

An Equal Opportunity Employer

Phone: 296-2428



STATE OF MINNESOTA
MUNICIPAL BOARD

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

April 6, 1979

Mr. Darrell Stacy
Admin. Assistant
City Hall
500 - 4th Avenue N.E.
Austin, Minnesota 55912

Re: Docket Number A-3441

Ordinance Number 1338

City of Austin

Ladies and Gentlemen:

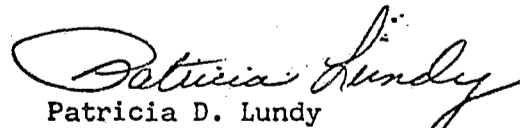
The Minnesota Municipal Board has now processed and approved the above ordinance and filing fee in accordance with Minnesota Statutes, Chapter 414, and the Rules of Procedure.

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.

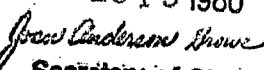
Sincerely,

MUNICIPAL BOARD


Patricia D. Lundy
Assistant Executive Director

PDL:kj

cc: Secretary of State
County Auditor
Township
Attorney
Municipality

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
DEC 19 1980

Secretary of State

(REVISED 7/78)

33134 O.D.

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. 1338 in all respects.
- 4. That said Ordinance No. 1338 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)~~ ~~(XXXX)~~ (ordinance) and it is now in full force and effect.

Subscribed and sworn to before me this
28th day of March 1979

Chris Anderson

Notary Public, Mower County, Minn.

My Commission Expires 3/2/80

Richard Benzkofer

ORDINANCE NO. 1338

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

WHEREAS, a certain petition dated September 28, 1978 requesting annexation of the territory described herein was duly presented to the Common Council on the 2nd day of October, 1978, and,

WHEREAS, the quantity of land embraced within the area described within the petition is approximately 26.88 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 objections to the annexation have been received from the Town Board, the County Board, or the governmental body of any municipalities whose boundaries abut upon the land to be annexed.

WHEREAS, the land described hereinafter abuts the city limits on the western boundary thereof.

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

SECTION 1: The City Council hereby determines that the annexation will be in the best interest of the City and of the territory affected. That the territory described herein abuts the city limits and is urban or suburban in character and that none of the said territory is now included within the limits of any city, village, or borough.

SECTION 2: 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 as effectually as if it had been originally been a part thereof:

Beginning 330 feet westerly of the southeast corner of Section 5, Township 102 North, Range 18 West, Mower County, Minnesota, this point also being on the south line of Nob Hill 2nd Addition thence westerly along said addition line to a point that is on the west property line of 29th Street S.W. thence northwesterly along the west property line of said 29th Street S.W. to a point that intersects the south property line of 5th Avenue S.W. thence easterly to the northwest corner of Lot 16, Block 5, Nob Hill 2nd Addition thence southerly to the southwest corner of said Lot 16 thence easterly a distance of 809.22 feet to a point that is the southeast corner of Lot 23, Block 5, Nob Hill 2nd Addition thence southeasterly a distance of 328.47 feet to a point that is the northeast corner of Lot 5, Block 5, Nob Hill 2nd Addition thence southerly along the east line of said Lot 5 to a point that intersects the north property line of 6th Avenue S.W. thence southeasterly along said property line to a point that intersects the east line of Lot 23, Block 4, Nob Hill 2nd Addition extended northeasterly thence southwesterly along this extended line to a point that is the southeast corner of said Lot 23 thence southeasterly to a point that is the southeast corner of Lot 25, Block 4, Nob Hill 2nd Addition thence southerly a distance of 269.82 feet to the point of beginning.

SECTION 3: The City Recorder is hereby directed to file certified copies of this ordinance with the Minnesota Municipal Commission, the Austin Township Clerk, the County Auditor, the Registrar of Deeds, Austin Utilities, and the Secretary of State.

SECTION 4: This ordinance takes effect upon its passage and publication and filing of the certified copies as directed in Section 3.

Passed by a vote of Yeas and Nays this 5th day of February, 1979.

YEAS 7

NAYS 0

APPROVED:

Robert J. Ewing
Mayor

ATTEST:

Paul Benson
City Recorder