

RESOLUTION NO. 1946

IN THE MATTER OF THE JOINT  
RESOLUTION OF THE CITY OF MONTEVIDEO  
AND THE TOWN OF SPARTA  
DESIGNATING CERTAIN AREAS AS  
IN NEED OF ORDERLY ANNEXATION  
PURSUANT TO MN STATUTES § 414.0325

**JOINT RESOLUTION FOR  
ORDERLY ANNEXATION**

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WHEREAS, the City of Montevideo (hereinafter the "City") and Town of Sparta (hereinafter the "Township") deem it necessary and appropriate that they work together to develop and implement a process for the orderly and controlled growth of the City and Township; and,

WHEREAS, the City and Township agree that municipal government most efficiently provides governmental services in areas which are developed for residential, commercial, industrial and governmental purposes, and that Township government most efficiently provides governmental services in areas used or developed for agricultural, open space and rural residential purposes; and,

WHEREAS, the City and Township agree that orderly development with municipal services and the orderly annexation of certain unincorporated areas located in the Township is in the best interests of the community and of both political subdivisions; and,

WHEREAS, the City and Township agree that orderly annexation is one way to promote the public health, safety, and welfare of our community; and,

WHEREAS, the City and the Township desire to accomplish orderly annexation of said areas in a mutually acceptable and beneficial manner without the need for a hearing before the Minnesota Municipal Board; and,

WHEREAS, the City and Township deem it necessary and appropriate to designate certain unincorporated land located in the Township as in need of orderly annexation in order to provide for the orderly development of said designated areas and the provision of municipal services thereto; and

WHEREAS, it is the intent of the parties that the annexation of lands in the Areas described will take place as follows:

- Area I. To be annexed in total at this time.
- Area II. To be annexed in total when the triggering event occurs.

Area III. Only the lot proposed for development and any adjacent necessary land shall be annexed when the triggering event occurs.

Area IV.  
State Agency  
Portion of

Area V. Only the lot with the Non-Compliant or Failing Individual Sewage Treatment System and any adjacent, necessary land shall be annexed when the triggering event occurs.

Area V. The Land as described in the Owner Petition shall be annexed at the time of the Petition..

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Montevideo and the Town Board of Supervisors of the Town of Sparta as follows:

1. Designation of Orderly Annexation Areas. The City and Township hereby designate the following five areas as in need of orderly annexation pursuant to Minnesota Statutes § 414.0325:
  - a. "Orderly Annexation Area I." "Orderly Annexation Area I," hereinafter referred to as "Area I," is legally described in Exhibit 1 attached hereto and incorporated herein by reference. For ease of reference, Area I is shown on the map attached hereto as Exhibit 2 and is that area of the Township which is completely surrounded by the City and which is undeveloped as of the date of execution of this Joint Resolution for Orderly Annexation (hereinafter the "Resolution.") as well as the property to the North of Sheridan Avenue and West of County Road 15.
  - b. "Orderly Annexation Area II." "Orderly Annexation Area II," hereinafter referred to as "Area II," is legally described in Exhibit 3 attached hereto and incorporated herein by reference. For ease of reference, Area II is shown on the map attached hereto as Exhibit 4 and is that area of the Township which is completely surrounded by the City and which, as of the date of execution of this Resolution, is developed with single-family residences.
  - c. "Orderly Annexation Area III." "Orderly Annexation Area III," hereinafter referred to as "Area III," is legally described in Exhibit 5 attached hereto and incorporated herein by reference. For ease of reference, Area III is shown on the map attached hereto as Exhibit 6 and is that area of the Township located on the easterly boundary of the City as said boundary exists on the date of execution of this

Resolution lying generally along Trunk Highway No. 7, 24th Street and County Road 15.

- d. "Orderly Annexation Area IV." "Orderly Annexation Area IV," hereinafter referred to as "Area IV," includes those designated portions of the Township within two miles of the corporate limits of the City as said limits exist from time to time and as to which specific locations the City commits to an immediate willingness to deliver water and sewer services upon request, to be assessed according to the City's normal assessment policy then in effect, provided the areas located in Area IV are only designated as in need of orderly annexation under the terms and conditions of Paragraph 8 of this resolution. The specific locations which will be included in Area IV are outlined on Exhibit 7 on the map attached hereto as Exhibit 7.
  - e. "Orderly Annexation Area V." "Orderly Annexation Area V," hereinafter referred to as "Area V," includes those portions of the Township within two miles of the corporate limits of the City as said limits exist from time to time, provided that areas located in Area V are only designated as in need of orderly annexation under the terms and conditions of paragraph 9 of this Resolution.
2. No Minnesota Municipal Board Hearing Required. Subject to the terms and conditions of this Resolution, the City and Township hereby agree that Areas I, II, III, IV, and V are in need of orderly annexation pursuant to Minnesota Statutes § 414.0325. No alteration of the stated boundaries is appropriate. No consideration by the Minnesota Municipal Board is necessary. All terms and conditions for annexation of said areas are provided for in this Resolution. The Minnesota Municipal Board may review and comment only. This Paragraph will not increase the property to be annexed in Areas III and IV beyond the territory called for in Paragraphs 7 and 8 of this Agreement.
  3. No Annexation Election/Referendum Required. As of the date of execution of this Resolution, there is no annexation election or referendum requirement in law. The City and Township agree that in the event an annexation election or referendum should be reinstated, it shall not be applicable to any annexation provided for in this Resolution.
  4. Definitions. For purposes of this Resolution, the terms defined in this paragraph have the meanings given them:
    - a. "Agricultural development" means improvements, buildings, structures or fixtures, existing or proposed, suitable for use in farming located on agricultural land, including a single-family

dwelling located on agricultural land that is or will be occupied by a farmer and structures attached to or incidental to the use of the dwelling.

- b. "Agricultural land" means land used or to be used in farming.
- c. "Any adjacent, necessary land" means any unincorporated land lying between the City and the area currently used or proposed for urban, non-farm development or any unincorporated land adjacent to the City or the area currently used or proposed for urban, non-farm development that is necessary to effectively provide services to said unincorporated area. The adjacent necessary land will be a strip of land the same width as the area currently used or proposed for urban, non-farm development running along the path across which utilities will run provided that if any property lines as of the date of this agreement are a lesser width, the boundary line of the adjacent necessary land shall follow such property line for the length of that property line.
- d. "Dwelling" means any building or place used or intended to be used by human occupants.
- e. "Farming" means the cultivation of land for the production of agricultural crops, the raising of poultry, the production of eggs, the production of milk, the production of fruit or other horticultural crops, grazing, the production of livestock, aquacultural, hydroponics, or the production of forest products.
- f. "Individual Sewage Treatment System" means a sewage treatment system, or part thereof, serving a dwelling, or other establishment, or group thereof, which uses subsurface soils treatment and disposal. Individual sewage treatment system includes holding tanks and privies.
- g. "Licensed inspector" means a person who is licensed pursuant to Minnesota Statutes or Rules to conduct inspections to determine compliance of individual sewage treatment systems with local ordinances or the minimum standards as set forth in Minnesota Rules, Chapter 7080 or other similar State Statutes or Rules.
- h. "Notice of noncompliance" means a notice given and signed by a licensed inspector that an individual sewage treatment system is not in compliance with the minimum standards as set forth in Minnesota Rules, Chapter 7080 or other similar State Statutes or Rules.

- i. "Other establishment" means any public or private structure other than a dwelling which generates sewage.
  - j. "Professional installer" means a person who designs, installs, alters, repairs, maintains, pumps or inspects individual sewage treatment systems pursuant to the minimum standards as set forth in Minnesota Rules, Chapter 7080 or other similar State Statutes or Rules.
  - k. "Urban, non-farm development" means any development, existing or proposed, which is not defined as agricultural development.
5. In Addition to the Other Terms of This Resolution, the Following Agreements Apply to Area I:
- a. Completely Surrounded. The City and Township agree that Area I, except the Rahson property, is completely (100 percent) surrounded by land within the municipal corporate limits of the City.
  - b. Drainage Problem/Urban or Suburban. The City and Township agree that Area I is in need of immediate annexation. The City has previously made needed service improvements to control drainage in Area I and said area is urban or suburban or about to become so.
  - c. Acreage of Area I. The City and Township agree that Area I contains 171.78 acres.
  - d. Population of Area I. The City and Township agree that the population of Area I is -0-, and as a result of annexation of Area I pursuant to this Resolution, the population of the City will be 5,519.
  - e. No Hearing Required. The City and Township agree that upon receipt of this Resolution, the Minnesota Municipal Board may review and comment, but shall, within 30 days of receipt of this Resolution, order the annexation of Area I in accordance with terms and conditions of this Resolution.
6. In Addition to the Other Terms of This Resolution, the Following Agreements Apply to Area II:
- a. No Annexation until 2001. The City and Township agree that Area II will not be subject to annexation by the City by the City until January 1, 2001, unless prior to January 1, 2001 the County of Chippewa accepts bids for the reconstruction or replacement of County Road 41 for that portion of County Road 41 which abuts or travels through Area II. In no event will Area II be annexed until the

City passes a Resolution authorizing the extension of water and sewer services to serve Area II.

