

## ORDINANCE NO. 693

### **AN ORDINANCE OF THE CITY OF AUSTIN, MINNESOTA, ANNEXING PROPERTY LOCATED IN LANSING AND RED ROCK TOWNSHIPS, MOWER COUNTY, MINNESOTA, PURSUANT TO MINNESOTA STATUTES 414.033, SUBD. 2(1), PERMITTING ANNEXATION BY ORDINANCE.**

WHEREAS, said properties are unincorporated and abut the City of Austin on its Northern boundary or are wholly within the city; and are owned by the City of Austin; and

WHEREAS, the City of Austin was not required to hold a public hearing pursuant to Minnesota Statutes § 414.033, Subd. 2b, as the land is owned by the city, nor was written notice required to be mailed to the Townships of Lansing and Red Rock; and

WHEREAS, the city council reviewed the annexation;

NOW THEREFORE, the city council of the City of Austin hereby ordains as follows:

1. The city council hereby determines that the property as hereinafter described abuts the City limits and is urban or suburban in nature or about to become so and said land is currently owned by the City of Austin.
2. None of the property is now included within the limits of any city, or in any area that has already been designated for orderly annexation pursuant to Minnesota Statutes §414.0325.
3. The corporate limits of the City of Austin, Minnesota, are hereby extended to include the following described property, said land abutting the City of Austin and already owned by said City of Austin and it being necessary and appropriate that the same be annexed within the corporate limits of said City of Austin, Minnesota, described as follows:

Parcel A (08.026.0110) – 5.3 Acres, Lansing Township, Exempt

All that part of the Southeast Quarter of the Southwest Quarter of Section 26, in Township 103, Range 18, lying east of the right of way of the Chicago, Milwaukee, and St. Paul Railway, Mower County, Minnesota, excepting therefrom all that part thereof lying East of the West right of way line of County State Aid Highway No. 16 (CSAH 16), and further excepting therefrom all that part thereof included within the following described tract of land, to wit:

Beginning at the S.E. corner of the S.W. 1/4 of Section 26 Twp. 103 N. Range 18 W. Mower County, Minnesota; thence west along the south line of the S.W. 1/4 of said Section 26, 231.4 feet to the east right of way line of the C.M. St. P.&P.R.R. thence north along the east right of way line of said R.R. 395.8 feet; thence S.84 23' E. 237.35 feet to the east line of the S.W. 1/4 of said Section 26; thence south 370.5 feet to the place of beginning.

Parcel B (08.036.0016) - 62.4 Acres, Lansing Township, Exempt

The Northeast Quarter of Section 36, Township 103 North, Range 18 West, subject to all easements and reservations of record, and excepting therefrom the following described parcel:

Commencing at the Southwest corner of the Northeast Quarter of Section 36, Township 103 North, Range 18 West; thence Easterly 1558.5 feet on the South line of said Quarter Section; thence North on a line parallel with the West line of said Northeast Quarter to the North line of said Northeast Quarter; thence West along the North line of said Northeast Quarter to the Northwest corner thereof; thence South along the West line of the Northeast Quarter to the point of beginning.

AND

The South 49.5 feet of the West 1558.5 feet of the Northeast Quarter of Section 36, Township 103 North, Range 18 West, Mower County, Minnesota.

Parcel C (08.036.0010) – 11.0, Lansing Township, Exempt

All that part of the South Half of the Northeast Quarter of Section 36, Township 103 North, Range 18 West, Mower County, Minnesota described as follows:

Commencing at the Southwest corner of said Northeast Quarter of Section 36; thence North 00 degrees 16 minutes 22 seconds East a distance of 49.50 feet, on an assumed bearing on the West line of said Northeast Quarter of Section 36, to the point of beginning; thence South 89 degrees 45 minutes 17 seconds East a distance of 1558.47 feet, on a line 49.5 feet North of and parallel with the South line of said Northeast Quarter of Section 36; thence North 00 degrees 14 minutes 43 seconds East a distance of 308.50 feet; thence North 89 degrees 45 minutes 17 seconds West a distance of 1558.33 feet, on a line parallel with and 358.00 feet North of the South line of the Northeast Quarter, to a point on the West line thereof; thence South 00 degrees 16 minutes 22 seconds West a distance of 308.50 feet, on the West line of said Northeast Quarter of Section 36, to the point of beginning.

