

**IN THE MATTER OF THE PETITION BY
GLENN R. BURMEISTER, WALTER DEUTSCH AND BETTY DEUTSCH
FOR ANNEXATION PURSUANT TO
MINNESOTA STATUTES 414.033, SUBD. 5**

TO: Council of the City of Luverne, Minnesota

and

Minnesota Planning
Municipal Boundary Adjustments
Suite 225 Bandana Square
1021 Bandana Blvd. Estate
St. Paul, MN 55108-5113

PETITIONERS DO HEREBY RESPECTFULLY STATE AND ALLEGE AS FOLLOWS:

It is hereby requested by the property owner of the area proposed for annexation to annex certain property described herein lying and being in the Township of Luverne, County of Rock, Minnesota.

The area proposed for annexation is described as follows:

Commencing at the southwest corner of Section Fourteen (Sec. 14), Township One Hundred-two North (T102N), Range Forty-five West (R45W) of the Fifth Principal Meridian (5th P.M.), Rock County, Minnesota; thence due north on the west line of said Sec. 14, three hundred nineteen feet (319.0') to the point of beginning. Thence North 87°51' East, two hundred eighteen and eight/tenths feet (218.8'); thence North 62°40' East, four hundred thirty and six/tenths feet (430.6'); thence North 0°03' West, three hundred seventy-one and three/tenths feet (371.3'); thence North 89°08' West, six hundred one feet (601.0') to the west line of said Sec. 14; thence due south, five hundred eighty-five and seven/tenths feet (585.7') to the point of beginning.

The above described tract contains seven and seven/hundredths acres (7.07 A.) The bearing of the west line of said Sec. 14 is assumed to be due north.

AND

Commencing at the southwest corner of Section Fourteen (Sec. 14), Township One

Exhibit "A"

Hundred-two North (T102N), Range Forty-five West (R45W) of the Fifth Principal Meridian (5th P.M.), Rock County, Minnesota; thence due North on the west line of said Sec. 14, three hundred nineteen feet (319.0'); thence North 87°51' East, two hundred eighteen and eight/tenths feet (218.8'); thence North 62°46' East, four hundred thirty and six/tenths feet (430.6'), to the point of beginning. Thence North 0°03' West, three hundred seventy-one and three/tenths feet (371.3'); thence south 89°08' East, one hundred sixty-nine and seven/tenths feet (169.7') to the centerline of former Chicago, Saint Paul, Minneapolis and Omaha Railroad right-of-way; thence South 6°26' East, along said right-of-way centerline, three hundred fifty feet (350.0'); thence South 84°16' West, two hundred nine and six/tenths feet (209.6') to the point of beginning, containing one and fifty-seven/hundredths acres (1.57A.) The bearing of the west line of Sec. 14 is assumed Due North.

EXCEPT

That part of the Southwest Quarter of Section 14, Township 102 North, Range 45 West of the Fifth Principal Meridian, Rock County, Minnesota, described as follows:

Commencing at the Southwest Corner of Section 14; thence North 00 degrees 00 minutes 00 seconds East (assumed bearing) along the West line of the Southwest Quarter of said Section 14, a distance of 319.00 feet to the point of beginning; thence North 87 degrees 51 minutes 00 seconds East a distance of 218.80 feet to a 4"x4" wood post; thence North 62 degrees 46 minutes 00 seconds East as distance of 83.36 feet to an iron stake; thence South 87 degrees 12 minutes 32 seconds West a distance of 68.20 feet to an iron stake; thence South 90 degrees 00 minutes 00 seconds West a distance of 150.00 feet to an iron stake; thence continuing South 90 degrees 00 minutes 00 seconds West a distance of 74.64 feet to said West line; thence South 00 degrees 00 minutes 00 seconds West along said West line a distance of 43.03 feet to said point of beginning.

Said tract is subject to easements of record, if any.


1. There is one property owner of the area proposed for annexation.
2. The property owner has signed this petition.
3. The population of the annexation area is zero.

