

REC'D. BY
MMS JAN 26 1990

ORDINANCE NO.583

AN ORDINANCE ANNEXING CERTAIN LANDS, (Exhibit A,B,C,D,E)
INTO THE CITY OF WASECA, MINNESOTA,
AND ESTABLISHING ZONING THEREOF

WHEREAS, the lands described below are at least 60% bordered by the municipal limits of the City of Waseca and are fewer than 40 acres, and

WHEREAS, Minnesota Statutes 414.033, Subd. 3 authorizes a municipal council to annex land that is 60 percent or more bordered by its municipal limits and consists of 40 or fewer acres by ordinance, and

WHEREAS, in accordance with M.S. 414.031 Subd. 5. stating, said property is substantially different than the area proposed to be annexed on the 6th day of September, 1988.

WHEREAS, the Waseca City Council deems the lands described below to be urban or suburban in character or about to become so,

NOW, THEREFORE, THE CITY OF WASECA DOES ORDAIN:

Section 1. That the following described land is hereby annexed into the City of Waseca, Minnesota:

Exhibit A Russell and Terry Ingram

All that part of the South One-half of the Southwest Quarter (S $\frac{1}{2}$ of SW $\frac{1}{4}$) of Section Five (5), Township One Hundred Seven (107) North, Range Twenty-two (22) West, described as: Commencing at the Northwest Corner of Lot 13, Block 1, Oak View Addition, Waseca, Minnesota; thence North 0°36' East, assumed bearing, to the North line of the S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 5, Township 107 North, Range 22 West; thence east on the said north line 125 feet; thence South 0°36' West to the Northeast Corner of said Lot 13; thence west on the north line of said Lot 13 to the Northwest Corner thereof, being the point of beginning, subject to easements and rights of ways of record, and assuming the west line of the SW $\frac{1}{4}$ of Section 5 to be North 0° East;

William and Dianne Kemp

that parcel of land contiguous thereto described as commencing at the Northwest corner of said Lot Twelve (12), thence N 0° 36' E, assumed bearing to the North line of the South One-Half of the Southwest Quarter (S $\frac{1}{2}$ of SW $\frac{1}{4}$) of Section Five (5), Township One Hundred Seven (107) North, Range Twenty-two (22) West; thence east on the said North line One Hundred Twenty-five (125) feet; thence S 0° 36' W to the Northeast corner of said Lot Twelve (12); thence West on the North line of said Lot Twelve (12) to the Northwest corner thereof, being the point of beginning, subject to easements and right of ways of record, and assuming the west line of the Southwest Quarter (SW $\frac{1}{4}$) of Section Five (5) to be N 0° E.

Craig and Theresa Berberich

that parcel of land contiguous thereto described as commencing at the Northwest corner of said Lot Eleven (11), thence N 0° 36' E, assumed bearing, to the North line of the South One-half of the Southwest Quarter (S $\frac{1}{2}$ of SW $\frac{1}{4}$) of Section Five (5), Township One Hundred Seven (107) North, Range Twenty-two (22) West; thence East on the said North line One Hundred Twenty-five (125) feet; thence S 0° 36' W to the Northeast Corner of said Lot Eleven (11); thence West on the North line of said Lot Eleven (11) to the Northwest corner thereof being the point of beginning, subject to easements and right of ways of record, and assuming the West line of the Southwest Quarter (SW $\frac{1}{4}$) of Section Five (5) to be N 0° E.

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Exhibit B.

