

CITY OF AUDUBON, MINNESOTA

ORDINANCE NO. 164

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF AUDUBON TO INCLUDE CERTAIN UNINCORPORATED TERRITORY PURSUANT TO MINN. STAT. 414.033, Subd. 2(1).

RECITALS

- 1) The below described land is not presently included within the corporate limits of any incorporated city and has not been designated for orderly annexation pursuant to Minn. Stat. 414.0325; and
- 2) The below described land abuts upon the current municipal boundary limits of the City of Audubon, comprises approximately 108 acres and is deemed to be urban or suburban in character or about to become urban or suburban in character; and
- 3) The population of the area described below is zero (0).
- 4) The fee title to the below described land is owned by the City of Audubon and is currently used and developed by the City for a public purpose as wastewater treatment holding ponds ; and
- 5) The below described land is not located within a flood plain or shore land area; and
- 6) The provisions of Minn. Stat. 414.033 Subd. 12 are not applicable because the below described land is owned by the City and is property tax exempt.
- 7) The provisions of Minn. Stat. 414.033 Subd. 13 are not applicable in that there will be no change in the electric utility service provider resulting from the annexation.

NOW THEREFORE, the City Council of the City of Audubon, Minnesota Ordains:

Section 1: **Territory annexed.** The corporate limits of the City of Audubon, Minnesota, are hereby extended to include the unplatted land described as follows:

The Northwest Quarter of the Southeast Quarter (NW¹/₄ SE¹/₄) of Section 9, Township 139 North of Range 42 West of the 5th P.M. in Becker County, Minnesota.

AND

The Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 9, Township 139 North, Range 42 West of the 5th P.M. in Becker County, Minnesota, **LESS** The Westerly 778 feet thereof.

AND

The North Half of the Northeast Quarter of the Southeast Quarter (N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$) and the Northeast Quarter (NE $\frac{1}{4}$) of Section 9, Township 139 North, Range 42 West **LESS** the following described tracts:

1) Beginning at a found iron monument at the northeast corner of said NE $\frac{1}{4}$; thence S. 00° 33' 01" W. 1666.50 ft. on an assumed bearing along the east line of said NE $\frac{1}{4}$; thence N. 89° 26' 59" W. 50.00 ft. to an iron monument; thence continuing N. 89° 26' 59" W. to the west line of said NE $\frac{1}{4}$; thence northerly along the west line of said NE $\frac{1}{4}$ to the NW corner of said NE $\frac{1}{4}$; thence easterly along the north line of said NE $\frac{1}{4}$ to the point of beginning. **SUBJECT** to the existing County State Aid Highway No. 13 right of way easement along the easterly boundary thereof and **SUBJECT** to the existing Public Road easement along the northerly boundary thereof.

2) That part of the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 9, Twp. 139, Range 42 West of the 5th P.M. in Becker Co., Minn., described as follows: Commencing at a found iron monument which designates the northeast corner of said Section 9; thence S. 00° 33' 01" W. 1666.50 ft. on an assumed bearing along the east line of said Section 9 to the point of beginning; thence N. 89° 26' 59" W. 50.00 ft. to an iron monument; thence continuing N. 89° 26' 59" W. 565.93 ft.; thence S. 01° 11' 09" W. 243.72 ft. to an iron monument; thence continuing S. 01° 11' 09" W. 300.76 ft. to an iron monument; thence continuing S. 01° 11' 09" W. 160.52 ft.; thence S. 89° 26' 45" E. 623.75 ft. to the east line of said Section 9; thence N. 00° 33' 01" E. 705.00 ft. along the east line of said Section 9 to the point of beginning. **SUBJECT** to County State Aid Highway No. 13 right of way easement over, under and across the easterly 50.00 feet of the above described tract.

3) That part of the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$) and the North Half of the Northeast Quarter of the Southeast Quarter (N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 9, Twp. 139, Range 42 West of the 5th P.M. in Becker Co., Minn., previously annexed by Ordinance 122 dated October 9, 1995 and described as follows: Beginning at a found iron monument which designates the east quarter corner of said Section 9; thence North 00 degrees 33 minutes 01 seconds East 280.83 feet on an assumed bearing along the east line of said Section 9; thence North 89 degrees 26 minutes 45 seconds West 900.00 feet to a point; thence South 00 degrees 33 minutes 01 seconds West 940 feet, more or less, to the south line of said North Half of the Northeast Quarter of the Southeast Quarter; thence easterly on and along the south line of said North Half of the Northeast Quarter of the Southeast Quarter to the east line of said Section 9; thence North 00 degrees 33 minutes 01 seconds West 660 feet, more or less, on and along the east line of said Section 9 to the point of beginning. Subject to right of way easement for C.S.A.H. Highway 13.

Copies of the corporate boundary map showing the property to be annexed and its relationship to the corporate boundaries and all appropriate plat maps are attached hereto.

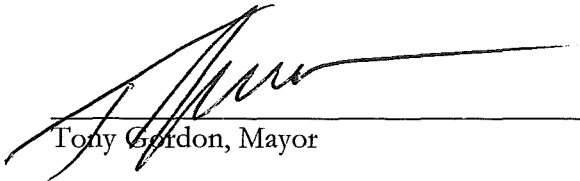
Section 2: **Recitals.** The Recitals stated above are incorporated into this ordinance as Findings of Fact.