4. Said property is unincorporated, abuts on the City's Southerly boundary, and is not included within any other municipality and is not included in any boundary adjustment proceeding pending before the Minnesota Municipal Board.
5. Said property is not presently served by public sewer facilities or public sewer facilities are not otherwise available.
6. The area of land to be annexed, in acres, is:

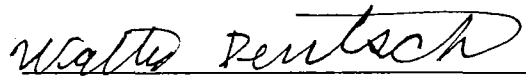
Platted	-0-	Unplatted	8.3	Total	8.3
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7. All of the annexation area is or is about to become urban or suburban in character.
8. Said property is currently served by the municipality's electric utility service and the property owner hereby waives its right to receive notice pursuant to Minnesota Statute 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.
9. The reason for the requested annexation is to provide the property with public sewer facilities which are presently not otherwise available.
10. That it is appropriate the property be zoned as B-2, Highway Service.

PETITIONERS' REQUEST: That pursuant to M.S. 414.033, Subd. 5, the property described herein to be annexed to and included within the City of Luverne, Minnesota.

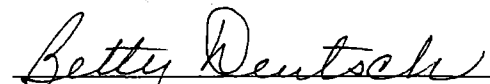
Dated: September 20, 1999.



Glenn R. Burmeister



Walter Deutsch



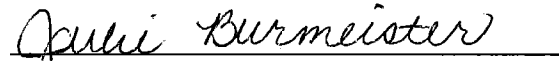
Betty Deutsch

REC'D. BY OCT 28 1999
MMS

CONSENT TO ANNEXATION PETITION

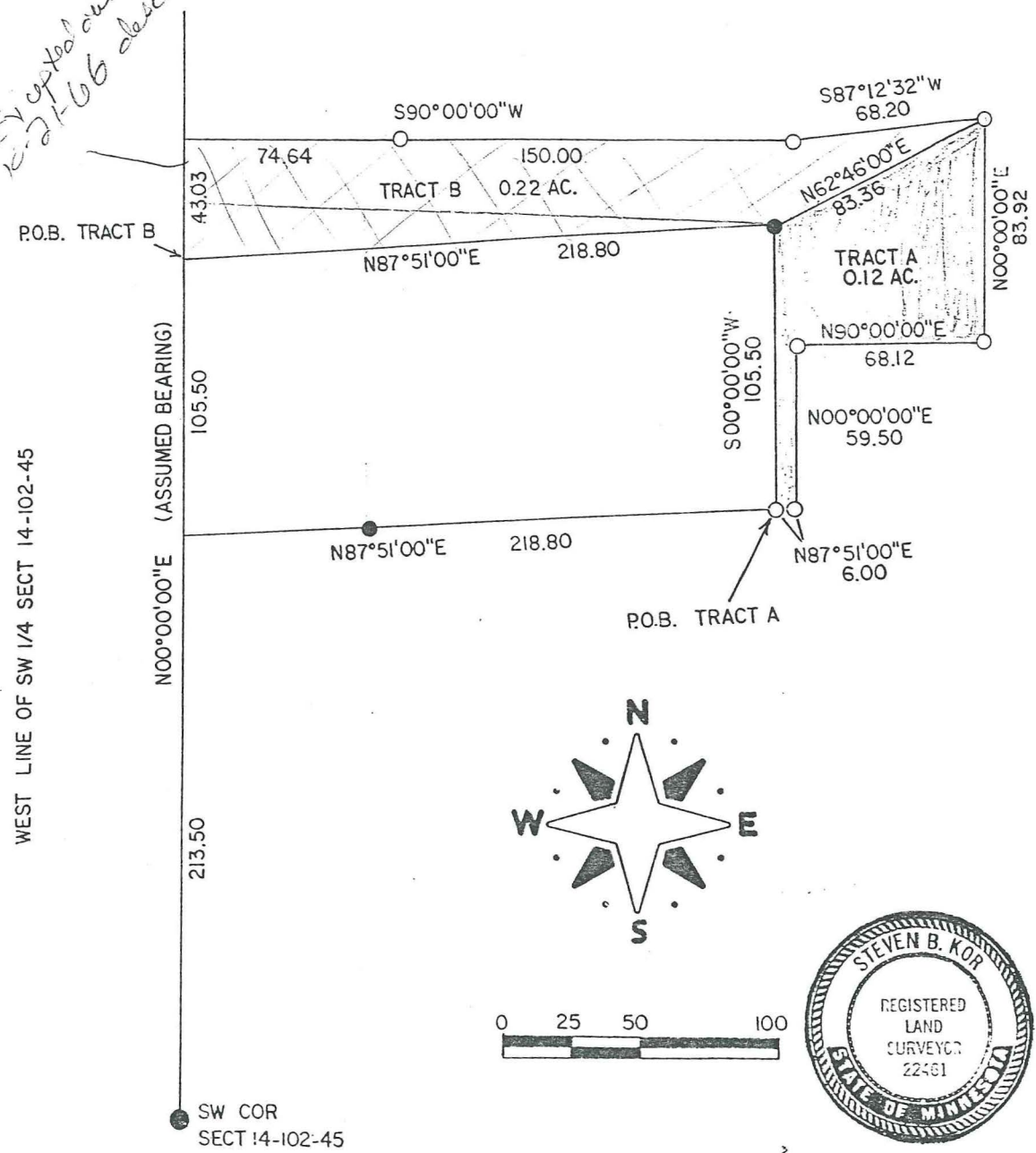
The undersigned, Julie Burmeister, being the wife of Glenn R. Burmeister, one of the Petitioners in that certain Petition for Annexation of certain property to the City of Luverne dated September 20, 1999 and currently before the Minnesota Planning Municipal Boundary Adjustments and identified as MBA Docket No. A-6168, does hereby state and acknowledge that she does hereby consent to the Petition. Further, that this Consent shall have the full effect and force as if the undersigned had signed the Petition.

