



REC'D BY
MMB MAR 13 2002

RESOLUTION 2002-04

TOMPKINS/FARR DEVELOPMENT ANNEXATION REQUEST

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 abuts the corporate limits of the City of Byron;
- C. The land is 113.20 acres or less in size;
- D. The land is not served by City sewer/water and said facilities are not available at present time.

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 11th day of February, 2002 at 6:35PM at which time the Planning Commission took testimony for and against said annexation.

Section 4. The City of Byron is empowering pursuant to Minnesota statute 414.033 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. 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 City Council of the City of Byron, Minnesota, at its meeting on the 13th day of February, 2002.

By: Gregory H. Brandt
Gregory H. Brandt
Mayor

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

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MMB

MAR 13 2002

SCHEDULE A

That part of the Northeast Quarter of Section 33, Township 107 North, Range 15 West, Olmsted County, Minnesota, described as follows:

Beginning at the northwest corner of said Northeast Quarter of Section 33; thence on an assumed bearing of South 00 degrees 24'20" East a distance of 966.16 feet along the west line of said Northeast Quarter; thence North 89 degrees 18' 35" East a distance of 570.00 feet; thence South 00 Degrees 24' 20" East a distance of 1086.36 feet along a line parallel to said west line to the northerly line of the existing railroad right-of-way; thence South 85 degrees 43' 10" East a distance of 2065.26 feet along said railroad right-of-way to the east line of said Northeast Quarter; thence North 00 degrees 14' 40" West a distance of 2204.27 feet along said east line to the northeast corner of said Northeast Quarter; thence South 89 degrees 54' 07" West a distance of 2634.58 feet to the northwest corner of said Northeast Quarter and the point of beginning; containing 113.20 acres.

Subject to a road right-of-way along the north line and a part of the west line of the above described parcel and any other easements of record.

REC'D BY
MMB

MAR 13 2002

**Resolution # 2002-02
Town of Kalmar
County of Olmsted**

WHEREAS, the annexation of 113.2 acres in Kalmar Township presented to the Kalmar Town Board by the City of Byron for their review and approval on February 19, 2002, described as follows:

That part of the Northeast Quarter of Section 33, Township 107 North, Range 15 West, Olmsted County, Minnesota, described as follows:

Beginning at the northwest corner of said Northeast Quarter of Section 33; thence on an assumed bearing of South 00°24'20" East a distance of 966.16 feet along the west line of said Northeast Quarter; thence North 89°18'35" East a distance of 570.00 feet; thence South 00°24'20" East a distance of 1086.36 feet along a line parallel to said west line to the northerly line of the existing railroad right-of-way; thence South 85°43'10" East a distance of 2065.26 feet along said railroad right-of-way to the east line of said Northeast Quarter; thence North 00°14'40" West a distance of 2204.27 feet along said east line to the northeast corner of said Northeast Quarter; thence South 89°54'07" West a distance of 2634.58 feet to the northwest corner of said Northeast Quarter and the point of beginning; containing 113.20 acres.

Subject to a road right-of-way along the north line and a part of the west line of the above described parcel and any other easements of record.

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

WHEREAS, the City of Byron is requesting the Township's approval of the annexation per "A Joint Resolution of the City of Byron and the Township of Kalmar Designating an Unincorporated Area 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 does grant approval of the Annexation of approximately 113.2 acres in Section 33, Kalmar Township, and;

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

PASSED, ADOPTED, AND APPROVED BY THE KALMAR TOWN BOARD OF SUPERVISORS THIS 19TH DAY OF FEBRUARY 2002.