- b. No Hearing. The City and Township agree that upon the occurrence of January 1, 2001, or upon the acceptance of bids by the County of Chippewa for reconstruction or replacement of that portion of County Road 41 in Area II, whichever comes first, any signatory to this Resolution may initiate annexation of Area II by submitting a resolution so providing along with a copy of this Resolution to the Minnesota Municipal Board. Upon receipt of a resolution of any signatory to this Resolution, the Minnesota Municipal Board may review and comment, but shall, within 30 days of receipt, order the annexation of Area II in accordance with the terms and conditions of this Resolution.
7. In Addition to the Other Terms of This Resolution, the Following Agreements Apply to Area III:
- a. No Urban, Non-Farm Development. Subject to paragraphs 7(b) and 7(c), the City and Township agree that all urban, non-farm development within Area III is prohibited unless the property proposed for such development and any adjacent, necessary land, is first annexed to the City.
  - b. Exceptions. The City and Township agree that the following development may occur within Area III without having to be first annexed prior to development thereof:
    - i. Agricultural development; or
    - ii. Subject to paragraphs 7(c) and 7(d), repair, or limited expansion of structures in existence on the effective date of this Resolution by the owner of record in existence on the effective date of this Resolution. For purposes of this provision, repair or limited expansion of existing structures by the existing owner of record shall be limited to less than a cumulative fifty percent (50%) increase in square footage of existing structures over a five-year period; or
    - iii. Urban, non-farm development which is first approved in writing by both the City and Township.
  - c. Annexation of Unplatted or Undeveloped Land. The City and Township agree that:

- i. Whenever any person or business entity makes application to have any parcel of land located within Area III subdivided or platted, or whenever application is made for a permit for the construction of a building in Area III, the Township shall within 30 days of receipt of said application or permit notify the City thereof.
  - ii. Thereafter, the City may submit a resolution for annexation of an area proposed for urban, non-farm development and any adjacent, necessary land to the Minnesota Municipal Board, and said area is designated as in need of immediate annexation.
  - iii. Upon receipt of a resolution so providing along with a copy of this Resolution, the Minnesota Municipal Board may review and comment, but shall, within 30 days of receipt of the resolution, order the annexation of the area designated in the resolution in accordance with the terms and conditions of this Resolution. The area proposed for urban non-farm development shall establish the maximum depth of the area for annexation provided that if any property lines as of the date of the agreement are a lesser width, the boundary line of the adjacent necessary land shall follow such property line for the length of that property line. The annexation of any adjacent necessary land shall not exceed in depth the depth of the area proposed for urban, non-farm development.
  - iv. After annexation of an area as provided for in this paragraph, the City may provide on its own initiative, or the property owners within the area annexed may petition the City for, subject to City approval, City sanitary sewer and water services. Property owners receiving said service(s) shall be assessed for said sewer or water service improvements in accordance with the City's assessment policy and Minnesota Statutes. Special assessments for sewer and water service improvements on any adjacent, necessary land shall be deferred until such time as said adjacent, necessary land voluntarily connects, or is required to connect by the City, to either City sanitary sewer or water service. Thereupon, said adjacent, necessary land shall be assessed in accordance with the City's assessment policy and Minnesota Statutes.
- d. Existing Urban, Non-Farm Development. The City and Township agree that if any existing property located in Area III is being used for urban, non-farm development on the effective date of this Resolution and said property subsequently changes ownership or

the existing property owner petitions for or the City is required to provide a municipal service, the property changing ownership or petitioning for or needing a municipal service and any adjacent, necessary land may be designated as in need of orderly annexation. Upon receipt of a resolution of the City so providing and a copy of this Resolution, the Minnesota Municipal Board may review and comment, but shall, within 30 days of receipt of the resolution, order the annexation of the area designated in the resolution in accordance with the terms and conditions of this Resolution. For purposes of this subparagraph, change in ownership of an existing property being used for urban, non-farm development on the effective date of this Resolution does not include a change in ownership which results from death, divorce, or a change in business entity form or a change in ownership among family members for estate planning purposes.

8. In Addition to the Other Terms of This Resolution, the Following Agreements Apply to Area IV, Annexation of Property With Noncompliant or Failing Individual Sewage Treatment Systems:

- a. Licensed Inspector. The City and Township agree that any land located within orderly annexation Area IV and any adjacent, necessary land, but not including land being used for agricultural development, is designated as in need of orderly annexation and may be immediately annexed by the City under the terms of this Resolution when individual sewage treatment system or systems are found by a licensed inspector to be in noncompliance with the minimum standards as set forth in Minnesota Rules, Chapter 7080 or other similar State Statutes or Rules and cannot be brought into compliance except by connection to a community water and sewer system.
- b. No Hearing Required. With respect to paragraphs 8(a), upon receipt of a resolution of the City, including a provision that the City would provide the needed services, a copy of this Resolution, and a notice of noncompliance or a MPCA or other state agency order, resolution, or authorization as provided for herein, the Minnesota Municipal Board may review and comment, but shall, within 30 days of receipt, order the annexation of the designated area in accordance with the terms and conditions of this Resolution.
- c. Addition to in Annexation Area IV. The City and the Township will annually review the property included within Annexation Area IV. At such time as the City identifies additional areas in which it is willing to immediately deliver water and sewer services upon request, to be assessed according to the City's assessment policy in effect at the

time of the delivery of the services, and the Township concurs with such locations, such additional properties will be added to Annexation Area IV and Exhibit 7 will be amended accordingly. All such property added to Annexation Area IV will be governed by the terms of this resolution from the date of the addition of such property to Annexation Area IV.

9. In addition to the other terms of this Resolution, the following agreements apply to Area V:

a. Annexation by Landowner Petition. If the City or Township receive a landowner petition for annexation by any person or persons with land abutting municipal corporate limits and said land is platted or subdivided, is proposed to be platted or subdivided, or is proposed for urban, non-farm development, said land is designated as in need of orderly annexation and may be annexed by submitting a resolution of the City along with said landowner petition and a copy of this Resolution to the Minnesota Municipal Board. Upon receipt, the Minnesota Municipal Board may review and comment, but shall, within 30 days of receipt of said resolution, petition and a copy of this Resolution, order the annexation in accordance with the terms and conditions of this Resolution.

b. State Agency. The City and Township agree that any land located within orderly annexation Area V and any adjacent, necessary land, is designated as in need of orderly annexation and may be immediately annexed by the City under the terms of this Resolution when individual sewage treatment system or systems are found by the Minnesota Pollution Control Agency (hereinafter the "MPCA"), or any other state or federal agency to be:

- 1) in noncompliance with the minimum standards as set forth in Minnesota Rules, Chapter 7080 or other similar State Statutes or Rules; or,
- 2) failing and in need of municipal sewer service pursuant to Minnesota Statutes § 115.49 or other similar State Statute,

and as a result thereof ordering the City to provide services to such land.

c. No Hearing Required. With respect to Paragraph 9, upon receipt of a Resolution of the City, a copy of this Resolution, and any notice of noncompliance or a MPCA or other state agency order, resolution or authorization as provided herein, the Minnesota Municipal Board may review and comment, but shall, within thirty (30) days of

receipt, order the annexation of the designated area in accordance with the terms and conditions of this Resolution.