Dated October 25, 1999.


Julie Burmeister

REC'D. BY OCT 28 1999
M.A.B.

*By opt'd out of
12-21-66 description*



DESCRIPTIONS

TRACT A

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 102 NORTH, RANGE 14 WEST OF THE FIFTH PRINCIPAL MERIDIAN, ROCK COUNTY, MINNESOTA. DESCRIBED FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 14; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST (ASSUMED BEARING) ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 14, A DISTANCE OF 213.50 FEET; THENCE NORTH 87 DEGREES 51 MINUTES 00 SECONDS EAST A DISTANCE OF 218.80 FEET TO THE POINT OF BEGINNING CONTINUING NORTH 87 DEGREES 51 MINUTES 00 SECONDS EAST A DISTANCE OF 6.00 FEET TO AN IRON STAKE; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST A DISTANCE OF 68.12 FEET TO AN IRON STAKE; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST A DISTANCE OF 83.92 FEET TO AN IRON STAKE; THENCE SOUTH 62 DEGREES 46 MINUTES 00 SECONDS WEST A DISTANCE OF 83.36 FEET TO A 4"x4" WOOD POST; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS WEST A DISTANCE OF 105.50 FEET TO SAID POINT OF BEGINNING.

SAID TRACT IS SUBJECT TO EASEMENTS OF RECORD, IF ANY.

TRACT B

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 102 NORTH, RANGE 14 WEST OF THE FIFTH PRINCIPAL MERIDIAN, ROCK COUNTY, MINNESOTA. DESCRIBED FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 14; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST (ASSUMED BEARING) ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 14, A DISTANCE OF 319.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 87 DEGREES 51 MINUTES 00 SECONDS EAST A DISTANCE OF 218.80 FEET TO A 4"x4" WOOD POST; THENCE NORTH 62 DEGREES 46 MINUTES 00 SECONDS EAST A DISTANCE OF 83.36 FEET TO AN IRON STAKE; THENCE SOUTH 87 DEGREES 12 MINUTES 32 SECONDS WEST A DISTANCE OF 68.20 FEET TO AN IRON STAKE; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST A DISTANCE OF 150.00 FEET TO AN IRON STAKE; THENCE CONTINUING NORTH 87 DEGREES 51 MINUTES 00 SECONDS WEST A DISTANCE OF 74.64 FEET TO SAID WEST LINE; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG SAID WEST LINE A DISTANCE OF 43.03 FEET TO SAID POINT OF BEGINNING.

SAID TRACT IS SUBJECT TO EASEMENTS OF RECORD, IF ANY.

