

**ORDINANCE NO. 50⁵¹
EXTENDING THE CORPORATE LIMITS
OF THE CITY OF ELGIN
TO INCLUDE CERTAIN UNINCORPORATED LAND
ABUTTING THE CITY OF ELGIN**

WHEREAS, Minnesota Statute §414.033 allows a city to annex land into the city limits by ordinance when: a) the land abuts the municipality, b) the land area is less than 60 acres, c) the city receives a petition for annexation from all property owners of the land, and d) the area to be annexed is not presently served by public sewer facilities, and

WHEREAS, the City of Elgin has received petitions dated May 20, 1997, and June 23, 1997 from Fred Ohm, Jr. and Irene E. Ohm, Lucille R. Sell, and David W. Hoenk and Glenda M. Hoenk, being all of the owners of the property described on Exhibit A hereto, no part of which is now included in the city limits of the City of Elgin, and

WHEREAS, the petitioner's lands taken together abut the City, and

WHEREAS, the land is 59.4 acres in area, and

WHEREAS, the property to be annexed is not presently served by public sewer facilities, and

WHEREAS, the City believes the land is about to become urban or suburban in character, because the area in which the property is located is between the City of Elgin on the north, which includes single-family housing, and Woodland Estates Subdivision, a residential single-family housing addition on the south, and the property to be annexed will be used for construction of new single-family homes in a residential subdivision to be developed by petitioners, and

WHEREAS, a public hearing was held on August 11, 1997 pursuant to Minnesota Statute §414.033, Subd. 2(b), and 30 days' written notice was given by certified mail to Elgin Township

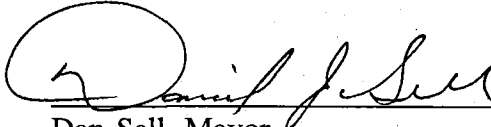
and to all landowners within and contiguous to the area to be annexed, and

WHEREAS, the City feels that annexation of the property by ordinance is in the best interests of the citizens of the City of Elgin;


NOW THEREFORE, IT IS ORDAINED BY THE CITY OF ELGIN, MINNESOTA
AS FOLLOWS:

1. The land described on Exhibit A hereto is declared annexed to the City of Elgin, and the corporate limits of the City of Elgin are hereby extended to include said land.
2. A certified copy of this ordinance shall be immediately forwarded by the City Attorney to the Wabasha County Auditor and to the State Municipal Board, together with appropriate filing fees. A certified copy shall also be forwarded to the Elgin Township Clerk, Secretary of State, and the petitioners.
3. This ordinance shall take effect upon the latest of date of passage, approval by the State Municipal Board, and publication according to law.

