

OA-984-1 Austin  
Resolution No. 12314

DEPARTMENT OF ADMINISTRATION

STATE OF MINNESOTA

BEFORE THE ACTING DIRECTOR OF

STRATEGIC AND LONG RANGE PLANNING

-----

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

-----

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

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

WHEREAS, M.S. 414.0325 states that in certain circumstances the Director of Strategic and Long Range Planning may review and comment, but shall within 30 days order the annexation of land pursuant to said subdivisions; and

WHEREAS, on November 12, 2003, the Acting Director has reviewed and accepted the resolution for orderly annexation;

IT IS HEREBY ORDERED: That the following described property is hereby annexed in accordance with the terms of the joint resolution to the City of Austin, Minnesota, the same as if it had originally been made a part thereof:

*Curtis I. + Greta J. Anderson*

*2301-8<sup>th</sup> Ave NW*

That part of Outlot 15, of Norman Park Second Addition of Outlots in the S1/2 of the W3/4 of the SW1/4 of Section 33, Township 103, Range 18, described as follows:  
Beginning in the Northwesterly corner of said Outlot 15; thence Southwesterly 40.98 feet along the Northwesterly line of said Outlot 15; thence

Southerly  $117^{\circ}41'08''$  angle right 137.02 feet to the Southeasterly line of Outlot 15; thence Northeasterly  $42^{\circ}18'16''$  angle right 124.51 feet along said Southeasterly line of Outlot 15 to the Northeasterly corner of said Outlot 15; thence Northwesterly  $94^{\circ}40'49''$  angle right 14.54 feet along the North-easterly line of said Outlot 15; thence Northwesterly 65.46 feet along a curve concave to the Northeast having a radius of 239.17 feet central angle  $15^{\circ}57'23''$  along the Northeasterly line of said-Outlot 15 to the point of beginning.

AND ALSO Outlot 14, of Norman Park Second Addition of Outlots in the S1/2 of the W3/4 of the SW1/4 of Section 33, Township 103, Range 18, excepting the following described property:

Beginning at the Southwesterly corner of said Outlot 14; thence Easterly 42.28 feet along the Southerly line of said Outlot 14; thence Northerly  $83^{\circ}01'25''$  angle right 51.25 feet to the Westerly line of said Outlot 14; thence Southwesterly  $42^{\circ}18'16''$  angle right 62.35 feet to the point of beginning.

Richard A. + Ann K. Flisrand

811-22<sup>nd</sup> St. NW

TRACT I: Outlot 15, of Norman Park Second Addition of Out Lots in the south half of the west three-fourths of the southwest quarter of Section 33, Township 103, Range 18; subject to building and use restrictions recorded in Book X of Miscellaneous, page 377, in the office of the Register of deeds for Mower County, Minnesota, except the land taken by the State of Minnesota and described in the Notice of Lis Pendens recorded in Book 9 of Miscellaneous, page 583; together with that part of Outlot 16, of said Norman Park Second Addition, which lies south of a line parallel with and distant 50 feet southerly of the following described line:

Beginning at a point on the above described line distant 476.33 feet north-easterly of the west line of said Section 33 (when measured along the above described line); thence run southeasterly at right angles to the \*\*west line for 150 feet; thence deflect to the left at an angle of 69 degrees 30 minutes, for 441.26 feet; thence deflect to the right on a 260.44 foot radius curve (delta angle 42 degrees 30 minutes) for 193.18 feet and there terminating. It is intended by the parties hereto that the first parties are conveying that portion of Outlot 16 above described not taken by the State of Minnesota in Highway condemnation proceedings in the year 1958.

