

ORDINANCE NO. 38-96

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE
CITY OF ELYSIAN, MINNESOTA

WHEREAS, a Petition has been filed requesting that certain land, legally described on the attached Exhibit A to be annexed to the City of Elysian, Minnesota, per M.S. §414.033, Subd. 5, and

WHEREAS, the City Council of Elysian, Minnesota, determined said Petition to be in proper form and that the same was signed by all (100%) of the property owners in number, and

WHEREAS, the land proposed to be annexed is unplatted and less than 200 acres in size, consisting of approximately 27 acres, and is not included in any area that has been designated for orderly annexation pursuant to M.S. §414.0325, and

WHEREAS, the described tract of unincorporated property abuts the municipal limits of the City of Elysian, and

WHEREAS, such described land is now or about to become urban or suburban in character as residential real property, and

WHEREAS, the Town Board of Elysian Township which borders the land to be annexed has been served with a copy of said Petition for Annexation and has not lodged an objection within 90 days of service of the same, and

WHEREAS, a public hearing is not necessary pursuant to the provisions of M.S. §414.033, Subd. 5 because all of the property owners have signed the Petition for Annexation.

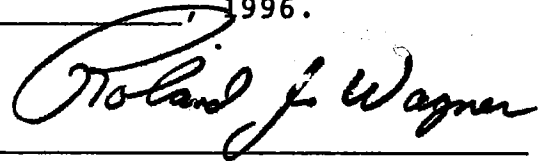
NOW, THEREFORE, the City of Elysian, Minnesota, hereby ordains:

1. The corporate limits of the City of Elysian are hereby extended to include the property legally described on the attached Exhibit A and the same is hereby annexed to and included within the City of Elysian as if the property had originally been part thereof.

2. The City Clerk/Administrator is directed to file certified copies of this Ordinance with the Minnesota Municipal Board, Elysian Township, the LeSueur County Auditor and the Minnesota Secretary of State per M.S. §414.033, Subd. 7.

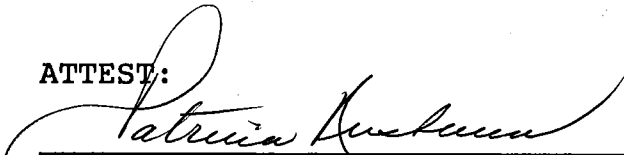
3. This Ordinance takes effect upon its passage and publication and approval of the Ordinance by the Minnesota Municipal Board.

Adopted this 22nd day of May, 1996.



Mayor

ATTEST:



City Clerk/Administrator

Elysian.ord/mlj

EXHIBIT A
LEGAL DESCRIPTION

Citizen's State Bank of Waterville to Elysian Economic development Authority
October 28, 1995

All of Government Lots Five (5) and Six (6) of Section Thirty-five (35), Township One Hundred Nine (109) North, Range Twenty-four (24) West, in LeSueur County, Minnesota. Less the parts and parcels thereof heretofore conveyed by conveyance as follows:

Parcel No. 1

Beginning at the Northwest corner of Lot One (1) of Root's Beach, part of Government Lot Number Six (6), Section Thirty-five (35), Township One Hundred Nine (109) North, Range Twenty-four (24) West, LeSueur County, Minnesota, thence North twenty (20) feet; thence in a Westerly direction parallel to the North line extended of Lot One (1) to the East property line of property now owned by Charles and Golda Chesnut; thence in a Southerly direction along the East property line of the Charles and Golda Chesnut property a distance of 170 feet more or less to the waters edge of Lake Francis; thence in an Easterly direction to the Southwest corner of Lot One (1) of Root's Beach; thence Northerly along the West property line of said Lot One (1) of Root's Beach to a point twenty (20) feet North of the Northwest corner of said Lot One (1) of Root's Beach;

