

AMENDED ORDINANCE NO. 05/20/09**AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF LONGVILLE TO INCLUDE UNINCORPORATED PROPERTY OWNED BY THE CITY AND ABUTTING UPON THE CORPORATE LIMITS THEREOF, PURSUANT TO MINN. STAT. §414.033, Subd. 2(1)**

WHEREAS, the parcels of real property described below are not presently within the corporate limits of any incorporated city; and

WHEREAS, these parcels of real property abut upon the corporate limits of the City of Longville at the eastern boundary thereof, and are deemed urban or suburban in character; and

WHEREAS, all the following described parcels of real property are owned in fee by the City of Longville; and

WHEREAS the City Council has determined that the parcels of property owned by the City are primarily used for city purposes, and in part are to be developed for sewer ponds to service the sanitary sewer system for the City and in part contain the City owned airport which needs City services and municipal police protection, and it is in the best interests of the City that said property be annexed within the corporate limits of the City of Longville, and

WHEREAS the real property contains hangars rented to private individuals upon which the County of Cass levies a personal property tax, a portion of which accrues to the benefit of the Town of Kego, and

WHEREAS the original ordinance omitted a legal description for a portion of the real property lying and being in Parcel No. 19-035-2001, and thus it is necessary to adopt this amended ordinance to specifically describe the omitted legal description.

THE CITY COUNCIL OF THE CITY OF LONGVILLE THEREFORE ORDAINS:

Section 1. **Territory Annexed.** The corporate limits of the City of Longville

are hereby extended to include the property now owned by the City, consisting of 127.08 combined acres, more or less, and more particularly described as follows:

Parcel No. 19-035-2001, containing 62.47 acres

Government Lot Five (5), Section Thirty-five (35), Township One Hundred Forty-one (141) North, Range Twenty-eight (28) West of the Fifth Principal Meridian, LESS the following described tract: That portion lying and being southwesterly of the clearing line of the Longville Airport, said clearing line being approximately 200 feet from the center line of said landing strip as extended in a northwesterly and southeasterly direction, LESS the South Six Hundred feet thereof.

AND

That part of Government Lot Four (4), Section Thirty-five (35), Township One Hundred Forty-one (141) North, Range Twenty-eight (28) West described as follows: Beginning at the northwest corner of said Lot Four (4); THENCE running easterly along the north line of said Lot Four (4) at an assumed bearing of North 87 degrees 46 minutes 02 seconds East for a distance of 192.06 feet; THENCE South 41 degrees 43 minutes 55 seconds East for a distance of 1948.17 feet to a point on the south line of said Lot Four (4); THENCE North 78 degrees 49 minutes 06 seconds West along the south line of said Lot Four (4) for a distance of 581.32 feet; THENCE North 41 degrees 43 minutes 56 seconds West for a distance 1380.62 feet to a point on the west line of said Lot Four (4); THENCE North 00 degrees 06 minutes 17 seconds East along the west line of said Lot Four (4) for a distance of 318.30 feet to the point of beginning of the parcel described.

AND

All that part of Government Lot Four (4), Section Thirty-five (35), Township One Hundred Forty-one (141) North, Range Twenty-eight (28) West lying south and west of the following described line; Starting at a point on the west line of said Lot 4, 318.3 feet South of the northwest corner of said Lot 4, running southeasterly to intersect the south line of Lot 4 at a point 940.6 feet east of the southwest corner of said Lot 4, except a triangular piece in the southwest corner of Lot 4, 249.4 feet North of the southwest corner of said lot to a point on the south line of said Lot 4, 276.1 feet East of the above southwest corner of said Lot 4. This encloses a tract of 9 acres more or less, all in Government Lot 4, Section 35, Township 141 North, Range 28, West of the 5th Principal Meridian, Minnesota.

