

An Equal Opportunity Employer

Phone: 296-2428



STATE OF MINNESOTA
MUNICIPAL BOARD

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

APR 27 1979

Mr. Richard Benzkofer
City Recorder
City Hall
500 - 4th Avenue N.E.
Austin, Minnesota

Re: Docket Number A-3469

Ordinance Number 1343

City of Austin

Ladies and Gentlemen:

The Minnesota Municipal Board has now processed and approved the above ordinance and filing fee in accordance with Minnesota Statutes, Chapter 414, and the Rules of Procedure.

According to law, this annexation ordinance must be filed with the Township 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.)

The annexation is final upon the date the ordinance is approved by the Board, which is the date of this letter.

Sincerely,

MUNICIPAL BOARD

A handwritten signature in cursive script, appearing to read "Patricia D. Lundy".

Patricia D. Lundy
Assistant Executive Director

PDL:kj

cc: Secretary of State
County Auditor
Township
Attorney
Municipality

(REVISED 7/78)

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
MAY - 2 1979

John Anderson
Secretary of State

#38107
O. N.

ORDINANCE NO. 1343

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF AUSTIN TO INCLUDE CERTAIN UNINCORPORATED LAND ABUTTING THE CITY OF AUSTIN LIMITS.

WHEREAS, a certain petition dated November 21, 1978, requesting annexation of the territory described herein was duly presented to the Common Council on the 4th day of December 1978, and,

WHEREAS, the quantity of land embraced within the area described in the petition is approximately 9 acres of unplatted land, no part of which is included within the limits of any incorporated city, village, or borough, and,

WHEREAS, the petition was signed by all the owners, and,

WHEREAS, no objection to annexation have been received from the Town Board, the County Board, or the governing body of any municipalities whose boundaries abut upon the land to be annexed, and,

WHEREAS, the land described hereinafter abuts the City limits on the west boundary thereof.

NOW, THEREFORE, THE COMMON COUNCIL OF THE CITY OF AUSTIN DO ORDAIN:

SECTION I: The City Council hereby determines that the annexation will be in the best interest to the City and the territory affected. That the territory described herein abuts the City limits and is urban or suburban in character and that none of said territory is now included within the limits of any city, village, or borough.

SECTION II: The Corporate Limits of the City of Austin are hereby extended to include the platted land described as follows, the same is hereby annexed to, and included within the City as affectionally as if it had originally been a part thereof:

Beginning at the southeast corner of the Northeast Quarter of Section 5, Township 102 North, Range 18 West; thence north 00°00' east 196.28 feet on the east line of said 1/4 section; thence north 87°25' west 150.00 feet; thence north 00°00' east 104.48 feet to the point of beginning; thence north 89°17'30" west 250.59 feet; thence north 00°00' east 277.40 feet, to the south line of Valley Road, as shown on the plat of Crest Haven, as the same is platted and recorded in the office of the County Recorder of Mower County, Minnesota; thence north 84°15' east 402.23 feet on said south line of Valley Road to a point on the east line of the Northeast Quarter of Section 5, Township 102 North, Range 18 West, which point is the southwest corner of said Crest Haven; thence north 84°15' east 6.65 feet on the southerly line of said Crest Haven, to the point of beginning of a curve; thence northeasterly 190.70 feet on the southerly line of the aforesaid Crest Haven, on a curve to the left with a radius of 319.17 feet and through a central angle of 34°14' to the end point of said curve; thence north 50°01' east 243.11 feet on said southerly line of Crest Haven to the southwest corner of Outlot 4 in said Crest Haven; thence south 89°56' east 240.39 feet on the south line of said Outlot 4 to the centerline of Turtle Creek; thence as follows on said centerline of said Turtle Creek:

thence south 33°13' west 355.86 feet;
thence south 10°17'30" east 117.32 feet;
thence south 68°49'30" east to a point in the middle of Turtle Creek which intersects with a line which commences at a point on the east line of said 1/4 section of Section 5, Township 102 North, Range 18 West 406.28 feet north of the southeast corner of the Northeast Quarter of said section, said line running at a right angle to said east line of said 1/4 section;

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thence west along the line described immediately above to a point on the east line of said 1/4 section which is located 406.28 feet north of the southeast corner of the Northeast Quarter of said section; thence west on a continuation of said line a total distance of 100.00 feet; thence south at a right angle 99.38 feet; thence westerly 49.86 feet 90° 42.5' right to the point of beginning. Wherever this description abuts the street right-of-way of said Valley Road then one half of the street right-of-way shall be included in the annexation.

SECTION III: The City Recorder is hereby directed to file certified copies of said Ordinance with the Minnesota Municipal Commission, the Austin Township Clerk, County Auditor, Registrar of Deeds, Austin Utilities, and the Secretary of State.

SECTION IV: The ordinance takes affect upon its passage and publication, filing of certified copies as directed within Section III.

Passed by a vote of Yeas and Nays this 2nd day of April, 1979.

YEAS 7

NAYS 0

APPROVED:

Robert J. Enright
Mayor

ATTEST;

Arthur Benz
City Recorder

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
MAY - 2 1979
James Anderson
Secretary of State

32107

CERTIFICATE

austin

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 NO. 1343 in all respects.
4. That said Ordinance NO. 1343 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

..... 18th day of April 19..... 79

Ernest Anderson

Notary Public, Mower County, Minn.

My Commission Expires 3/21/80

Richard Benzkofer

Austin

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yes

thence west along the line described immediately above to a point on the east line of said 1/4 section which is located 406.28 feet north of the southeast corner of the Northeast Quarter of said section; thence west on a continuation of said line a total distance of 100.00 feet; thence south at a right angle 99.38 feet; thence westerly 49.86 feet 90° 42.5' right to the point of beginning. Wherever this description abuts the street right-of-way of said Valley Road then one half of the street right-of-way shall be included in the annexation, this description being part of Lot 2, Blk 1, Oakwood in the SW 1/4 NW 1/4 Sec. 4 - T102N-R18W & in the SE 1/4 NE 1/4 Sec. 5-T102N-R18W Township of Austin, County of Mower State of Minnesota

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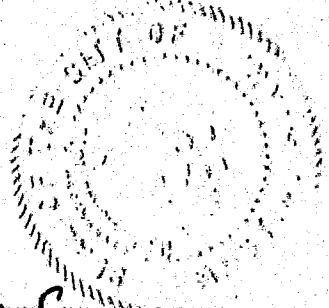
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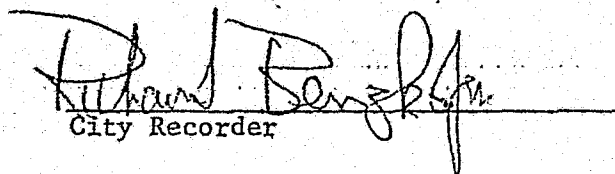
YEAS 7

NAYS 0

APPROVED:


Robert J. Emmerich
Mayor

ATTEST:


City Recorder