

TO THE MAYOR AND COMMON COUNCIL OF THE CITY OF AUSTIN:

We, the undersigned, do hereby respectfully represent and show to the Mayor and Common Council above named the following facts:

That we are residents and legal voters of the Northeast Quarter of Section 1, Township 102, Range 18 West, Mower County, Minnesota, a portion of which land was platted as Decker Acres, an Addition to the Town of Austin, Mower County.

That we desire to have all of the Northeast Quarter of said Section 1, Township 102, Range 18 West, including that land platted as Decker Acres, an Addition to the Town of Austin, and the balance of said quarter section of land, annexed to the City of Austin, Minnesota. We do hereby petition and request that an election be held for the determination for such proposed annexation.

That said territory so proposed to be annexed to the City of Austin adjoins the City of Austin upon the east and is bounded by the bounds of said quarter section of land. The territory so proposed to be annexed contains approximately 160 acres of land.

That on the 19th day of May, 1938, a census of the inhabitants residing in the territory that is proposed to be annexed to the City of Austin, Minnesota, was taken, from which it was found that there were 175 inhabitants residing in said territory.

Geo. S. Schmit

Burrell Knotts

Geo. H. Case

Chester A. Weseman

A. L. Miller

Rachel Neiswanger

STATE OF MINNESOTA

SS

COUNTY OF MOWER

Chester A. Weseman, Rachel Neiswanger, and A. L. Miller, being the petitioners who signed the foregoing petition, and being duly sworn each, on oath do each say that the census mentioned and referred to in the foregoing petition was accurately taken on the 19th day of May, 1938, and that all of the allegations contained in the foregoing petition are true.

Chester A. Weseman

Rachel Neiswanger

A. L. Miller

Subscribed and sworn to before me
this 20th day of May, 1938.

D. E. Hughes

Notary Public, Mower County, Minn.

My Commission expires Sept. 1, 1944.

(Seal)

8371

RESOLUTION NO. 1477

Relative to the annexation of the Northeast Quarter of Section 1, Township 102, Range 13, Mower County, Minnesota, a portion of which land is now platted as Decker Acres, an Addition to the Town of Austin, Mower County, Minnesota.

WHEREAS a verified petition signed by six residents and legal voters residing in the Northeast Quarter of Section 1, Township 102, Range 13, Mower County, Minnesota, a portion of which land is now platted as Decker Acres, an Addition to the Town of Austin, Mower County, Minnesota, has been presented to the Common Council of the City of Austin, requesting that a special election be held to determine whether or not said land be annexed to the City of Austin;

AND WHEREAS the Common Council has examined said petition and said territory itself and finds that the territory comprised in the petition, according to the census duly taken, has a resident population of 175 people; that said territory is not included in any incorporated city or village, and that no part of said territory is more than one and one-half miles from the present limits of the City of Austin, which it adjoins upon the east; and, finally, that said petition correctly sets forth the boundaries of such territory, the quantity of land embraced therein, and the number of actual residents thereon; and that said petition is in all respects in accordance with statute.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Austin that said petition be and the same is hereby received and placed upon file.

BE IT FURTHER RESOLVED that a copy of said petition, together with a notice, a form of which is hereinafter set forth, shall be posted forthwith in three public places within the territory above described.

BE IT FURTHER RESOLVED that an election to determine whether or not said territory shall be annexed to the City of Austin shall be held on the 15th day of June, 1938, at a house located on Outlot 113 of Decker Acres, an Addition to the Town of Austin, which is not less than 10 nor more than 30 days after posting the notice.

BE IT FURTHER RESOLVED that the following-named inspectors, to-wit: George S. Schmit, William L. Hill, Lloyd R. Tabor, Roy Dibble (alternate), who are residents of the territory proposed to be annexed, shall act as judges of election and conduct the same as far as practicable in accordance with the laws regulating the election of town officers. Only voters residing within the territory proposed to be annexed shall be entitled to vote. The ballots shall bear the words "For Annexation, Yes __, No __", with a space after each of the last two words, in one of which spaces voters shall make a cross to indicate his choice.

Immediately after such election, the inspectors shall canvass the ballots and forthwith make and file with the City Recorder of the City of Austin a certificate stating the time and place of holding said election, that they have canvassed the ballots cast thereat, and the number of ballots cast for and against said proposition.