Except the following described parcel thereof:

That part of Outlot 15, of Norman Park Second Addition of Outlots in the South Half of the West three-fourths of the Southwest Quarter of Section 33, Township 103, Range 18, described as follows:

Beginning in the Northwesterly corner of said Outlot 15; thence Southwesterly 40.98 feet along the Northwesterly line of said Outlot 15; thence Southerly  $117^{\circ}41'08''$  angle right 137.02 feet to the South-easterly line of Outlot 15; thence Northeasterly 42 degrees 18 minutes 16 seconds angle right 124.51 feet along said Southeasterly line of Outlot 15 to the Northeasterly corner of said Outlot 15; thence Northwesterly 94 degrees 40 minutes 49 seconds angle right 14.54 feet along the Northeasterly line of said Outlot 15; thence Northwesterly 65.46 feet along a curve concave to the Northeast having a Radius of 239.17 feet central angle 15 degrees 57 minutes 23 seconds along the Northeasterly line of said Outlot 15 to the point of beginning.

TRACT II: That part of Outlot 14, of Norman Park Second Addition of Outlots in the South Half of the West three-fourths of the Southwest Quarter of Section 33, Township 103, Range 18, described as follows:

Beginning at the Southwesterly corner of said Outlot 14; thence Easterly 42.28 feet along the Southerly line of said Outlot 14; thence Northerly 83 degrees 01 minutes 25 seconds angle right 51.25 feet to the Westerly line of said Outlot 14; thence Southwesterly 42 degrees 18 minutes 16

seconds angle right 62.35 feet to the point of beginning.  
Subject to easements of record.

AND

John E. Wittkopp + Susan M. Heiny

Form No. 5-M - Page 2

Legal Description

2400 - 8<sup>th</sup> Ave N.W.

That part of Outlot 27 of Norman Park 2nd Addition of Outlots in the South Half of the West three-quarters of the Southwest Quarter of Section 33, Township 103 North, Range 18 West, and a tract of land lying North and East of said Outlot 27 being located in the South Half of the West three-quarters of the Southwest Quarter of Section 33, Township 103 North, Range 18 West described as follows: Commencing at the Northeast corner of Outlot 25 of said plat of Norman Park 2nd Addition, said point being the most easterly point of said Outlot 25; thence North on a line parallel with the East line of Outlots 26 and 27 of said Plat of Norman Park 2nd Addition to the highway right-of-way; thence Southwesterly along the highway right-of-way to a point on the West line of said Outlot 27 that is 51 feet North of the Southwest corner of said Outlot 27; thence South along the West line of said Outlot 27 to the Southwest corner thereof; thence east along the South line of said Outlot 27 to the Southeast corner thereof; thence South along the East line of Outlot 26, a distance of 75 feet to the Northwest corner of Outlot 25; thence Southeasterly along the North line of Outlot 25 to the point of beginning excepting therefrom that part thereof that lies in the North 8 acres of the Southwest Quarter of the Southwest Quarter of said Section 33. Subject to the restrictions imposed upon Norman Park 1st Addition and Norman Park 2nd Addition by an instrument recorded in Book X of Miscellaneous, page 377 in the office of the Register of Deeds for Mower County, Minnesota. Excepting however that a stable may be erected on the unplatted land suitable for not to exceed two horses.

AND ALSO

Outlot 26 of Norman Park 2nd Addition of Outlots in the South Half of the West three-quarters of the Southwest Quarter of Section 33, Township 103 North, Range 18 West, Mower County, Minnesota. Subject to building and use restrictions recorded in Book X of Miscellaneous, page 377 in the office of the Register of Deeds of Mower County, Minnesota.

Ricky D. Berg

The following-described portion of the Southwest Quarter of the Southwest Quarter of Section 33, Township 103 North, Range 18 West; Commencing at the Northeast corner of Out Lot 24 of Norman Park Second Addition of Out Lots and the South Half of the West three-fourths of the Southwest Quarter of said Section 33; thence Southeasterly 100 feet along an extension of the North line of said Out Lot 24; thence at a deflection angle to the right of 26 degrees 45 minutes a distance of 130 feet; thence at a deflection angle to the right of 90 degrees 00 minutes to the north line of the Town Road shown on said plat of Norman Park Second Addition and described as Freeborn Road; thence in a northwesterly direction along the North line of said road to the Southeast corner of said Out Lot 24; thence Northeasterly together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions: along the East line of said Out Lot 24 a distance of 187.31 feet to the place of beginning.

