

ORDINANCE NO. 2004-3

ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF SABIN TO INCLUDE CERTAIN UNINCORPORATED, UNPLATTED LAND NOT EXCEEDING SIXTY (60) ACRES IN AREA ABUTTING UPON THE CITY LIMITS AND OWNED BY THE CITY OF SABIN IN ACCORDANCE WITH MINN. STAT. §414.033, SUBD. 2(3).

WHEREAS, the City of Sabin has been approached by a developer who seeks to develop land abutting the City of Sabin on the west, and is situated outside the current limits of the City of Sabin; and

WHEREAS, the quantity of land embraced by the Deed is less than 60 acres of unplatted land, and no part of the land is included within the limits of an incorporated city, village or borough; and

WHEREAS, the property abuts the municipality and the area to be annexed is 60 acres or less and is not presently served by public sewer facilities and the municipality has received a petition for annexation from all the property owners of the land pursuant to *Minn. Stat.* §414.033, Subd. 2(3); and

WHEREAS, a public hearing was held on the proposed annexation on August 17, 2004; and

WHEREAS, the land petition to be annexed abuts the City of Sabin on the west boundary of the City limits of the City as indicated on the attached map marked as Exhibit A;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SABIN, pursuant to the authority granted by *Minn. Stat.* §414.033, Subd. 2(3), as follows:

Section 1. The City Council does hereby determine(1) that the annexation will be to the best interests of the City and of the territory affected; (2) that the territory

described herein abuts the city limits and is urban in character; and (3) that none of said territory is now included within the limits of any city, village or borough.

Section 2. TERRITORY ANNEXED. The corporate limits of the City are hereby extended to include the unplatted land described as follows, and the same is hereby annexed to and included within the City as effectively as if it had originally been a part thereof, said land being described as follows:

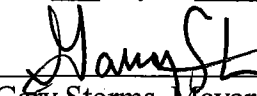
Tract #1 - Parcel No. 06.007.4300

Commencing at the South one-quarter corner of Section 7, Township 138 North, Range 47 West, thence North 00 degree 51 minutes 20 seconds East, an assumed bearing, along the west line of the Southeast Quarter of said Section 7, a distance of 530.00 feet to the point of beginning of the tract to be described; thence continuing North 00 degree 51 minutes 20 seconds East, along the west line of said Southeast Quarter, a distance of 895.39 feet, to the north line of Auditor's Outlot W of the City of Sabin, Clay County, Minnesota; thence North 89 degrees 22 minutes 04 seconds East, along the north line of said Auditor's Outlot W to the northerly extension of the west line of DIBLEY'S SECOND ADDITION to the City of Sabin, Clay County, Minnesota, a distance of 946.91 feet; thence South 00 degree 51 minutes 11 seconds West, along the west line of said DIBLEY'S SECOND ADDITION and along the west line of KOEHL'S FIRST ADDITION to the City of Sabin, Clay County, Minnesota, a distance of 894.45 feet; thence South 89 degrees 18 minutes 40 seconds West, a distance of 946.98 feet to the point of beginning. Containing 19.45 acres. Subject to all existing easements and rights of ways of record.

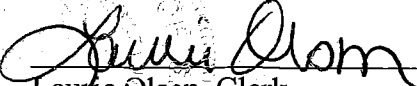
Section 3. FILING. The City Clerk is hereby directed to file certified copies of this Ordinance with the Department of Administration-Municipal Boundary Adjustments, 300 Centennial Office Building, 658 Cedar Street, St. Paul, MN 55155; the Secretary of State; Elmwood Township; the County Auditor and the County Recorder.

Section 4. EFFECTIVE DATE. This Ordinance takes effect upon its passage.

ADOPTED by the City Council of the City of Sabin this 9<sup>th</sup> day of November 2004.

  
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Gary Storms, Mayor

ATTEST:

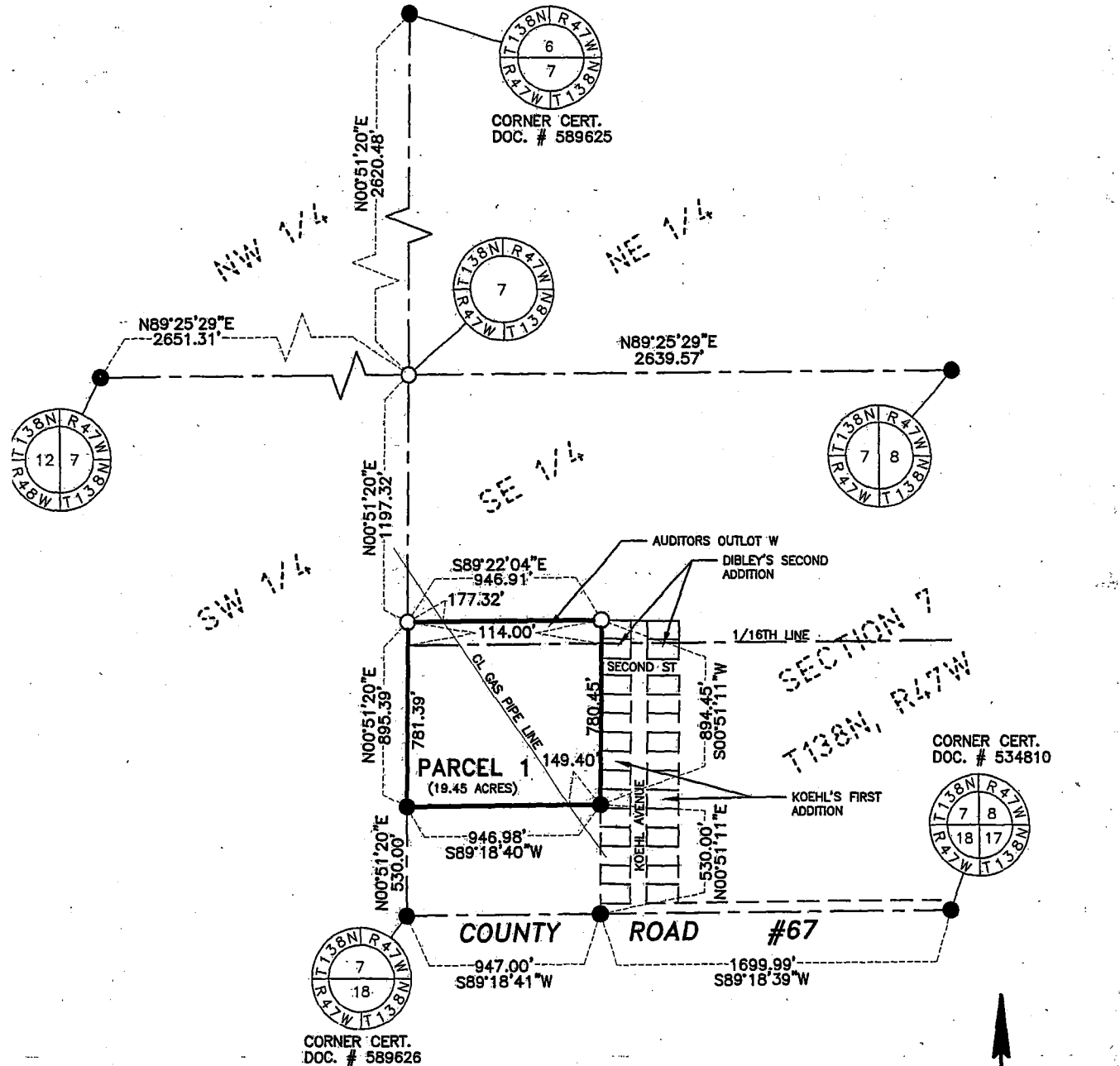
  
\_\_\_\_\_  
Laurie Olson, Clerk



# CERTIFICATE OF SURVEY

REC'D BY  
M.A.B.

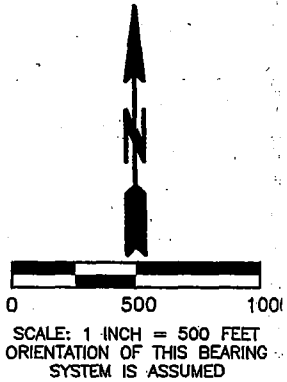
NOV 22 2004



## DESCRIPTION - PARCEL 1

Commencing at the South one-quarter corner of Section 7, Township 138 North, Range 47 West, thence North 00 degree 51 minutes 20 seconds East, an assumed bearing, along the west line of the Southeast Quarter of said Section 7, a distance of 530.00 feet to the point of beginning of the tract to be described; thence continuing North 00 degree 51 minutes 20 seconds East, along the west line of said Southeast Quarter, a distance of 895.39 feet, to the north line of Auditor's Outlot W of the City of Sabin, Clay County, Minnesota; thence North 89 degrees 22 minutes 04 seconds East, along the north line of said Auditor's Outlot W to the northerly extension of the west line of DIBLEY'S SECOND ADDITION to the City of Sabin, Clay County, Minnesota, a distance of 946.91 feet; thence South 00 degree 51 minutes 11 seconds West, along the west line of said DIBLEY'S SECOND ADDITION and along the west line of KOEHL'S FIRST ADDITION to the City of Sabin, Clay County, Minnesota, a distance of 894.45 feet; thence South 89 degrees 18 minutes 40 seconds West, a distance of 946.98 feet to the point of beginning.

Containing 19.45 acres  
Subject to all existing easements and rights of ways of record.



## CERTIFICATION

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

*James W. Fowler*  
JAMES W. FOWLER, RLS

REG. NO. 18164 DATE 1-21-04

<b>WILSON INVESTMENTS</b>		
SE 1/4 SECTION 7, T138N, R47W		
CLAY COUNTY, MINNESOTA		
<b>CERTIFICATE OF SURVEY</b>		
ULTEIG ENGINEERS, INC. CONSULTING ENGINEERS • FARGO BISMARCK • SIOUX FALLS • MINNEAPOLIS		
DRAWN BY: <b>SLW</b>	SCALE: <b>AS SHOWN</b>	PROJECT NO. <b>104.33</b>
CHECKED BY: <b>JWF</b>	DATE: <b>01/21/04</b>	SHEET <b>1</b> OF <b>1</b>
APPROVED BY: <i>[Signature]</i>		

