

An Equal Opportunity Employer

Phone: 296-2428



STATE OF MINNESOTA
MUNICIPAL BOARD

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

December 11, 1980

Mr. Richard Benzkofer
City Recorder
500 - 4th Ave. N.E.
Austin, Minnesota 55912

Re: Docket Number A-3775

Ordinance Number 3

City of Austin

Dear City Clerk:

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
(mm)

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
DEC 19 1980

James Anderson Showe
Secretary of State

433/36

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. 3, Second Series in all respects.
- 4. That said Ordinance No. 3, Second Series 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
 ... 2nd ... day of ... December ... 19 80
James R. Alexander
 Notary Public, Mower County, Minn.

Richard Benzkofer

My Commission Expires ...



JAMES R. ALEXANDER
 NOTARY PUBLIC - MINNESOTA
 MOWER COUNTY
 My Commission Expires May 13, 1988

ORDINANCE NO. 3 SECOND SERIES

EXTENDING THE CORPORATE LIMITS OF THE CITY OF AUSTIN
TO INCLUDE CERTAIN UNINCORPORATED TERRITORY OWNED BY
THE CITY OF AUSTIN AND ABUTTING THEREON.

WHEREAS, the territory described below is not presently included within the corporate limits of any city, village or borough;

WHEREAS, the City of Austin is the owner of the land described below and said premises adjoin the City of Austin and are deemed to be urban in character;

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

Section 1:

The corporate limits of the City of Austin, Minnesota, are hereby extended to include the territory described as follows:

Tract 1.

All of the outlots including street-right-of-way in the J.P. Nielsen plat of outlots 7 to 36 and 37 to 71 inclusive in the southeast $\frac{1}{4}$ of Section 26, Township 103 North, Range 18 West and the southwest $\frac{1}{4}$ of Section 25, Township 103 North, Range 18 West, Mower County, Minnesota, except the north $\frac{1}{2}$ of outlot 18, outlots 26, 27, 28, 29, 30, 37, 38, 39, 52 and 53.

The following lots not included in the J.P. Nielsen plat of outlots shall also be part of this annexation.

Beginning at a point 559.9' N and 267' E of the SW corner of the NW $\frac{1}{2}$ of the SE $\frac{1}{2}$ of Sec. 26 TWP103-18W, thence E 60'; thence N 164'; thence W 60'; thence S 164' to the point of beginning, Mower County, Minnesota.

Starting at the SW corner of the NW $\frac{1}{2}$ of the SE $\frac{1}{2}$ of Sec. 26-103N-18W; thence N 559.9' on the W line of said $\frac{1}{4}$ section; thence E 327' on the N line of the Plat of Outlots 37 to 71 inclusive in the SE $\frac{1}{4}$ of Sec. 26-103N 18W and the SW $\frac{1}{4}$ of Sec 25-103N-18W to a point which is hereinafter called the point of beginning; thence E 60' on an extension of the last described line; thence N 164' on a line parallel to the W line of the SE $\frac{1}{4}$ of said Sec.; thence W 60'; thence S 164' to the point of beginning; being part of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 26-103N-18W, Mower County, Minnesota.

Starting at the SW corner of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec 26-103N-18W; thence N. 559.9' on the west line of said $\frac{1}{4}$ sec; thence E 387' on the N line of the plat of outlots 37 to 71 inclusive in the SE $\frac{1}{4}$ of Sec 26-103N-18W and the SW $\frac{1}{4}$ of Sec. 25-103N-18W, to a point which is hereinafter called the point of beginning; thence E 66' on an extension of the last described line; thence N 164' on a line parallel to the W line of the SE $\frac{1}{4}$ of said section; thence westerly 66'; thence southerly 164' to the point of beginning; being part of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 26-103N-18W.

Beginning at a point 555.9' north and 453' east of the SW corner of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 26 T-103N R-18-W thence east 60 feet thence north 164 feet thence west 60 feet thence south 164 feet to the point of beginning.

Tract 2.

Beginning at the Northwest corner of the Southeast Quarter of Section 26, Township 103 North, Range 18 West; thence east on the north line of said quarter section, to the northeast corner thereof; thence south 598.1 feet on the east line of said quarter section, to the north line of the Plat of Outlots 37 to 71 inclusive in the Southeast Quarter of Section 26, Township 103 North, Range 18 West and the Southwest Quarter of Section 25, Township 103 North, Range 18 West; thence west 2372.4 feet on the north line of said Plat of Outlots, and a westerly extension thereof, to a point which is 267 feet east of the west line of the Southeast Quarter of Section 26, Township 103 North, Range 18 West; thence south 164 feet on a line parallel to said west line of said quarter section, to the north line of said Plat of Outlots; thence west 267 feet, on said north line of said plat, to the west line of the South east Quarter of Section 26, Township 103 North, Range 18 West; thence north 766.1 feet on said west line of said quarter section to the point of beginning; being part of the Southeast Quarter of Section 26, Township 103 North, Range 18 West; and containing 37.37 acres subject to