AND

Richard J. & Belita M. Schindler

Out Lots 11 and 12 of Norman Park Second Addition of Outlots in the South Half of the West Three-fourths of the Southwest Quarter of Section 33, Township 103, Range 18, excepting therefrom the South 40 feet of Out Lot 11; as measured perpendicular to the South line of said Out Lot 11.

Lot 13, of Norman Park Second Addition of Outlots in the South Half of the West Three-fourths of the Southwest Quarter of Section 33, Township 103 North, Range 18 West, Mower County, Minnesota; subject to highway easements of record. Further subject to all easements, restrictions and reservations of record.

together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions:

THE AREA ABOVE IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Name	Legal	BlkNo	AddSecName
Richard A & Ann Flisrand	Refer to attached long legal		08.050.0150
811 22nd Street NW			Norman Park 2nd
Curtis I & Greta Anderson	Refer to attached long legal		08.050.0140
2301 8th Avenue NW			Norman Park 2nd
State of MN	Lot 16		08.050.0161
	Lot 17		08.050.0162
	Lot 18		08.050.0163
	Lot 21		08.050.0170
John Wittkopp & Susan M Heiny	Refer to attached long legal		08.050.0210
2400 8th Avenue NW			Norman Park 2nd
John Wittkopp & Susan M Heiny	Refer to attached long legal		08.033.0090
			33-103-18
David L & Mari Jo Stanek	Lot 25 Exc SETRLY 18'		08.050.0205
2302 8th Avenue NW			Norman Park 2nd
David L & Mari Jo Stanek	Lot 24 & SETRLY 18' Lot 25		08.050.0200
			Norman Park 2nd
Ric D Berg	Refer to attached long legal		08.033.0080
P.O. Box 683			33-103-18
Ric D Berg	Refer to attached long legal		

Laurie L. Guttormson 2201 8th Avenue NW	Lot 4	08.050.0040 Norman Park 2nd
Bradley E & Janene L Lunning 2205 8th Avenue NW	Lot 5	08.050.0050 Norman Park 2nd
Carroll W King 1610 21st Street SW	Lot 6	08.050.0060 Norman Park 2nd
Craig Ferch & Rebecca Wageman 810 22nd Street NW	Lot 7	08.050.0070 Norman Park 2nd
Lavonne A Elmer 808 22nd Street NW	Lot 8	08.050.0080 Norman Park 2nd
Wanda E Wilson 805 22nd Street NW	Lot 10	08.050.0100 Norman Park 2nd
Mark Wilson (807 22nd St. NW) %Charles Wilson 805 22nd Street NW	South 40' Lot 11	08.050.0110 Norman Park 2nd
Richard L & Belita Schindler 211 22nd Street NW	Refer to attached long legal	08.050.0120 Norman Park 2nd
Richard L & Belita Schindler	Refer to attached long legal	08.050.0130 Norman Park 2nd

