

An Equal Opportunity Employer

Phone: 296-2428



**STATE OF MINNESOTA
MUNICIPAL BOARD**

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

December 16, 1982

Mr. Darrell Stacy
Austin City Administrator
500 - 4th Avenue, NE
Austin, Minnesota 55912

Re: Docket Number A-3888 Austin

Ordinance Number 52, 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
Patricia D. Lundy
Assistant Executive Director

PDL:mem

cc: Secretary of State
 County Auditor
 Township Clerk
 Attorney
 Municipality

(REVISED 1/81)

34280
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
DEC 23 1982
Jean Anderson
Secretary of State

ORDINANCE NO. 52, SECOND SERIES

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF AUSTIN TO INCLUDE CERTAIN UNINCORPORATED TERRITORY 60% SURROUNDED BY LAND WITHIN THE CITY LIMITS AND ABUTTING THEREON.

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

WHEREAS, this territory is 60% surrounded by lands already included within the corporate limits of the city and is deemed to be urban or suburban in character; and

WHEREAS, on January 21, 1982, copy of an Annexation Resolution was filed with the Minnesota Municipal Board by the City of Austin an an objection to the Resolution was filed on March 18, 1982; and

WHEREAS, a hearing on this territory before the Minnesota Municipal Board was held on June 9, 1982, and continued from time to time in the City of Austin; and

WHEREAS, on October 7, 1982, the property owner of this territory filed with the Minnesota Municipal Board his request to the Austin Town Board that it withdraw its objection to this annexation; and

WHEREAS, on October 14, 1982, the Township of Austin filed with the Minnesota Municipal Board its request to withdraw its objection to the annexation of this territory; and

WHEREAS, the Minnesota Municipal Board issued an order dated October 22, 1982, allowing the Township of Austin to withdraw its objection and allowing the City of Austin to proceed to annex this territory by ordinance pursuant to the procedures of M.S. 414.033.

THE COMMON COUNCIL OF THE CITY OF AUSTIN DO ORDAIN:

Section 1. Territory annexed. The Corporate limits of the City of Austin, Minnesota, are hereby extended to include the platted territory described as follows, which territory now is and has heretofore been 60% surrounded by territory already included within the city limits:

Lot 4, Block 3, Nob Hill First Addition and all adjoining street right-of-ways.

Section 2. Filing. The City Recorder is directed to file certified copies of this ordinance with the Minnesota Municipal Board, Austin Township Clerk, County Auditor, County Recorder, Secretary of State and Austin Utilities.

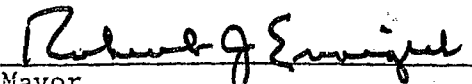
Section 3. Effective date of annexation. This ordinance takes effect upon passage and publication and the filing of certified copies as directed in Section 2, and approval by the Minnesota Municipal Board.

Passed by a vote of Yeas and Nays this 1st day of November, 1982.

YEAS 7

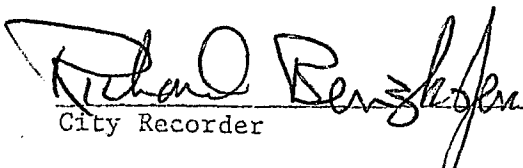
NAYS 0

APPROVED:



Mayor

ATTEST:



City Recorder

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. 52, Second Series* in all respects.
- 4. That said *Ordinance No. 52, 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

.....18th day of November..... 19.82

Richard Benzkofer

Lucy M. Johnson

Notary Public, Mower County, Minnesota
 My Commission Expires
 LUCY M. JOHNSON
 NOTARY PUBLIC - MINNESOTA
 MOWER COUNTY
 My Commission Expires May 31, 1989