



RESOLUTION 2003-14
Frontage Road Right-of-way Annexation

Section 1. The City of Byron has received a petition from all of the owners of record of the property described in Schedule A attached hereto and made a part hereof, requisition the annexation of said lands into 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 is contiguous corporate limits of the City of Byron;
- C. The land is served by City sewer/water.

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 and a hearing thereon was held at the regularly scheduled meeting of the Planning Commission on 28th day of May, 2003 at 6:15 PM at which time the City Council took testimony for and against said annexation.

Section 4. The City of Byron is empowered 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. 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.

The foregoing resolution was duly passed and adopted by the City Council of the City of Byron, Minnesota, at its meeting on the 28th day of May, 2003.

By: Gregory H. Brandt Attest: Mary K. Blair-Hoeft
Gregory H. Brandt Mary K. Blair-Hoeft
Mayor City Clerk/Treasure

SCHEDULE A

The northerly 50 feet of the North Half of the Southwest Quarter of Section 31,
Township 107 North, Range 15 West;

The southerly 50 feet of the South Half of the Northwest Quarter of Section 31,
Township 107 North, Range 15 West.

Together with all of Tract A described below:

Tract A. That part of the Southwest Quarter of the Northwest Quarter of
Section 31, Township 107 North, Range 15 West, shown as Parcel
1 on the plat designated as State Highway Right of Way Plat
Numbered 55-8 on file and of record in the office of the County
Recorder in and for Olmsted County, Minnesota;

Together with that part of Tract B described below:

Tract B. That part of the North Half of the Southwest Quarter of Section
31, Township 107 North Range 15 West, shown as Parcel 1 on the
plat designated as State Highway Right of Way Plat Numbered 55-
8 on file and of record in the office of the County Recorder in and
for Olmsted County, Minnesota.

Which lies northerly of Line 1 described below:

Line 1. From the west quarter corner of said Section 31, run southerly
along the west line of said Section 31 on an azimuth of 178
degrees 57 minutes 39 seconds (azimuth oriented to Minnesota
State Plane Coordinate System, South Zone) for 52.96 feet to the
point of beginning of Line 1 to be described; thence on an
azimuth of 88 degrees 54 minutes 31 seconds, 3000 feet and
there terminating.

Annexation Resolution # 2003-02
Town of Kalmar
County of Olmsted

WHEREAS, the City of Byron has requested the following described former road right-of-way to be considered by the Kalmar Town Board for annexation to the City of Byron:

The northerly 50 feet of the North Half of the Southwest Quarter of Section 31, Township 107 North, Range 15 West;

The southerly 50 feet of the South Half of the Northwest Quarter of Section 31, Township 107 North, Range 15 West.

Together with all of Tract A described below:

Tract A. That part of the Southwest Quarter of the Northwest Quarter of Section 31, Township 107 North, Range 15 West, shown as Parcel 1 on the plat designated as State Highway Right of Way Plat Numbered 55-8 on file and of record in the office of the County Recorder in and for Olmsted County, Minnesota;

Together with that part of Tract B described below:

Tract B. That part of the North Half of the Southwest Quarter of Section 31, Township 107 North Range 15 West, shown as Parcel 1 on the plat designated as State Highway Right of Way Plat Numbered 55-8 on file and of record in the office of the County Recorder in and for Olmsted County, Minnesota.

Which lies northerly of Line 1 described below:

Line 1. From the west quarter corner of said Section 31, run southerly along the west line of said Section 31 on an azimuth of 178 degrees 57 minutes 39 seconds (azimuth oriented to Minnesota State Plane Coordinate System, South Zone) for 52.96 feet to the point of beginning of Line 1 to be described; thence on an azimuth of 88 degrees 54 minutes 31 seconds, 3000 feet and there terminating.

WHEREAS, the property is unincorporated; abuts the limits of the City of Byron; is not included within any municipality; and is within an area that has been designated for orderly annexation.

JUN 23 2004

WHEREAS, the City of Byron is requesting the Township's approval of the annexation per "A Joint Resolution of the City of Byron and Town of Kalmar Designating an Unincorporated Areas as in Need of Orderly Annexation" as entered into by Kalmar Township on July 18, 2000 and the City of Byron on July 27, 2000.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of Kalmar waives any waiting period.

PASSED, ADOPTED AND APPROVED BY THE KALMAR TOWN
BOARD OF SUPERVISORS THIS 21st DAY OF JULY, 2003

By: John Meyer
John Meyer, Chairman

Attest: Pete Elam
Pete Elam, Clerk

All Bearings are in relationship with the west line of the NW 1/4 Sec. 31-107-15 which is assumed to be N 00°28'28" W.

CONTROLLED ACCESS DEFINED

Ingress and egress to, from or across the abutting roadway is restricted by the road authority pursuant to Minnesota State Statute 160.08.

DRAINAGE EASEMENT DEFINED

An unobstructed easement for the construction and maintenance of underground and surface drainage facilities and utility easement.

D.E. = DRAINAGE EASEMENT

UTILITY EASEMENT DEFINED

An unobstructed easement for the construction and maintenance of all necessary overhead, underground or surface public utilities, including rights to conduct drainage and trimming on said easement.

U.E. = UTILITY EASEMENT

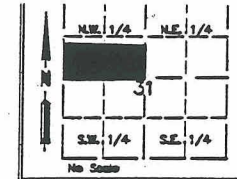
MONUMENTS

○ SET (5/8" PIPE UNLESS NOTED OTHERWISE)

● Found Monuments (AS INDICATED)

All monuments set have a plastic cap stamped L.S. 26371.

0 50 100 150 200
SCALE IN FEET



NE COR. NW 1/4, SEC. 31-107-15
5/8" PIPE

JUN 23 2004

REC'D BY M.M.B.

UNPLATTED

