

Council Member Richard Johnson introduced the following ordinance and moved for its adoption:

ORDINANCE NO. 11.02

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF KILKENNY, MINNESOTA, TO INCLUDE CERTAIN LAND OWNED BY MICHAEL D. JOSWIAK AND ABUTTING THE CITY OF KILKENNY

WHEREAS, Michael D. Joswiak, a single person, has filed a petition dated May 21, 1997, requesting that certain land as legally described below:

All that part of the South One Half of the Southeast Quarter of Section 22, Township 110, Range 23, Le Sueur County, Minnesota, described as follows: Beginning at a point on the East line of Block 2, "Kilkenny Proper" as is shown on the corrected plat of Kilkenny on file in the office of the Register of Deeds of Le Sueur County, Minnesota, said point being 80.00 feet South of the Northeast corner of said Block 2, thence East 174.00 feet; thence South 321.70 feet to the centerline of State Aid Road No. 2; thence North 66 degrees 12 minutes West along the centerline of said Road 190.16 feet to the East line of said Block 2; thence North on said East line 244.96 feet to the place of beginning.

Together with an easement for driveway purposes over and across a strip of land 24 feet in width the centerline of said easement is described as follows: Commencing at the Northeast corner of Block 2, "Kilkenny Proper" as is shown on the corrected Plat of Kilkenny, Le Sueur County, Minnesota, thence South 80 feet; thence East 174 feet; thence South 261.70 feet to the point of beginning of the centerline to be described; thence 66 degrees 12 minutes East 230 feet; thence South 60 feet to the centerline of State Aid Road No. 2 and said centerline there terminating

to be annexed to the City of Kilkenny, and

WHEREAS, Michael D. Joswiak, a single person, represents that he is the sole owner of this property, that the property is unincorporated, abuts the limits of the City of Kilkenny, is not included within any other municipality, and is not included in any area that has already been designated for orderly annexation pursuant to Minnesota Statutes 414.0325, will use this site for residential purposes, will need city services, and is approximately 1.13 acres in size, and

WHEREAS, such described land is now or about to become urban or suburban in character and that the same is residential property and in need of municipal sewer and water services, and

WHEREAS, a public hearing regarding the matter was held on August 4, 1997, at 7:30 P.M. in the Kilkenny City Hall, per Minnesota Statutes 414.033, Subdivision (2)(2b).

NOW, THEREFORE, the City Council of Kilkenny, Minnesota, does hereby ordain:

Section 1: The City Council determines and finds that the property abuts the municipality, that the area to be annexed is 60 acres or less, that the property is not included in any area that has already been designated for orderly annexation pursuant to Minnesota Statutes 414.0325, that the municipality has received a properly prepared petition for annexation from the owner of the property, and that the petition complies with all other provisions of Minnesota Statutes 414.033.

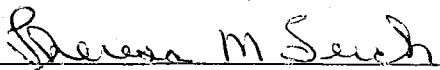
Section 2: The property is urban in nature or about to become so and will be used by Michael D. Joswiak, a single person, for residential purposes and will need city services.

Section 3: The corporate limits of the City of Kilkenny are hereby extended to include the property and the same is hereby annexed to and included within the City of Kilkenny as if the property had originally been part thereof.

Section 4: The City Clerk is directed to file certified copies of this ordinance with the Minnesota Municipal Board, Kilkenny Township, the Le Sueur County Auditor and the Minnesota Secretary of State.

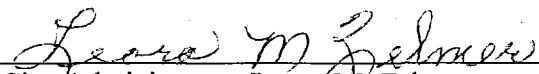
Section 5: This ordinance takes effect upon its passage and publication and the filing of the certified copies as directed in Section 4 and approval of the ordinance by the Minnesota Municipal Board.

Adopted this 4th day of August, 1997.



Mayor-Theresa M. Ferch

ATTEST:



City Administrator-Leora M. Zelmer

Council Member James Balfe seconded the foregoing ordinance and the following voted in favor thereof: Theresa M. Ferch, Richard Johnson, James Balfe and Mark Pittman and the following voted against same: Robert Scheurer absent

whereby the ordinance was declared duly passed and ordained.

This is a true and correct copy of City of Kilkenny Ordinance No. 11.02 as attested to by City Clerk Leora M. Zelmer.

Leora M. Zelmer
Leora M. Zelmer

REC'D. BY
MAB AUG 27 1997