10. Differential Taxation. The tax rate in any area annexed pursuant to this Agreement shall be increased in substantially equal proportions over six (6) years to equality with the tax rate on the property already within the City.
11. Municipal Reimbursement to Township. When any portion of the Township is annexed to the City pursuant to the terms of this Agreement, the City shall reimburse the Township for the taxable property in the areas lost by annexation for a period of six (6) years following annexation on a declining schedule as follows:
 

Year 1:	100%
Year 2:	80%
Year 3:	60%
Year 4:	40%
Year 5:	20%
Year 6:	10%
Year 7 and thereafter	0%
12. Overlay on Service Drive. The service drives located on either side of State Highways 7 and 59 in Country Side Acres and on the west side of the road are in need of a two-inch overlay that will cost approximately \$30,000.00. There are approximately 65 lots being benefited by the overlayed service drive. The overlay should have a life of ten years. If any of the lots in either Country Side Acres or on the west side of Highways 7 and 59 are annexed within ten years of the date that the overlay is placed, the Township shall be reimbursed for the unused portion of the useful life of any such lot. The per lot reimbursement will be based upon the actual cost of the overlay divided by 65, and each lot amount amortized over ten years.
13. Governing Law. This Resolution is subject to the laws of the State of Minnesota.
14. Modification/Amendment. This Resolution shall not be modified, amended, or altered except upon the written joint resolution of the City and the Township filed with the Minnesota Municipal Board.
15. Severability. Should any provision of this Resolution be adjudged by a court of competent jurisdiction to be unconstitutional or void, the remaining provisions of this Resolution shall remain in full force and effect.

16. Captions. Captions are for convenience only and are not intended to alter any of the provisions of this Resolution.
17. Notices. All notices to the City required under this Resolution shall be addressed to:

Office of the City Manager  
P.O. Box 676  
City Hall  
Montevideo, MN 56265

Passed and adopted by the City Council of the City of Montevideo this 5th day of August, 1996.

City of Montevideo

By: Florence Borman  
~~ACTING~~ City Council President

ATTEST:

Wm B. Dunelle  
City Clerk

Passed and adopted by the Town Board of Supervisors of the Town of Sparta this 6th day of August, 1996.

TOWN OF SPARTA

By: Luthard Schmidtke  
Town Board Chair

By: John A. Dyschaw  
Supervisor

By: R. O. Mos  
Supervisor

By: Rena E. Maen  
Town Board Clerk

**EXHIBIT 1**

**ORDERLY ANNEXATION AREA I**  
**CITY OF MONTEVIDEO**

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**#3 Charles D. Porter and Rebecca S. Porter, co-trustees of the Joint Revocable Inter Vivos Trust Agreement of Charles D. Porter and Rebecca S. Porter**

The Northwest Quarter (NW $\frac{1}{4}$ ) of Section Eight (8), Township One Hundred Seventeen (117), Range Forty (40), except 83.84 acres sold.

**#17 Trustees of the Offerman Family Living Trust dated March 23, 1992**

A tract of land in the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$  of NW $\frac{1}{4}$ ) of Section Eight (8), Township One Hundred Seventeen (117), Range Forty (40) described as beginning at the northeast corner of said Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$  of NW $\frac{1}{4}$ ), thence West 580 feet, thence South 200 feet, thence East 580 feet, thence North 200 feet to the place of beginning, containing 2.67 acres.

**#18 Harold and Edna Kragh**

A parcel of land in the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$  of the NW $\frac{1}{4}$ ) of Section Eight (8), Township One Hundred Seventeen (117) North, Range Forty (40) West, Fifth Meridian, Minnesota, described as follows: Beginning at a point on the North line of said Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$  of the NW $\frac{1}{4}$ ) a distance of Three Hundred (300.00') feet East of the Northwest corner of said Section Eight (8), which is the true point of beginning; thence continue East along the North line of said Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$  of the NW $\frac{1}{4}$ ) a distance of Four Hundred Forty and Sixty Hundredths (440.60') feet; thence South, parallel to the West line of said Section Eight (8), a distance of Two Hundred (200.00') feet; thence West, parallel to the North line of said Section Eight (8), a distance of Three Hundred Forty and Sixty Hundredths (340.60') feet; thence North, parallel to the West line of said Section Eight (8), a distance of Ten (10.00') feet; thence West, parallel to the North line of said Section Eight (8), a distance of One Hundred (100.00') feet; thence North, parallel to the West line of said Section Eight (8), a distance of One Hundred Ninety (190.00') feet to

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the point of beginning. Containing Two (2.00) acres, more or less. Subject to Highway Right-of-Way located on the North side of parcel.

**#19 Bradley D. Himle**

All that part of the North One-half ( $N\frac{1}{2}$ ) of the Southwest Quarter of the Northwest Quarter of Section Eight (8), Township One Hundred Seventeen (117) North, Range Forty (40), West of the Fifth Principal Meridian, Chippewa County, Minnesota, described by metes and bounds as follows: Beginning at a point two hundred eighty-one and eighty four one hundredths (281.84) feet north, and three hundred ninety two and thirty seven hundredths (392.37) feet east of the Southwest corner of said North One-half of said southwest quarter of the northwest quarter of said Section Eight (8); which point is also the northwest corner of the six acre tract owned and occupied by Louis Brown; thence eastward along the north line of said six acre tract, four hundred ninety seven and eight tenths (497.8) feet; thence northerly parallel with the west line of said Section Eight (8) one hundred seventy five feet (175); thence westerly parallel with the north line of said six acre tract four hundred ninety-seven and eight tenths (497.8) feet; thence southerly parallel with the west line of Section Eight (8) one hundred seventy five (175) feet to the said point of beginning, and containing two (2) acres, more or less according to the survey thereof.

**#20 Kevin Berle Wittman**

A tract of land in the  $N\frac{1}{2}$  of  $SW\frac{1}{4}$  of  $NW\frac{1}{4}$  beginning 890.17 feet East and 281.84 feet North of the Southwest corner; thence East 248.90 feet; thence North 175 feet; thence West 248.9 feet; thence South 175 feet to the point of beginning, all in Section 8, Township 117, Range 40.

**#21 Nick D. McCann  
Michael D. McCann  
Helen McCann**

All that portion of Government Sub-division known as the  $N\frac{1}{2}$  of  $SW\frac{1}{4}$  of  $NW\frac{1}{4}$ , Section 8-117-40, comprised within the following described metes and bounds: Beginning on the south line of the subdivision at a point which is 392.37 feet east of the west line of said section, and running thence north

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234.87 feet; thence east 927.33 feet to the east line of said Government subdivision; thence South 234.87 feet to the southeast corner of said Government subdivision; thence west 927.33 feet to the place of beginning, containing 5 acres of land. ALSO all that portion of Government subdivision known as the N $\frac{1}{2}$  of SW $\frac{1}{4}$  of NW $\frac{1}{4}$ , Section 8-117-40, comprised within the following described metes and bounds: Beginning at a point which is located 392.37 feet east of the west line of said section and also located 234.87 feet north of the south line of said subdivision and running thence north parallel with the west line of said section 46.97 feet; thence east parallel with the south line of said subdivision 927.33 feet to the east line of said subdivision; thence south along the east line of said subdivision 46.97 feet; thence west to the place of beginning, containing 1 acre of land.

**#22 Edward Miller**  
**Glen Herfurth**  
**Roger Kuhlmann**  
**Ronald Smith**

The South Half of the Southeast Quarter of the Northwest Quarter (S $\frac{1}{2}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$ ) of Section Eight (8), Township One Hundred Seventeen (117), Range Forty (40), except the following described tracts: (1) Beginning at a point 441 feet North of the Southeast corner of the Northwest Quarter (NW $\frac{1}{4}$ ) of Section 8, Township One Hundred Seventeen (117), Range Forty (40); thence West 588 feet parallel to the South line of said NW $\frac{1}{4}$ ; thence north 222.2 feet parallel with East line of said quarter section; thence East 588 feet parallel with south line of said Quarter Section to East line of said quarter section; thence South along quarter line of said quarter section to point of beginning, and (2) The West 600 feet of the said South Half of the Southeast Quarter of the Northwest Quarter (S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ ); being subject to a road easement across the easterly portion thereof.

**#32 Chester V. and Shirley Kalmoe**

A tract of land in the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$  of SW $\frac{1}{4}$ ) of Section Eight (8), Township One Hundred Seventeen (117) North, Range Forty (40) West described as follows: Beginning at the Northwest corner of said Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$  of SW $\frac{1}{4}$ ), thence South 191.2 feet, thence East 333 feet, thence South 260 feet, thence West 333 feet, thence South 330 feet, thence East 475 feet, thence North 781.2 feet, thence West 475 feet to the point of beginning.