Bernard and Janice Matejcek

THE NORTH TEN (10) FEET OF THE WEST ONE HUNDRED NINETY-FOUR (194) FEET OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW $\frac{1}{4}$ OF SE $\frac{1}{4}$) OF SECTION SEVENTEEN (17), TOWNSHIP ONE HUNDRED SEVEN (107) NORTH, RANGE TWENTY-TWO (22) WEST, SUBJECT TO PUBLIC STREET OVER THE WEST THIRTY-THREE (33) FEET THEREOF; AND

Warren Routh

Beginning at a point Twelve and Five Hundred Thirty-five One Thousandths chains (12.535) North of the Southwest corner of Lot Three (3) of Section Seventeen (17) in Township One Hundred and Seven (107) North, of Range Twenty-two (22) West of the Fifth Principal Meridian, thence North on the North and South quarter line of said Section a distance of Twenty (20)³³⁰ Rods to a point which is Five and Forty-five One Thousandths (5.045)^{331.37} chains South of the intersection of said quarter line with the South line of Right of Way of the Winona and St. Peter Railway, thence East Forty (40)⁶⁴⁰ Rods, thence South Twenty (20)³⁴⁰ Rods, thence West Forty (40)⁶⁴⁰ Rods, to beginning, containing five acres, more or less, TOGETHER WITH 3.907 acres of land in Lots Two and Three (2 & 3) in Section Seventeen (17), Township One Hundred Seven (107) North, Range Twenty-two (22) West, described as follows: Beginning on the North and South Quarter line of said Section Seventeen (17), at a point One Thousand One Hundred Forty-nine (1149) feet North of the Southwest corner of said Lot Three (3) and running thence East Six Hundred Sixty (660) feet thence North One Hundred Seventy-four (174) feet to the south line of the Right of Way of the Chicago & Northwestern Railway Co. thence on the south line of said Right of Way North Seventy-five degrees Forty-four minutes (75° 44') West Six Hundred Seventy-nine feet and Six (6) inches to the North and South Quarter line of said Section Seventeen (17) thence South Three Hundred Forty-one (341) feet and Eight (8) inches to the place of beginning, containing 3.907 acres subject to the highway now opened and used across the West end of said tract, EXCEPT THE FOLLOWING DESCRIBED TRACTS: The North Ten (10) feet of the West One Hundred Ninety-four (194) feet of the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ of SE $\frac{1}{4}$) of Section Seventeen (17), Township One Hundred Seven (107) North, Range Twenty-two (22) West, subject to public street over the West Thirty-three (33) feet thereof; AND: Beginning at the southwest corner of the Northeast Quarter (NE $\frac{1}{4}$) of Section Seventeen (17), Township One Hundred Seven (107) North, Range Twenty-two (22) West; thence North 0° E, assumed bearing, One Hundred Forty-one and Forty-nine (141.49) feet along the West line of said Northeast Quarter (NE $\frac{1}{4}$) to the southerly right of way line of the Chicago and North Western Railroad; thence South Seventy-six degrees Forty-three and Five Tenths Minutes (76° 43.5') East One Hundred Ninety-nine and Twenty-five Hundredths (199.25) feet along said southerly right of way line; thence South 0° East Ninety and Forty-seven Hundredths (90.47) feet to the south line of said Northeast Quarter (NE $\frac{1}{4}$); thence South 88° 27' West One Hundred Ninety-four (194) feet to beginning; subject to public street over the West Thirty-three (33) feet thereof.

Exhibit C.

Grace Baptist Church

Commencing at a point Six Hundred (600) feet North of the South Quarter corner, Section Seventeen (17), Township One Hundred Seven (107) North, Range Twenty-two (22) West; thence North One Hundred (100) feet along the centerline of the road; thence East Two Hundred Thirty-three (233) feet; thence South One Hundred (100) feet; thence West Two Hundred Thirty-three (233) feet to the place of beginning.

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Exhibit D.

Leonard and Alma Bathke

Commencing at the Northwest corner of Government Lot 4 in Section 18, Township 107 North of Range 22 West, running thence South 22 1/2 rods, thence East 36 3/4 rods to Loon Lake, thence in a Northwesterly direction along the shore line of said Loon Lake to a point directly 11 rods East of the point of beginning, thence West 11 rods to the point of beginning, in Waseca County, Minnesota, containing three (3) acres more or less.

Exhibit E.

Jeanette Byron et al

Commencing at a point on the Southeast corner of Section 12, Township 107 North, Range 23 West; thence West 150 feet; thence South 110 feet; thence East 150 feet; thence North 110 feet to place to beginning and being located in the NE 1/4 of Section 13, Township 107 North, Range 23 West, and containing 2/3 acre more or less.