Parcel No. 19-035-3201, containing 25.21 acres

That part of the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$), Section Thirty-five (35), Township One Hundred Forty-one (141), Range Twenty-eight (28) described as follows: Commencing at the northwest corner of the said Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$); thence South $89^{\circ} 27' 35''$ East, assumed bearing, along the north line of the said NW $\frac{1}{4}$ SW $\frac{1}{4}$ 392.50 feet to the point of beginning of the tract to be described; thence South $00^{\circ} 32' 25''$ West 400.00 feet; thence South $89^{\circ} 27' 35''$ East, parallel with the north line of the said NW $\frac{1}{4}$ SW $\frac{1}{4}$ 1055.69 feet to the intersection with a line bearing South $23^{\circ} 27' 35''$ East from and running parallel with the easterly line of an existing fence; thence North $23^{\circ} 27' 35''$ West along said line 437.85 feet to the north line of the said NW $\frac{1}{4}$ SW $\frac{1}{4}$; thence North $89^{\circ} 27' 35''$ West along said north line 877.60 feet to the point of beginning; containing 8.88 acres, more or less.

AND

The Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$), Section Thirty-five (35), Township One Hundred Forty-one (141) North, Range Twenty-eight (28) West, EXCEPT that part of the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$) described as follows: Beginning at the Northwest Corner of said Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$); THENCE easterly along the North line of said Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$) at an assumed bearing of South 87 degrees 46 minutes 02 seconds East for a distance of 1,282.19 feet; THENCE South 23 degrees 27 minutes 35 seconds East for a distance of 346.91 feet; THENCE South 41 degrees 44 minutes 47 seconds East to a point on the South line of said Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$); THENCE North 89 degrees 13 minutes 58 seconds West for a distance of 1,321.03 feet to the Southwest corner of said Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$); THENCE northerly along the West line of said Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$) North 36 degrees 15 minutes 16 seconds West for a distance of 1,671.35 feet to the point of beginning of the parcel described.

AND

That part of the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Thirty-five (35), Township One Hundred Forty-one (141) North, Range Twenty-eight (28) West of the 5th Principal Meridian, described as follows: BEGINNING at the northeast corner of said SW $\frac{1}{4}$ SW $\frac{1}{4}$; thence South $28^{\circ} 34' 03''$ East 319.08 feet, initial bearing assigned, along the easterly line of said SW $\frac{1}{4}$ SW $\frac{1}{4}$; thence South $48^{\circ} 16' 04''$ West 108.47 feet; thence North $41^{\circ} 44' 47''$ West 476.79 feet to the North line of said SW $\frac{1}{4}$ SW $\frac{1}{4}$; thence South $89^{\circ} 13' 58''$ East 245.85 feet to the point of beginning. Containing 1.38 acres, more or less.

AND

That part of the West Half ($\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section Thirty-five (35), Township One Hundred Forty-one (141) North, Range Twenty-Eight (28) West described as follows: BEGINNING at the Northwest corner of said Quarter Quarter; THENCE easterly along the North line of said Quarter Quarter on an assumed bearing of South 89 degrees 13 minutes 58 seconds East for a distance of 459.25 feet; THENCE South 48 degrees 16 minutes 04 seconds West for a distance of 413.08 feet to a point on the West line of said Quarter Quarter; THENCE northerly along the West line of said Quarter Quarter North 28 degrees 13 minutes 59 seconds West for a distance of 319.08 feet; to the point of beginning of the parcel described.

Parcel No. 19-027-4403, containing 28.76 acres:

The Southeast Quarter of Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Twenty-seven (27), Township One Hundred Forty-one (141), Range Twenty-Eight (28), subject to highway easements and mineral reservations of record, excepting, however, and reserving to the parties of the first part the following portion thereof, to-wit: Commencing at the intersection of the north line of said tract with the east boundary line of State Highway #84; thence go east along the north boundary line of said tract a distance of 600 feet to a point; thence south parallel to the east boundary line of said highway #84 a distance of 200 feet to a point; thence west parallel to the north boundary line of said tract a distance of 600 feet to a point on the east boundary line of said highway #84; thence north along the east boundary line of said highway #84 a distance of 200 feet to the point of beginning, and LESS that property deeded to the Longville Rod and Gun Club by Document No.266848 and legally described as: Starting at the NE corner of the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 27-141-28, run west along the north line of said SE $\frac{1}{4}$ of SE $\frac{1}{4}$ a distance of 625 feet to a point, thence run south parallel with the east line of SE $\frac{1}{4}$ of SE $\frac{1}{4}$ a distance of 625 feet, thence east 625 feet to the section line, thence north along said section line 625 feet to the point of beginning.