NOTE: INCLUDING ADJACENT PUBLIC R.O.W. OF 8TH AVENUE NW AND 22ND ST NW

Curtis I. & Greta J. Anderson

2301-8<sup>th</sup> Ave NW

That part of Outlot 15, of Norman Park Second Addition of Outlots in the S1/2 of the W3/4 of the SW1/4 of Section 33, Township 103, Range 18, described as follows:  
Beginning in the Northwesterly corner of said Outlot 15; thence Southwesterly 40.98 feet along the Northwesterly line of said Outlot 15; thence Southerly 117°41'08" angle right 137.02 feet to the Southeasterly line of Outlot 15; thence Northeasterly 42°18'16" angle right 124.51 feet along said Southeasterly line of Outlot 15 to the Northeasterly corner of said Outlot 15; thence Northwesterly 94°40'49" angle right 14.54 feet along the Northwesterly line of said Outlot 15; thence Northwesterly 65.46 feet along a curve concave to the Northeast having a radius of 239.17 feet central angle 15° 57'23" along the Northeasterly line of said Outlot 15 to the point of beginning.  
AND ALSO Outlot 14, of Norman Park Second Addition of Outlots in the S1/2 of the W3/4 of the SW1/4 of Section 33, Township 103, Range 18, excepting the following described property:  
Beginning at the Southwesterly corner of said Outlot 14; thence Easterly 42.28 feet along the Southerly line of said Outlot 14; thence Northerly 83°01'25" angle right 51.25 feet to the Westerly line of said Outlot 14; thence Southwesterly 42°18'16" angle right 62.35 feet to the point of beginning.

Richard A. + Ann K. Flisrand

811 - 22<sup>nd</sup> St. NW

TRACT I: Outlot 15, of Norman Park Second Addition of Out Lots in the south half of the west three-fourths of the southwest quarter of Section 33, Township 103, Range 18; subject to building and use restrictions recorded in Book X of Miscellaneous, page 377, in the office of the Register of deeds for Mower County, Minnesota, except the land taken by the State of Minnesota and described in the Notice of Lis Pendens recorded in Book 9 of Miscellaneous, page 583; together with that part of Outlot 16, of said Norman Park Second Addition, which lies south of a line parallel with and distant 50 feet southerly of the following described line:

Beginning at a point on the above described line distant 476.33 feet north-easterly of the west line of said Section 33 (when measured along the above described line); thence run southeasterly at right angles to the \*\*west line for 150 feet; thence deflect to the left at an angle of 69 degrees 30 minutes, for 441.26 feet; thence deflect to the right on a 260.44 foot radius curve (delta angle 42 degrees 30 minutes) for 193.18 feet and there terminating. It is intended by the parties hereto that the first parties are conveying that portion of Outlot 16 above described not taken by the State of Minnesota in Highway condemnation proceedings in the year 1958.

Except the following described parcel thereof:

That part of Outlot 15, of Norman Park Second Addition of Outlots in the South Half of the West three-fourths of the Southwest Quarter of Section 33, Township 103, Range 18, described as follows:

Beginning in the Northwesterly corner of said Outlot 15; thence Southwesterly 40.98 feet along the Northwesterly line of said Outlot 15; thence Southerly 117 degrees 41 minutes 08 seconds angle right 137.02 feet to the South-easterly line of Outlot 15; thence Northeasterly 42 degrees 18 minutes 16 seconds angle right 124.51 feet along said Southeasterly line of Outlot 15 to the Northeasterly corner of said Outlot 15; thence Northwesterly 94 degrees 40 minutes 49 seconds angle right 14.54 feet along the Northeasterly line of said Outlot 15; thence Northwesterly 65.46 feet along a curve concave to the Northeast having a Radius of 239.17 feet central angle 15 degrees 57 minutes 23 seconds along the Northeasterly line of said Outlot 15 to the point of beginning.

TRACT II: That part of Outlot 14, of Norman Park Second Addition of Outlots in the South Half of the West three-fourths of the Southwest Quarter of Section 33, Township 103, Range 18, described as follows:

Beginning at the Southwesterly corner of said Outlot 14; thence Easterly 42.28 feet along the Southerly line of said Outlot 14; thence Northerly 83 degrees 01 minutes 25 seconds angle right 51.25 feet to the Westerly line of said Outlot 14; thence Southwesterly 42 degrees 18 minutes 16 seconds angle right 62.35 feet to the point of beginning.

Subject to easements of record.

John E. Wittkopp + Susan M. Heiny

2400 - 8<sup>th</sup> Ave N.W.