LEGEND

MONUMENTS FOUND

MONUMENTS PLACED, 5/8" x 30" IRON STAKE

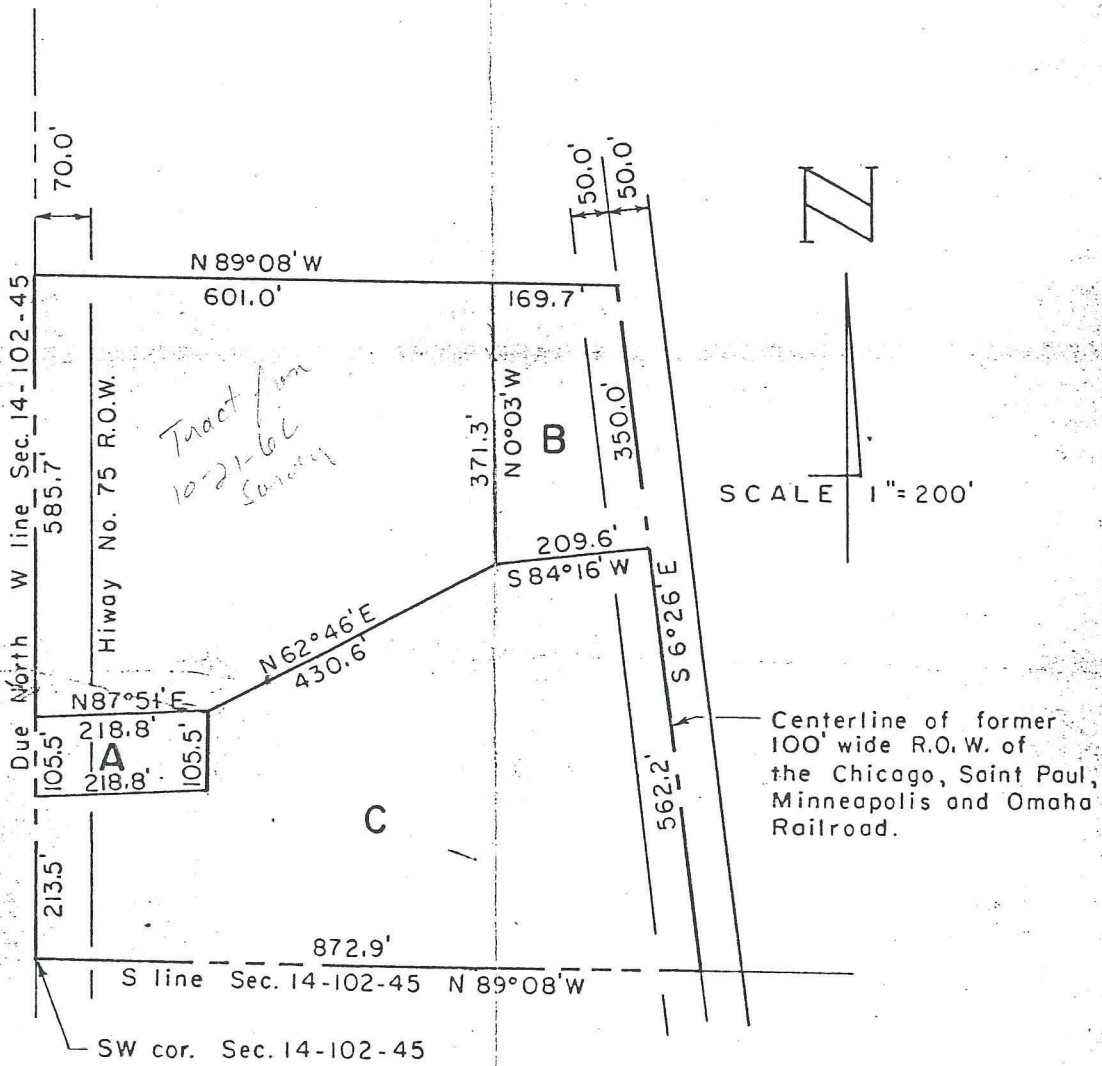
I HEREBY CERTIFY THAT THIS SURVEY WAS MADE BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

Steven B. Kor DATE



LAND PLAT IN SW 1/4 - SW 1/4 SECTION 14-102-45

REC'D BY OCT 28 1999
M.M.B.



