

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  
AMENDING ORDINANCE NO. 202, THIRD SERIES, IN ITS ENTIRETY

WHEREAS, Linda Katherin Hohn and Denny Hohn, doing business as Hohn Implement, have filed an Amended Petition dated July 20, 1998, which amends the Petition which the petitioners previously executed on 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; and

WHEREAS, the purpose of the Amended Petition is to correct the legal description to the area proposed for annexation and to thereby amend the legal description of annexation Ordinance No. 202, Third Series, of that certain real estate located within the County of Rock, State of Minnesota, herein correctly 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 the East fifty (E.50) feet thereof,

-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.

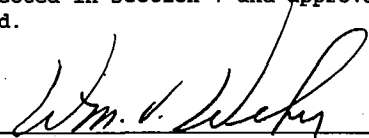
Sec. 4. Pursuant to law, a public hearing was scheduled, with proper notification given, and held on Monday, August 24, 1998, prior to Council consideration of this ordinance, which ordinance amends Ordinance No. 202, Third Series, for annexation.

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.

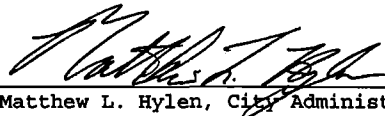
Sec. 6. That for purposes of zoning and in particular Luverne City Code, Chapter 11, and notwithstanding any provisions to the contrary contained therein, the property annexed by this ordinance shall be zoned as "B-2, Highway Service Business District."

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 24, 1998

Introduced: August 24, 1998

Passed: August 24, 1998

Published: August 27, 1998

Effective: September 3, 1998

Municipal Board Passage:

Dept. of  
Transportation

Hardee's

REC'D. BY  
MMB **AUG 27 1998**

505

INTERSTATE 90

MAGNOLIA  
STEAKHOUSE

VIKING INN

B-2

LIPESAND

R-A

068.4  
18.4

EL JIM  
RE 208

R-A

WEBER

BLANFORD

544.42

HOHN PROPERTY

B-2

JACOBOW

1735.27

2639.97

1771.57

SCHULTZ

B-2

R-2 RENKEN  
TRATZER 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"