Parcel No. 2

Commencing at a point 1119.40 feet North and 1486.00 feet East of the West one-quarter corner of Section Thirty-five (35), Township One Hundred Nine (109) North, Range Twenty-four (24) West, Le Sueur County, Minnesota, thence South 89°40'30" East 233.25 feet, thence South 54°46' East 118.00 feet, thence South 39°00'30" East 348.00 feet, thence South 76°18' East 251.00 feet, thence North 81°49'30" East 332.00 feet, thence South 13°07' East 104.00 feet to the Waters Edge of Lake Francis, thence in a Westerly direction along the Waters Edge of said Lake to a point, distant 150.00 feet and bearing South 00° to the point of beginning, thence North 00° 150 feet to the place of beginning, containing 4.80 acres, more or less, all of the above described tract being a part of Government Lot No. 6, in Section Thirty-five (35), Township One Hundred Nine (109) North, Range Twenty-four (24) West;

Parcel No. 3

All that part of Government Lot Six (6), Section Thirty-five (35), Township One Hundred Nine (109) North, Range Twenty-four (24) West of the 5th P.M. lying Westerly and bounded by the following described lines, beginning at a point on the West line of said lot 1119.4 feet North and 1466.0 feet East of the West quarter corner of said section, thence South 89°40'30" East, 253.25 feet; thence South 54°46' East, 118.0 feet; thence South 39°00'30" East, 348.0 feet; thence South 76°18' East, 251.0 feet; thence North 81°49'30" East, 332.0 feet; thence North 08°52' West, 570.2 feet; thence North 76°00' West, 320.0 feet; thence North 27°00' West, 950.0 feet; thence North 01°00' West, 300.0 feet; thence North 78°00' West, 340.0 feet; and there terminating on the West line of said Lot. Including all riparian rights to the contained 25.6 acres more or less and subject to existing road easements;

All that part of Government Lots Five (5) and Six (6), Section Thirty-five (35), Township One Hundred Nine (109) North, Range Twenty-four (24) West of the 5th P.M. bounded by the waters edge of Lake Francis and the following described lines: Beginning at the Northeast corner of Lot Twenty-three (23) of Root's Beach subdivision, thence South 13°07' East, 150 feet, more or less, along the East line of Lot Twenty-three (23) to the waters edge of said lake and there terminating. And from the point of beginning South 84°13' East, 66.55 feet, thence South 77°55' East, 410.45 feet to a point on the centerline of County State Aid Highway #11; thence South 28°11' East, 208.58 feet on and along said centerline of County State Aid Highway #11; thence South 67°04' West, 145 feet, more or less, to the waters edge of said lake and there terminating. Including all riparian rights to the contained 1.8 acres, more or less, and subject to all existing road easements;

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Parcel No. 5

Commencing at the Northeast Corner of Lot Twenty-three (23) of Root's Beach Subdivision in Government Lot Six (6), Section Thirty-five (35), Township One Hundred Nine (109) North, Range Twenty-four (24) West, LeSueur County, Minnesota, thence South 84°13' East 66.55 feet, thence South 77°55' East 410.45 feet, thence South 28°11' East along the centerline of State Aid Highway Number 11 a distance of 221.28 feet to place of beginning; thence North 61°49' East 233.00 feet, thence North 28°11' West 200.00 feet, thence South 61°49' West 233.00 feet, thence South 28°11' East 200.00 feet to place of beginning. Being 1.07 acres of Government Lot Five (5) of said Section Thirty-five (35);

Parcel No. 6

Commencing at the Northeast Corner of Lot Twenty-three (23) of Root's Beach Subdivision in Government Lot Six (6), Section Thirty-five (35), Township One Hundred Nine (109) North, Range Twenty-four (24) West, LeSueur County, Minnesota, thence South 84°13' East 66.55 feet, thence South 77°55' East 410.45 feet, thence South 28°11' East along the centerline of State Aid Highway Number 11 a distance of 221.28 feet to place of beginning; thence continuing South 28°11' East 100.00 feet, thence North 61°49' East 233.00 feet, thence North 28°11' West 100.00 feet, thence South 61°49' West 233.00 feet to place of beginning. Being 0.54 acres of Government Lot Number Five (5) of said Section Thirty-five (35);