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Orderly Annexation Area I  
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**#33 Shirley Kalmoe**

A parcel of land in the Southwest Quarter (SW $\frac{1}{4}$ ) of Section Eight (8), Township One Hundred Seventeen (117) North, Range Forty (40) West, described as follows: Commencing at the northeast corner of said Southwest Quarter (SW $\frac{1}{4}$ ) and running thence south along the east line of said Southwest Quarter (SW $\frac{1}{4}$ ) to the intersection with a line one hundred twenty-seven and twelve hundredths feet (127.12') north of and parallel to the south line of now abandoned Windom Avenue extended easterly as said Windom Avenue is laid out and platted in Kohr's First Addition to the City of Montevideo; running thence west on said line one hundred twenty-seven and twelve hundredths feet (127.12') north of and parallel to said south line of Windom Avenue extended easterly three hundred ninety-eight and three-tenths feet (398.3'), thence south and parallel to the east line of said Southwest Quarter (SW $\frac{1}{4}$ ) to a point two hundred forty-five feet (245') south of the south line of said Windom Avenue extended, thence West and parallel to the south line of said Windom Avenue extended to its intersection with a line two hundred feet (200') east of and parallel to the east line of Thirteenth Street as laid out and platted in said Kohr's First Addition to the City of Montevideo; thence north along said line which is two hundred feet (200') east of and parallel to the east line of said Thirteenth Street to a point which is two hundred ten feet (210') north of the north line of said Windom Avenue extended easterly; thence west and parallel to the said north line of Windom Avenue extended Easterly for a distance of two hundred feet (200') to the east line of said Thirteenth Street extended northerly; thence north along said east line of Thirteenth Street extended northerly to the north line of said Southwest Quarter (SW $\frac{1}{4}$ ); and thence east along the north line of said Southwest Quarter (SW $\frac{1}{4}$ ) to the point of beginning.

**#34 Luther Haven**

A parcel of land in the Southwest Quarter (SW $\frac{1}{4}$ ) of Section Eight (8), Township One Hundred Seventeen (117) North, Range Forty (40) West of the Fifth Principal Meridian in the City of Montevideo described as commencing at a point on the east line of Thirteenth Street as said street is now laid out and platted in Kohr's First Addition to the City of Montevideo, which point is a distance of five hundred feet (500') south of the south line of the now vacated Windom Avenue as the same is now laid out and platted in said Kohr's First Addition; thence north along the east line of said Thirteenth Street and said east line extended north to a point on said east line extended

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north which is two hundred ten feet (210') north of the north line of said vacated Windom Avenue; thence east and parallel to said vacated Windom Avenue extended easterly for a distance of two hundred feet (200'); thence south and parallel to said east line of Thirteenth Street for a distance of seven hundred seventy feet (770'); thence west two hundred feet (200') to the point of beginning.

### **Rahson Description**

The East Half of the Northeast Quarter ( $E\frac{1}{2}$  of  $NE\frac{1}{4}$ ) of Section Seventeen (17), Township One Hundred Seventeen (117), Range Forty (40), except the North Eight Hundred Eighty (880') feet of said East Half ( $E\frac{1}{2}$ ) and also except that part described as Parcel 17-D and 17-E on Chippewa County Highway Department Right of Way Plat No. 53 and also except that part of the East Half of the Northeast Quarter of Section 17, Township 117 North, Range 40 West of the Fifth Principal Meridian, Sparta Township, Chippewa County, Minnesota, described as follows: Beginning at the southwest corner of the record plat entitled WAL-MART ADDITION, on file in the office of the Chippewa County Recorder; thence on an assumed bearing of North 89 degrees 10 minutes 55 seconds East, along the south line of said WAL-MART ADDITION, a distance of 370.00 feet; thence on a bearing of South 0 degrees 27 minutes 48 seconds East a distance of 479.42 feet to a point on the southerly line of Sheridan Avenue projected easterly, as shown on the record plat entitled MILLS EAST SIDE ESTATES, on file in the office of the Chippewa County Recorder; thence on a bearing of South 89 degrees 11 minutes 05 seconds West, along the southerly line of said Sheridan Avenue projected easterly, a distance of 370.00 feet to the east line of said record plat entitled MILLS EAST SIDE ESTATES; thence on a bearing of North 0 degrees 27 minutes 48 seconds West, along the east line of said record plat entitled MILLS EAST SIDE ESTATES, a distance of 479.40 feet to the point of beginning.

## 2

MMR

AREA I

I

AREA I

KOHY'S FIRST

2-9-7

BLOCK ONE

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12

QUARE	1	2
DATE	1	2

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**Figure 1**

HIGHWAY

AREA I

SANFORD  
SCHOOL

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EXHIBIT 3

ORDERLY ANNEXATION AREA II  
CITY OF MONTEVIDEO

#1 Donald J. and Ardis Knight

A tract in the Southwest Quarter of the Northeast Quarter (SE $\frac{1}{4}$  of NE $\frac{1}{4}$ ) of Section Eight (8), Township One Hundred Seventeen (117), Range Forty (40) beginning 663.2 feet North of the Southwest corner of said quarter section, thence running East 265 feet parallel to the South line of said quarter section, thence running South 165 feet parallel to the West line of said quarter section, thence running West 265 feet parallel to the South line of said quarter section, thence running North 165 feet on the West line of said quarter section to the point of beginning.

#2 Pauline Z. Knight

A tract in the West Half of the Northeast Quarter (W $\frac{1}{2}$  of NE $\frac{1}{4}$ ) of Section Eight (8), Township One Hundred Seventeen (117), Range Forty (40) beginning at the Southwest corner, thence East 400 feet, thence North 663.2 feet, thence West 135 feet, thence South 165 feet, thence West 265 feet, thence South 498.2 feet to the point of beginning.

#4 Roderick L. Johnson

A parcel of land in the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$  NW $\frac{1}{4}$ ) of Section Eight (8), Township One Hundred Seventeen (117), Range Forty (40), described as beginning at a point on the North line of the NE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of said Section 8 a distance of 474 feet West of the Northeast corner of the NE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of said Section 8; thence running South parallel to the East line of said NE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of said Section 8 a distance of 165 feet to the true point of beginning; thence running South parallel to the East line of said NE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of said Section 8 a distance of 165 feet; thence running West parallel to the North line of the NE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of said Section 8 a distance of 378 feet; thence running North parallel to the East line of said NE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of said Section 8 a distance of 165 feet; thence running East parallel to the North line of said NE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of said Section 8 a distance of 378 feet to the point of beginning; containing 1.44 acres, more or less.

Exhibit 3  
Orderly Annexation Area II  
Page No. 2

**#5 Roderick L. and Joan A. Johnson**

A parcel of land in the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$  of NW $\frac{1}{4}$ ), Section Eight (8), Township One Hundred Seventeen (117), Range Forty (40) West, County of Chippewa, Township of Sparta particularly described as follows: Beginning at a point on the north line of said Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$  of NW $\frac{1}{4}$ ) a distance of 588.0 feet west of the northeast corner of the said NE $\frac{1}{4}$  of NW $\frac{1}{4}$ ; thence south, parallel to the east line of said NE $\frac{1}{4}$  of NW $\frac{1}{4}$ , a distance of 165.0 feet; thence west, parallel to the north line of said NE $\frac{1}{4}$  of NW $\frac{1}{4}$ , a distance of 264.0 feet; thence north, parallel to the east line of said NE $\frac{1}{4}$  of NW $\frac{1}{4}$ , a distance of 165.0 feet; thence east along the north line of said NE $\frac{1}{4}$  of NW $\frac{1}{4}$  a distance of 264.0 feet to the point of beginning, containing 1.00 acres, more or less, subject to road reservation 33.0 feet in width along the north side of the above described tract.

**#6 Walter R. Schwendemann,  
Wanda Mae Schwendemann,  
Robert W. Schwendemann,  
Paul D. Schwendemann,  
Jayne M. Edwards**

Northeast Quarter (NE $\frac{1}{4}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ) of Section Eight (8), Township One Hundred Seventeen (117), Range Forty (40), described as follows: Beginning at a point on the north line of said Section Eight (8) a distance of Four Hundred Seventy-four (474) feet west of the Northeast Corner of the Northwest Quarter (NW $\frac{1}{4}$ ) of said Section Eight (8) running thence west along the north line of the Northwest Quarter (NW $\frac{1}{4}$ ) of said Section Eight (8) a distance of One Hundred Fourteen (114) feet; thence south parallel to the east line of the Northwest Quarter (NW $\frac{1}{4}$ ) of said Section Eight (8) One Hundred Sixty-five (165) feet; thence east parallel with the north line of the Northwest Quarter (NW $\frac{1}{4}$ ) of said Section Eight (8) One Hundred Fourteen (114) feet, thence north One Hundred Sixty-five (165) feet to the point of beginning, the north thirty-three (33) feet of said tract being reserved for a public road.