Robert and Jeanette Byron

The E 458.44 feet of the S 1/2 of the SE 1/4 of Section 12, Township 107 N, Range 23 West, Waseca County, Minnesota.

Parcel 3

Land in Waseca County, Minnesota, to-wit:

The east 458.44 feet of the following described property:

Commencing at the NE corner of Section 13, Township 107, Range 23 thence running south on the east line of said Section 13 a distance of 6.61 chains to the north line of right-of-way of the Winona & St. Peter Railroad Co. thence on north line of said right of way north 76 degrees west 6.71 chains thence on north line of said right of way north 72 3/4 degrees west 2.73 chains thence on north line of said right of way north 68 3/4 degrees 3.46 chains thence on north line of said right of way north 65 degrees 50 minutes west 7.19 chains to the north line of said section 13 thence east a distance of 18.87 chains to the place of beginning excepting therefrom the premises upon which the State of Minnesota has acquired an easement for highway purposes;

and EXCEPT

the following described Parcel:

Commencing at a point on the SE corner of Section 12, Township 107 North of Range 23 west thence west 150 feet; thence south 110 feet; thence east 150 feet; thence north 110 feet to the place of beginning and being located in the NE 1/4 of Section 13, Township 107 North of Range 23 west and containing 2/3 acre more or less:

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and EXCEPT

THE FOLLOWING DESCRIBED parcel:

Commencing at a point on the east line of Section 13, Township 107 North, Range 23 west, said point being 215 feet south of the NE corner of said Section 13; thence west a distance of 150 feet; thence south parallel to the east line of said Section 13 to the north right of way line of Minnesota highway No. 14, thence southeasterly along said north right of way line to the said east line of section 13; thence north to the point of beginning, subject to highway right of way easements.
(approximately 2.31 acres)

Keith and Cheryl Rysula

Beginning at a point on the east line of the SE 1/4 of the SE 1/4, Section 12, Township 107 North, Range 23 West, which point is 42.5 feet north of the SE corner thereof; thence north 170.5 feet on the east line of said Quarter Quarter section; thence west 265 feet on a line parallel with the south line of said Quarter Quarter section; thence south 170.5 feet on a line parallel with the east line of said Quarter Quarter section; thence east 265 feet on a line parallel with the south line of said Quarter Quarter section to the point of beginning, being part of the SE 1/4 of SE 1/4, Section 12, Township 107 North, Range 23 West, subject to highway easement on the east side thereof.

Einer C. Iversen

The Northwest quarter of the southwest quarter (NW 1/4 of SW 1/4), less twenty (20) rods off the north end, and Lot number four (4), all in Section Seven (7) Township one hundred seven (107) North, Range twenty two (22) West, Waseca County, State of Minnesota.

Section 2. That the annexed land shall be zoned as follows:

- A. Long Lot Properties Zoned: R - 1 Suburban Residential
- B. Matejcek and Routh Properties Zoned: R - 2 Urban Residential
- C. Grace Baptist Church Zoned: R - 2 Urban Residential
- D. Bathke Property Zoned: R - 2 Urban Residential
- E. Byron, Rysula and Iversen Properties Zoned: R-2 Urban Residential

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Section 3. That a certified copy of this ordinance shall be filed with the Minnesota Municipal Commission, the Secretary of the State of Minnesota, the Waseca County Auditor, the Waseca County Register of Deeds, and the Clerk of the Woodville Township Board.

Section 4. That this ordinance shall be effective upon passage and legal publication and the filing of the certified copies as described in Section 3.

Adopted by the City Council of Waseca, Minnesota, this _____ day of _____, 1990.

MAYOR

ATTEST:

ROBERT JELLUM
CITY CLERK

REVIEWED FOR ADMINISTRATION

APPROVED AS TO FORM AND LEGALITY

CITY MANAGER

CITY ATTORNEY

First Reading _____
Second Reading _____
Published _____
Effective _____