

ORDINANCE NO. 473AN ORDINANCE ANNEXING CERTAIN UNINCORPORATED PROPERTY PURSUANT  
TO MINNESOTA STATUTES SECTION 414.033

WHEREAS, the City of Staples has studied its municipal borders and the City's growth patterns, and the City further desires to promote orderly growth and provide municipal services in an efficient manner; and

WHEREAS, the City finds that the property proposed for annexation is or about to become urban or suburban in character, and the annexation by the City of Staples is required to protect the public health, safety and welfare, and the annexation is in the best interests of the property proposed for annexation; and

WHEREAS, the city held a public hearing concerning the annexation on July 10, 2007 following 30 days written notice by certified mail to the township affected by the proposed ordinance and to all landowners within and contiguous to the area being annexed, and no objections to the annexation were received by the City; and

WHEREAS, the City desires to proceed with the annexation of said property by ordinance pursuant to Minnesota Statutes Section 414.033;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Staples as follows:

Section 1. The corporate limits of the City are hereby amended to include the following described property currently in the jurisdiction of Staples Township in Todd County, Minnesota, and the property is hereby annexed to and included within the corporate limits of the City pursuant to Minnesota Statutes Section 414.033 as if such property had originally been a part of the City:

(1) Legal Description for Tract D

That part of the Northeast Quarter of the Northeast Quarter of Section 12, Township 133 North, Range 33 West, Todd County, Minnesota, described as follows: Commencing at the northeast corner of said Section 12, thence South 00 degrees 07 minutes 39 seconds West, bearings are based on the North American Datum of 1983, along the east line of said Section 12 a distance of 636.96 feet to the intersection with a line 200.00 feet northerly and parallel with the centerline of the Northern Pacific Railroad; thence North 79 degrees 10 minutes 21 seconds West along said parallel line, a distance of 739.31 to the point of beginning of the tract to be described; thence North 79 degrees 10 minutes 21 seconds West along said parallel line 602.30 feet to the west line of said Northeast Quarter of the Northeast Quarter; thence North 00 degrees 00 minutes 45 seconds West along said west line, a distance of 284.40 feet; thence South 87 degrees 25 minutes 59 seconds East, a distance of 597.54 feet; thence South 00 degrees 49 minutes 12 seconds West, a distance of 370.82 feet; to the point of beginning.

AND ALSO that part of the Northeast Quarter of the Northeast Quarter of Section 12, Township 133 North, Range 33 West, Todd County, Minnesota, described as follows: Beginning at the northeast corner of said Section 12; thence South 00 degrees 07 minutes 39 seconds West, bearings are based on the North American Datum of 1983, along the east line of said Section 12 a distance of 19.55 feet; thence North 87 degrees 25 minutes 49 seconds West, a distance of 1320.53 feet to the northwest corner of said Northeast Quarter of the Northeast Quarter; thence South 88 degrees 16 minutes 42 seconds East along the north line of said Section 12 a distance of 1319.84 feet to the point of beginning. Said parcel contains 4.8 acres, more or less, and is subject to all easements, restrictions, or reservations of record, if any.

(2) Legal Description for Stormwater Ponding Area

That part of the Northeast Quarter of the Northeast Quarter of Section 12, Township 133 North, Range 33 West, Todd County, Minnesota, described as follows: Commencing at the northeast corner of said Section 12; thence South 00 degrees 07 minutes 39 seconds West, bearings are based on the North American Datum of 1983; along the east line of said Section 12 a distance of 419.55 feet to the point of beginning of the tract to be described; thence continuing South 00 degrees 07 minutes 39 seconds West along said east line, a distance of 217.41 feet to the intersection with a line 200.00 feet northerly and parallel with the centerline of the Northern Pacific Railroad; thence North 79 degrees 10 minutes 21 seconds West along said parallel line, a distance of 739.31 feet; thence North 00 degrees 49 minutes 12 seconds East, a distance of 110.98 feet; thence South 87 degrees 26 minutes 18 seconds East, a distance of 725.77 feet to the point of beginning. Said parcel contains 2.7 acres, more or less, and is subject to all easements, restrictions, or reservations of record, if any.

(3) Legal Description – That portion of The Minnesota Department of Transportation Right of Way Plat No. 77-33, located in the Southeast Quarter of the Southeast Quarter, Section 1, Township 133 N., Range 33 W. and the Northeast Quarter of the Northeast Quarter, Section 12, Township 133 N., Range 33 W., less portions presently in the corporate limits of the City of Staples, as recorded and filed in the office of the Todd County Recorder, Todd County, Minnesota.

Section 2. Pursuant to the City Zoning Ordinance, the City Council hereby designates the above described parcels of property being annexed herein to be commercial.

Section 3. The amount required to pay the filing fee of the Office of Strategic and Long Range Planning for this annexation ordinance is hereby appropriated for such purpose, and the City Administrator is directed to make the necessary filings and provide required information to the Office of Strategic and Long Range Planning, the Township of Staples, the Auditor of Todd County, and the Minnesota Secretary of State.

