



REC'D BY
M M B

AUG 3 1 2004

RESOLUTION 2004 - 21
FUTURE BYRON HIGH SCHOOL ANNEXATION

Section 1. The City of Byron has received a petition from all of the owners of record of property described in Schedule A attached hereto and made a part hereof, requisition the annexation of said lands in to the corporate limits of the City of Byron, which land is located in Kalmar Township, Olmsted County, Minnesota.

Section 2. The City having reviewed the petition and lands involved has made the following findings and determinations:

- A. The land is urban or suburban in nature;
- B. The land abuts the corporate limits of the City of Byron;
- C. The land is 84.93 acres or less in size;

Section 3. The City of Byron has notified the supervisors of Kalmar Township, all owners of record of the property described in Schedule A attached hereto, and all land owners within and contiguous to the area to be annexed, of said annexation petition was reviewed at the regularly scheduled meeting of the City Council on 24th day of March, 2004 at 6:15PM at which time the City Council took testimony for and against said annexation.

Section 4. The City of Byron is empowering pursuant to Minnesota statute 414.3050 to annex the subject property by Orderly Annexation and by the execution of this resolution directs that said property be annexed into the City of Byron.

Section 5. As a result of this annexation the population of the City of Byron will not increase.

Section 6. The City of Byron hereby requests that the Minnesota Planning, Municipal Boundary Adjustments, immediately order and approve said annexation upon receipt of this resolution. The City further requests that no further consideration of said Board is necessary and that no alteration of the stated boundaries of the annexation be made by said Board.

Section 7. The City hereby directs that the zoning map described in Section 1.03 of the City of Byron's City Zoning Ordinance be amended to include property described in Schedule A. and further that the City amend its land use plan to conform to the City's Zoning and Land Use Ordinance as a result of this annexation.


Section 8. No consideration by the Department of Administration is necessary, the Department of Administration may review and comment, but shall within 30 days order the annexation in accordance with the terms of this resolution.

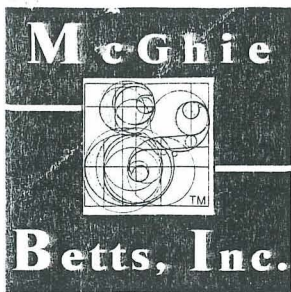
Section 9. The City hereby annexes the land noted in Schedule A according to provisions set forth in Resolution 2004-09 Paragraph 3 (Ai).

Section 9. That Byron's City Clerk is directed to file a certified copy of this resolution with the following boards and agencies: Minnesota Planning, Kalmar Township, Olmsted County Auditor and the Minnesota Secretary of State.

Approved and adopted by the City Council this 11th day of August, 2004.

By: 
Gregory H. Brandt
Mayor

Attest: 
Mary K. Blair-Hoef
City Clerk/Treasurer



REC'D BY
M M B

AUG 31 2004

Exhibit A

Rochester
Minnesota

ANNEXATION DESCRIPTION

FOR: BYRON SCHOOL DISTRICT

DATE: DECEMBER 25, 2003

Land Surveying

Urban - Land Planning

Consulting - Civil Engineering

Geotechnical Engineering

Construction Material Testing

Landscape Architecture

All of the Olmsted County Road No. 5 right of way as defined on OLMSTED COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 16 which lies in the Northwest Quarter of Section 29, Township 107 North, Range 15 West, Olmsted County, Minnesota.

ALSO:

All of the Olmsted County Road No. 5 right of way as defined on OLMSTED COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 16 which lies in the North Half of the Northeast Quarter of Section 29, Township 107 North, Range 15 West, Olmsted County, Minnesota.

ALSO:

The South Half of the Southwest Quarter of Section 20, Township 107 North, Range 15 West, Olmsted County, Minnesota.

Containing in all, 84.93 acres more or less.

