

ORDINANCE NO. 03-10-08

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF HADLEY, MURRAY COUNTY, MINNESOTA, TO INCLUDE CERTAIN UNINCORPORATED PLATTED AND UNPLATTED LAND NOT EXCEEDING 200 ACRES IN AREA ABUTTING UPON THE CITY LIMITS

WHEREAS, a certain Petition for Annexation requesting that certain territory described therein be annexed to the City of Hadley, Minnesota, has been duly presented to this City Council; and

WHEREAS, the quantity of land embraced within the area described in the petition and bounded as described consists of platted and unplatted land not exceeding 200 acres in area, no part of which is included within the limits of an incorporated city, village or borough, and all provisions of M.S. 414, Subd. 13, were complied with; and

WHEREAS, the petition was signed by all of the owners thereof; and

WHEREAS, no objections have been received from the Leeds Township Board or the county board and the boundaries of the land to be annexed do not abut upon the boundaries of any municipality except the City of Hadley; and

WHEREAS, the Leeds Township Board waived its right pursuant to M.S. 414.036 for reimbursement from the City of Hadley for lost real estate tax revenues for all or part of the taxable property being annexed to the City of Hadley; and

WHEREAS, the Leeds Township Board has passed a RESOLUTION OF WAIVER OF OBJECTION TO ANNEXATION stating it had no objections to the annexation and waiving the ninety (90) day period allowed it pursuant to M.S. 414.033, Subd. 5, to submit written objections to the annexation to the Municipal Boundary Adjustments Unit of the Minnesota Office of Administrative Hearings and the City of Hadley; and

WHEREAS, the land described in the petition abuts on the City of Hadley's west boundary.

The Council of the City of Hadley, Minnesota, ordains:

Section 1. The City Council hereby determines (1) that the annexation will be in the best interests of the City and of the territory affected; (2) that the territory described herein abuts upon the City limits and is urban or suburban in character; and (3) that none of said territory is now included within the limits of the city, village or borough.

Section 2. Territory Annexed. The corporate limits of the City are hereby extended to include the platted and unplatted land described as follows and the same is hereby annexed to and included within the City as effectually as if it had originally been a part thereof:

All of the following described tract located in Leeds Township, Murray County, Minnesota:

All that part of Lot 2 of the Northwest Quarter of the plat entitled Section 11, T.106, R. 42, as filed and recorded in the office of the County Recorder in and for Murray County, Minnesota, and also a part of the Minnesota and Black Hills Railroad Company (later the Chicago, St. Paul, Minneapolis and Omaha Railway Company, now the Chicago and North Western Transportation Company), as right of way over and across said Section 11, being more particularly described as follows:

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Commencing at the North Quarter corner of said Section 11; thence South 00 degrees 00 minutes 00 seconds West, assumed bearing, along the North-South Quarter line of said Section 11 a distance of 1500.65 feet; thence North 87 degrees 30 minutes 00 seconds West a distance of 60.40 feet to an iron monument; thence South 90 degrees 00 minutes 00 seconds West a distance of 96.00 feet to an iron monument; thence North 00 degrees 00 minutes 00 seconds West a distance of 106.66 feet to an iron monument; thence North 90 degrees 00 minutes 00 seconds West a distance of 480.02 feet to an iron monument, said iron monument being the point of beginning; thence South 00 degrees 32 minutes 00 seconds East a distance of 322.57 feet to an iron monument; thence South 81 degrees 31 minutes 00 seconds West a distance of 145.40 feet to an iron monument located on the northerly extension of the west line of West 2nd Street as shown on the plat of Summit Lake, in the City of Hadley, as filed and recorded in the office of said County Recorder; thence North 00 degrees 32 minutes 00 seconds West, along the northerly extension of said west line a distance of 49.97 feet to the center line of said railroad (now removed); thence South 82 degrees 52 minutes 58 seconds West along said center line, a distance of 18.12 feet; thence North 00 degrees 32 minutes 00 seconds West a distance of 296.29 feet; thence South 90 degrees 00 minutes 00 seconds East a distance of 162.00 feet to the point of beginning.