Section 4. The subject property contains zero (0) housing unit(s) with no increase in population.

Section 5. The subject property is currently tax-exempt property and therefore Staples Township is not entitled to any property tax reimbursement pursuant to Minnesota Statutes Section

REC'D BY  
MMB

AUG 06 2007

414.036.

Section 6. This ordinance is effective upon passage and publication pursuant to the Staples City Charter, Minnesota Statutes, and approval by the Office of Strategic and Long Range Planning.

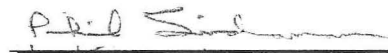
PASSED by the City Council of the City of Staples this 24th day of July, 2007.

APPROVED BY



Bruce Nelsen, Mayor

ATTEST



Phil Lindaman  
City Clerk

First Reading: July 10, 2007

Second Reading: July 24, 2007

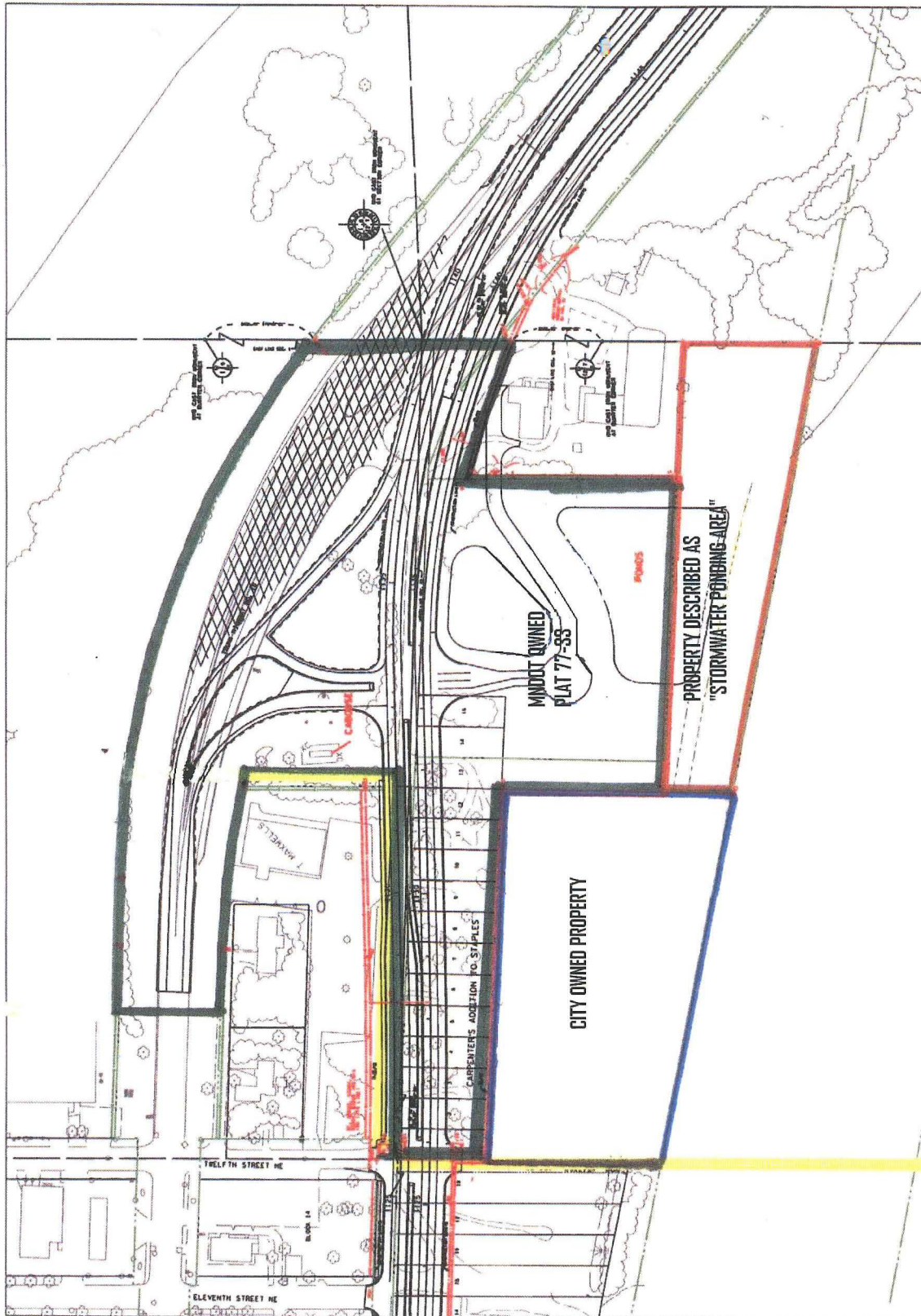
Adoption: July 24, 2007

Published: August 2, 2007



REC'D BY  
MMB

AUG 06 2007



CONTROL SECTION NO. 7702 (10-2-32-2)  
CONTROL SECTION NO. 7702 (10-2) 902  
~~IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 3, T.133 N., R.33 W.~~  
IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 1, T.133 N., R.33 W.  
IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 12, T.133 N., R.33 W.  
TODD COUNTY, MINNESOTA