Parcel No. 7

Commencing at the Northeast Corner of Lot Twenty-three (23) of Root's Beach Subdivision in Government Lot Six (6), Section Thirty-five (35), Township One Hundred Nine (109) North, Range Twenty-four (24) West, LeSueur County, Minnesota, thence South 84°13' East 66.55 feet, thence South 77°55' East 410.45 feet, thence South 28°11' East along the centerline of State Aid Highway Number 11 a distance of 221.28 feet to place of beginning; thence continuing South 28°11' East 100.00 feet, thence North 61°49' East 233.00 feet, thence North 28°11' West 100.00 feet, thence North 61°49' East 353.00 feet more or less to the water's edge of Lake Tustin, thence Easterly, Southerly, Westerly and Southwesterly along the waters edge of said lake to the South line of Government Lot Five (5) of said Section Thirty-five (35), thence West along said South line 236.00 feet more or less to the waters edge of Lake Francis, thence Northerly along the waters edge of said lake to a point bearing South 67°04' West

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of place of beginning, thence North 67°04' East 140.00 feet more or less to place of beginning, being 9.60 acres more or less of Government Lot Five (5) of said Section Thirty-five (35);

Parcel No. 8

Commencing at the Northeast Corner of Lot Twenty-three (23) of Root's Beach Subdivision in Government Lot Six (6), Section Thirty-five (35), Township One Hundred Nine (109) North, Range Twenty-four (24) West, LeSueur County, Minnesota, thence South 84°13' East 66.55 feet, thence South 77°55' East 410.45 feet, thence South 28°11' East along the centerline of State Aid Highway Number 11 a distance of 208.58 feet to place of beginning; thence continuing South 28°11' East 12.70 feet, thence South 67°04' West 140.00 feet more or less to the water's edge of Lake Francis, thence northerly along the water's edge of said lake to a point bearing South 67°04' West of place of beginning, thence North 67°04' East 145.00 feet more or less to place of beginning, being 0.04 acres more or less of Government Lot Five (5) of said Section Thirty-five (35).

ALSO:

Commencing at the Northeast Corner of Lot Twenty-three (23) of Root's Beach Subdivision in Government Lot Six (6), Section Thirty-five (35), Township One Hundred Nine (109) North, Range Twenty-four (24) West, LeSueur County, Minnesota, thence South 84°13' East 66.55 feet, thence South 77°55' East 410.45 feet, thence South 28°11' East 21.28 feet, thence North 61°49' East 233.00 feet to place of beginning, thence South 28°11' East 200.00 feet, thence North 61°49' East 353.00 feet more or less to the water's edge of Lake Tustin, thence Northwesterly along the water's edge of said lake to a point bearing North 61°49' East of place of beginning, thence South 61°49' West 216.00 feet more or less to place of beginning, being 1.30 acres more or less of Government Lot Five (5) of said Section Thirty-five (35);

Parcel No. 9

All that part of Government Lots Five (5) and Six (6), Section Thirty-five (35), Township One Hundred Nine (109) North, Range Twenty-four (24) West, LeSueur County, Minnesota, described as follows: Beginning at a point 1909.98 feet East and 2582.13 feet North of the West one quarter corner of Section Thirty-five (35), Township One Hundred Nine (109) North, Range Twenty-four (24) West, thence South 30°23' East 267.67 feet, thence South 81°03' East 600.12 feet, thence South 44°03' East 644.23 feet, thence South 29°03' East 191.31 feet, thence North 60°57' East 327.50 feet, thence North 23°37' East 156.00 feet more or less to the water's edge of Ray's Lake, thence Northwesterly along the water's edge of said lake to a point bearing North 33°37' East of place of beginning, thence South 33°37' West 137.00 feet more or less to place of beginning. Being 7.02 acres more or less of Government Lot Five (5) and 7.20 acres more or less of Government Lot Six (6), all in said Section Thirty-five (35), and being subject to all existing roadway easements;

