



STATE OF MINNESOTA
MUNICIPAL BOARD

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

September 5, 1989

Richard Zimmer
Foley City Clerk
251 - 4th Avenue
Foley, MN 56329

Docket Number: A-4637

Ordinance Number: 225

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 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

A handwritten signature in cursive script that reads "Patricia D. Lundy".

Patricia D. Lundy
Assistant Director

PDL:sw

cc: Benton County Auditor
Gilmanton Township Clerk
Secretary of State

+ 39665
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

OCT 6 1989

A handwritten signature in cursive script that reads "James Andrew Brewer".
Secretary of State

Foley

City of Foley

BENTON COUNTY
Foley, Minnesota
56329

August 17, 1989

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 Ordinance Number 225, annexing land into the City of Foley. The land is a small parcel which is completely surrounded by land already annexed into the City limits; therefore the parcel has been annexed by Ordinance. A copy of the ordinance has been filed with the Minnesota Municipal Board, the County Auditor and the Gilmanton Township Clerk. If you have any questions concerning this matter, please give me a call at the Foley City Hall (612-968-7260). Thank you for your time.

Sincerely,

Richard Zimmer
Richard Zimmer
City Clerk

CITY OF FOLEY
COUNTY OF BENTON
STATE OF MINNESOTA
ORDINANCE NUMBER 225

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, the City owns approximately 19.4 acres of abandoned railroad right of way land conveyed to it by Burlington Northern Railroad Company; which was annexed into the city limits of Foley on June 20, 1989, as Ordinance No. 222; and

WHEREAS, Noel and Jan Schroeder are the owners of certain real property surrounded on all sides by land which has been annexed into the City; and

WHEREAS, the Foley City Council, Noel Schroeder and Jan Sch;roeder have determined it is in the best interest of the City of Foley and Mr. and Mrs. Schroeder for the Schroeder property to be annexed into the incorporated limits of the City of Foley; and

WHEREAS, the Foley City Council may, pursuant to Minnesota Statute Section 414.033, Subd. 2, by ordinance declare the Schroeders land annexed to the City;

THEREFORE, the City Council of the City of Foley, Minnesota ordains:

SECTION ONE

That the City Council hereby determines that annexation of the below described property will be in the best interest of the City, the property owner, and the property affected; that the property described herein abutts upon the City limits and is urban in character; that none of said property is now included within the limits of any other city; and, that said property is completely surrounded by property now incorporated into the city limits of Foley.

SECTION TWO

Property 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:

That part of the Burlington Northern Railroad abandoned right-of-way, located in the West Half of the Southwest Quarter ($W\frac{1}{2}$ SW $\frac{1}{4}$) of Section Twenty-five (25), Township Thirty-seven (37) North, Range Twenty-nine (29) West, City of Foley, Benton County, Minnesota, being more particularly described as follows:

Beginning at the southeast corner of Lot One (1), Block One (1), Foley Improvement Plat, according to the plat thereof, on file and of record in the office of the Recorder, Benton County, Minnesota; thence North 28 degrees 41 minutes 12 seconds West, plat bearing, along the most easterly line of said Lot One (1), a distance of 97.00 feet; thence North 60 degrees 15 minutes 57 seconds East a distance of 33.00 feet; thence South 28 degrees 41 minutes 12 seconds East a distance of 97.00 feet; thence South 60 degrees 15 minutes 57 seconds West a distance of 33.00 feet to the point of beginning. Together with a 15.00 foot utility easement (over, under and across) lying northerly of and contiguous with the most southerly line thereof. Said parcel contains 3,201 square feet of land, more or less, and is subject to existing easements of record.

SECTION THREE

Zoning. The annexed land will be zoned "A-1" agricultural district, according to Ordinance No. 167, Section 7, Subd. 2, which provides that all land which may hereafter become a part of the City of Foley through annexation shall automatically be classified in the "A-1" agricultural district until otherwise changed by amendment procedure.

SECTION FOUR

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

SECTION FIVE

The population of the annexed land is -0-.

SECTION SIX

Effective Date. This Ordinance shall be effective and final on such date as the Ordinance is approved by the Municipal Board.

Adopted by the Foley City Council this 15th day of August, 1989.

Karl A. Berlin
Karl A. Berlin, Mayor

ATTEST:

Richard Zimmer
Richard Zimmer, City Clerk

39665
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
OCT 26 1989
Jean Anderson Heaver
Secretary of State