Said certificates shall be signed and verified by all of the said inspectors, to the effect that the statements therein contained are true.

The form of notice to be attached to the petition will read as follows:

"NOTICE OF SPECIAL ELECTION

NOTICE IS HEREBY GIVEN that on the 15th day of June, 1938, at a house located on Outlot 113 of Decker Acres, an Addition to the Town of Austin, an election will be held for the purpose of determining whether or not the Northeast Quarter of Section 1, Township 102, Range 18, Mower County, Minnesota, a portion of which land has been platted as Decker Acres, an Addition to the Town of Austin, Mower County, Minnesota, together with the adjacent streets and alleys, shall be annexed to the City of Austin. Said polls shall open at 6 o'clock P. M. and close at 9 o'clock P. M. Only legal voters residing within the above territory shall be entitled to vote at said election. The inspectors who shall act as judges of said election are George S. Schmit, William L. Hill, Lloyd R. Tabor, and Roy Dibble (alternate).

J. H. Weiland,
City Recorder."

Passed by a vote of the yeas and nays this 20th day of May, 1938. Yeas 7. Nays 0.

Approved

Jacob Becker,

Mayor

Attest

J. H. Weiland,
City Recorder.

STATE OF MINNESOTA

COUNTY OF MOWER

SS

J. H. Weiland, being first duly sworn, deposes and says that he is the City Recorder of the City of Austin and has been such for more than two years last past.

That upon the 26th day of May, 1938, he posted the attached notice of special election in three of the most prominent places in the Northeast Quarter of Section 1, Township 102, Range 18, Mower County, Minnesota, to-wit:

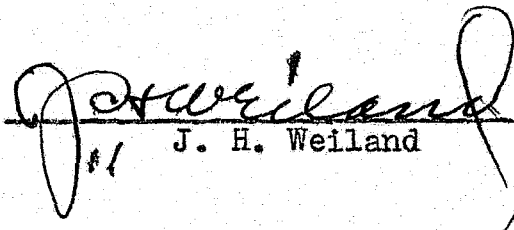
One Copy on the door of the garage located on Outlot 113 of Decker Acres, an Addition to the Town of Austin.

One Copy on the electric light pole on the corner of Hope and Collins Streets.


One Copy on a conspicuous electric light pole at the extreme East end of Oakland Avenue.

all located in that territory proposed to be annexed to the City of Austin pursuant to Resolution No. 1477.

Further affiant saith not.


J. H. Weiland

Subscribed and sworn to before me
this 22 day of ~~June~~ July, 1938.


~~Isabel Hughes~~ Isabel Touhey
Notary Public, Mower County, Minn.
My Commission expires Sept. 1, 1944.

(Seal)

NOTICE OF SPECIAL ELECTION

NOTICE IS HEREBY GIVEN that on the 15th day of June, 1938, at a house located on Outlot 113 of Decker Acres, an Addition to the Town of Austin, an election will be held for the purpose of determining whether or not the Northeast Quarter of Section 1, Township 10S, Range 18, Mower County, Minnesota, a portion of which land has been platted as Decker Acres, an Addition to the Town of Austin, Mower County, Minnesota, together with the adjacent streets and alleys, shall be annexed to the City of Austin. Said polls shall open at 6 o'clock P. M. and close at 9 o'clock P. M. Only legal voters residing within the above territory shall be entitled to vote at said election. The inspectors who shall act as judges of said election are George S. Schmit, William L. Hill, Lloyd R. Taber, and Roy Dibble (alternate).

J. H. Weiland,
City Recorder

ELECTION INSPECTORS' CERTIFICATE

We, the undersigned inspectors duly appointed by Resolution No. 1477 of the City of Austin duly passed the 20th day of May, 1938, to supervise the election provided for in said resolution, to determine whether or not the Northeast Quarter of Section 1, Township 102, Range 18, Mower County, Minnesota, a portion of which land is now platted as Decker Acres, an Addition to the Town of Austin, Mower County, Minnesota, shall be annexed to the City of Austin, hereby certify as follows:

1. That said election was duly held upon June 15, 1938, at a house located on Outlot 113 in Decker Acres, an Addition to the Town of Austin, said polls opening at 6 o'clock P. M. and closing at 9 o'clock P. M.
2. That we canvassed the ballots cast thereat.
3. That there were delivered to us 120 ballots; that there were 0 ballots spoiled; that there were 73 ballots cast in favor of said proposition; that there were 6 ballots cast against said proposition; and that there were 41 ballots returned by us to the City Recorder of the City of Austin.

