

Equal Opportunity Employer

Phone: 296-2428



STATE OF MINNESOTA
MUNICIPAL BOARD

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

June 25, 1982

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

Re: Docket Number A-3905

Ordinance Number 35, 2nd series

City of Austin

Dear City Clerk:

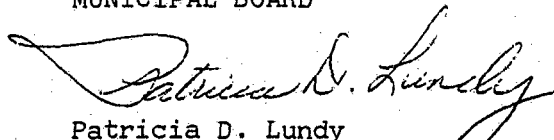
The Minnesota Municipal Board has now processed and approved the above ordinance in accordance with Minnesota Statutes, Chapter 414, and the Rules of Procedure.

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.) We also recommend that you file the ordinance with the County Recorder.

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:mem

cc: Secretary of State
County Auditor
Township Clerk
Attorney
Municipality

(REVISED 1/81)

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
JUL 8 1982
Jan Anderson Howe
Secretary of State

234040

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. 35, Second Series in all respects.
- 4. That said Ordinance No. 35, 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~~) (~~resolu-
tion~~) (ordinance) and it is now in full force and effect.

Subscribed and sworn to before me this

... 11th day of JUNE 1982

..... Darrell Stacy

..... Richard Benzkofer

Notary Public, Mower County, Minn.

My Commission Expires



ORDINANCE NO. 35, SECOND SERIES

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF
THE CITY OF AUSTIN TO INCLUDE CERTAIN UNINCORPOR-
ATED LAND ABUTTING THE CITY OF AUSTIN LIMITS.

WHEREAS, a certain petition dated February 16, 1982, requesting annexation of the territory described herein was duly presented to the Common Council on the 3rd day of March, 1982, and

WHEREAS, the quantity of land embraced within the area described in the petition is approximately 1.91 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 owners, and,

WHEREAS, no objections 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 northern 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:

The following described portion of the Northeast Quarter of the Northwest Quarter of Section 34, Township 103 North, Range 18 West, to-wit: Beginning on the East line of said quarter-quarter section at a point 770.90 feet North of the Southeast corner thereof, which part lies on the North line of Persinger & Scheid Addition according to the plat thereof recorded in Book 12 of Plats, page 23 in the office of the County Recorder of said County; thence North 0'00" East 225.00 feet on the East line of said quarter-quarter section to a point 315.00 feet South of the Northeast corner of said quarter-quarter section, which point lies on the extended South line of the land conveyed to Eldon's Fresh Stores, Inc., by deed recorded in said office in Book 303 of Deeds, page 314, hereinafter called the Eldon Tract; thence South 89°48.32' West 283.00 feet to the Southwest corner of said Eldon Tract; thence North 0'00" East 315.00 feet along the West line of said Eldon Tract and said line extended, to the North line of said quarter-quarter section at a point 283.00 feet West of the Northwest corner thereof; thence South 89°48.32' West 37.00 feet on the North line of said quarter-quarter section, to the Northeast corner of land conveyed to Westby by deed recorded in said office in Book 169 of Deeds, page 538, hereinafter called the Westby tract; thence South 0°00' East 200.00 feet to the Southeast Corner of said Westby tract; thence South 89°48.32' West 83.00 feet along the South line of said Westby Tract; thence South 0°00' East 700.13 feet to the North end of the West line of Lot 2 in Block 1 of said Persinger & Scheid Addition; thence North 89°37' East 30.00 feet to the Southerly end of the Northwesterly line of said Lot 2; thence North 35°08' East 78.20 feet to the Southwest corner of Lot 1 in Block 1 of said Persinger & Scheid Addition; thence North 0°00' East 295.16 feet along the West line of said Lot 1 to the Northwest corner of said Lot; thence North 89°37' East 328.00 feet along the North line of said Lot 1 and said line extended; to the point of beginning; containing 3.16 acres;

ALSO;

All that part of the East 44 acres of the North Half of the Northwest Quarter of Section 34, Township 103 North, Range 18 West more particularly described as follows: Commencing at the Northeast corner of the above tract of land, thence going West along the North side of said North Half of said Northwest Quarter 320 feet to a point in the boundary between said North Half of said Northwest Quarter and Elmhurst Addition in the Southeast Quarter of the Southwest Quarter of Section 27, Township 103 North, Range 18 West which point is also described as the Southeast corner of Lot 5 in Block 4 of said Elmhurst Addition which point is the point of beginning; thence West along the line between said Elmhurst Addition and the North Half of said Northwest Quarter 100 feet; thence South 200 feet; thence East 100 feet; thence North 200 feet to the point of beginning;

ALSO;

Starting at the Northeast corner of the NE 1/4 NW 1/4 Section 34, Township 103 North, Range 18 West; thence South 89°48.32' West 420 feet, on an assumed bearing on the North line of said 1/4 1/4 section; thence South 0°00' East 100.00 feet, to the point of beginning; thence South 00°00' East 100.00 feet, on a line parallel with the east line of said 1/4 1/4 section; thence North 89°48.32' East 17.00 feet; thence South 00°00' East 50.00 feet; thence South 89°48.32' West 19.00 feet; thence North 00°00'00" East 150.00 feet; thence North 89°48.32' East 2.0 feet, to the point of beginning

ALSO;

Lot 2, Block 1, Persinger and Scheid Addition, Mower County, Minnesota, recorded in Book 12 of Plats, page 23 in the office of the Mower County Recorder, excepting from the above described tracts all that land annexed by the City of Austin, Minnesota, by ordinance number 954, recorded in Book 19 of Deeds, page 302 in the office of the Mower County Recorder.
All lying and being in Mower County, Minnesota.

SECTION III: The City Recorder is hereby 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.

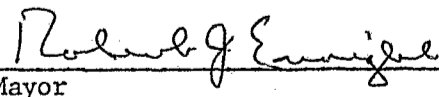
SECTION IV: The ordinance takes affect upon its passage and publication, filing of certified copies as directed within Section III.

Passed by a vote of Yeas and Nays this 7th day of June, 1982.

YEAS 7

NAYS 0

APPROVED:



Mayor

ATTEST:



City Recorder

(The foregoing Ordinance was introduced on March 3, 1982, adopted on June 7, 1982, and published in the Austin Daily Herald on _____.)

N line NE 1/4 NW 1/4
Sec 34 T103N R18W

420.00

Point of beginning
description

270

206.0



1400.00 E 315.70

50'

315

NE 1/4 NW 1/4
Sec 34 T103N-R18W

540.00

4.6 Acres
including highway
right-of-way

Point of beginning
of description

328.00

1400.00 E
275.00

PERSINGER

C.S.A.H. No 40

1350.00 E
28.20

2
SCHEID
BLOCK 1

ADDITION

770.93
1100.00 W

Line NE 1/4 NW 1/4
Sec 34 T103N-R18W

44.20