Parcel No. 10

Commencing at the Northeast corner of Lot Twenty-three (23) of Root's Beach Subdivision in Government Lot Six (6), Section Thirty-five (35), Township One Hundred Nine (109) North, Range Twenty-four (24) West, LeSueur County, Minnesota, the Plat of said subdivision being recorded in the Office of the Register of Deeds of LeSueur County, thence South $84^{\circ}13'$ East 66.55 feet, thence South $77^{\circ}55'$ East 410.45 feet to the centerline of County Road Number 11, thence North $31^{\circ}11'$ West along said road centerline 128.72 feet to place of beginning; thence North $32^{\circ}56'$ West along the centerline of said road 169.07 feet, thence North $58^{\circ}47'$ East 606.00 feet, thence South $76^{\circ}13'$ East 30.00 feet more or less to the water's edge of Lake Tustin, thence Southerly along the water's edge of said Lake to a point bearing North $61^{\circ}44'$ East of place of beginning, thence South $61^{\circ}44'$ West 543.00 feet more or less to place of beginning. Containing 2.50 acres more or less and being part of Government Lot Five (5) said Section Thirty-five (35);

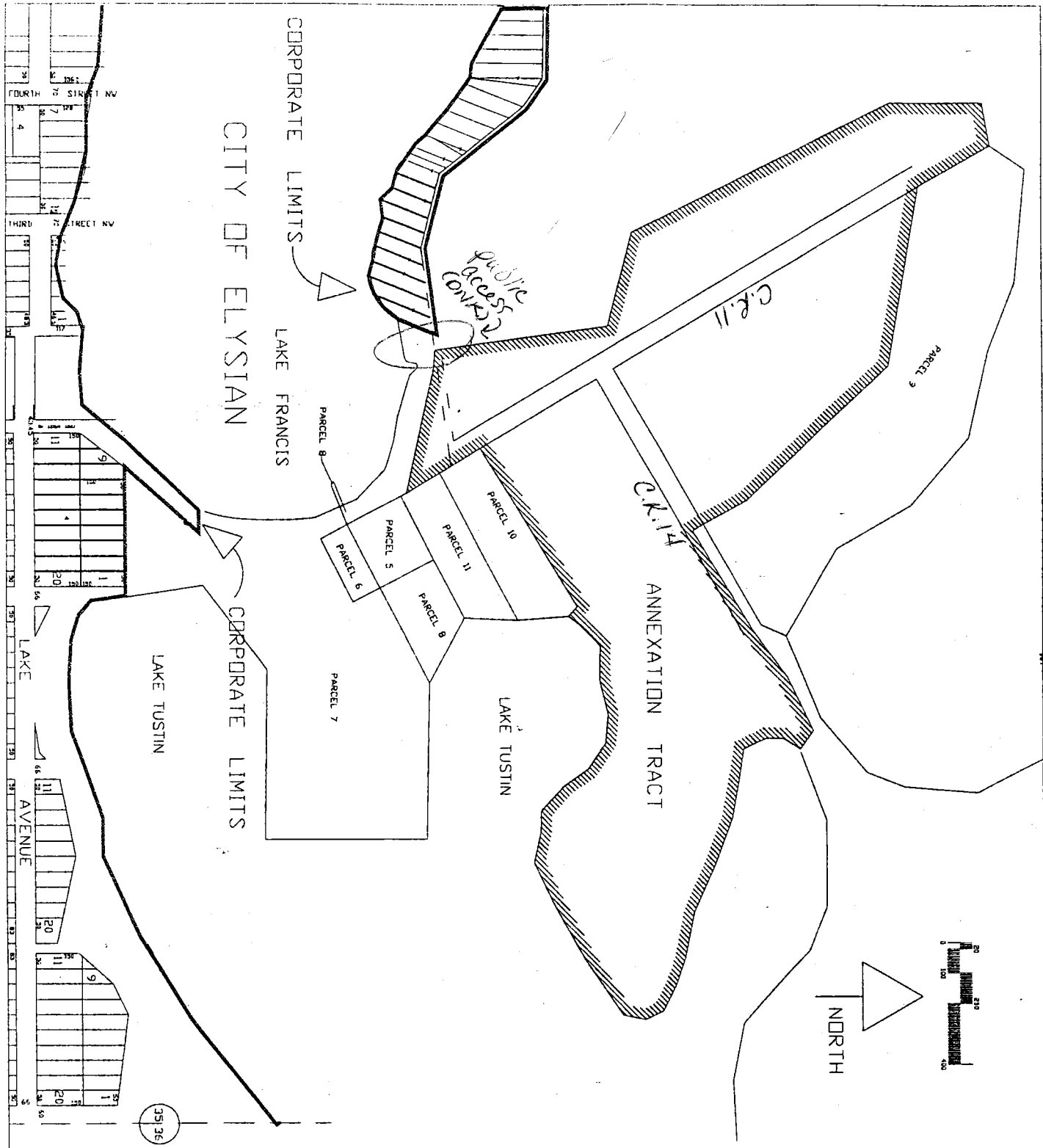
Parcel No. 11

Commencing at the Northeast corner of Lot Twenty-three (23) of Root's Beach Subdivision in Government Lot Six (6), Section Thirty-five (35), Township One Hundred Nine (109) North, Range Twenty-four (24) West, LeSueur County, Minnesota, thence South $84^{\circ}13'$ East 66.55 feet, thence South $77^{\circ}55'$ East 410.45 feet, thence South $28^{\circ}11'$ East along the centerline of State Aid Highway No. 11 a distance of 21.28 feet to place of beginning; thence North $28^{\circ}11'$ West along the center of said highway 21.28 feet, thence North $31^{\circ}11'$ West along the center of said highway 128.72 feet, thence North $61^{\circ}44'$ East 543.00 feet more or less to the waters edge of Lake Tustin, thence southwesterly along the waters edge of said lake to a point bearing North $61^{\circ}49'$ East of place of beginning, thence South $61^{\circ}49'$ West 449.00 feet more or less to place of beginning, being 1.71 acres more or less of Government Lot No. Five (5) of said Section No. Thirty-five (35);

