

An Equal Opportunity Employer

Phone: 296-2428



STATE OF MINNESOTA  
MUNICIPAL BOARD

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

February 10, 1978

Mr. Edward Sellent  
City Clerk  
City Hall  
Sabin, MN 56580

Re: Docket Number A-3280 Ordinance Number Adopted 1/10/78

City of Sabin

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, appearing to read "Patricia D. Lundy".

Patricia D. Lundy  
Assistant Executive Secretary

PDL:es

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

STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED  
FEB 22 1978  
John Anderson  
Secretary of State

31307

**AN AMENDED ORDINANCE  
EXTENDING AND INCREASING THE  
CORPORATE LIMITS OF THE CITY  
OF SABIN, COUNTY OF CLAY, STATE  
OF MINNESOTA, PURSUANT TO THE  
PROVISIONS OF MINNESOTA  
STATUTES 414.033, 177 ANNEXING  
THERETO A CERTAIN TRACT OF  
LAND CONTIGUOUS TO AND NOT  
EMBRACED WITHIN THE PRESENT  
LIMITS OF THE CITY OF SABIN.**

**PREAMBLE**

WHEREAS a Petition was filed with the City of Sabin for the annexation of the below-described real property on January 4, 1977 and said Petition was signed by the sole owner of the below-described real property requesting annexation of his property to the City of Sabin; and

WHEREAS, the City of Sabin did annex the below-described real property to the City of Sabin pursuant to the provisions of Minnesota Statutes 414.033 on March 8, 1977; and

WHEREAS, the legal description for the below-described real property, as set forth in said annexation ordinance filed for record in the office of the Clay County Recorder at Microfilm No. 334 983 contained a scrivener's error; and

WHEREAS, an Amended Petition in writing has been presented to the City Council of the City of Sabin requesting that an Amended Ordinance annexing the below-described property to the City of Sabin be adopted;

The City Council of the City of Sabin does ordain as follows:

**SECTION ONE**

The City Council hereby determines that the Amended Petition was signed by the sole owner of the real property as of March 8, 1977, the date of the ordinance referenced above, as shown by the last assessment of such property and as would be subject to taxation by the City of Sabin in the event of annexation, within the tract described as follows:

Beginning at a Point on the South line of Section 7, Township 138 North, Range 47 West of the Fifth Principal Meridian, said Point of Beginning being located 947.00 feet East of the South One-Quarter Corner in said Section 7; thence South 89 degrees 59'58" East along the aforementioned South line of Section 7 a distance of 377.15 feet; thence North 01 degree 24'17" East a distance of 1,155.00 feet; thence North 89 degrees 59'38" West a distance of 374.44 feet; thence South 01 degree 32'21" West a distance of 1,155.10 feet, more or less, to the Point of Beginning. Said tract of land contains 9.965 acres, more or less;

and that such tract is contiguous to the City of Sabin and not embraced within the city limits; that it was unplatted at the time the original Petition was filed and the original Ordinance was adopted, it does not exceed 200 acres in area, and is within the area described in the Amended Petition and which was described in the original

*Sabin*

**INTER'S AFFIDAVIT OF PUBLICATION**

(Section 331.06 Minnesota Statutes 1961, as amended by Law of 1963)

STATE OF MINNESOTA } ss.  
County of Clay

Eugene A. Prim, being duly sworn, on oath says he is and during all the times herein stated has been the publisher of the newspaper known as The Barnesville Record-Review, and has full knowledge of the facts herein stated as follows: (1) Said newspaper is printed in the English language in newspaper format and in column and sheet form equivalent in printed space to at least 900 square inches. (2) Said newspaper is a weekly and is distributed at least once each week. (3) Said newspaper has 50% of its news columns devoted to news of local interest to the community which it purports to serve and does not wholly duplicate any other publication and is not made up entirely of patents, plate matter and advertisements. (4) Said newspaper is circulated in and near the municipality which it purports to serve, has at least 500 copies regularly delivered to paying subscribers, has an average of at least 75% of its total circulation currently paid or no more than three months in arrears and has entry as second-class matter in its local post-office. (5) Said newspaper purports to serve the City of Barnesville, the County of Clay and it has its known office of issue in the City of Barnesville, in said county, established and open during its regular business hours for the gathering of news, sale of advertisements and sale of subscriptions and maintained by the managing officer of said newspaper or persons in his employ and subject to his direction and control during all such regular business hours and devoted exclusively during such regular business hours to the business the newspaper and business related thereto. (6) Said newspaper files a copy of each issue immediately with the State Historical Society. (7) Said newspaper has complied with all the foregoing conditions for at least two years preceding the day or dates of publication mentioned below. (8) Said newspaper has filed with the Secretary of State of Minnesota on May 20, 1965 and each January 1 thereafter an affidavit in the form prescribed by the Secretary of State and signed by the managing officer of said newspaper and sworn to before a notary public stating that the newspaper is a legal newspaper.

**Amended Ordinance -**

He further states on oath that the printed .....