Parcel D (16.040.0010) – 0.53 Acres, Red Rock, Exempt

and Parcel E (16.040.0011) – 1.10 Acres, Red Rock, Exempt

Outlot L, Outlot 1A, Outlot E, and that portion of Outlot C lying North of the extended Southeasterly line of Outlot E in Auditor's Plat of Outlots in the West Half of West Half of Section 31, Township 103 North, Range 17 West, and the East Half of the East Half of the Southeast Quarter of Section 36, Township 103 North, Range 18 West, Mower County, Minnesota, recorded in Book 8 of Plats, page 3 in the office of the County Recorder of said County.

Parcel F (16.031.0155) – 8.7 Acres, Red Rock, Exempt

All that part of the NW¼ Section 31-T103N-R17W, Mower County, Minnesota; described as follows:

Commencing at the northeast corner of the NW¼ of said Section 31; thence South 89° 16'49" West a distance of 1980.00 feet, on an assumed bearing on the north line of said NW ¼; thence South 00°52'40" East a distance of 1623.14 feet, parallel with the east line of said NW¼ to the point of beginning;

thence South 00°52' 40" East a distance of 512.81 feet, on a line parallel with the east line of said NW¼;  
thence North 55°23'22" East a distance of 173.55 feet;  
thence North 18°27'36" East a distance of 155.97 feet;  
thence North 58°47'32" East a distance of 211.25 feet;  
thence North 70°04'51" East a distance of 248.34 feet;  
thence North 02°28'50" West a distance of 104.88 feet;  
thence South 86°56' 14" West a distance of 610.57 feet to the point of beginning.

And also

Tract A: All that part of the Northwest Quarter, Section 31, Township 103 North, Range 17 West, Mower County, Minnesota; described as follows:

Commencing at the northeast corner of the Northwest Quarter of said Section 31; thence South 89°16'49" West a distance of 1980.00 feet, on an assumed bearing on the north line of said Northwest Quarter; thence South 00°52'40" East a distance of 1262.96 feet, parallel with the east line of said Northwest Quarter, to a point 1391.50 feet north of the south line of said Northwest Quarter, measured along a continuation of the previously described line, said point being the point of beginning; thence South 00°52'40" East a distance of 360.18 feet, on a line parallel with the east line of said Northwest Quarter; thence North 86°56'14" East a distance of 610.57 feet; thence North 02°28'50" West a distance of 359.94 feet; thence South 86°56'14" West a distance of 600.50 feet, to the point of beginning.

A copy of the corporate boundary map showing the parcels to be annexed and their relationship to the corporate boundaries of the City of Austin is attached hereto as Exhibit A.

4. That the area legally described herein is vacant and will not affect the population of the City at this time. The area to be annexed includes 78.7 acres in Lansing Township and 10.33 acres in Red Rock township.
5. Parcels B through F are hereby classified as A-1, Agricultural, Recreation and Conservation District and Parcel A is hereby classified as R-O, Multi-Family Residential-Office District. The future land use and official zoning maps shall be amended to display the annexed area and zoning classification.
6. The City of Austin will make no cash payment to Red Rock or Lansing Township pursuant to Minnesota Statutes § 414.036, since the land being annexed is City owned.
7. That pursuant to Minnesota Statutes § 414.036, there are no special assessments assigned by the town to the annexed property.
8. That the City Clerk-Treasurer of the City of Austin is hereby authorized and directed to file a copy of this ordinance with the Municipal Boundary Adjustment Unit of the Office of the Administrative Hearings, the Minnesota Secretary of State, the Mower County Auditor, Mower County Recorder and the Lansing and Red Rock Township Clerks.

9. That this ordinance shall be in full force and effect and final upon the dates this ordinance is approved by the Office of Administrative Hearings.

PASSED AND ADOPTED by the following vote of yeas and nays by the City Council of the City of Austin, Minnesota, this 16<sup>th</sup> day of August, 2021:

YEAS: 6

NAYS: 0

ATTEST:

APPROVED:

A handwritten signature in blue ink, appearing to read "Tom Dahl", written over a horizontal line.