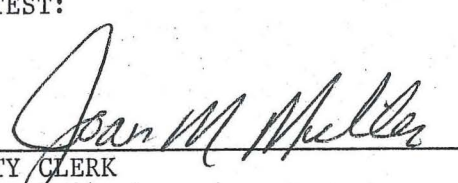
Section 3. Filing. The City Clerk is hereby directed to file copies of this ordinance with the Municipal Boundary Adjustments Unit of the Minnesota Office of Administrative Hearings, the Minnesota Secretary of State, the Town Clerk of Leeds Township, and the Murray County Auditor/Treasurer.

Section 4. Effective Date. This ordinance takes effect upon its passage and publication and the filing of the certified copies as directed in Section 3, and the approval of the ordinance by the Municipal Boundary Adjustments Unit of the Minnesota Office of Administrative Hearings.

Adopted by the City Council this 10th day of March, 2008.


MAYOR

ATTEST:


CITY CLERK

RESOLUTION OF WAIVER OF OBJECTION TO ANNEXATION

WHEREAS, the Township Board of Leeds Township, Murray County, Minnesota, has received a copy of a Petition for Annexation filed with the City Council of the City of Hadley, Murray County, Minnesota, which was signed by the sole owner of the land proposed to be annexed; and

WHEREAS, said land proposed to be annexed abuts on the City of Hadley's west boundary, and is not included within any other municipality; and

WHEREAS, said land is urban or suburban in character; and

WHEREAS, THE County Assessor's Office of Murray County, Minnesota, has computed that Leeds Township will lose little or no real estate tax revenues if the land proposed to be annexed is annexed by the City of Hadley;

NOW, THEREFORE, the Township Board of Leeds Township hereby waives its right pursuant to M.S. 414.036 for reimbursement from the City of Hadley for lost real estate tax revenues for all or part of the taxable property proposed to be annexed and the Township Board of Leeds Township hereby further waives the ninety (90) day period granted in M.S. 414.033, Subd. 5, to submit written objections to the Municipal Boundary Adjustments division of the Minnesota Office of Administrative Hearings and the City of Hadley so that the City of Hadley may, pursuant to M.S. 414.033, Subd. 5, annex the following described land:

All of the following described tract located in Leeds Township, Murray County, Minnesota:
All that part of Lot 2 of the Northwest Quarter of the plat entitled Section 11, T.106, R. 42, as filed and recorded in the office of the County Recorder in and for Murray County, Minnesota, and also a part of the Minnesota and Black Hills Railroad Company (later the Chicago, St. Paul, Minneapolis and Omaha Railway Company, now the Chicago and North Western Transportation Company), as right of way over and across said Section 11, being more particularly described as follows:

Commencing at the North Quarter corner of said Section 11; thence South 00 degrees 00 minutes 00 seconds West, assumed bearing, along the North-South Quarter line of said Section 11 a distance of 1500.65 feet; thence North 87 degrees 30

minutes 00 seconds West a distance of 60.40 feet to an iron monument; thence South 90 degrees 00 minutes 00 seconds West a distance of 96.00 feet to an iron monument; thence North 00 degrees 00 minutes 00 seconds West a distance of 106.66 feet to an iron monument; thence North 90 degrees 00 minutes 00 seconds West a distance of 480.02 feet to an iron monument, said iron monument being the point of beginning; thence South 00 degrees 32 minutes 00 seconds East a distance of 322.57 feet to an iron monument; thence South 81 degrees 31 minutes 00 seconds West a distance of 145.40 feet to an iron monument located on the northerly extension of the west line of West 2nd Street as shown on the plat of Summit Lake, in the City of Hadley, as filed and recorded in the office of said County Recorder; thence North 00 degrees 32 minutes 00 seconds West, along the northerly extension of said west line a distance of 49.97 feet to the center line of said railroad (now removed); thence South 82 degrees 52 minutes 58 seconds West along said center line, a distance of 18.12 feet; thence North 00 degrees 32 minutes 00 seconds West a distance of 296.29 feet; thence South 90 degrees 00 minutes 00 seconds East a distance of 162.00 feet to the point of beginning.

Adopted by the Township Board of Leeds Township, Murray County,
Minnesota, this 4th day of March, 2008.

Charles Hill

LEEDS TOWNSHIP BOARD CHAIRMAN

James A. York

TOWNSHIP CLERK

REC'D BY
MAMB

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HADLEY FARMERS ELEVATOR