**#7 Celestine Svoboda,  
Cletus Vincent Svoboda,  
Diane C. Siegfried,  
Linus J. Svoboda**

A parcel of land in the NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 8, Township 117,

Exhibit 3  
Orderly Annexation Area II  
Page No. 3

North of Range 40 West, Chippewa County, Minnesota, more particularly described as follows: Beginning at a point on the north line of said Section 8, a distance of 264 feet West of the Northeast corner of the NW¼ of said Section 8; thence continue West along the North line of the NW¼ of said Section 8, 210 feet, thence south parallel with the East line of the NW¼ of said Section 8, 165 feet; thence east 210 feet parallel with the North line of the NW¼ of said Section 8; thence North 165 feet to the point of beginning, LESS THE FOLLOWING two parcels to be reserved for public roads (1) the North 33 feet of the above described parcel (2) Beginning at a point on the North line of the NW¼ of said Section 8, 414 feet West of the Northeast corner of the NW¼ of said Section 8; thence continue West on the North line of the NW¼ of said Section 8, a distance of 60 feet; thence South parallel to the East line of the NW¼ of Section 8, 165 feet; thence East parallel with the North line of the NW¼ of said Section 8, 60 feet; thence North to the point of beginning.

#8 Clarence O. Borg,  
Elaine Carol Appelwick,  
Barbara Borg

Commencing at the Northeast corner of the Northwest Quarter (NW¼) of Section Eight (8), in Township One Hundred and Seventeen (117) North of Range Forty (40) West of the Fifth Principal Meridian in Minnesota, thence south along the east line of said Northwest Quarter (NW¼) a distance of 165 feet, thence west on a line parallel to the north line of said Section Eight (8) a distance of 264 feet, thence north parallel to the east line of said Northwest Quarter (NW¼) a distance of 165 feet; thence east along the north line of said Northwest Quarter (NW¼) a distance of 264 feet to the point of beginning, containing one acre, subject to public roads rights-of-way as now located on the north and east thereof.

#9 John E. and Debra D. Jorgenson

Beginning at a point One Hundred Sixty-five (165) feet South of the Northeast corner of the Northwest Quarter (NW¼) of Section Eight (8), Township One Hundred Seventeen (117), Range Forty (40); thence South along the East line of said Northwest Quarter, One Hundred Sixty-five (165) feet; thence West on a line parallel to the North line of Section 8, Two Hundred Sixty-four (264) feet; thence North parallel to the East line of said Northwest Quarter, One Hundred Sixty-five

Exhibit 3  
Orderly Annexation Area II  
Page No. 4

(165) feet; thence East parallel with the North line of said Northwest Quarter, Two Hundred Sixty-four (264) feet to the point of beginning, subject to public road right-of-way as now located on the East end thereof.

**#10 Robert and Brenda Berends**

That part of the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$  of NW $\frac{1}{4}$ ) of Section Eight (8), Township One Hundred Seventeen (117) North, Range Forty (40) West, described as follows: Beginning at a point on the East line of the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$  of NW $\frac{1}{4}$ ), of said Section Eight (8), Three Hundred Thirty (330') feet South of the Northeast corner of the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$  of NW $\frac{1}{4}$ ) of said Section Eight (8); thence South along the East line of said Northeast Quarter of Northwest Quarter (NE $\frac{1}{4}$  of NW $\frac{1}{4}$ ), One Hundred Sixty-five (165') feet; thence West on a line parallel to the North line of said Section Eight (8), Two Hundred Sixty-four (264') feet; thence North parallel to the East line of said Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$  of NW $\frac{1}{4}$ ), One Hundred Sixty-five (165') feet; thence East parallel to the North line of the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$  of NW $\frac{1}{4}$ ), Two Hundred Sixty-four (264') feet to the place of beginning, subject to public roads, and right-of-way as now located over and across the East side of said Northwest Quarter (NW $\frac{1}{4}$ ) of Section Eight (8), Township One Hundred Seventeen (117) North, Range Forty (40) West, Fifth Meridian, Minnesota.

**#11 John E. and Marjorie Donahue**

A one acre tract of land in the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$  NW $\frac{1}{4}$ ) of Section Eight (8), Township One Hundred Seventeen (117), Range Forty (40), described as follows: Beginning at a point 495 feet south of the Northeast corner of said Northwest Quarter; thence south along the east line of said Northwest Quarter 165 feet; thence West on a line parallel to the North line of said Section 8, 264 feet; thence North parallel to the east line of said Northwest Quarter, 165 feet; thence east parallel to the North line of said Northwest Quarter 264 feet to the place of beginning, subject to public roads and rights of way as now located over and across the east side of said Northwest Quarter of Section 8, Township 117, Range 40.

Exhibit 3  
Orderly Annexation Area II  
Page No. 5

**#12 Jack D. and Patricia A. Deuth**

A tract in the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$  of NW $\frac{1}{4}$ ) of Section Eight (8), Township One Hundred Seventeen (117), Range Forty (40), beginning 660 feet South of the Northeast corner, thence West 264 feet, thence South 125 feet, thence East 264 feet, thence North 125 feet to the place of beginning.

**#13 Allen G. and Tamera L. Waller**

A tract of land in the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$  of NW $\frac{1}{4}$ ) of Section Eight (8), Township One Hundred Seventeen (117) North, Range Forty (40) West, Fifth Meridian, Minnesota, more particularly described as beginning on the East line of said Northeast Quarter of Northwest Quarter (NE $\frac{1}{4}$  of NW $\frac{1}{4}$ ), Seven Hundred Eighty-five (785') feet South of the Northeast corner of said Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$  of NW $\frac{1}{4}$ ); thence West Two Hundred Sixty-four (264') feet parallel with the North line of said Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$  of NW $\frac{1}{4}$ ); thence South One Hundred Twenty-two and Five Tenths (122.5') feet parallel with the East line of said Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$  of NW $\frac{1}{4}$ ); thence East Two Hundred Sixty-four (264') feet parallel to the North line of said Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$  of NW $\frac{1}{4}$ ); thence North One Hundred Twenty-two and Five Tenths (122.5') feet to the point of beginning, subject to public road easements on the East side of the above-described tract.

**#14 Dean R. and Jane L. Guggemos**

A tract of land in the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$  NW $\frac{1}{4}$ ) of Section Eight (8), Township One Hundred Seventeen (117) North, Range Forty (40) West, Fifth Meridian, Minnesota, more particularly described as beginning on the East line of said Northeast Quarter of Northwest Quarter (NE $\frac{1}{4}$  NW $\frac{1}{4}$ ), One Thousand Thirty Feet (1,030') South of the Northeast corner of said Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$  NW $\frac{1}{4}$ ); thence West Two Hundred Sixty-four Feet (264') parallel with the North line of said Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$  NW $\frac{1}{4}$ ); thence North One Hundred Twenty-two and Five-tenths Feet (122.5') parallel with the East line of said Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$  NW $\frac{1}{4}$ ); thence East Two Hundred Sixty-four Feet (264') parallel to the North lien of said Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$  NW $\frac{1}{4}$ );

Exhibit 3  
Orderly Annexation Area II  
Page No. 6

thence South One Hundred Twenty-two and Five-tenths Feet (122.5') to the point of beginning, subject to public road easements on the East side of the above described land.

**#15 Charles and Mary Rita Goering**

A tract of land in the Northeast Quarter of Northwest Quarter (NE $\frac{1}{4}$  NW $\frac{1}{4}$ ) of Section Eight (8), Township One Hundred Seventeen (117), Range Forty (40), more particularly described as beginning on the east line of said Northeast Quarter of Northwest Quarter (NE $\frac{1}{4}$  NW $\frac{1}{4}$ ), 1060 feet south of the northeast corner of said Northeast Quarter of Northwest Quarter (NE $\frac{1}{4}$  NW $\frac{1}{4}$ ); thence west 264 feet parallel with the north line of said Northeast Quarter of Northwest Quarter (NE $\frac{1}{4}$  NW $\frac{1}{4}$ ); thence south 120 feet parallel with east line of said Northeast Quarter of Northwest Quarter (NE $\frac{1}{4}$  NW $\frac{1}{4}$ ); thence east 264 feet parallel to the north line of said Northeast Quarter of Northwest Quarter (NE $\frac{1}{4}$  NW $\frac{1}{4}$ ); thence north 120 feet to the point of beginning.