That part of Outlot 27 of Norman Park 2nd Addition of Outlots in the South Half of the West three-quarters of the Southwest Quarter of Section 33, Township 103 North, Range 18 West, and a tract of land lying North and East of said Outlot 27 being located in the South Half of the West three-quarters of the Southwest Quarter of Section 33, Township 103 North, Range 18 West described as follows: Commencing at the Northeast corner of Outlot 25 of said plat of Norman Park 2nd Addition, said point being the most easterly point of said Outlot 25; thence North on a line parallel with the East line of Outlots 26 and 27 of said Plat of Norman Park 2nd Addition to the highway right-of-way; thence Southwesterly along the highway right-of-way to a point on the West line of said Outlot 27 that is 51 feet North of the Southwest corner of said Outlot 27; thence South along the West line of said Outlot 27 to the Southwest corner thereof; thence east along the South line of said Outlot 27 to the Southeast corner thereof; thence South along the East line of Outlot 26, a distance of 75 feet to the Northwest corner of Outlot 25; thence Southeasterly along the North line of Outlot 25 to the point of beginning excepting therefrom that part thereof that lies in the North 8 acres of the Southwest Quarter of the Southwest Quarter of said Section 33. Subject to the restrictions imposed upon Norman Park 1st Addition and Norman Park 2nd Addition by an instrument recorded in Book X of Miscellaneous, page 377 in

the office of the Register of Deeds for Mower County, Minnesota. Excepting however that a stable may be erected on the unplatted land suitable for not to exceed two horses.

AND ALSO

Outlot 26 of Norman Park 2nd Addition of Outlots in the South Half of the West three-quarters of the Southwest Quarter of Section 33, Township 103 North, Range 18 West, Mower County, Minnesota. Subject to building and use restrictions recorded in Book X of Miscellaneous, page 377 in the office of the Register of Deeds of Mower County, Minnesota.

Ricky D. Berg

The following-described portion of the Southwest Quarter of the Southwest Quarter of Section 33, Township 103 North, Range 18 West; Commencing at the Northeast corner of Out Lot 24 of Norman Park Second Addition of Out Lots and the South Half of the West three-fourths of the Southwest Quarter of said Section 33; thence Southeasterly 100 feet along an extension of the North line of said Out Lot 24; thence at a deflection angle to the right of 26 degrees 45 minutes a distance of 130 feet; thence at a deflection angle to the right of 90 degrees 00 minutes to the north line of the Town Road shown on said plat of Norman Park Second Addition and described as Freeborn Road; thence in a northwesterly direction along the North line of said road to the Southeast if ORDER is needed, continue on back. of said Out Lot 24; thence Northeasterly together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions: along the East line of said Out Lot 24 a distance of 187.31 feet to the place of beginning.

Richard J. & Belita M. Schindler

Out Lots 11 and 12 of Norman Park Second Addition of Outlots in the South Half of the West Three-fourths of the Southwest Quarter of Section 33, Township 103, Range 18, excepting therefrom the South 40 feet of Out Lot 11, as measured perpendicular to the South line of said Out Lot 11.

Lot 13, of Norman Park Second Addition of Outlots in the South Half of the West Three-fourths of the Southwest Quarter of Section 33, Township 103 North, Range 18 West, Mower County, Minnesota; subject to highway easements of record. Further subject to all easements, restrictions and reservations of record.

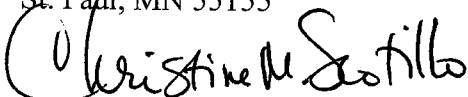
together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions:

Amended order dated this 27<sup>th</sup> day of October, 2004.

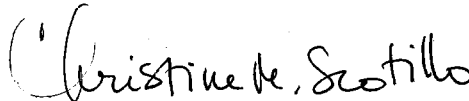
Dated this 12<sup>th</sup> day of November, 2003.

For the Director  
658 Cedar Street - Room 300  
St. Paul, MN 55155

For the Acting Director  
658 Cedar Street - Room 300  
St. Paul, Minnesota 55155



Christine M. Scotillo  
Executive Director  
Municipal Boundary Adjustments



Christine M. Scotillo  
Executive Director  
Municipal Boundary Adjustments