

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-3087

City of Sabin
Ordinance Adopted 3/8/77
Amended Ordinance Adopted 1/10/78

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, 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

Jean Anderson Brown
Secretary of State

31308

AN 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 THERETO A CERTAIN TRACT OF LAND CONTIGUOUS TO AND NOT EMBRACED WITHIN THE PRESENT LIMITS OF THE CITY OF SABIN.

PREAMBLE

Since a Petition in writing has been presented to the City Council of the City of Sabin signed by the owners of certain real property requesting annexation of their property to the City of Sabin;

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

SECTION ONE

The City Council hereby determines that the Petition was signed by all of the owners of the real property, 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:

All those parts of Auditor's Outlot W of the Village (now City) of Sabin as shown on the Amended Plat dated April 27, 1937; and the Southwest One-Quarter of the Southeast One-Quarter of Section 7, Township 138 North, Range 47 West of the Fifth Principal Meridian, all in Clay County, Minnesota, which lie within the following metes and bounds description:

Beginning at the Northwest Corner of Koehl's First Addition to the City of Sabin, Clay County, Minnesota; thence North along the Northerly extension of the West Line of said Koehl's First Addition a distance of 269.40 feet, more or less, to a point of Intersection with the North Line of said Auditor's Outlot W; thence East along the last-described North Line a distance of 414.44 feet, more or less, to a point of Intersection with the West Line of Dibley's First Addition to the Village (now City) of Sabin, Minnesota, said West Line being also the East Line of said Auditor's Outlot W and of said Southwest One-Quarter; thence South along the last-described West Line a distance of 269.40 feet, more or less, to a Point of Intersection with the Easterly extension of the North Line of the aforementioned Koehl's First Addition; thence West along the last-described North Line a distance of 414.44 feet, more or less, to the Point of Beginning. Said tract of land contains 2.563 acres, more or less, with the North 114.00 feet thereof being a part of said Auditor's Outlot W, and the remaining portion of said tract being a part of the Southwest One-Quarter of the Southeast One-Quarter of Section 7, Township 138 North, Range 47 West of the Fifth Principal Meridian, Clay County, Minnesota.

and that such tract is contiguous to the City of Sabin and not embraced within the city limits, that it is unplatted, does not exceed 200 acres in area, and is within the area described in the Petition; the Petition was filed with the Minnesota

Sabin

NOTARY'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.

He further states on oath that the printed Ordinance Annexing Property to City of Sabin 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 1 successive weeks; that it was first so published on 19th day of January 1978 and was thereafter printed and published on every Thursday of each week to and including the 19 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 1978
Eugene A. Prim
Notary Public, Clay County, Minnesota

AMY VANNEI
NOTARY PUBLIC - MINNESOTA
CLAY COUNTY
My Commission Expires April 17 1980

Municipal Board, the Elmwood Township Board, the Clay County Board of Commissioners, and the Clay County Zoning Office and the Elmwood Township Board has specified in writing that it has no objection to the Petition and waives the Sixty (60) day waiting period after said filing; and it is in the best interests of the City of Sabin and the tract described in Section One that that tract 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 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 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 Ordinance shall be held invalid, its invalidity shall not affect any other provisions of this Ordinance that can be given effect without the invalid provision, and for this purpose the provisions of this 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)

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and that such tract is contiguous to the City of Sabin and not embraced within the city limits, that it is unplatted, does not exceed 200 acres in area, and is within the area described in the Petition; the Petition was filed with the Minnesota Municipal Board, the Elmwood Township Board, the Clay County Board of Commissioners, and the Clay County Zoning Office and the Elmwood Township Board has specified in writing that it has no objection to the Petition and waives the Sixty (60) day waiting period after said filing; and it is in the best interests of the City of Sabin and the tract described in Section One that that tract 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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City Council of the City of Sabin

By

Harry Buth
Harry Buth, Mayor

Attest:

James Luttrell
James Luttrell, City Clerk

31308
O.D.

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