

CITY OF FOLEY
COUNTY OF BENTON
STATE OF MINNESOTA
Ordinance No. 222

AN ORDINANCE EXTENDING THE CORPORATE LIMITS
OF THE CITY OF FOLEY TO INCLUDE CERTAIN UNINCORPORATED LAND
OWNED BY THE CITY AND ABUTTING UPON THE CITY LIMITS

WHEREAS, the City owns approximately 19.4 acres of land of abandoned railroad right of way conveyed to it by Burlington Northern Railroad Company; and

WHEREAS, the City Council has determined that it is in the best interest of the City of Foley to be annexed into the incorporated limits of the City; and

WHEREAS, the City Council may, pursuant to Minn. Stat. 414.033, Subd. 2, by ordinance declare the 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 and the territory affected; that the territory described herein abutts upon the City limits and is urban in character; that none of said territory is now included within the limits of any other city; and, that said territory is now owned by the City of Foley.

SECTION TWO

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:

All that portion of Burlington Northern Railroad Company's right-of-way near Foley, Minnesota on the St. Cloud to Mora, Minnesota Branch Line, now discontinued, varying in width on each side of the main track centerline as originally located and constructed upon, over and across Sections Twenty-five (25), Thirty-five (35), and Thirty-four (34), all in Township Thirty-seven (37) North, Range Twenty-nine (29) West of the Fourth Principal Meridian, Benton County, Minnesota, described as follows, to-wit:

Parcel 1:

All that portion of said Railroad Company's 150 foot wide Branch Line right-of-way being 75 feet wide on each side of said main track cen-

terline situated in the Northeast Quarter of the Southwest Quarter (NE1/4 SW1/4) of said Section 25.

Parcel 2:

All that portion of said Railroad Company's 150 foot wide Branch Line right-of-way being 75 feet wide on each side of said main track centerline situated in the Northwest Quarter of said Section 35 lying southwesterly of the centerline of Highway 25 as now located and constructed.

Parcel 3:

All that portion of said Railroad Company's 100 foot wide Branch Line right-of-way being 50 feet wide on each side of said main track centerline situated in the South Half of the Northeast Quarter (S1/2 NE1/4) of said Section 34.

Parcel 4:

All that portion of said Railroad Company's 150 foot wide Branch Line right-of-way being 75 feet wide on each side of said main track centerline situated in the Northwest Quarter of said Section 35 lying Northeasterly of the centerline of said State Highway 25 and Southwesterly of the northeasterly right-of-way of said State Highway 25.

Parcel 5:

All that portion of said Railroad Company's 150 foot wide Branch Line right-of-way being 75 feet wide on each side of said main track centerline situated in the West Half of the Southwest Quarter (W1/2 SW1/4) of said Section 25 lying Northeasterly of the line described in Book 22 of Miscellaneous Records, page 519, Section 1, Item 8, on file in the Office of the County Recorder, Benton County, Minnesota, said line being more particularly described as follows: Beginning at the northeast corner of WILDMAN-TAUER ADDITION, according to the recorded plat thereof, on file in the Office of the County Recorder, Benton County, Minnesota; thence northwesterly to the northeast corner of Lot 2 of PARK LOTS ADDITION, according to the recorded plat thereof, on file in the Office of the County Recorder, Benton County, Minnesota, and said line there terminating. Less and except the following described property therefrom: 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°41'12" West, plat bearing, along the most easterly line of said Lot One (1), a distance of 97.00 feet; thence North 60°15'57" East a distance of 33.00 feet; thence South 28°41'12" East a distance of 97.00 feet; thence South 60°15'57" West a distance of 33.00 feet to the point of beginning.

Said parcels of land contain 19.3 acres of land, more or less, and are subject to existing easements of record.


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

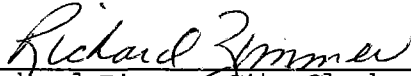
Effective Date. This Ordinance shall be effective and final on such date as the Ordinance is approved by the Municipal Board.

Adopted by the Foley City Council this 20th day of June, 1989.



Karl A. Berlin, Mayor

ATTEST:



Richard Zimmer, City Clerk