Centerline of former
100' wide R.O.W. of
the Chicago, Saint Paul,
Minneapolis and Omaha
Railroad.

DESCRIPTION TRACT A:

"Commencing at the southwest corner of Section Fourteen One Hundred-two North (T102N), Range Forty-five West (R45W) Meridian (5th P.M.), Rock County, Minnesota; thence Due North said Sec. 14, two hundred thirteen and five/tenths feet (213.5'); thence North 87°51' East, two hundred eighteen (218.8'); thence Due North, one hundred five and five/tenths (105.5') to the point of beginning, containing fifty three and subject to easements if any. The bearing of the west line assumed Due North.

DESCRIPTION TRACT B:

"Commencing at the southwest corner of Section Fourteen One Hundred-two North (T102N), Range Forty-five West (R45W) Meridian (5th P.M.), Rock County, Minnesota; thence Due North said Sec. 14, three hundred nineteen feet (319.0'); thence North hundred eighteen and eight/tenths feet (218.8'); thence North hundred thirty and six/tenths feet (430.6'), to the point North 0°03' West, three hundred seventy-one and three/tenths (371.3') East, one hundred sixty-nine and seven/tenths centerline of former Chicago, Saint Paul, Minneapolis and way; thence South 6°26' East, along said right-of-way centerline fifty feet (350.0'); Thence South 84°16' West, two hundred (209.6') to the point of beginning, containing one and fifty (1.57 A.) The bearing of the west line of Sec. 14 is assumed Due North.

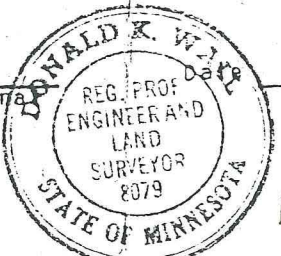
DESCRIPTION TRACT C:

"Commencing at the southwest corner of Section Fourteen One Hundred-two North (T102N), Range Forty-five West (R45W) Meridian (5th P.M.), Rock County, Minnesota; thence Due North said Sec. 14, two hundred thirteen and five/tenths feet (213.5'); thence North 87°51' East, two hundred eighteen and eight/tenths feet (218.8'); thence North hundred thirty and six/tenths feet (430.6'); thence North nine and six/tenths feet (209.6'), to the centerline of former Minneapolis and Omaha Railroad right-of-way; thence South right-of-way centerline, five hundred sixty two and two/tenths (562.2') south line of said Sec. 14; thence North 89°08' West, along hundred seventy two and nine/tenths feet (872.9'), to the point of beginning, containing seven and ninety seven hundredths acres (7.97 A.) The bearing of the west line of Sec. 14 is assumed Due North.

SURVEYOR'S CERTIFICATION:

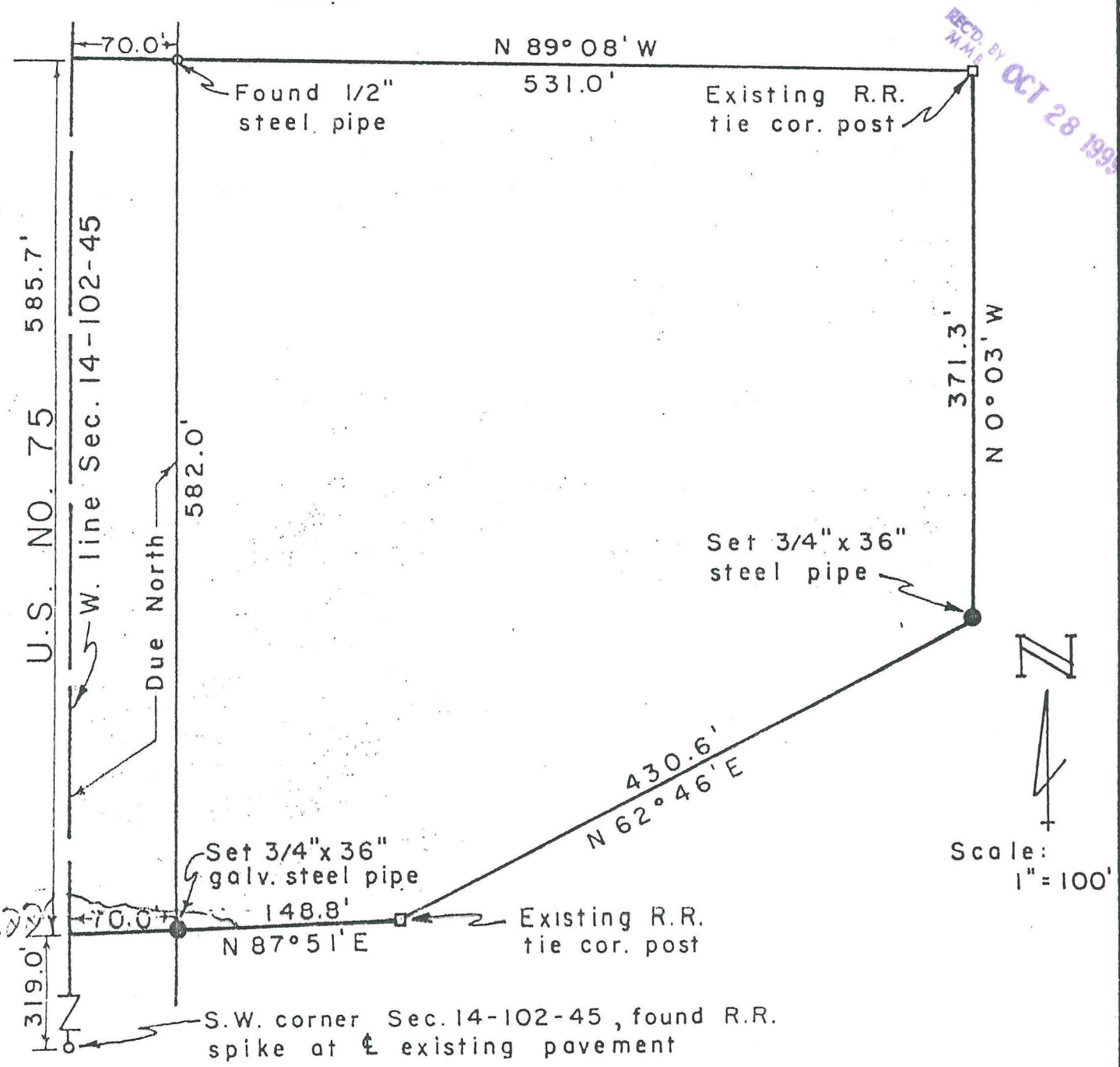
I hereby certify that the above plat and descriptions were made under my direct supervision and that I am a duly registered Land Surveyor in the State of Minnesota.

Donald K Wall
Donald K. Wall, Minnesota Professional
Engineer and Land Surveyor No. 3079



1-712-472-2531

LAND SURVEY, ROCK COUNTY, MINNESOTA



REC'D BY
M.M.R.
OCT 28 1995



Scale:
1" = 100'

DESCRIPTION:

"Commencing at the southwest corner of Section Fourteen (Sec. 14), Township One Hundred-two North (T102N), Range Forty-five West (R45W) of the Fifth Principal Meridian (5th P.M.), Rock County, Minnesota; thence due north on the west line of said Sec. 14, three hundred-nineteen feet (319.0') to the point of beginning. Thence North 87° 51' East, two hundred eighteen and eight/tenths feet (218.8'); thence North 62° 46' East, four hundred thirty and six/tenths feet (430.6'); thence North 0° 03' West, three hundred seventy-one and three/tenths feet (371.3'); thence North 89° 08' West, six hundred-one feet (601.0') to the west line of said Sec. 14; thence due south, five hundred eighty-five and seven/tenths feet (585.7') to the point of beginning.