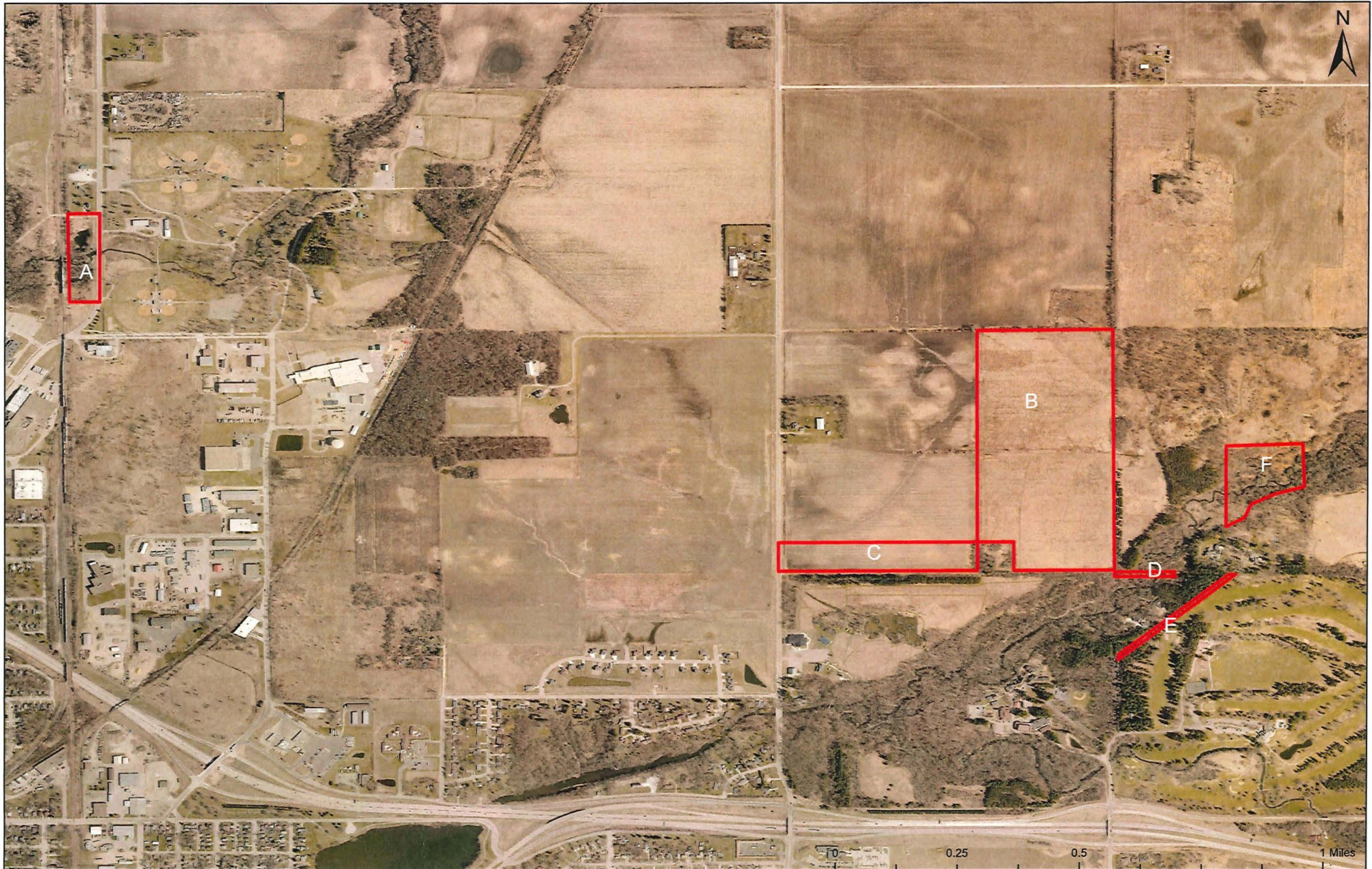
City Recorder

A handwritten signature in black ink, consisting of stylized initials, written over a horizontal line.

