

ORDINANCE NO. 202, THIRD SERIES

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF LUVERNE TO INCLUDE CERTAIN LAND OWNED BY LINDA KATHERIN HOHN AND DENNY HOHN, DOING BUSINESS AS HOHN IMPLEMENT, AND ABUTTING THE CITY OF LUVERNE

WHEREAS, Linda Katherin Hohn and Denny Hohn, doing business as Hohn Implement, has filed a Petition dated June 27, 1997, requesting the annexation to the City of Luverne of that certain real estate located within the County of Rock, State of Minnesota, described as follows:

A tract of land commencing at the East One-Quarter corner (E.¼ corner) of Section Fifteen (15), Township One Hundred Two (102) North of Range Forty-five (45) West of the 5th Principal Meridian; thence South 0 00'01" west along the East line of said Section 15 for a distance of eight hundred sixty-eight and forty-hundredths (868.40) feet to the point of beginning; thence south 0 00'01" west along the east line of said Section 15 for a distance of five hundred eighty and seventy-nine hundredths (580.79) feet; thence south 89 44'33" west for a distance of seven hundred fifty and one hundredths (750.01) feet; thence north 0 00'01" east for a distance of five hundred eighty and seventy-nine hundredths (580.79) feet; thence north 89 44'33" east for a distance of seven hundred fifty and one hundredths (750.01) feet to the point of beginning, except that part of the NE ¼ of the SE ¼ of Section 15, Township 102 North, Range 45 West, shown as Parcel 239 on Minnesota Department of Transportation Right of Way Plat Numbered 67-1,

-and-

WHEREAS, Linda Katherin Hohn and Denny Hohn, doing business as Hohn Implement, represents that they are the only owners of the property, that the population of the property area is zero, and that the property is unincorporated, abuts on the southerly boundary of the City of Luverne, is not included in any boundary adjustment proceeding pending before the Minnesota Municipal Board, has a property area of 9.27 acres, is not presently served by public sewer facilities or public sewer facilities are not otherwise available, and is or is about to become urban or suburban in character.

WHEREAS, said property is currently served by the municipality's electric utility service and the property owners have waived their right to receive notice pursuant to M.S. 414.033, Subd. 13, regarding an estimate of the cost impact of any change in electric utility services, including rate changes and assessments, resulting from the annexation.

NOW, THEREFORE, THE CITY COUNCIL OF LUVERNE, MINNESOTA, DOES HEREBY ORDAIN:

Section 1. The City Council hereby determines and finds that the property abuts the municipality, that the area to be annexed is sixty (60) acres or less, that the area to be annexed is not presently served by public sewer facilities or public sewer facilities are not otherwise available, that the municipality has received a properly prepared Petition for Annexation from all of the owners of the property, that the area is appropriate for annexation by ordinance under M.S. 414.033, Subd. 2, clause (3), and that the Petition complies with all the provisions of Minnesota Statute 414.033.

Sec. 2. The property is urban or suburban in nature or about to become so.

Sec. 3. The property is currently served by the municipality's electric utility service and the property owners have waived their right to receive notice pursuant to M.S. 414.033, Subd. 13, regarding an estimate of the cost impact of any change in electric utility services, including rate changes and assessments, resulting from the annexation.

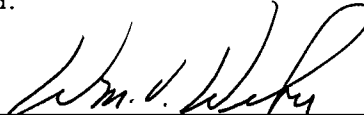
Sec. 4. Pursuant to law, a public hearing was scheduled, with proper notification given, and held on Monday, August 11, 1997, prior to Council consideration of this ordinance for annexation.

Sec. 5. The corporate limits of the City of Luverne are hereby extended to include property and the same is hereby annexed to and included within the City of Luverne as if the property had originally been part thereof.

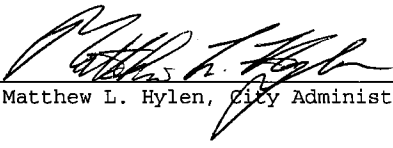
Sec. 6. That for purposes of zoning and in particular Luverne City Code, Chapter 11, and notwithstanding any provisions to the contrary contained therein, the property annexed by this ordinance shall be zoned as "B-2, Highway Service Business District."

Sec. 7. The City Clerk is directed to file certified copies of this ordinance with the Minnesota Municipal Board, Luverne Township, the Rock County Auditor-Treasurer, and the Minnesota Secretary of State.

Sec. 8. This ordinance takes effect upon its passage and publication and filing of the certified copies as directed in Section 7 and approval of the ordinance by the Minnesota Municipal Board.



William V. Weber, Mayor

ATTEST: 

Matthew L. Hylen, City Administrator

Public Hearing: August 11, 1997
Introduced: August 11, 1997
Passed: August 11, 1997
Published: August 14, 1997
Effective: _____
Municipal Board Passage: _____

Dept. of
Transportation

Hardee's

REC'D. BY
MMB AUG 18 1997

505

INTERSTATE 90

868.4
18.4

MAGNOLIA
STEAKHOUSE
VIKING INN

B-2

LINESAND

R-A

R-A

EL JIM
RI BOB

VEGER

BLANFORD

DE WELDT

1735.27

544.42

HOHN PROPERTY



B-2

JASCHOW

2639.97

1771.57

SCHWIN

B-2

R-2 RENKEN
TRAILER COURT

50

DEUTSCH

904.7

AREA TO BE
ANNEXED

ZONING

R-A Residential
Agriculture

R-2 Multiple Family
Residences

B-2 Highway Service

VET CLINIC

DEUTSCH

SCHMIDT

1622.90

Exhibit "A"