**#16 Bernard L. and Jacqueline S. Pepka**

A tract of land located in the Northeast Quarter of Northwest Quarter (NE $\frac{1}{4}$  of NW $\frac{1}{4}$ ) of Section Eight (8), Township One Hundred Seventeen (117), Range Forty (40), described as follows: Beginning at a point One Thousand One Hundred Eighty feet (1180') south of the northeast corner of the Northwest Quarter (NW $\frac{1}{4}$ ) of Section Eight (8), Township One Hundred Seventeen (117), Range Forty (40); thence west Two Hundred Sixty-four feet (264'); thence south One Hundred Twenty-five feet (125'); thence east Two Hundred Sixty-four feet (264'); thence north One Hundred Twenty-five feet (125') to the point of beginning.

**#23 and #24 Arne M. and Barbara J. Kvaal**

A tract of land in the East One-half of the Northwest Quarter (E $\frac{1}{2}$  of NW $\frac{1}{4}$ ) of Section Eight (8), Township One Hundred Seventeen (117), Range Forty (40), described as beginning 1305 feet South of the Northeast corner of the Northwest Quarter (NW $\frac{1}{4}$ ) of said Section Eight (8), Township One Hundred Seventeen (117), Range Forty (40), running thence West 264 feet; thence south 165 feet; thence east 264 feet; thence north 165 feet to the point of beginning.

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Orderly Annexation Area II  
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**#25 Patrick D. Darrington**

All that part of Government Subdivision known as the North Half of Southeast Quarter of Northwest Quarter (N $\frac{1}{2}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$ ) of Section Eight (8), Township One Hundred Seventeen (117), Range Forty (40) West, described as follows: Beginning at a point on the East line of said Subdivision Three Hundred Sixty Feet (360') North of the Southeast corner of said Subdivision and running thence West parallel with the South line of said Subdivision Two Hundred Sixty-four Feet (264'), thence North parallel with the East line of said Subdivision One Hundred Sixty-five Feet (165'); thence East parallel with the South line of said Subdivision Two Hundred Sixty-four (264') feet to the East line of said Subdivision, thence South along the East line of said Subdivision One Hundred Sixty-five (165') Feet to the point of beginning, containing one (1) acre.

**#26 Ruth Flom**

A tract of land located in the NW $\frac{1}{4}$  of Section 8, Township 117, Range 40, described as follows: Beginning at a point 1635 feet South of the Northeast corner of the NW $\frac{1}{4}$  of Section 8, Township 117, Range 40; thence West 264 feet; thence South 165 feet; thence East 264 feet; thence North 165 feet and containing 1 acres, more or less.

**#27 Roger J. Larson**

All that part of the Government sub-division known as the North One-half (N $\frac{1}{2}$ ) of the South-east Quarter (SE $\frac{1}{4}$ ) of the North-west Quarter (NW $\frac{1}{4}$ ) of Section Eight (8), Township One Hundred Seventeen (117), Range Forty (40), described as follows: Beginning at the south-east corner of said sub-division and running thence west along the south line thereof 264 feet; thence north parallel with the east line of said sub-division 165 feet; thence east 264 feet; thence South along the East line of said sub-division 165 feet to the place of beginning, containing one (1) acre.

**#28 Randy L. and Karen Buseman.**

A tract of land located in the Northwest Quarter (NW $\frac{1}{4}$ ) of Section Eight (8), Township One Hundred Seventeen (117) North, Range Forty (40) West, Fifth Meridian, Minnesota, described as follows: Beginning at a point One Thousand Six Hundred Seventy (1,670') feet South and Two Hundred Ninety-

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four (294') feet West of the Northeast corner of the Northwest Quarter (NW $\frac{1}{4}$ ) of Section Eight (8), Township One Hundred Seventeen (117) North, Range Forty (40) West, Fifth Meridian, Minnesota; thence West Six Hundred Fifty-five (655') feet; thence South One Hundred Thirty-three (133') feet; thence East Six Hundred Fifty-five (655') feet; thence North One Hundred Thirty-three (133') feet to the point of beginning, containing Two (2) acres, more or less.

**#29 and 30 Roger J. and Barbara Larson**

A tract of land located in the Northwest Quarter (NW $\frac{1}{4}$ ) of Section Eight (8), Township One Hundred Seventeen (117), Range Forty (40) described as follows: Beginning at a point One Thousand Nine Hundred Ninety-five feet (1,995') south and Two Hundred Sixty-four feet (264') west of the northeast corner of the Northwest Quarter (NW $\frac{1}{4}$ ) of said Section Eight (8), thence west Six Hundred Eighty-five feet (685'), thence north One Hundred Ninety-two feet (192'), thence east Six Hundred Fifty-five feet (655'), thence south Twenty-seven feet (27'), thence east Thirty feet (30'). thence south One Hundred Sixty-five feet (165') to the point of beginning.

**#31 Jack E. and Donna M. Knothe**

That part of the South Half of the Southeast Quarter of the Northwest Quarter (S $\frac{1}{2}$  of SE $\frac{1}{4}$  NW $\frac{1}{4}$ ) Section Eight (8), Township One Hundred Seventeen (117), Range Forty (40), described as follows: Beginning at a point 441 feet north of the southeast corner of Northwest Quarter of Section 8, Twp. 117, Rge. 40; thence west 588 feet parallel to south line of said NW $\frac{1}{4}$ ; thence north 222.2 feet parallel with East line of said quarter section; thence East 588 feet parallel with south line of said Quarter Section to East line of said Quarter section; thence south along said Quarter line of said Quarter Section to point of beginning, subject to a road easement across easterly portion thereof, containing 3 acres more or less.

**#35 James R. Schaaf**

A parcel of land in the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$ ), Section Five, Township One Hundred Seventeen (117) North, Range Forty (40) West, described as follows: Beginning at a point on the south line of said Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$ ), a distance of Two Hundred Sixty-two and Five-tenths (262.5')

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feet west of the southeast corner of said Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$ ); thence north, parallel to the east line of said Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$ ) a distance of Two Hundred Fifty (250') feet; thence west, parallel to the south line of said Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$ ) a distance of One Hundred Forty-five (145') feet; thence south, parallel to the east line of said Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$ ) a distance of Two Hundred Fifty (250') feet; thence east, along the south line of said Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$ ), a distance of One Hundred Forty-five (145') feet to the point of beginning, subject to right of way acquired by the County of Chippewa for roadway purposes along the south border thereof.

#36 William R. Emery  
Carol M. Spletter  
Nancy Hein Kelly

The Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$ ) and the Southeast Quarter of Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$ ) of Section Five (5), Township One Hundred Seventeen (117) North, Range Forty (40) West, except the following described parcels:

1. A parcel of land in the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$ ), Section Five, Township One Hundred Seventeen (117) North, Range Forty (40) West, described as follows: Beginning at a point on the south line of said Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$ ), a distance of Two Hundred Sixty-two and Five-tenths (262.5') feet west of the southeast corner of said Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$ ); thence north, parallel to the east line of said Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$ ) a distance of Two Hundred Fifty (250') feet; thence west, parallel to the south line of said Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$ ) a distance of One Hundred Forty-five (145') feet; thence south, parallel to the east line of said Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$ ) a distance of Two Hundred Fifty (250') feet; thence east, along the south line of said Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$ ), a distance of One Hundred Forty-five (145') feet to the point of beginning, subject to right of way acquired by the County of Chippewa for roadway purposes along the south border thereof.