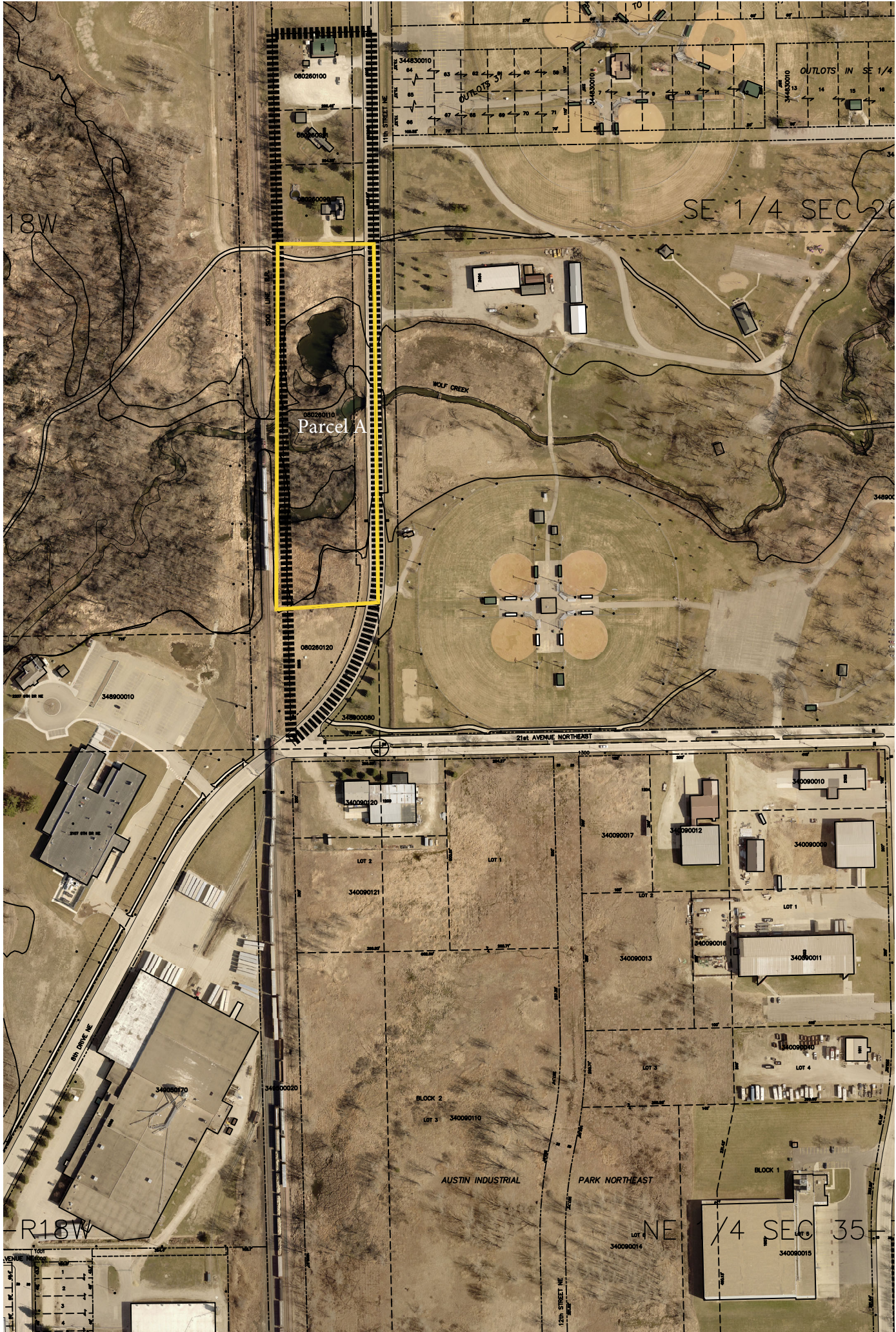
Mayor

This ordinance was introduced on August 16, 2021; approved on August 16, 2021; was unpublished; and becomes effective upon approval by the Office of Administrative Hearings.













Parcel B

NE 1/4 SEC 36-T103N-R18W

Parcel C

Parcel D

Parcel E

Parcel F

NW 1/4 SEC 31-T103N-R17W



FIGURE 2-3.

