



STATE OF MINNESOTA
MUNICIPAL BOARD

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

November 13, 1986

Richard Zimmer
City Clerk-Treasurer
261 - 4th Avenue
Foley, Minnesota 56329

Docket Number A-4341

Ordinance Number 212

City of Foley

Dear Mr. Zimmer:

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

Handwritten signature of Patricia D. Lundy in cursive script.
Patricia D. Lundy
Assistant Director

PDL:sg

cc: Benton County Auditor
Gilmanton Township Clerk
Secretary of State

137009
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
NOV 19 1986
Handwritten signature of Joan Anderson Struve in cursive script.
Secretary of State

City of Foley

BENTON COUNTY
Foley, Minnesota
56329

Foley

I, Richard Zimmer, Clerk of the City of Foley, County of Benton and State of Minnesota, and custodian of the records of said City, do hereby certify that I have compared the attached copy of Ordinance Number 212 with the original record thereof on file in this office and have found the same to be a correct copy of the whole thereof.

In testimony whereof, I have hereunto subscribed my name and affixed the Seal of said City at Foley, Minnesota, this 17th day of September, 1986.

Richard Zimmer
Richard Zimmer, City Clerk

CITY OF FOLEY
COUNTY OF BENTON
STATE OF MINNESOTA

ORDINANCE NUMBER 212

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF FOLEY TO INCLUDE CERTAIN UNINCORPORATED LAND NOT EXCEEDING 200 ACRES IN AREA ABUTTING UPON THE CITY LIMITS.

WHEREAS, a certain petition dated August 11, 1986, requesting the annexation of the territory hereinafter described was duly presented to the City Council on the 16th day of September, 1986; and

WHEREAS, the quantity of land embraced within the area described in the petition and bounded as described is less than two hundred (200) acres in area, no part of which is included within the limits of an incorporated city, village or borough; and

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

WHEREAS, the Board of Supervisors of the Township of Gilmanton have waived objections to the annexation and no objections to such annexation have been received from the County Board or the governing board of any municipality whose boundaries abut upon the land to be annexed; and

WHEREAS, the land described in the petition abuts upon the City limits; therefore

THE COUNCIL OF THE CITY OF FOLEY, MINNESOTA ORDAINS:

Section 1. That the City Council hereby determines that the annexation will be in the best interest of the City and territory affected; (2) that the territory described herein abuts upon the City limits and is urban in character; and (3) that none of said territory is now included within the limits of any city, village or borough.

Section 2. Territory Annexed. The corporate limits of the City of Foley are hereby extended to include land described as follows and the same is hereby annexed to and included within the City as effectually as if it had originally been a part hereof:

Commencing at a point where the east line of the West Half of the Southwest Quarter ($W\frac{1}{2}$ of $SW\frac{1}{4}$) of Section Twenty-five (25), Township Thirty-seven (37), Range Twenty-nine (29) intersects the south line of the railway right-of-way; thence in a westerly direction and parallel with the south line of said right-of-way, 226 feet to the point of beginning; thence westerly and parallel with said right-of-way to the west line of said Section 25; thence south from said section line, 26 feet; thence in an easterly direction and parallel with said right-of-way to a point 26 feet south of the point of beginning; thence north 26 feet to the point of beginning.

Section 3. Zoning. The annexed territory shall be zoned "A-1" Agricultural District, according to Ordinance No. 167, Section 7, Subdivision 2, all land which may hereafter become a part of the City of Foley through annexation shall be automatically classified in the "A-1" Agricultural District until otherwise changed by amendment procedure.

Section 4. Filing. The City Clerk is hereby directed to file certified copy of the ordinance with the Municipal Board, the Secretary of State, the County Auditor, and the Gilmanton Township Clerk.

Section 5. Effective Date. This ordinance takes effect upon its passage and publication and filing of certified copies as directed in Section 4.

Adopted by the Foley City Council this 16th day of September, 1986.

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
NOV 19 1986

Karl A. Berlin
KARL A. Berlin, Mayor

ATTEST:

Richard Zimmer
Richard Zimmer, Clerk

Jean Anderson Brown
Secretary of State

137009

PETITION FOR EXTENDING
CITY BOUNDARIES

TO THE HONORABLE CITY COUNCIL OF
THE CITY OF FOLEY, MINNESOTA:

Your petitioner hereby respectfully represents that it is the owner of the following described real estate abutting upon such City of Foley, Benton County, Minnesota, and described as follows:

Commencing at a point where the east line of the West Half of the Southwest Quarter (W $\frac{1}{2}$ of SW $\frac{1}{2}$) of Section Twenty-five (25), Township Thirty-seven (37), Range Twenty-nine (29) intersects the south line of the railway right-of-way; thence in a westerly direction and parallel with the south line of said right-of-way, 226 feet to the point of beginning; thence westerly and parallel with said right-of-way to the west line of said Section 25; thence south from said section line, 26 feet; thence in an easterly direction and parallel with said right-of-way to a point 26 feet south of the point of beginning; thence north 26 feet to the point of beginning.