Dated August 11, 1997



Dan Sell, Mayor



Alan Christensen, City Clerk

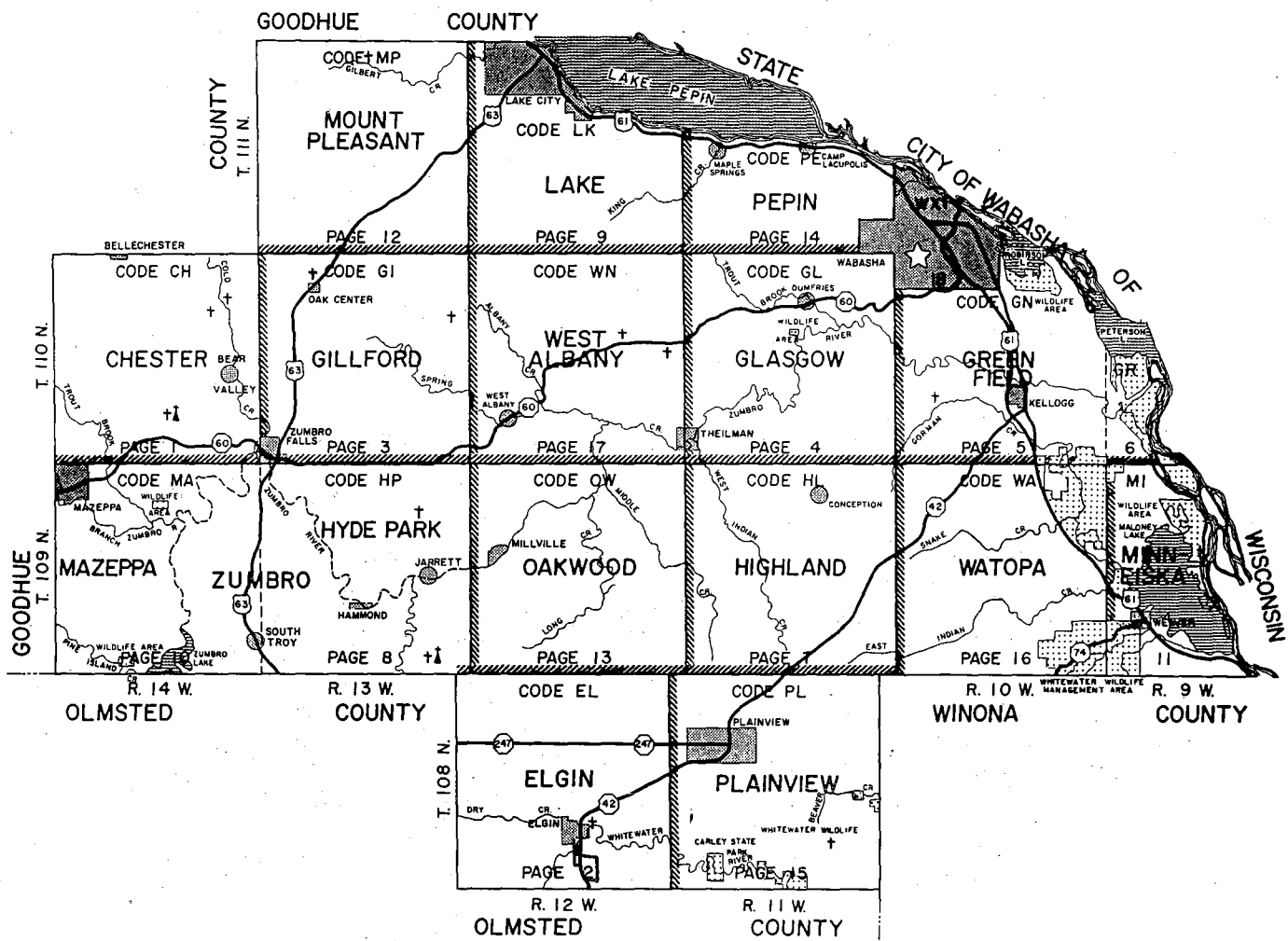
EXHIBIT A

State of Minnesota, County of Wabasha:

That part of the East Half of the Southwest Quarter ($E\frac{1}{2}SW\frac{1}{4}$) of Section 27, Township 108 North, Range 12 West, described as follows: Commencing at a point 660 feet South of the northeast corner, being the point of beginning; thence South to the South line of said quarter; thence West on the South line a distance of 75 feet, more or less, to the end of the highway right-of-way for Minnesota Trunk Highway 42; thence North to a point 660 feet South of the North quarter section line of the East Half of the Southwest Quarter ($E\frac{1}{2}SW\frac{1}{4}$) of Section 27; thence East 75 feet, more or less, to the point of beginning.

State of Minnesota, County of Wabasha: The West 33.25 acres of the East Half of the Northeast Quarter ($E\frac{1}{2}NE\frac{1}{4}$) of Section 34-108-12, EXCEPTING therefrom: Beginning at the northwest corner of the East Half of the Northeast Quarter ($E\frac{1}{2}NE\frac{1}{4}$) of Section 34, thence South 42 rods, thence East 20 rods, thence North 42 rods, thence West 20 rods to the place of beginning.

State of Minnesota, County of Wabasha: The North 28 acres of the West Half of the Northeast Quarter ($W\frac{1}{2}NE\frac{1}{4}$) of Section 34-108-12, EXCEPTING therefrom the South 317 feet of the North 350 feet of the West 65 feet thereof.