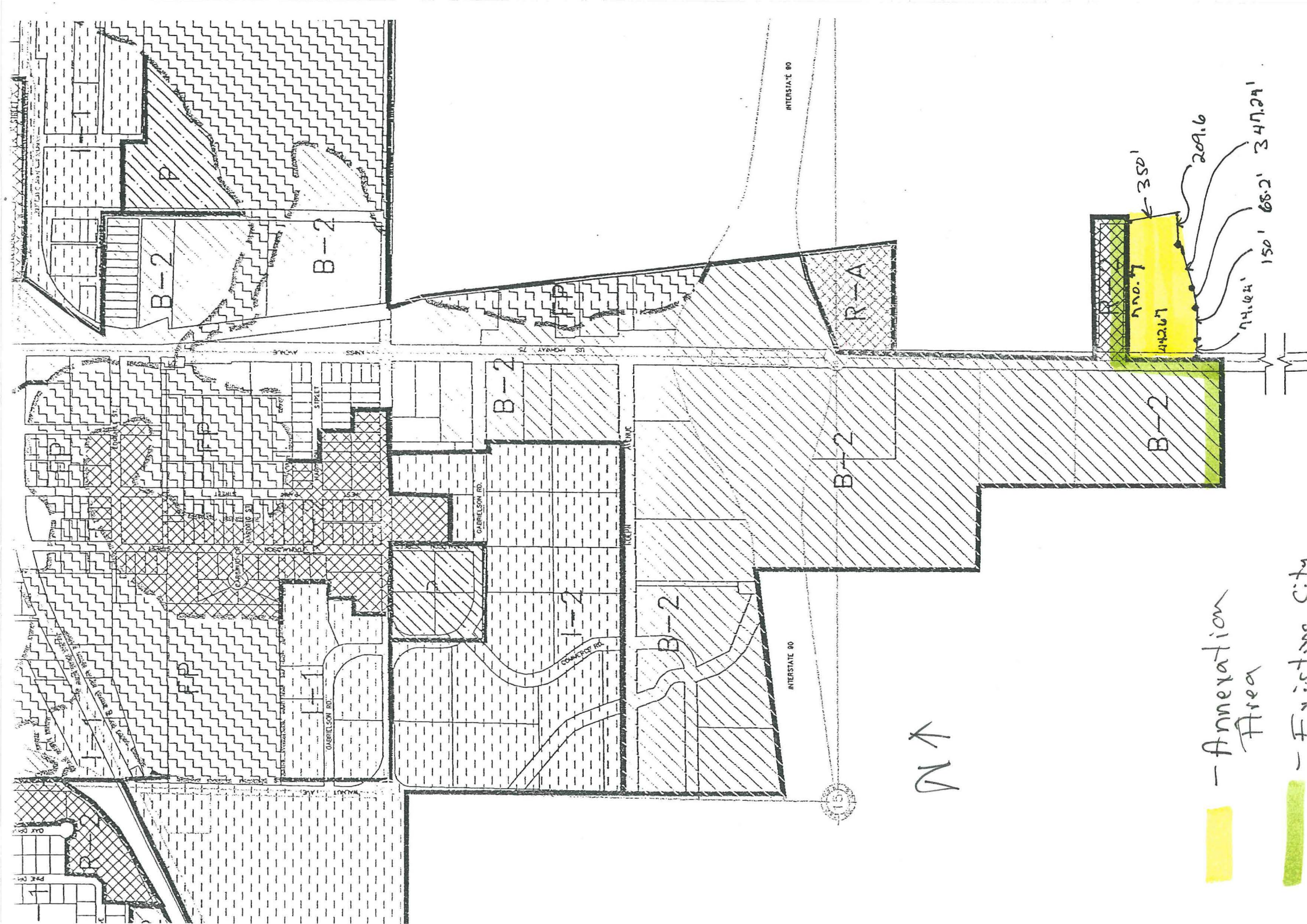
The above described tract contains seven and seven hundredths acres (7.07 A.) The bearing of the west line of said Sec. 14 is assumed to be due north!"

SURVEYOR'S CERTIFICATION:

I hereby certify that the above described property was surveyed under my direct supervision, that the plat as shown is a true and accurate representation of that survey and that I am a duly registered Land Surveyor under the laws of the State of Minnesota.



Donald K Wall



↑ N

- Annexion Area

- Existing City

