

STATE OF MINNESOTA
MUNICIPAL BOARD

475 McColl Building
366 Jackson Street
(5th & Jackson)
St. Paul, Minnesota 55101-1925

M E M O R A N D U M

TO: Parties of Record

FROM: Patricia D. Lundy *PDL*

DATE: April 19, 1994

SUBJECT: OA-323-1 Luverne

The attached order is amended on Page Four to correct a scrivener's error. There are no other amendments in this order.

PDL:ry

BEFORE THE MUNICIPAL BOARD
OF THE STATE OF MINNESOTA

Robert J. Ferderer	Chair
John W. Carey	Vice Chair
Dorothy E. Kobs	Commissioner

IN THE MATTER OF THE ORDERLY ANNEXATION)	A	M	E	N	D	E	D
AGREEMENT BETWEEN THE CITY OF LUVERNE)					<u>ORDER</u>		
AND THE TOWN OF LUVERNE PURSUANT TO)							
MINNESOTA STATUTES 414)							

WHEREAS, a joint resolution for orderly annexation was adopted by the City of Luverne and the Town of Luverne; and

WHEREAS, said joint resolution requests that certain property be annexed to the City of Luverne pursuant to M.S. 414.0325, Subdivision 1; and

WHEREAS, M.S. 414.0325 states that in certain circumstances the Minnesota Municipal Board may review and comment, but shall within 30 days order the annexation of land pursuant to said subdivision; and

WHEREAS, on October 13, 1993, the Minnesota Municipal Board has reviewed and accepted the resolution for orderly annexation;

IT IS HEREBY ORDERED: That the following described property is hereby annexed to the City of Luverne, Minnesota, the same as if it had originally been made a part thereof:

Dispanet, ELJIM, RIBOB, Viking Inn, and I-90 right of way property:

A tract of land in Section Fifteen (15), Township One Hundred Two (102) North of Range Forty-Five (45) West, of the 5th P. M., described as follows: Beginning at the East Quarter corner (E 1/4) cor) of Section Fifteen (15), Township 102

North, Range 45 West, of the 5th P. M., thence South 0°00'01" West (along the center line of U.S. Highway 75), Eight Hundred Sixty Eight and Forty/hundredths feet (868.40'); thence South 89°44'33" West, One Thousand Two Hundred Ninety Four and Forty-two/hundredths feet (1,294.42'); thence North 0°44'30" West, One Thousand Sixty Four and Seventy/hundredths feet (1,064.70') to the South right-of-way of Interstate Highway No. 90; thence Southerly and Easterly along the South right-of-way of Interstate No. 90 to the East line of said Section Fifteen (15); thence South 0°07'59" East, One and Zero/hundredths feet (1.00') to the point of beginning, consisting of 30.05 acres, more or less,

and

Including that part of the northerly adjacent Interstate Highway No. 90 located in said Section 15 and lying East of the West line of the above-described tract extended northerly to the north right-of-way line of said Interstate Highway No. 90, consisting of approximately 17 acres, more or less,

Olhausen property:

The East Fifty (E. 50) feet of the following described tract:

Commencing at the East One-Quarter (E 1/4) corner of Section Fifteen (15) Township One Hundred Two (102) North of Range Forty-five (45) West of the 5th Principal Meridian, Rock County, Minnesota; thence South 0°00'01" West along the East line of said Section 15 for a distance of Eight hundred sixty-eight and forty-hundredths (868.40) feet to the point of beginning; thence South 0°00'01" West along the East line of said Section 15 for a distance of Five hundred eighty and seventy-nine hundredths (580.79) feet; thence South 89°44'33" West for a distance of Seven hundred fifty and one-hundredths (750.01) feet; thence North 0°00'01" East for a distance of Five hundred eighty and seventy-nine hundredths (580.79) feet; thence North 89°44'33" East for a distance of Seven hundred fifty and one-hundredths (750.01) feet to the point of beginning, containing 10.00 acres,

Schoon property:

The East 750.0 feet of the Southeast Quarter (SE 1/4) of Section Fifteen (15), in Township One hundred two (102) North, of Range Forty-five (45) West, of the 5th P. M., lying South of a line described as beginning on the East line of said Section 15, South 0°00'01" West, 868.40 feet from the East quarter corner of said Section 15, thence South 89°44'33" West, except the South 294.82 feet thereof and the North 580.79 feet thereof,

Renken property:

That part of the Southwest Quarter (SW 1/4) of Section

Fourteen (14) in Township One hundred two (102) North, of Range Forty-five (45) West of the 5th P. M., described as follows:

Beginning at the Southwest (SW) corner of said Section Fourteen (14), thence North along the West line of said Section for a distance of 904.7 feet to the point of beginning; thence North on said West line of said Section 150 feet, thence East parallel with the North line of that certain tract deeded by these Grantors to Kenneth C. Sargent and Maude C. Sargent (which deed is filed in the office of the Register of Deeds for Rock County in Book "38" of Deeds on page 508 thereof) to the West line of the Chicago, St. Paul, Minneapolis & Omaha Railroad right-of-way, thence Southeasterly along the West line of said Railroad right-of-way to the North line of said tract deeded to said Sargents, thence West on the North line of said tract deeded to said Sargents, to the place of beginning,

and

A strip of land 100 feet wide being part of the Southwest Quarter of the Southwest Quarter (SW 1/4 of SW 1/4) of Section Fourteen (14), Township One hundred two (102) North, of Range Forty-five (45) West, said strip of land being 50 feet in width on each side of the centerline of the main track (now removed) of the Chicago, Saint Paul, Minneapolis and Omaha Railway Company, formerly the Worthington and Sioux Falls Railroad Company, as said centerline of said main track was located and established over and across said Section 14, said 100 foot strip of land bounded on the North by a line drawn at an angle of $90^{\circ}52'$ measured clockwise from the West line of said Section 14 at a point distant 1054.70 feet Northerly measuredly along said West line of Section 14 from the south line of said Section 14 and on the South by a line drawn at an angle of $90^{\circ}52'$ measured clockwise from the West line of said Section 14 at a point distant 904.70 feet Northerly measured along said West line of Section 14 from the South line of said Section 14,

Limesand and I-90 right-of-way property:

A tract of land located in the Southwest Quarter (SW 1/4) of Section Fourteen (14), Township One hundred two (102) North, of Range Forty-five (45) West of the 5th P. M., described as follows:

Commencing at the Northwest (NW) corner of said quarter in said section; thence going in a Southerly direction 370 feet along the centerline of U. S. Highway 75 being the West line of said quarter; thence going in an Easterly direction 50 feet

parallel with the North line of said quarter; thence going in a Northeasterly direction 110 feet to a point 360 feet South of the North line of said Southwest Quarter and 159.68 feet East to the West line of said Southwest Quarter to a permanent iron stake there affixed; thence going in a Northeasterly direction 108.4 feet to a point 271 feet South of the North line of said Southwest Quarter and 221.18 feet East to the West line of said Southwest Quarter to a permanent iron stake there affixed; thence going in a Northeasterly direction to the East line of the right of way of the Chicago, St. Paul, Minneapolis and Omaha Railroad; thence Northerly along the East line of said right of way to the North line of said Southwest Quarter; thence Westerly along the North line of said Southwest Quarter to the point of beginning,

and

That part of the Northwest Quarter (NW 1/4) of Section Fourteen (14), Township One hundred two (102) North, of Range Forty-four (44) West of the 5th P. M., lying and being South of Interstate No. 90 and West of the East right of way line of the Chicago, St. Paul, Minneapolis and Omaha Railroad,

and

Including that part of the Northerly adjacent Interstate Fourteen (14)

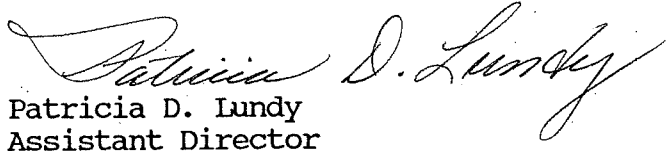
Highway No. 90 located in Section ~~Fifteen (15)~~ lying West of the East line of the Chicago, St. Paul, Minneapolis and Omaha Railroad extended Northerly to the North right of way line of said Interstate 90.

IT IS FURTHER ORDERED: That the effective date of this order is October 13, 1993.

IT IS FURTHER ORDERED: That the effective date of this amended order is April 19, 1994.

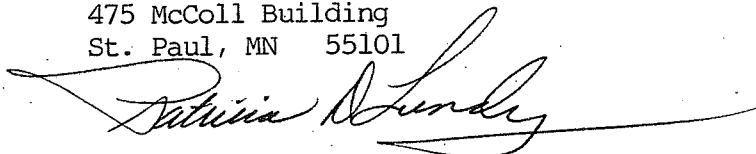
Dated this 13th day of October, 1993.

MINNESOTA MUNICIPAL BOARD
475 McColl Building
St. Paul, MN 55101


Patricia D. Lundy
Assistant Director

Amended order dated this 19th day of April, 1994.

MINNESOTA MUNICIPAL BOARD
475 McColl Building
St. Paul, MN 55101


Patricia D. Lundy
Assistant Director