

ORDINANCE NO. 745

**AN ORDINANCE ANNEXING CERTAIN LANDS INTO THE CITY OF WASECA,
MINNESOTA AND ESTABLISHING ZONING THEREOF**

WHEREAS, the Robert J. Byron and Jeanette C. Byron, husband and wife, and Frank Byron and Marian F. Byron, husband and wife, are the owners of the property described in **Exhibit A** attached hereto and incorporated herein by this reference (the **Property**); and

WHEREAS, The Property is depicted in **Exhibit B** attached hereto and incorporated herein by this reference; and

WHEREAS, the property abuts the limits of the City of Waseca, that the Property is less than 60 acres, that the Property is not served by public sewer facilities and that public sewer services are not otherwise available, the above-described parties are the sole owners of the Property and have petitioned the improvements, that is not included within any other municipality, and that the electric services provided to the site will not change upon annexation; and

WHEREAS, the property owners have plans to sell the property and have petitioned the annexation based upon the understanding that if the majority of the property is not sold, they will be allowed to request detachment pursuant to Minnesota Statutes.

NOW, THEREFORE, THE CITY COUNCIL OF WASECA, MINNESOTA DOES HEREBY DETERMINE, FIND AND ORDAIN:

Section 1. That the Property abuts the City of Waseca.

Section 2. That the Property is less than 60 acres in size, that the property is not served by public sewer facilities and public sewer facilities are not otherwise available

Section 3. That the above –described parties are the sole owners and have petitioned the improvements.


Section 4. The corporate limits of the City of Waseca are extended to include the property.

Section 5. The property owners are only petitioning for annexation to facilitate the sale of the property, should the sale of the majority of the property not occur, the above-described owners would be allowed to petition for detachment pursuant to Minnesota Statutes.

Section 6. Certified copies of this ordinance shall be filed with the Minnesota Municipal Board, the Minnesota Secretary of State, the Waseca County Auditor, the Waseca County Recorder, and the Clerk of the St. Mary's Township Board.


Section 7. This ordinance shall be effective: upon passage and legal publication and the filing of the certified copies as described in Section 5; and, upon approval of the Ordinance by the Minnesota Municipal Board.

Adopted by the City Council of Waseca, Minnesota, this 18th day of April, 2000.



JOHN CLEMONS
MAYOR

ATTEST:



MARY BUENZOW
RECORDS SECRETARY

Introduction March 6, 2000
Adopted April 18, 2000
Published April 25, 2000
Effective May 5, 2000

EXHIBIT "A"— BYRON DESCRIPTION

REC'D. BY MAY 22 2000
M M B

DESCRIPTION - Schedule A-4-A

Commitment for Title Insurance issued by Commonwealth Land Title Insurance Company File No. 103381 bearing an effective date of January 3, 2000, at 8:00 A.M.

The East Four Hundred Fifty-eight and Forty-four Hundredths (458.44) feet of the South Half (S1/2) of the Southeast Quarter (SE1/4) of Section Twelve (12), Township One Hundred Seven (107) North, Range Twenty-three (23) West, Waseca County, Minnesota;

Except The Following Described Parcel:

Beginning at a point on the East line of the Southeast Quarter (SE1/4) of the Southeast Quarter (SE1/4), Section Twelve (12), Township One Hundred Seven (107) North, Range Twenty-three (23) West, which point is Forty-two and Five Tenths (42.5) feet North of the Southeast (SE) corner thereof, thence North One Hundred Seventy and Five Tenths (170.5) feet on the East line of said Quarter Quarter (1/4 1/4) section, thence West Two Hundred Sixty-five (265) feet on a line parallel with the South line of said Quarter Quarter (1/4 1/4) section; thence South One Hundred Seventy and Five Tenths (170.5) feet on a line parallel with the East line of said Quarter Quarter (1/4 1/4) section; thence East Two Hundred Sixty-five (265) feet on a line parallel with the South line of said Quarter Quarter (1/4 1/4) section to the point of beginning, being part of the Southeast Quarter (SE1/4) of the Southeast Quarter (SE1/4), Section Twelve (12), Township One Hundred Seven (107) North, Range Twenty-three (23) West, subject to highway easement on the East side thereof.

AND

The East Four Hundred Fifty-eight and Forty-four Hundredths (458.44) feet of the following described property:

Commencing at the Northeast (NE) corner of Section Thirteen (13), Township One Hundred Seven (107), Range Twenty-three (23); thence running South on the East line of said Section Thirteen (13) a distance of Six and Sixty-one hundredths (6.61) chains to the North line of right-of-way of the Winona & St. Peter Railroad Company; thence on North line of said right-of-way North Seventy-six Degrees (76) West Six and Seventy-one Hundredths (6.71) chains; thence on North line of said right of way North Seventy-two and Three-fourths Degrees (72 3/4) West Two and Seventy-three Hundredths (2.73) chains; thence on the North line of said right of way North Sixty-eight and Three Fourths Degrees (68 3/4) Three and Forty-six Hundredths (3.46) chains; thence on North line of said right of way North Sixty-five Degrees Fifty Minutes (65 - 50') West Seven and Nineteen Hundredths (7.19) chains to the North line of said Section Thirteen (13); thence East a distance of Eighteen and Eight-seven Hundredths (18.87) chains to the place of beginning

Excepting therefrom the premises upon which the State of Minnesota has acquired an easement for highway purposes;

And Except The Following Described Parcel:

Commencing at a point on the Southeast (SE) corner of Section Twelve (12), Township One Hundred Seven (107) North of Range Twenty-three (23) West; thence West one Hundred Fifty (150) feet; thence South One Hundred Ten (110) feet; thence East One Hundred Fifty (150) feet; thence North One Hundred Ten (110) feet to the place of beginning and being located in the Northeast Quarter (NE 1/4) of Section Thirteen (13), Township One Hundred Seven (107) North of Range Twenty-three (23) West and containing Two-thirds (2/3) acre more or less;

And Except The Following Described Parcel:

Commencing at a point on the East line of Section Thirteen (13), Township One Hundred Seven (107) North of Range Twenty-three (23) West, said point being Two Hundred Fifteen (215) feet South of the Northeast (NE) corner of said Section Thirteen (13); thence West a distance of One Hundred Fifty (150) feet; thence South parallel to the East line of said Section Thirteen (13) to the North right of way line of Minnesota Highway No. 14; thence Southeasterly along said North right of way line to the said East line of Section Thirteen (13), thence North to the point of beginning,

Subject to highway right of way easements.

REC'D. BY
MMB MAY 22 2000

EXHIBIT "B"

ANNEXATION AREA- BYRON PROPERTY

ST. MARY TOWNSHIP LINE
WOODVILLE TOWNSHIP LINE

VISTA VILLA
MOBILE HOME PARK

R-5

107-12

107-12



LOON LAKE

LOON LAKE

LAKE

HIGHWAY 14 (ELM AVENUE EAST)

120TH STREET (FUTURE 12TH STREET NW)

R-2

107-18

