



STATE OF MINNESOTA
MUNICIPAL BOARD

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

September 5, 1989

Darrell Stacy
Austin City Administrator
Austin City Hall
500 - 4th Ave NE
Austin, MN 55912

Docket Number: A-4633

Ordinance Number: 196

City of Austin

Dear Mr. Stacy:

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 recommend that you also 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 Director

PDL:sw

cc: Mower County Auditor
Lansing Township Clerk
Secretary of State

39662
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

OCT 6 1989

Jan Anderson
Secretary of State

CERTIFICATE

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. 196, Second Series in all respects.
4. That said Ordinance No. 196, 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.

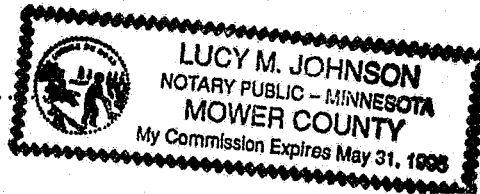
Subscribed and sworn to before me this
21st day of August 19. 89

..... *Lucy M. Johnson*

Notary Public, Mower County, Minn.

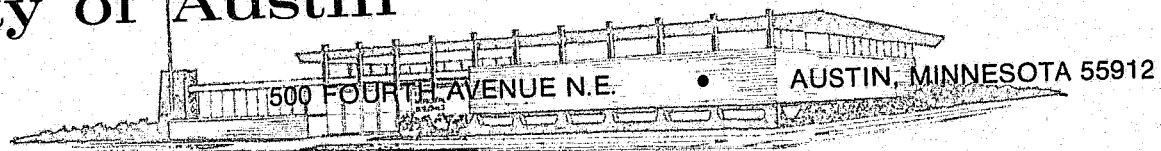
My Commission Expires

Richard Benzkofer



austin

City of Austin



August 21, 1989

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

Dear Sir:

Enclosed please find a certified copy of Ordinance No. 196, Second Series,
for annexation of property to Austin, MN.

Thank you.


Sincerely,

Lucy Johnson LCH

Lucy Johnson
City Recorder's Office

LJ/ch

Enclosure

AUSTIN  A MINNESOTA STAR CITY

AN EQUAL OPPORTUNITY EMPLOYER

ORDINANCE NO. 196, SECOND SERIES

AN ORDINANCE 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; and

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 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 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:

(see attached description)

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

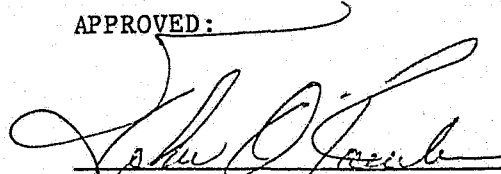
SECTION IV: The ordinance takes affect upon its passage, publication, filing of certified copies as directed within Section III.

Passed by a vote of Yeas and Nays this 7th day of August, 1989.

YEAS 5

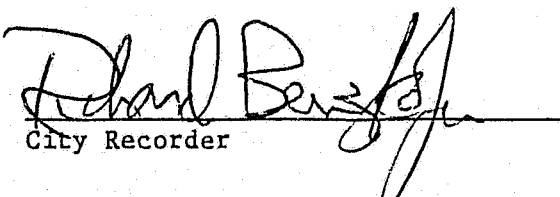
NAYS 0

APPROVED:



Mayor

ATTEST:



City Recorder

DESCRIPTION
IN NW $\frac{1}{4}$ & SW $\frac{1}{4}$ SEC 27-T103N-R18W
& NE $\frac{1}{4}$ SEC 28-T103N-R18W

All that part of the NW $\frac{1}{4}$ & SW $\frac{1}{4}$ Section 27 - T103N - R18W; described as follows:

Commencing at the northwest corner of the SW $\frac{1}{4}$ of said Section 27 - T103N - R18W, which point is monumented with a 4" diameter cast iron;

thence south 00° 02'30" west a distance of 1447.15 feet, on an assumed bearing, on the west line of said SW $\frac{1}{4}$ to a point 1189.71 feet north of the southwest corner thereof, which point is monumented with a 4" diameter cast iron and is the point of intersection of the west line of said SW $\frac{1}{4}$ with a westerly extension of the north line of the Plat of Elmhurst Addition, as the same is platted and recorded in the office of the County Recorder of Mower County, Minnesota;

thence south 89° 38'15" east a distance of 2630.14 feet, on the north line of said Elmhurst Addition and said westerly extension thereof, to a point on the east line of said SW $\frac{1}{4}$ Section 27, which is 1199.0 feet north of the southeast corner thereof, and monumented with a 4" diameter cast iron;