Parcel No. 19-034-1408, containing 0.93 acres:

That part of the Government Lot Ten (10), Section Thirty-four (34), Township One Hundred Forty-one (141) North, Range Twenty-eight (28) West described as follows: Commencing at the Northwest corner of said Lot Ten (10); THENCE running southeast along the reservation line being the North line of said Lot Ten (10) at an assumed bearing of South 78 degrees 49 minutes 06 seconds East for a distance of 864.33 feet to the point of beginning of the parcel to be described; THENCE continuing South 78 degrees 49 minutes 06 seconds East for distance of 303.10 feet to the northeast corner of said Lot Ten (10); THENCE South 00 degrees 06 minutes 17 seconds West along the East line of said Lot Ten (10) for a distance of 273.85 feet; THENCE North 41 degrees 44 minutes 47 seconds West for a distance of 445.82 feet to the point of beginning of the parcel described.

Parcel No. 19-035-2203, consisting of 9.71 acres:

That part of Government Lot Five (5), Section Thirty-five (35), Township One Hundred Forty-one (141) North, Range Twenty-eight (28) West described as follows: Beginning at the Northwest corner of said Lot Five (5); THENCE running easterly along the reservation line being the North line of said Lot Five (5) at an assumed bearing of South 78 degrees 49 minutes 06 seconds East for a distance of 275.97 feet; THENCE South 41 degrees 43 minutes 56 seconds East for a distance of 1,181.01 feet; THENCE North 87 degrees 46 minutes 02 seconds West for a distance of 484.69 feet; THENCE North 41 degrees 44 minutes 47 seconds West for a distance of 860.64 feet; THENCE North 00 degrees 06 minutes 17 seconds West along the West line of said Lot Five (5) for a distance of 273.85 feet to the point of beginning of the parcel described.

AND

That part of Government Lot Four (4), Section Thirty-five (35), Township One Hundred Forty-one (141) North, Range Twenty-eight (28) West described as follows: Beginning at the Southwest corner of said Lot Four (4); THENCE running easterly along the reservation line being the South line of said Lot Four (4) at an assumed bearing of South 78 degrees 49 minutes 06 seconds East for a distance of 275.97 feet; THENCE North 41 degrees 43 minutes 56 seconds West for a distance of 406.03 feet; THENCE South 00 degrees 06 minutes 17 seconds West along the West line of said Lot Four (4) for a distance of 249.49 feet to the point of beginning of the parcel described.

Section 2. **Property Tax Reimbursement.** The property is owned in fee by the City of Longville and there are no real property taxes assessed which would require reimbursement to the Town of Kego. The City of Longville shall reimburse to Kego Township that portion of the personal property tax paid to Kego Township levied by the County of Cass upon those airport hangars located upon the above described real property. It would be the intent of the City to reimburse Kego Township for one year of taxes in equal payments over a five year period.

Section 3. **Filing.** The City Clerk/Treasurer is directed to file certified copies of this ordinance with the office of Minnesota Office of Administrative Hearings-Municipal Boundary Adjustments, Kego Township, the Cass County Auditor, and the Minnesota Secretary of State. As the total acreage exceeds 120 acres, the maximum filing fee of \$600.00 shall be paid to the Minnesota Office of Administrative Hearings-Municipal Boundary Adjustments as and for said fee.

Section 4: Effective date of annexation. This amended ordinance takes effect upon its passage and publication and filing of the certified copies as directed in Section Three.

Adopted by the City of Longville, County of Cass, State of Minnesota,
1-20, 2010.



Mayor

Attest: 

Clerk

Public Hearing: _____
Introduced: _____
Passed: _____
Published: _____
Effective: _____