33.01 359.45-36  
33.02 359.45-36

RIGHT OF WAY IN SECTION 1 C.S. 7702 (10-2-32-2)			BUILDING REMOVAL EASEMENT		PERMANENT R/W INTEREST	
PARCEL NUMBER	OWNER	LOCATION	NEW T.H. R/W ACRES	TEMPORARY EASEMENT ACRES - MORE OR LESS	EXP. DATE	FEE
432	KEVIN R. JEWINS	SE1/4SE1/4	0.35	0.35	12/01/11	FEE
RIGHT OF WAY IN SECTIONS 7 & 12 C.S. 7702 (10-2) 902						
42	KATHLEEN W. MARCUSSEN	NW1/4NW1/4-SEC.12 NE1/4NE1/4-SEC.12	0.28	0.35	12/01/11	FEE
RIGHT OF WAY IN SECTION 12 C.S. 7702 (10-2) 902			PERMANENT DRAINAGE EASE.			
			ACRES - MORE OR LESS			
			0.22		0.04 12/01/08 ACCESS	
43	CITY OF STAPLES	NE1/4-NE1/4	ALL TEMPORARY EASEMENTS IN PUBLIC ROADS WILL EXPIRE ON 12/01/11			

432-36

PERMANENT DRAINAGE EASEMENT BOUNDARY DATA			
FROM	TO	DISTANCE(FT)	AZIMUTH
B17	B18	80.00	182°33'42"
B18	B19	106.00	92°33'42"
B19	B20	45.00	182°33'42"
B20	B21	146.00	272°33'42"
B21	B22	125.00	2°33'42"
B22	B17	40.00	92°33'42"

DOC. NO.

OFFICE OF COUNTY RECORDER  
1000 COUNTY, MINN

I HEREBY CERTIFY THAT THIS PLAT  
HAS BEEN FILED IN THIS OFFICE  
ON 8-29-2006 AT 2:00 P  
IN C.A.B. # 440965 NO.

*Cheryl Perich*  
COUNTY RECORDER

THE COMMISSIONER OF TRANSPORTATION IS HEREBY DESIGNATING THE DEFINITE LOCATION OF TRUNK HIGHWAY NO. 10 FROM THE JUNCTION WITH TWELTH ST. NE TO THE JUNCTION WITH EXISTING TRUNK HIGHWAY NO. 10 IN THE CITY OF STAPLES

As shown on this list prepared by the State of Minnesota Department of Transportation is hereby certified as the official list of the portion of said I-90 within the designated portion of Sections 1, 7 and 12 and the Commissioner of said Department is hereby ordered to maintain said Sections 1, 7 and 12 as follows: Section 140.10, 1st Section 151.16 and 5th, and Section 161.18.

Commissioner's Order No.	Location	Nature of Interest
86988	PLAT 77-33	Definite location, width, easements, temporary access and building setback easement.

Certified by: Carol M. McIntyre Date: 3/16/00  
 Commission: State of Tennessee  
 by: Allan E. McIntyre Date: \_\_\_\_\_

I hereby certify that this plot was surveyed and prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the Laws of the State of Minnesota; that all requirements are currently shown on this plat; that all monuments have been correctly placed and that this plat is a true and correct copy of the original as kept in the County Recorder's Office; that the corners of shown on this plat are on file in the County Recorder's Office (if required under Minnesota Statutes, Section 160.16) and/or the County Surveyor's Office; that this plat meets the requirements of Minnesota Statutes, Section 160.085, Section 160.16, Subd. 1, and Section 161.18, Subd. 1, and Section 161.19; that the parcel ownerships are correctly described and delineated on the plat; and that the proposed right-of-way boundary lines are correctly designated on the plat.

Certified by K. Smith 40343 3/24/2006  
Kevin J. Metz License No. Date  
NeuDOT District Office

CONVENTIONAL SYMBOL

**Section Line** \_\_\_\_\_ R/W Parcel Number 7-1

**Quarter Line** \_\_\_\_\_ Access Control \_\_\_\_\_

**Sixteenth Line** \_\_\_\_\_ Access Easement \_\_\_\_\_ OPEN \_\_\_\_\_

**Property Line** \_\_\_\_\_ Coal Iron Movement \_\_\_\_\_

**R/R boundaries** \_\_\_\_\_ 2in. x 2in. D.O.T., Inner Tube with Cap \_\_\_\_\_

(Existing D.O.T., R/W Line) \_\_\_\_\_ 3/4" D.O.T., Inner Pin \_\_\_\_\_

**And Other Road R/W** \_\_\_\_\_ Other Iron Movement \_\_\_\_\_

**Adjoined R/W** \_\_\_\_\_ Concrete or Stone Movement \_\_\_\_\_

**Private Easement** \_\_\_\_\_ R/W Boundary Corner \_\_\_\_\_

**Temporary Easement** \_\_\_\_\_ 16' R/W \_\_\_\_\_

DISTANCES SHOWN IN FEET (6.8, 80, ETC.) ARE EXACT VALUES