By: 

Chair

Attest:


Clerk

Client
Darrel A. Farr Development Corp
Plymouth, MN

Project
Master Town Center Plan
Byron, MN

Sheet Title
Parcel Utilization Plan

REC'D BY
MAR 26 2002

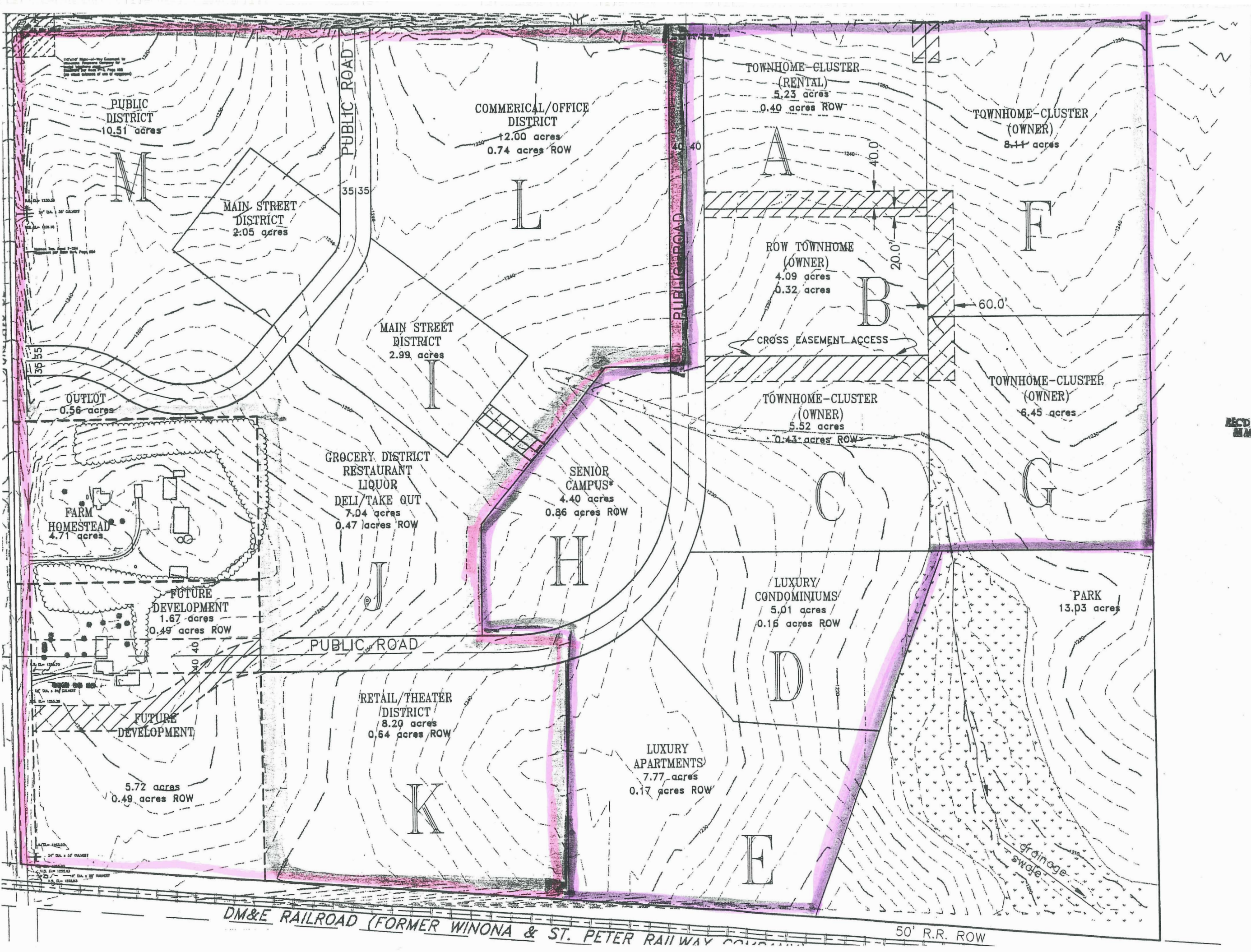
I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

Signature _____
Name _____
Date _____ License # _____

Designed _____ Checked _____
Drawn _____ Approved _____
Date _____

Revisions

No.	Date	By	Remarks



DM&E RAILROAD (FORMER WINONA & ST. PETER RAILWAY COMPANY) 50' R.R. ROW

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