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2. All that part of the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$  of SE $\frac{1}{4}$ ) and that part of the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$  of SW $\frac{1}{4}$ ) of Section Five (5), Township One Hundred Seventeen (117), Range Forty (40), of Chippewa County, Minnesota, described as follows: Commencing at the South Quarter (S $\frac{1}{4}$ ) corner of said Section Five (5); thence on an assumed bearing of North Eighty-seven Degrees Nine Minutes (87° 09') East, along the South line of said Southeast Quarter (SE $\frac{1}{4}$ ), a distance of Nine Hundred Seventy-three and Sixty-nine Hundredths Feet (973.69') to the point of beginning of the tract herein described; thence on a bearing of North Thirty-nine Degrees Seventeen Minutes Forty-five Seconds (39° 17' 45") West, One Thousand Six Hundred Fifty and Fifty Hundredths Feet (1,650.50') to the North line of the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$  of SW $\frac{1}{4}$ ); thence on a bearing of North Eighty-seven Degrees Fifteen Minutes Four Seconds (87° 15' 04") East, along the said North line, Seventy-six and Seventy-three Hundredths Feet (76.73') to the Northeast corner of said Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$  of SW $\frac{1}{4}$ ); thence on a bearing of North Eighty-seven Degrees Ten Minutes Three Seconds (87° 10' 03") East along the North line of the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$  of SE $\frac{1}{4}$ ), a distance of One Thousand Three Hundred Twenty and Five Hundredths Feet (1,320.05") to the Northeast corner of said Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$  of SE $\frac{1}{4}$ ); thence on a bearing of South Zero Degrees Four Minutes Fifty-seven Seconds (0° 04' 57") West, along the East line, One Thousand Three Hundred Twenty-eight and Ninety-three Hundredths Feet (1,328.93') to the Southeast corner of said Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$  of SE $\frac{1}{4}$ ); thence on a bearing of South Eighty-seven Degrees Nine Minutes (87° 09') West, along the South line, Three Hundred Forty-eight and Twenty-nine Hundredths Feet (348.29') to the point of beginning, containing 26.59 acres, more or less.
  
3. All that part of the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$  of SW $\frac{1}{4}$ ) and that part of the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$  of SE $\frac{1}{4}$ ) of Section Five (5), Township One Hundred Seventeen (117), Range Forty (40) of Chippewa County, Minnesota, described as follows: Beginning at the South Quarter (S $\frac{1}{4}$ ) corner of said Section Five (5); thence on an assumed bearing of North Eighty-seven Degrees Zero Nine Minutes East (N 87° 09' E), along the South line of said Southeast Quarter (SE $\frac{1}{4}$ ), a distance of One Hundred

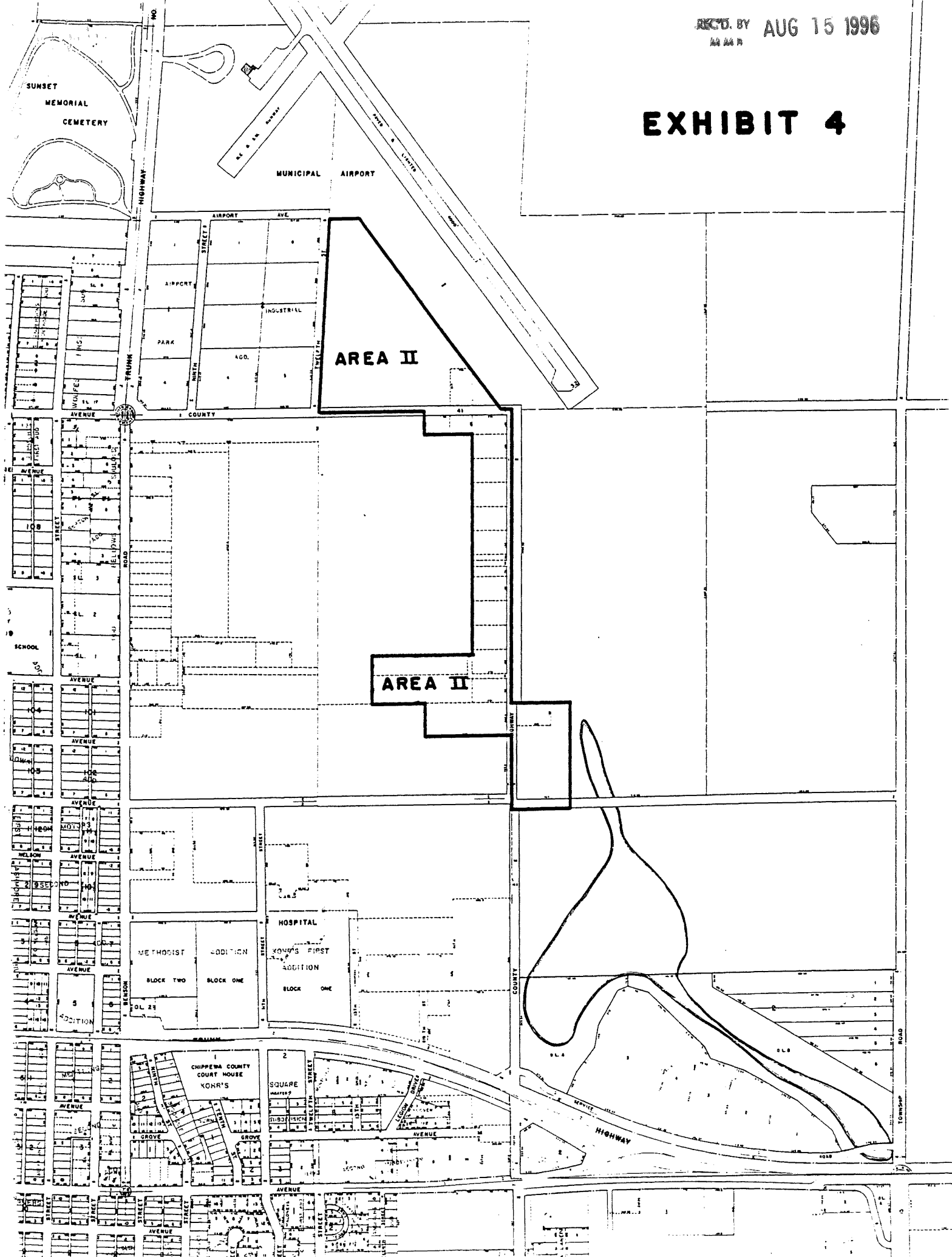
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Eighty-three and eight-tenths Feet (183.8'); thence on a bearing of North Thirty-nine Degrees Seventeen Minutes Forty-five Seconds West (N 39° 17' 45" W), One Thousand Six Hundred Fifty-one and Sixty-six Hundredths Feet (1,651.66') to the north line of said Southeast Quarter (SE¼) of the Southwest Quarter (SW¼); thence on a bearing of South Eighty-seven Degrees Thirteen Minutes Zero Four Seconds West (S 87° 13' 04" W), along said North line Two Hundred Forty-eight and Eighty-three Hundredths Feet (248.83'); thence on a bearing of South Thirty-nine Degrees Seventeen Minutes Forty-five Seconds East (S 39° 17' 45" E), One Thousand Six Hundred Fifty-one and Eighty-eight Hundredths feet (1,651.88') to the South line of said Southwest Quarter (SW¼); thence on a bearing of North Eighty-seven Degrees Fifteen Minutes East (N 87° 15' E), along said South line, Sixty-four and Ninety Hundredths Feet (64.90') to the point of beginning, containing 7.58 acres, more or less.

4. A parcel of land in the Southeast Quarter of the Southwest Quarter (SE¼ of SW¼) and the Southwest Quarter of the Southeast Quarter (SW¼ of SE¼), Section Five (5), Township One Hundred Seventeen (117) North, Range Forty (40) West, County of Chippewa 300 feet in width on each side of and parallel to a center line described as follows: Beginning at a point on the north line of the South Half of the Southwest Quarter (S½ of SW¼) of said Section Five (5) that is 2116.6 feet east of the center line of Minnesota Trunk Highway No. 29 as now located approximately along the west line of said Section Five (5); thence southeasterly on a straight line to a point on the south line of said Section Five (5) that is 3203.9 feet east of the southwest corner of said Section Five (5), AND, also a strip of land 35.4 feet in width lying parallel to and contiguous to the northeasterly line of the above described parcel. Less that part of the above described parcel that lies 200 feet in width on each side of the previous described center line extending from the north line of the South Half of the Southwest Quarter (S½ of SW¼) of said Section Five (5) southeasterly along said center line a distance of 760 feet, and there terminating on a line at right angles to said center line, and being previously conveyed to the City of Montevideo. Total parcel containing 16.5 acres, more or less.