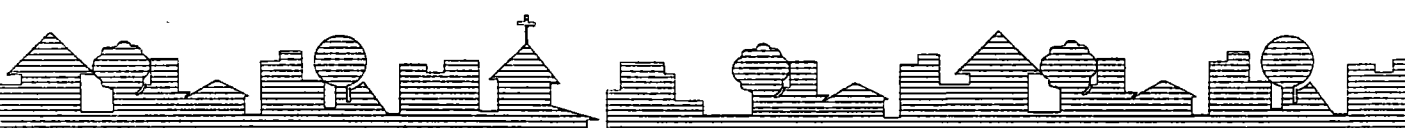
Parcel No. 12

All that part of Government Lot No. Six (6), Section No. Thirty-five (35), Township One Hundred Nine (109) North, Range Twenty-four (24) West, LeSueur County, Minnesota, described as follows: Commencing at a point on the North right-of-way line of County State Aid Highway No. 11 and the Southerly extension of the West line of Lot No. Eleven (11) of platted Franklin Sub-division, said plat recorded in the Office of the LeSueur County Recorder, thence Northwesterly on a $05^{\circ}15'$ curve, angle $44^{\circ}00'$, on the North right-of-way line to Engineer's Sta. 53+31.16, thence continuing on said North right-of-way line to the West line of Government Lot No. Six (6), thence North on said West line of Government Lot No. Six (6) to the waters edge of Ray's Lake, thence Easterly along the waters edge of Ray's Lake to a Northerly extension of the West line of Lot No. Eleven (11) of Franklin sub-division, thence Southerly on said West line of Lot No. Eleven (11) to place of beginning, containing 0.55 acre, more or less,

REC'D BY
M.M.A. JUN 03 1996



RECORDED BY JUN 13 1996
M.M.R.



CHUCK PENNIPICE

and Associates
 CPDA Community Planning and Development Associates
 329 North Broad Street, Suite 101, Mankato, MN 56001
 Phone 507/625-6076 Fax 507/625-4731

This drawing was prepared to meet a specific purpose. The provider offers no guarantees, warranties, or representation as to the accuracy, suitability, or reliability of this information for any other purpose.

MARK LEIFERMAN
 320 JAMAICA DR.
 MANKATO, MN 56001

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Lebanon not to scale per

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RECEIVED BY JUN 03 1996
M.M.B.