We further certify that as a result of the canvass of the ballots, the proposition of annexation of the Northeast Quarter of Section 1, Township 102, Range 18, Mower County, Minnesota, carried by a vote of 73 votes in favor and 6 votes against.

Lloyd R. Tabor

George Schmit

William L. Hill

STATE OF MINNESOTA
COUNTY OF MOWER ss

Lloyd R. Tabor, George Schmit, and William L. Hill,

_____, being duly sworn, say that they are the
inspectors named in and who signed the foregoing certificate, and
that the statements therein contained are true.

Lloyd R. Tabor

George Schmit

William L. Hill

Subscribed and sworn to before me
this 15th day of June, 1938.

J. H. Weiland, City Recorder
B. E. Hughes
Notary Public, Mower County, Minn.
My Commission expires Sept. 1, 1944.

(Seal)

Annexing the Northeast Quarter of Section 1, Township 102, Range 18, Mower County, Minnesota, a portion of which land is now platted as Decker Acres, an Addition to the Town of Austin, to the City of Austin.

WHEREAS a verified petition was duly filed with the Common Council of the City of Austin, requesting that a special election be held to determine whether or not the Northeast Quarter of Section 1, Township 102, Range 18, Mower County, Minnesota, a portion of which land has been heretofore platted as Decker Acres, an Addition to the Town of Austin, Mower County, Minnesota, be annexed to the City of Austin; and

WHEREAS pursuant to said petition, Resolution No. 1477 of the City of Austin was duly passed, providing the time and place of holding a special election and appointing inspectors to act as judges thereat; and

WHEREAS the inspectors have duly made report to the City Recorder of the City of Austin by certificate showing that said election was held at the time and place specified in the resolution and that at said election 73 resident electors voted in favor of annexation and 6 resident electors voted against annexation;

NOW, THEREFORE, The Common Council of the City of Austin do ordain:

Section I. That the Northeast Quarter of Section 1, Township 102, Range 18, Mower County, Minnesota, a portion of which land is now platted as Decker Acres, an Addition to the Town of Austin, Mower County, Minnesota, be annexed to and made a part of the City of Austin, and that portion of said annexed territory now platted as Decker Acres, an Addition to the Town of Austin, shall henceforth be known and designated as Decker Acres, an Addition to the City of Austin.

Section II. This ordinance shall go into full force and effect from and after its passage, approval, and publication.

Passed by a vote of the yeas and nays this 17th day of June, 1938.

Yeas 7. Nays 0.

Approved

Jacob Becker,

Mayor

Attest

J. H. Weiland,
City Recorder

CERTIFICATE

STATE OF MINNESOTA

COUNTY OF MOWER

SS

J. H. Weiland, City Recorder of the City of Austin, does hereby certify:

1. That he is the duly appointed, qualified, and acting Recorder of the City of Austin, Mower County, Minnesota, and has been such for more than two years last past.

2. That as such City Recorder he has charge of all minute books, resolution books, ordinance books, and all other 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 hereunto affixed.

3. That attached hereto are copies of the following documents relative to the annexation to the City of Austin of the Northeast Quarter of Section 1, Township 102, Range 18, Mower County, Minnesota, a portion of which land is now platted as Decker Acres, an Addition to the Town of Austin, Mower County, Minnesota, to-wit:

- (1) Petition of residents and legal voters, verified by three of the legal voters residing in the territory proposed to be annexed under date of May 19, 1938.
- (2) Resolution No. 1477 of the Common Council of the City of Austin.
- (3) Notice of holding of special election and affidavit of posting the same.
- (4) Election Inspectors' Certificate.
- (5) Ordinance No. 382 of the City of Austin.

4. That he has compared the above copies with the original documents now on file in the office of the City Recorder and that they are full, true, and correct copies of said original documents in all respects.

Subscribed and sworn to before me
this 12th day of June, 1938.
Isabel Touney
Notary Public, Mower County, Minn.
My Commission expires Sept. 1, 1944.

J. H. Weiland
J. H. Weiland
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