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# EXHIBIT 4



**EXHIBIT 5**

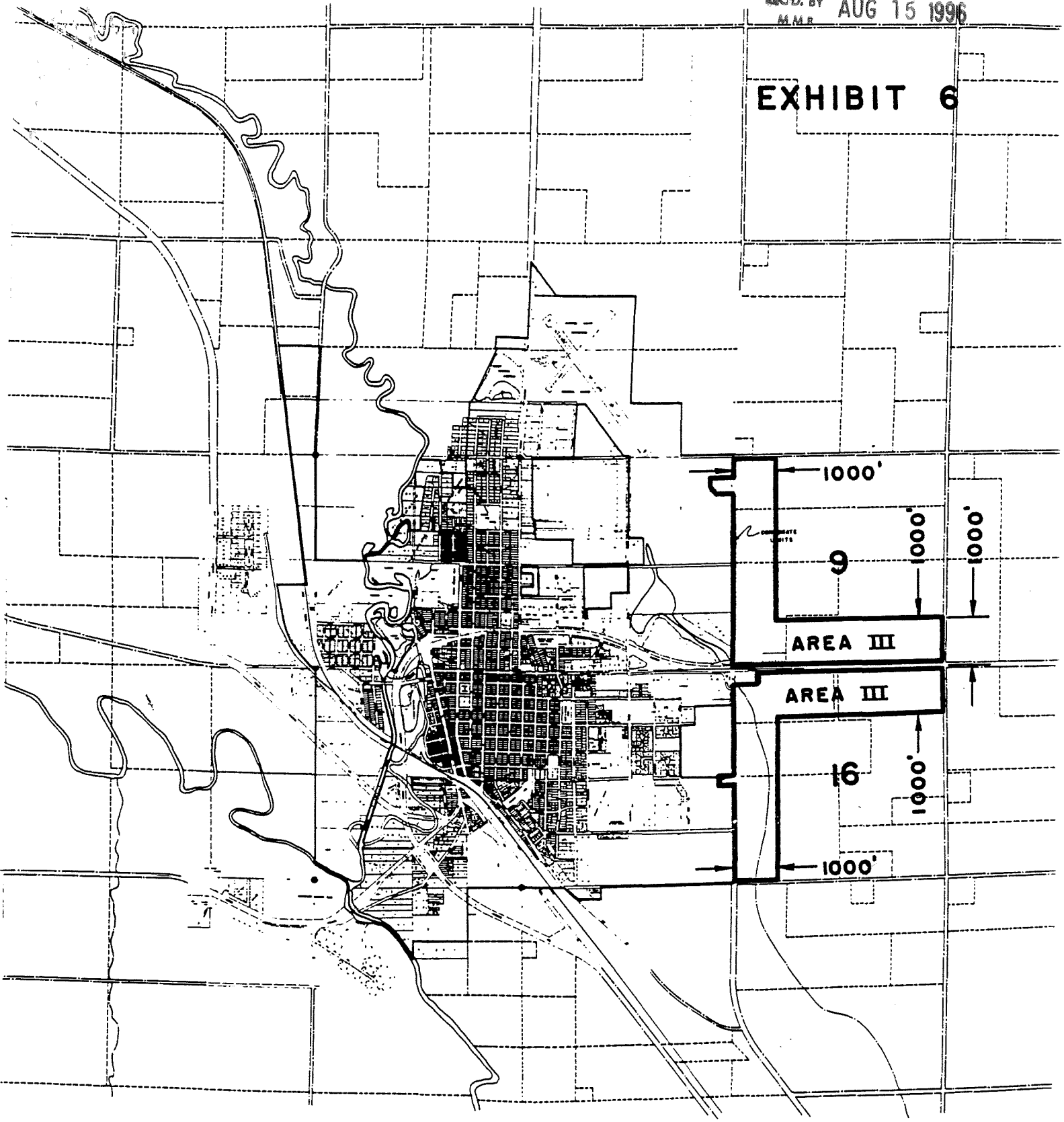
**ORDERLY ANNEXATION AREA III**  
**CITY OF MONTEVIDEO**

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The West one thousand feet (1,000') of Section Nine (9), running from the North line of Section Nine (9) to Minnesota Trunk Highway No. 7, the South one thousand feet (1,000') of Section Nine (9) running from County Road No. 41 to 40th Avenue S.W., the West one thousand feet (1,000') of Section Sixteen (16) running from Trunk Highway No. 7 to the South line of Section Sixteen (16), and the North one thousand feet (1,000') of Section Sixteen (16) running from County Road No. 15 to 40th Avenue S.W., all in Township One Hundred Seventeen (117), Range Forty (40), Chippewa County, Minnesota, as well as all property lying west of the west lines of Sections Nine (9) and Sixteen (16) and East of the city limits of the City as of the date of this Resolution.

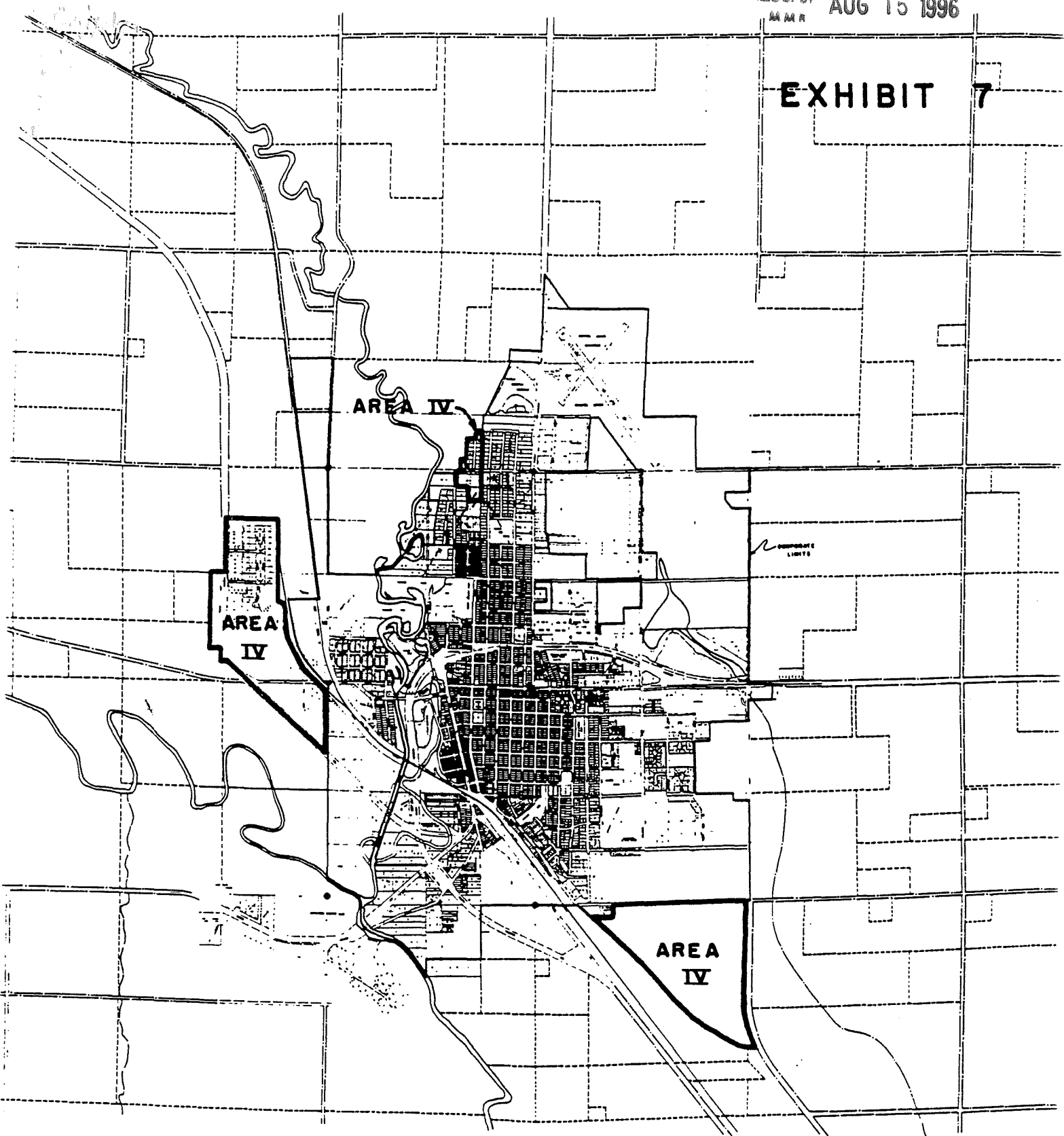
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# EXHIBIT 6



CITY OF MONTEVIDEO AND SURROUNDING AREAS

# EXHIBIT 7



CITY OF MONTEVIDEO AND SURROUNDING AREAS