430

33 foot highway easement on the West side thereof; together with that part of the Southwest Quarter of Section 25, Township 103 North, Range 18 West which is west of the west right-of-way line of the Chicago Great Western Railway and north of the plat of Outlots 37 to 71 inclusive in the Southeast Quarter of Section 26, Township 103 North, Range 18 West and the Southwest Quarter of Section 25, Township 103 North, Range 18 West, containing 10.16 acres.

Tract 3.

Beginning at the Northeast corner of said Quarter-Quarter section; thence West along the North line of said Quarter-Quarter section 77.53 feet more or less to the southeasterly right-of-way line of the Chicago and Northwestern Railway Company (formerly the Chicago Great Western Railway Company); thence southwesterly at a deflection angle of $67^{\circ} 56' 30''$ left along said right-of-way line of said Chicago and Northwestern Railway Company to the south line of said Quarter-Quarter section; thence East 616.21 feet at a deflection angle of $111^{\circ} 59' 00''$ left along the South line of said Quarter-Quarter section to the Southeast corner of said Quarter-Quarter section; thence North along the East line of said Quarter-Quarter section 1316.20 feet to the point of beginning; containing 10.48 acres, more or less; and also the railroad right-of-way adjacent to the west line of said parcel containing 3.26 acres more or less.

Tract 4.

The South 49.5 feet of the Northeast Quarter of Section 36, Township 103 North, Range 18 West, and also

The West 885 feet of the Northwest Quarter (also described as the West 53.45 acres) of Section 31, Township 103 North, Range 17 West, except Outlot 5, Outlot L and Outlot 5A of the Auditor's Plat of Outlots in the West half of said Section 31 as recorded in Book Y of Miscellaneous, page 214, and also

Commencing at the Southwest corner of the Northeast Quarter of Section 36, Township 103 North, Range 18 West, thence Easterly along the South line of said Quarter section a distance of 1558.5 feet, thence Northerly 49.5 feet at a right angle to the point of beginning, thence continuing Northerly along the same line a distance of 308.5 feet, thence 285 feet Easterly at a right angle, thence 308.5 feet Southerly at a right angle, thence 285 feet Westerly at a right angle to the point of beginning.

and together with all easements, reservations, and benefits that pertain to said land herein conveyed and further subject to easements, restrictions, and reservations of record in the office of County Recorder of Mower County, MN.

Section II: The City Recorder is directed to file certified copies of said ordinance with the Minnesota Municipal Commission, the Lansing Township Clerk, County Auditor, County Recorder, Austin Utilities and the Secretary of State.

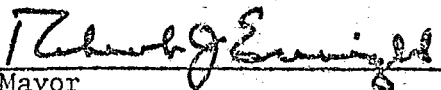
Section III: The ordinance takes effect upon its passage and publication, filing certified copies as directed in Section 2.

Passed by a vote of Yeas and Nays this 2nd day of September, 1980.

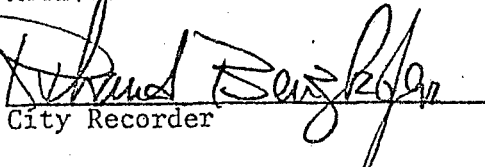
YEAS 7

NAYS 0

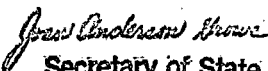
APPROVED:


Mayor

ATTEST:

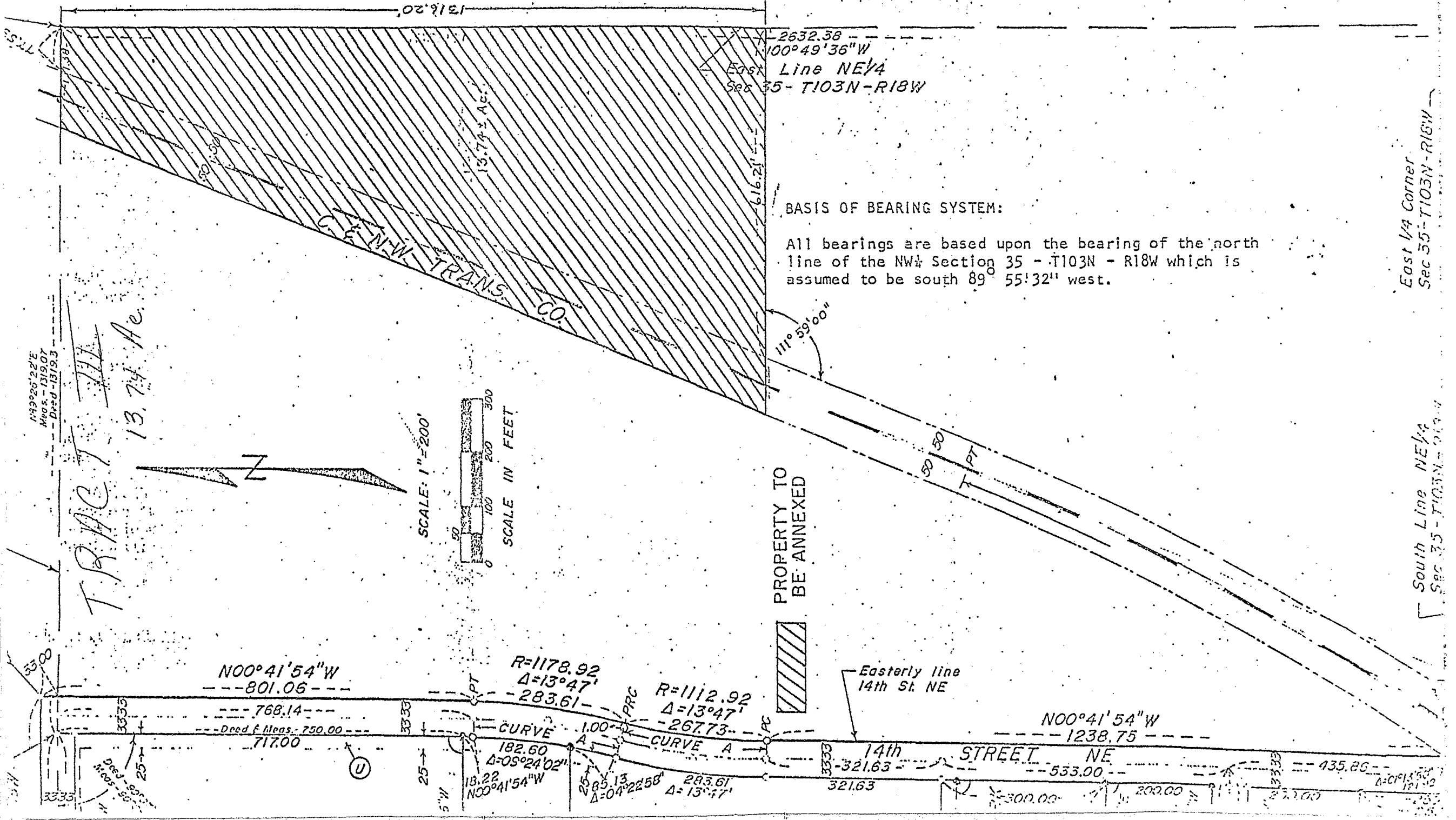

City Recorder

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
DEC 19 1980


Secretary of State

33136

CITY of AUSTIN COUNTY of MOWB



BASIS OF BEARING SYSTEM:

All bearings are based upon the bearing of the north line of the NW 1/4 Section 35 - T103N - R18W which is assumed to be south $89^{\circ}55'32''$ west.

PROPERTY TO BE ANNEXED

Easterly line 14th St. NE

14th STREET NE

East 1/4 Corner Sec 35-T103N-R18W

South Line NE 1/4 Sec 35-T103N-R18W

13925'22"E
1519.07
Deed-1319.3

TRACT III
13.74 Ac.

SCALE: 1" = 200'

SCALE IN FEET

$N00^{\circ}41'54''W$
801.06

$R=1178.92$
 $\Delta=13^{\circ}47'$
283.61

$R=1112.92$
 $\Delta=13^{\circ}47'$
267.73

$N00^{\circ}41'54''W$
1238.75

182.60
 $\Delta=05^{\circ}24'02''$
18.22
 $N00^{\circ}41'54''W$

283.61
 $\Delta=15^{\circ}17'$
85.13
 $\Delta=04^{\circ}22'58''$

533.00

435.85

768.14

Deed & Meas. 750.00

717.00

1.00

321.63

300.00

200.00

222.00

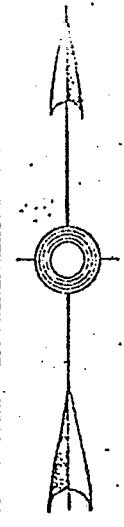
121.50


5' W

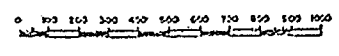
U

121.50

T. RACT. IV
50 AC.



 PROPERTY TO BE ANNEXED



ENGINEERING DEPARTMENT R.E. MURPHY - CITY ENGINEER