1648 Third Avenue S.E.
Rochester, MN 55904

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Fax. 507.289.7333

e-mail. mbi@mcghiebetts.com

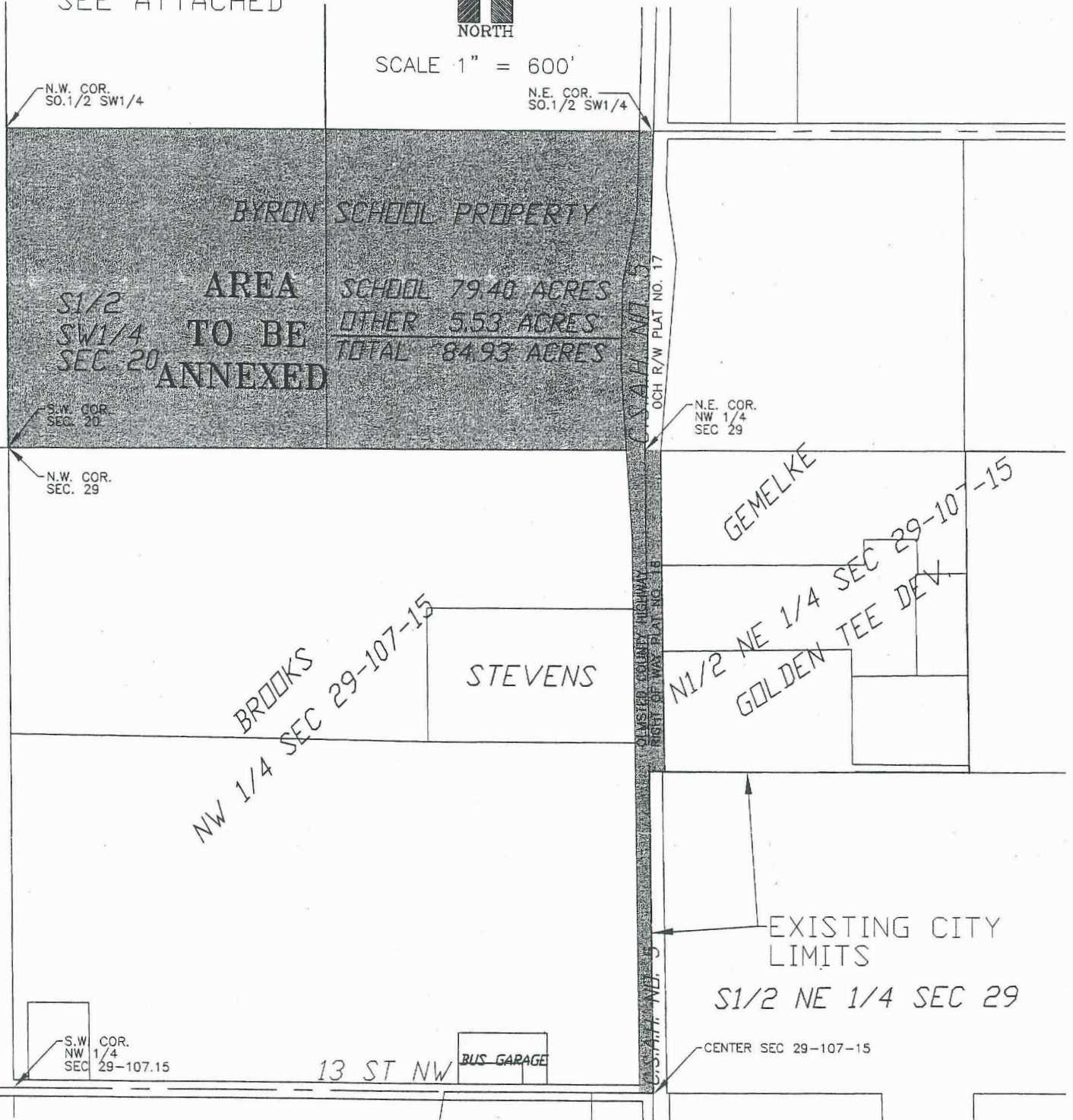
Established 1946

ANNEXATION EXHIBIT

DESCRIPTION:
SEE ATTACHED



SCALE 1" = 600'



FDR :

BYRON PUBLIC SCHOOLS
501 NE 10TH AVENUE
BYRON, MN
55920

Land Surveying
Urban-Land Planning
Consulting - Civil Engineering

1648 Third Avenue S.E.
Rochester, MN 55904
Telephone 507.289.3919
Facsimile 507.289.7333

McGhie

Betts, Inc.

Geotechnical Engineering
Construction Material Testing
Landscape Architecture

email: mbi@mcgiebetta.com

SCALE:	1" = 600'
DRAWN BY:	MMM
DATE :	01/08/04
ACCT. NO. :	3092/3655 <i>Cadd No. 3695ANNE</i>
FILE NO. :	BK. PG.