, Austin Utilities, and the Township Clerk of Austin Township.

SECTION FOUR:

The ordinance takes effect upon its passage and publication and filing of the certified copies as directed in Section Three.

Passed by a vote of Yeas and Nays this 21st day of March, 1977.

YEAS 6

NAYS 0

APPROVED:

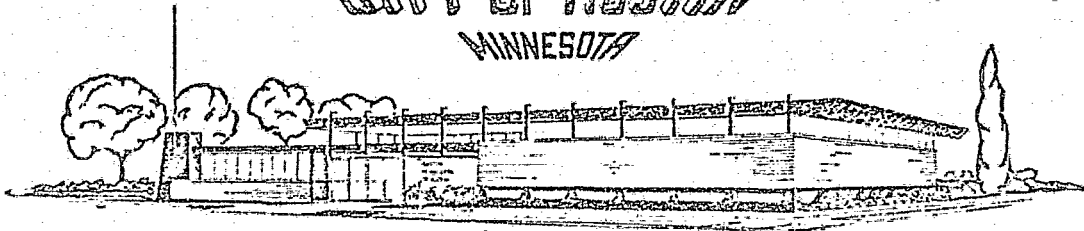
Robert J. Enright
Mayor

ATTEST:

Richard Benzler
City Recorder

#30521
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
MAY 17 1977
James C. ...
Secretary of State

CITY OF AUSTIN
MINNESOTA



500 4th AVENUE NORTHEAST

Date: March 16, 1977

TO: Mayor and Common Council
City of Austin, Minnesota

FROM: Austin City Planning Commission

RE: Annexation

This matter was considered by the Austin City Planning Commission
on March 15, 1977 with 7 members present.

Petitioner: City of Austin

Property: Proposed location of Peak Shaving Plant

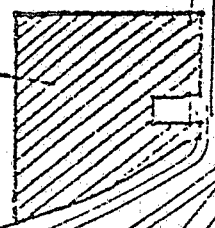
Description: Austin Utilities has acquired the property for the proposed
peak shaving plant. They now wish to have it annexed into the city.

The Planning Commission recommends approval of the petition
by a unanimous vote.

Comments:

By: James Herberts
Austin-Mower County Planning Department

AUSTIN UTILITIES
ANNEXATION



OAKLAND AVE. WEST

Paul Robinson, Assoc.
Secretary of State
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
MAY 17 1977
#305271