Property to be Annexed



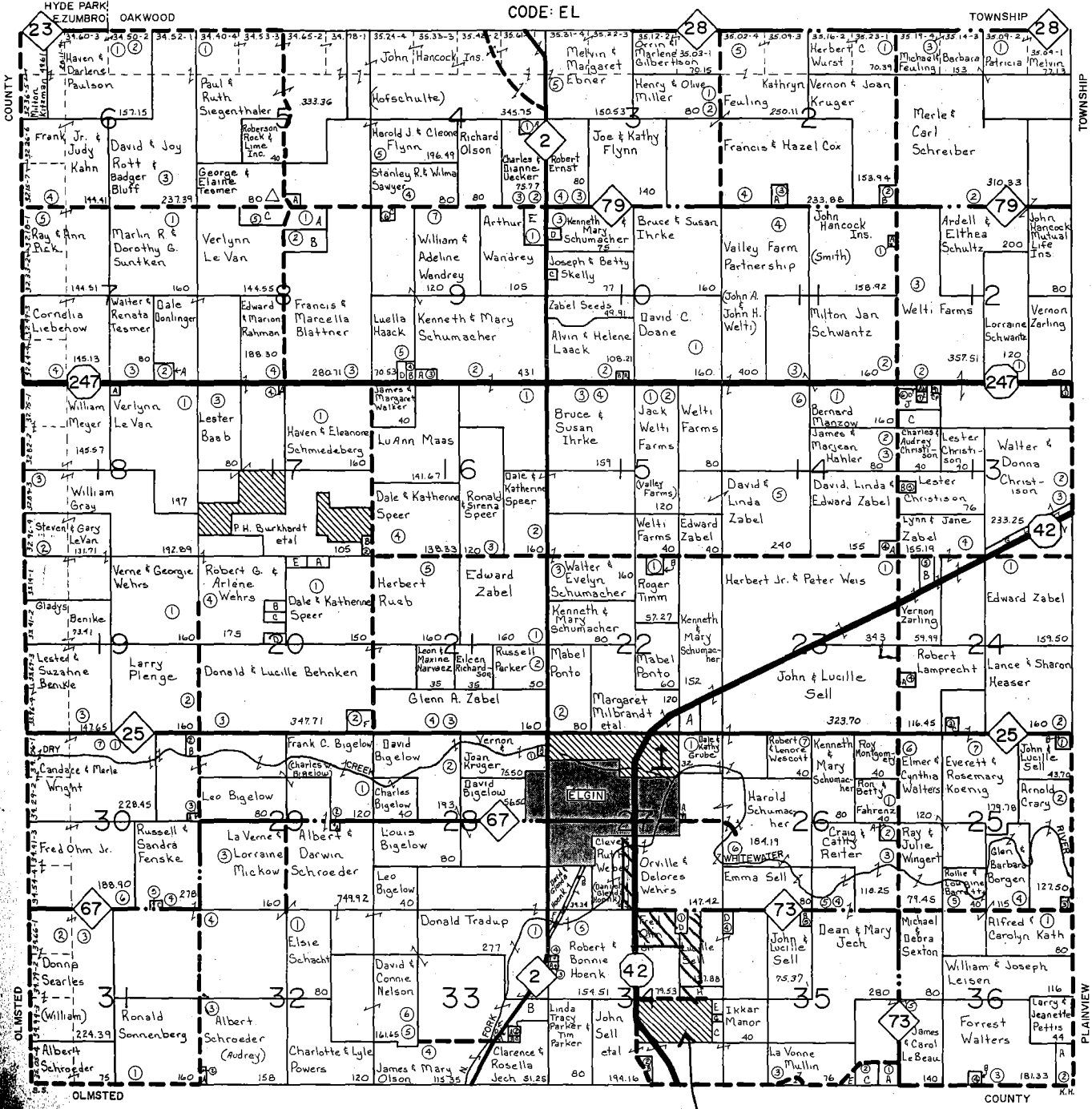
MAP OF ELGIN

REC'D. BY
M.A.B. AUG 27 1997



TOWNSHIP: 108 N.

RANGE: 12 W.



SEE SMALL TRACT OWNERS FOLLOWING TOWNSHIP MAPS

Property to be Annexed

Woodland Estates
Residential
Subdivision