City of Sabin, MN .....hereto attached as a part hereof was cut from the columns of said newspaper, and was printed and published therein

in the English language, once each week, for ..... successive weeks:

that it was first so published on 19th day of January 19 78 and was thereafter printed and published on every Thursday of each week to and

including the ..... day of ..... 19 ..... and that the following is a printed copy of the lower case alphabet from A to Z, both inclusive, and is hereby acknowledged as being the size and kind of type used in the composition and publication of said notice, to wit:

abcdefghijklmnopqrstuvwxyz

abcdefghijklmnopqrstuvwxyz

.....  
Subscribed and sworn to before me this 19th day of January 19 78

.....  
Notary Public, ..... County, Minnesota

AMY VANNENY Commission Expires April 17 1980  
NOTARY PUBLIC - MINNESOTA  
CLAY COUNTY  
My Commission Expires Apr. 17, 1980

Petition and Ordinance; the original Petition and the Amended Petition were each filed with the Minnesota Municipal Board, the Elmwood Township Board, the Clay County Board of Commissioners, and the Clay County Zoning Office and the Chairman and Clerk of the Elmwood Township Board in a writing filed with the City Council have admitted service of a copy of the Amended Petition and specified that the Elmwood Township Board has no objection to the Amended Petition and has waived the Sixty (60) day waiting requirement after said filing; and it is in the best interests of the City of Sabin and the tract described in Section One that an Amended Ordinance properly annexing said tract, be adopted by the City Council of the City of Sabin and the property described in Section One be annexed to the City of Sabin; therefore the City Council of the City of Sabin has jurisdiction to annex the above-described tract to the City of Sabin.

#### SECTION TWO

The corporate limits of the City of Sabin are hereby extended and increased so as to include and embrace within the corporate limits of the City of Sabin the tract described in Section One hereof, and such tract is hereby annexed and declared to be a part of the City of Sabin.

#### SECTION THREE

This Amended Ordinance shall be filed with the Minnesota Municipal Board, the Elmwood Township Board Clerk, the Clay County Auditor and the Minnesota Secretary of State and posted in two conspicuous public places in the City of Sabin and published once in the official newspaper.

#### SECTION FOUR

Upon the filing, posting and publication of copies of this Amended Ordinance as described in Section Three the annexation of the tract described in Section One shall be final.

#### SECTION FIVE

If any provision of this Amended Ordinance shall be held invalid, its invalidity shall not affect the other provisions of this Amended Ordinance that can be given effect without the invalid provision, and for this purpose the provisions of this Amended Ordinance are hereby declared to be severable.

Passed by the City Council of the City of Sabin on January 10, 1978.

City Council of the City of Sabin  
By Harry Buth, Mayor

Attest:  
James Luttrell, City Clerk  
(Jan. 19)

AN AMENDED ORDINANCE EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF SABIN, COUNTY OF CLAY, STATE OF MINNESOTA, PURSUANT TO THE PROVISIONS OF MINNESOTA STATUTES 414.033, BY ANNEXING THERE- TO A CERTAIN TRACT OF LAND CONTINGUOUS TO AND NOT EMBRACED WITHIN THE PRESENT LIMITS OF THE CITY OF SABIN.

PREAMBLE

WHEREAS a Petition was filed with the City of Sabin for the annexation of the below-described real property on January 4, 1977 and said Petition was signed by the sole owner of the below-described real property requesting annexation of his property to the City of Sabin; and

WHEREAS, the City of Sabin did annex the below-described real property to the City of Sabin pursuant to the provisions of Minnesota Statutes 414.033 on March 8, 1977; and

WHEREAS, the legal description for the below-described real property, as set forth in said annexation ordinance filed for record in the office of the Clay County Recorder at Microfilm #334 983 contained a scrivener's error; and

WHEREAS, an Amended Petition in writing has been presented to the City Council of the City of Sabin requesting that an Amended Ordinance annexing the below-described property to the City of Sabin be adopted;

The City Council of the City of Sabin does ordain as follows:

SECTION ONE

The City Council hereby determines that the Amended Petition was signed by the sole owner of the real property as of March 8, 1977, the date of the ordinance referenced above, as shown by the last assessment of such property and as would be subject to taxation by the City of Sabin in the event of annexation, within the tract described as follows:

Beginning at a Point on the South line of Section 7, Township 138 North, Range 47 West of the Fifth Principal Meridian, said Point of Beginning being located 947.00 feet East of the South One-Quarter Corner in said Section 7; thence South 89°59'58" East along the aforementioned South line of Section 7 a distance of 377.15 feet; thence North 01°24'17" East a distance of 1,155.00 feet; thence North 89°59'38" West a distance of 374.44 feet; thence South 01°32'21" West a distance of 1,155.10 feet, more or less, to the Point of Beginning. Said tract of land contains 9.965 acres, more or less;

and that such tract is contiguous to the City of Sabin and not embraced within the city limits; that it was unplatted at the time the original Petition was filed and the original Ordinance was adopted, it does not exceed 200 acres in area, and is within the area described in the Amended Petition and which was intended to be described in the original Petition and Ordinance; the original Petition and the Amended Petition were each filed with the Minnesota Municipal Board, the Elmwood Township Board, the Clay County Board of Commissioners, and the Clay County Zoning Office and the Chairman and Clerk of the Elmwood Township Board in a writing filed with the City Council have admitted service of a copy of the Amended Petition and specified that the Elmwood Township Board has no objection to the Amended Petition and has waived the Sixty (60) day waiting requirement after said filing; and it is in the best interests of the City of Sabin and the tract described in Section One that an Amended Ordinance properly annexing said tract, be adopted by the City Council of the City of Sabin and the property described in Section One be annexed to the City of Sabin; therefore the City Council of the City of Sabin has jurisdiction to annex the above-described tract to the City of Sabin.

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Passed by the City Council of the City of Sabin on January 10, 1978.

City Council of the City of Sabin

By

Harry Buth, Mayor

Attest:

James Luttrell, City Clerk

# 31307  
O.D.

STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED  
FEB 22 1978

Gene Anderson, House  
Secretary of State