That none of the said real estate is platted and that all of the described real estate is less than two hundred (200) acres in area and that all of the owners of the real estate above described are signing this petition and that said petitioner hereby petitions your honorable body to have such real estate included in the city limits, and your Petitioner prays that the annexation of said lands to the city be deemed complete upon the passage of an ordinance by the City Council and the filing of such ordinance with the County Auditor, Secretary of State and the Minnesota Municipal Commission.

Dated this 11th day of August, 1986.

GILMANTON TOWNSHIP BOARD OF SUPERVISOR

BY: Albert Hubbard

BY: Frank Szapanski

Leslie Gavanda

WAIVER OF OBJECTIONS

The Board of Township Supervisors of Gilmanton Township, Benton County, Minnesota meeting in regular session on August 11th 1986 considered the matter of the annexation of Gilmanton Township Board of Supervisors to annex the following described premises, to-wit:

Commencing at a point where the east line of the West Half of the Southwest Quarter (W $\frac{1}{2}$ of SW $\frac{1}{4}$) of Section Twenty-five (25), Township Thirty-seven (37), Range Twenty-nine (29) intersects with the south line of the railway right-of-way; thence in a westerly direction and parallel with the south line of said right-of-way, 226 feet to the point of beginning; thence westerly and parallel with said right-of-way to the west line of said Section 25; thence south from said section line, 26 feet; thence in an easterly direction and parallel with said right-of-way to a point 26 feet south of the point of beginning; thence north 26 feet to the point of beginning.

to the City of Foley, Benton County, Minnesota. Upon motion made, and duly seconded, it was unanimously adopted and resolved by the Board of Supervisors of Gilmanton Township, that such Board of Supervisors would not object to the annexation, pursuant to Statute, and further, that they would cause this Waiver of Objection to be executed in their name by the Chairman of the Board and attested to by the Secretary of the Board of Supervisors of Gilmanton Township.

Dated this 11th day of August, 1986, at Gilmanton Township.

BOARD OF TOWNSHIP SUPERVISORS

Albert Heuband

Chairman

RESOLUTION OF
GILMANTON TOWNSHIP
BOARD OF SUPERVISORS

WHEREAS, Gilmanton Township Board of Supervisors, as owners of the following described property, to-wit:

Commencing at a point where the east line of the West Half of the Southwest Quarter (W $\frac{1}{2}$ of SW $\frac{1}{4}$) of Section Twenty-five (25), Township Thirty-seven (37), Range Twenty-nine (29) intersects with the south line of the railway right-of-way; thence in a westerly direction and parallel with the south line of said right-of-way, 226 feet to the point of beginning; thence westerly and parallel with said right-of-way to the west line of said Section 25; thence south from said section line, 26 feet; thence in an easterly direction and parallel with said right-of-way to a point 26 feet south of the point of beginning; thence north 26 feet to the point of beginning.

desire that the above-described property be annexed to the City of Foley to obtain service and protection not available from the affected Gilmanton Township, Benton County, Minnesota; and

WHEREAS, the Township of Gilmanton of Benton County, Minnesota is unable to provide the services and protection requested by the above-named party; and therefore desires that the above-described property be annexed to the City of Foley.

BE IT RESOLVED, that the Board of Supervisors of the Township of Gilmanton has no objections to the proposed annexation of the above-described property owned by the above-named party; and requests that the above-described property be annexed to the City of Foley.

Dated this 11th day of August, 1986.

GILMANTON TOWNSHIP BOARD OF SUPERVISORS

Albert Herbrand, Chm.
By: Albert Herbrand, Chairman

ATTEST:

Leonard Smiglewski
Clerk: Leonard Smiglewski

City of Foley
BENTON COUNTY
Foley, Minnesota
56329

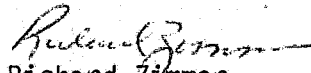
September 17, 1986

Office of the Secretary of State
Room 180
State Office Building
St. Paul, MN 55155

Dear Secretary of State,

Please find enclosed a copy of a petition from Gilmanton Township requesting the annexation of a parcel of land. Also enclosed is a copy of Gilmanton Township's Waiver of Objections to this annexation. The City of Foley has agreed to annex this property; therefore a copy of Ordinance Number 212, annexing this property is also enclosed. This information is also being sent to the Municipal Board, the Benton County Board of Commissioners and the Board of Supervisors of Gilmanton Township. If you have any questions concerning this annexation, please give me a call at (612) 968-7260. Thank you for your attention to this matter.

Sincerely,


Richard Zimmer
City Clerk
City Hall
Foley, Minnesota 56329