

ORDINANCE NO. 469

AN ORDINANCE AMENDING ORDINANCE NO. 467, EXTENDING THE CORPORATE LIMITS OF THE CITY OF BRECKENRIDGE TO INCLUDE CERTAIN UNINCORPORATED UNPLATTED LAND OWNED BY THE CITY OF BRECKENRIDGE.

THE COUNCIL OF THE CITY OF BRECKENRIDGE, MINNESOTA, DOES ORDAIN:

SECTION 1. The City Council hereby finds and determines:

1. Ordinance No. 467 was passed and adopted allowing certain property to be annexed into the City of Breckenridge owned by the Breckenridge Port Authority acting on behalf of the City of Breckenridge.
2. During the annexation process, the Minnesota Board of Adjustments would not allow the Breckenridge Port Authority to act on behalf of the City, therefore not accepting the annexation application.
3. The property has now been deeded to the City of Breckenridge making them the owners of the property to annexed.
4. That the annexation will be in the best interest of the City of Breckenridge and the territory affected.
5. That the territory described herein abuts upon the city limits of the City of Breckenridge on the southern edge and is about to become urban in character.
6. None of said territory is now included within the limits of any city, village, or borough and does not abut upon the limits of any city, village, or borough, except the City of Breckenridge, Minnesota.

SECTION 2. That the corporate limits of the City of Breckenridge, Minnesota, are hereby extended to include the unplatted land described as follows and the same is hereby annexed to and included within the City of Breckenridge, Minnesota, as effectually as if it had originally been a part thereof, which said land is located in the County of Wilkin, State of Minnesota, and is described as follows, to-wit:

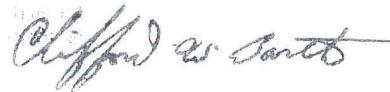
All that part of the NW1/4SW1/4 Section 10-132-47, Wilkin County, Minnesota, lying directly South of and adjacent to the railroad right-of-way of the Northern Pacific Railway Company as said company's railway is now located and constructed over and across said Section 10; EXCEPT the following described tract:

Beginning at the southeast corner of said Northwest of the Southwest Quarter of Section 10; thence on an assumed bearing of North 89°56'47" West on and along the south line of said Northwest Quarter of the Southwest Quarter of Section 10 a distance of 183.47 feet to its intersection with the northerly right of way line of Trunk Highway No. 75; thence on and along said northerly right of way line on a 1029.93 foot radius curve that is concave to the south, a chord bearing of North 75°53'10" West a chord distance of 288.241 feet; thence North 0°15'41" West a distance of 219.04 feet to the southerly right of way line of the Burlington Northern Inc (formerly Northern Pacific Railroad); thence North 89°52'50" East on and along said southerly right of way line of the Burlington Northern Inc. railroad a distance of 462.69 feet to the east line of said Northwest Quarter of the Southwest Quarter of Section 10; thence South 0°15'41" East on and along the said east line of the Northwest Quarter of the Southwest Quarter of Section 10 a distance of 290.47 feet to the point of beginning SUBJECT to an access easement over and across the westerly 40 feet of the southerly 158 feet of said tract.

SECTION 3. The City Clerk is hereby directed to file certified copies of this ordinance with the Minnesota Municipal Board, the Secretary of the State of Minnesota, the County Auditor of Wilkin County, Minnesota, and the Clerk of the Township of Breckenridge.

SECTION 4. Effective Date. This Ordinance takes effect upon its passage and publication and the time of filing of the certified copies as directed in Section 3.

Adopted by the Council this 2nd day of September, 2008.



Clifford W. Barth, Mayor

ATTEST:



Beverly R.C. Wilson,
Interim Clerk-Treasurer Administrator

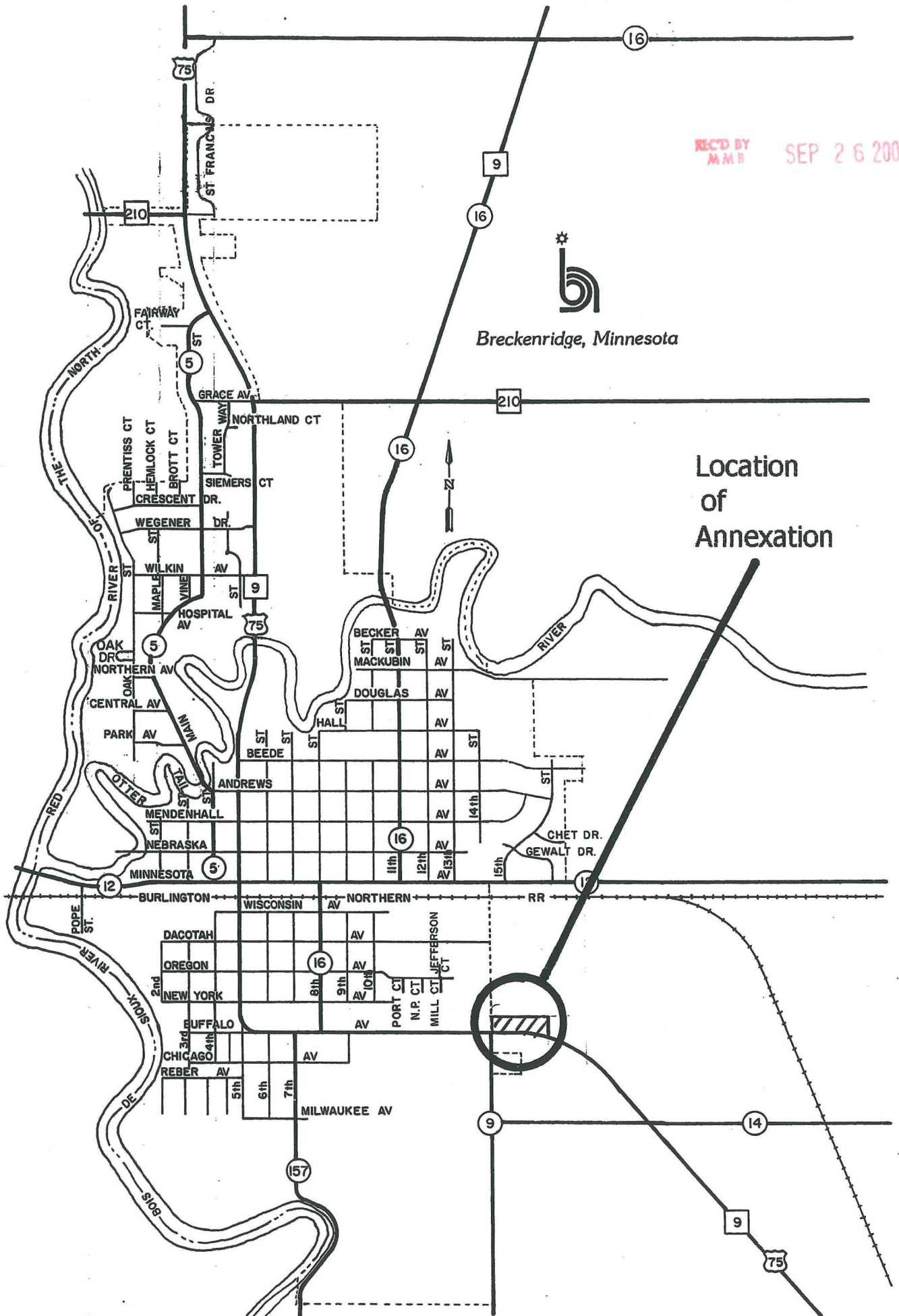
First Reading September 2, 2008
Second Reading September 15, 2008
Adopted and Passed September 15, 2008
Published September 19, 2008

REC'D BY
M M B SEP 26 2008



Breckenridge, Minnesota

Location
of
Annexation



REC'D BY MMB SEP 26 2008

BRECKENRIDGE INDUSTRIAL PARK

LOT 1, BLOCK 5

LOT 2 BLOCK 5

NW1/4SW1/4

LOT 3
BLOCK 1

K.T. TRAIL

S89°51'46"E
2.18'

Section Line
N01°29'10"E
3.79'

Pole & Downguys

S89°51'48"E
576.38'

S89°51'48"E

660.00'

NORTHERN PACIFIC RAILWAY CO. Book 50, Page 233

Pole & Guy

11°00'03"20"E
103.79'

Culvert

N89°51'48"W
856.39'

N89°51'48"W

462.69'

Conc. Surface

214.43'

Pole & Downguys

Book 203, page 519
5' Wide R/W Easement in favor of OTP Co.

TRACT DESCRIBED
AREA = 4.21 ACRES±

Tract surveyed is subject to this 40x80' access easement

Book 268 Page 634
YAGGIE TRACT

Asph. Surface

S00°03'20"W
500'03'20"W

214.43'

Note: There is no easement of record describing this electric line

Book 248, page 414
10' wide R/W Easement in favor of NWB Tele. Co.

Point of Curve

CRD=110.96'
L=111.01'
R=1029.93
C BNG=N86°50'13"W

40'x150' access easement
CHORD=286.40'
CH BNG=N75°45'25"W
L=287.33'
R=1029.93

S00°00'19"E
Mea=286.77'
Rec=250.47'

LOT 1 BLOCK 6
BRECK. IND. PARK

Note: Surveyor notes use of this driveway by Schwans for access into adjacent property. No easement of record allows this use.

North R/W Line of Highway 75

To P.I.

4589.11'

S89°55'29"E

Hwy P.I.

Mea=185.10'
Rec=183.47'
N89°42'56"W

FOX LANE



107 South 2nd St.
Wahpeton, ND 58075
701-642-9404

SW1/4SW1/4

SCALE: 1 inch = 100 feet

LEGEND

- = CORNER MARKED WITH A 1/2" X 20" IRON REBAR WITH RED PLASTIC CAP MARKED "RLS 17004"
- = EXISTING OR FOUND CORNER MONUMENT

NOTE: = THIS SURVEY IS BASED ON THE WILKIN99 COORDINATE SYSTEM

To
SW Cor. Sec. 10
T132N, R47W
Rec No.



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

DATE 5-26-08
MINNESOTA REGISTRATION NO. 17004

Certificate and Plat of Land Survey
BRECKENRIDGE PORT AUTHORITY TRACT
A part of the NW1/4SW1/4 of Section 10,
Township 132 North, Range 47 West, 5th P.M.
Breckenridge Twp., Wilkin County, Minnesota

LD07-08050