thence north 00° 01'18" west a distance of 67.00 feet, on the east line of said SW $\frac{1}{4}$ Section 27, to a point monumented with a 4" diameter cast iron;

thence north 89° 37'48" west a distance of 1078.44 feet, to a point monumented with a 4" diameter cast iron;

thence north 00° 01'18" west a distance of 250.00 feet, to a point monumented with a 4" diameter cast iron;

thence south 89° 37'48" east a distance of 1078.44 feet, to a point on the east line of the SW $\frac{1}{4}$ of said Section 27, monumented with a 4" diameter cast iron;

thence north 00° 01'18" west a distance of 1141.74 feet, on the east line of said SW $\frac{1}{4}$, to the northeast corner thereof;

thence north 00° 01'18" west a distance of 1203.29 feet, to a point on the centerline of County State Aid Highway No. 45 (formerly Trunk Highway No. 218) as it now exists;

thence northwesterly a distance of 491.54 feet, on the centerline of said County State Aid Highway No. 45, on a non-tangential curve, concave to the southwest with a radius of 1146.28 feet, a central angle of 24° 34'08" and a chord bearing of north 32° 55'18" west;

thence north 45° 12'22" west a distance of 1435.75 feet, on the centerline of said County State Aid Highway No. 45, to a point on the southeasterly right-of-way line of Soo Line Railroad (formerly Chicago, Milwaukee, St. Paul & Pacific Railroad);

thence south 52° 22'35" west a distance of 50.44 feet, on the southeasterly right-of-way line of said Soo Line Railroad to the northerly-most corner of the Plat of Cook Farm Addition Tract 1, as the same is platted and recorded in the office of the County Recorder of Mower County, Minnesota;

thence south 45° 12'22" east a distance of 400.00 feet, on the northeasterly line of said Plat of Cook Farm Addition Tract 1 to the easterly-most corner thereof, which point is monumented with a 4" diameter cast iron;

thence south 52° 22'35" west a distance of 400.00 feet, on the southeasterly line of said Plat of Cook Farm Addition Tract 1, to the southerly-most corner thereof, which point is monumented with a 4" diameter cast iron;

thence north $45^{\circ} 12' 22''$ west a distance of 400.00 feet, on the southwesterly line of said Plat of Cook Farm Addition Tract 1 to the westerly-most corner thereof, which point is monumented with a 4" diameter cast iron;

thence south $52^{\circ} 22' 35''$ west a distance of 1256.12 feet, on the southeasterly right-of-way line of said Soo Line Railroad, to a point on the west line of the NW $\frac{1}{4}$ of said Section 27 - T103N - R18W, monumented with a 4" diameter cast iron; -

thence south $00^{\circ} 16' 35''$ east a distance of 1577.47 feet, on the west line of said NW $\frac{1}{4}$, to the point of beginning;

subject to easements of record;

together with all that part of the NE $\frac{1}{4}$ Section 28 - T103N - R18W lying southeasterly of the easterly right-of-way line of Trunk Highway No. 218 more particularly described as follows:

Commencing at the southeast corner of the NE $\frac{1}{4}$ of said Section 28 - T103N - R18W; -

thence north $00^{\circ} 16' 35''$ west a distance of 785.80 feet, on an assumed bearing, on the east line of said NE $\frac{1}{4}$ to the point of intersection with the easterly right-of-way line of Trunk Highway No. 218, monumented with a 4" diameter cast iron;

thence south $25^{\circ} 13' 20''$ west a distance of 474.64 feet, on the easterly right-of-way line of said Trunk Highway No. 218;

thence southwesterly a distance of 353.86 feet, on the easterly right-of-way line of said Trunk Highway No. 218 on a non-tangential curve, concave to the northwest, with a radius of 2073.86 feet, a central angle of $09^{\circ} 46' 35''$, and a chord bearing of south $30^{\circ} 17' 53''$ west;

thence south $35^{\circ} 11' 10''$ west a distance of 49.96 feet, on the easterly right-of-way line of said Trunk Highway No. 218, on a line tangent to said curve, to a point monumented with a 4" diameter cast iron;

thence south $84^{\circ} 48' 50''$ east a distance of 97.68 feet, on the easterly right-of-way line of said Trunk Highway No. 218, to the point of intersection with the south line of the NE $\frac{1}{4}$ of said Section 28, monumented with a 4" diameter cast iron;

thence south $89^{\circ} 43' 13''$ east a distance of 315.87 feet, on the south line of said NE $\frac{1}{4}$, to the point of beginning;

subject to easements of record.

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OCT - 6 1989

John Andrew Brewer
Secretary of State