Section 3: **Filing.** The City Clerk is authorized and directed to file copies of this ordinance with

the Secretary of State, the County Auditor-Treasurer of the Becker County Minnesota, the Town Clerk of Audubon Township Minnesota and the Chief Administrative Law Judge, State of Minnesota Office of Municipal Boundary Adjustments.

Section 4. **Effective date of annexation.** This ordinance takes effect upon passage and publication, the filing of copies as directed in Section 3 of this ordinance, and approval by the Chief Administrative Law Judge, State of Minnesota Office of Municipal Boundary Adjustments.

Adopted by the City Council of the City of Audubon, Minnesota, this 13th day of June, 2017.


Tony Gordon, Mayor

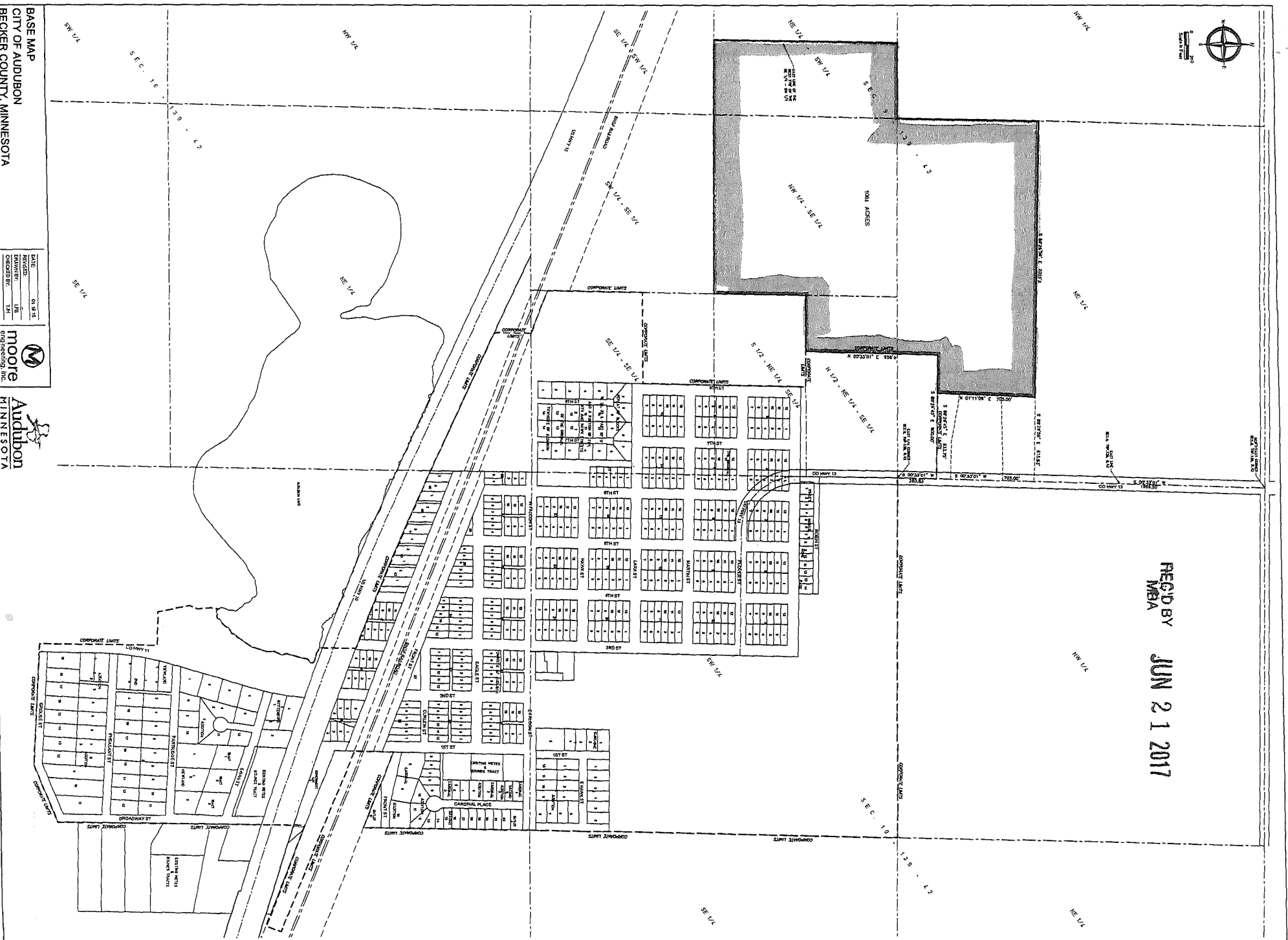
Attest:


Stephanie Poegel, City Clerk

Published in _____, a legal newspaper in the State of
Minnesota, on the _____ day of _____, 2017.



JUN 21 2017



BASE MAP
CITY OF AUDUBON
BECKER COUNTY, MINNESOTA

DATE:	01.19.15
REVISED:	
DRAWN BY:	LFB
CHECKED BY:	TJM



Audubon
MINNESOTA

