

August 16, 1984

Mr. Richard Carlson
City Clerk-Administrator
1009 West Lincoln Avenue
Olivia, Minnesota 56277

Docket Number A-4088

Ordinance Number 198

City of Olivia

Dear Mr. Carlson:

The Minnesota Municipal Board has now processed and approved the above ordinance in accordance with Minnesota Statutes, Chapter 414, and the Rules of Procedure.

According to law, this annexation ordinance must be filed with the Township Clerk, County Auditor, Secretary of State, and the Municipal Board. (Since the ordinance has already been filed with the Municipal Board, no additional copies are required.) We also recommend that you file the ordinance with the County Recorder.

The annexation is final upon the date the ordinance is approved by the Board, which is the date of this letter.

Sincerely,

MUNICIPAL BOARD

Patricia D. Lundy
Assistant Director

PDL:sg

cc: Renville County Auditor
Troy Township Clerk
Thomas J. Simmons, Attorney at Law
Secretary of State

CITY OF OLIVIA

ORDINANCE NO. 198

REC'D BY
MMS
AUG 13 1984

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF OLIVIA TO INCLUDE CERTAIN UNINCORPORATED UNPLATTED LAND, NOT EXCEEDING 200 ACRES IN AREA, AND ABUTTING UPON THE CITY LIMITS.

WHEREAS, the Minnesota Municipal Board has authorized by unanimous vote, the City of Olivia to proceed in annexing certain unplatted unincorporated land by ordinance in accordance with Resolution 84-10, A Resolution Petitioning the Minnesota Municipal Board to Consider Annexing Certain Unplatted Land Into the Corporate Limits of the City of Olivia; and

WHEREAS, said territory abuts upon the corporate limits of the City at the west boundary thereof; and

WHEREAS, said territory is less than 200 acres in area.

THE CITY COUNCIL OF THE CITY OF OLIVIA HEREBY ORDAINS AS FOLLOWS:

Section 1. Territory Annexed. The corporate limits of the City of Olivia are hereby extended to include the unplatted property described as follows:

That part of the East three-fourths (E3/4) of the Northeast Quarter (NE1/4) of Section Ten (10), Township One Hundred Fifteen (115), Range Thirty-five (35), lying South of the South right-of-way line of the Chicago, Milwaukee, St. Paul and Pacific Railway and lying North of the South right-of-way line of U. S. Trunk Highway Number Two Hundred Twelve (212).

also

The Southwest Quarter of the Northwest Quarter (SW1/4 NW1/4) of Section Eleven (11), Township One Hundred Fifteen (115), Range Thirty-five (35), Renville County, Minnesota, lying South of the South right-of-way line of the Chicago, Milwaukee, St. Paul and Pacific Railroad and lying North of the South right-of-way line of U. S. Trunk Highway Number Two Hundred Twelve (212),

also

That part of the North Half of the Southwest Quarter (N1/2 SW1/4) of Section Eleven (11), Township One Hundred Fifteen (115), Range Thirty-five (35), lying South of the South right-of-way line of the Chicago, Milwaukee, St. Paul and Pacific Railroad and lying North of the North right-of-way line of U. S. Trunk Highway Number Two Hundred Twelve (212) and lying West of the East right-of-way line of U. S. Trunk Highway Number Seventy-one (71),

also

That part of the East Half of the Southwest Quarter (E1/2 SW1/4)

of Section Eleven (11), Township One Hundred Fifteen (115), Range (35), County of Renville, Minnesota described as follows, to-wit:

Commencing at a point on the East line of said Southwest Quarter (SW1/4) of Section Eleven (11), Distant North One Thousand Two Hundred Twenty-seven and Five tenths (1,227.5) feet from the Southeast corner of said Southwest Quarter (SW1/4), which point is the place of beginning; thence deflecting Northwesterly Seventy-six (76) degrees, Fifty-one (51) minutes a distance of Two Hundred Nine and One tenth (209.1) feet to a point marked by an iron monument; thence deflecting Northerly Seventy-six (76) degrees, Twelve (12) minutes a distance of One Hundred Sixty-seven and Eight tenths (167.8) feet to a point marked by an iron monument; thence deflecting Easterly Ninety-six (96) degrees, Nineteen (19) minutes a distance of Two Hundred Six and Four tenths (206.4) feet to a point on the East line of said Southwest Quarter (SW1/4) of Section Eleven (11); thence South on and along said East line of the Southwest Quarter (SW1/4) a distance of One Hundred Ninety-five (195) feet to the place of beginning, said above described tract containing Eighty-six hundredths (0.86) acre, more or less;

also

That part of the Northwest Quarter of the Southwest Quarter (NW1/4 SW1/4) of Section Eleven (11), Township One Hundred Fifteen (115), Range Thirty-five (35), County of Renville, Minnesota described by metes and bounds as follows, to-wit:

Commencing at the Northwest corner of said Northwest Quarter of the Southwest Quarter (NW1/4 SW1/4) of Section Eleven (11); thence South along the West line thereof a distance of One Hundred Eighty-seven and Seven tenths (187.7) feet to a point; thence deflecting Southeasterly Sixty-one (61) degrees, Thirty-nine (39) minutes a distance of Four Hundred Six and One tenth (406.1) feet to a point which is the place of beginning; thence continuing on the same course a distance of Seven Hundred Sixty (760) feet to a point; thence Northeasterly at right angles a distance of Two Hundred Seventy-five (275) feet to a point which is distant Twenty-five (25) feet from the Southerly right-of-way line of U. S. Trunk Highway Number Two Hundred Twelve (212), measured at right angles to said right-of-way line as presently constituted; thence Northwesterly on a line parallel with said Southerly right-of-way line to a point which is the point of intersection with a line drawn through the above mentioned point of beginning at right angles to the course above mentioned from the West line of said Section to the place of beginning; thence Southwesterly along said intersecting line a distance of Three Hundred Forty-two (342) feet to the place of beginning, said tract containing Six and Three hundredths (6.03) acres;

also

All that part of U. S. Trunk Highway Number Two Hundred Twelve (212) and U. S. Trunk Highway Seventy-one (71) right-of-way lying between the North-South Quarter (NS1/4) line and the East Section line of Section Eleven (11), Township One Hundred Fifteen (115), Range Thirty-five (35).

All of these lands lie entirely within the County of Renville, Minnesota. The entire track containing Thirty-nine and Six tenths (39.6) acres, more or less.

Section 2. Filing. The City Clerk is directed to file certified copies of this ordinance with the Secretary of State, the County Auditor, the County Recorder, the County Assessor, the Town Clerk of the affected township, and the Minnesota Municipal Board.

Section 3. Effective Date of Annexation. This ordinance takes effect upon its passage and publication and the filing of certified copies as directed in Section 2.

Section 4. Publishing & Posting. The City Clerk is hereby directed to publish this ordinance in summary form as adopted by Council Resolution 84-42 in accordance with Minnesota Statutes, Section 412.191, Subdivision 4 as amended, and post the unabridged text of this ordinance at City Hall, the Public Library and U. S. Post Office.

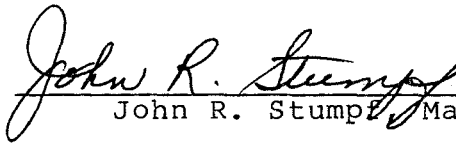
Passed the Olivia City Council this 6th day of August, 1984.

(SEAL)

ATTEST:



Richard Carlson, City Clerk


John R. Stump, Mayor

Published in summary form as directed in Resolution 84-42 this 14th day of August, 1984.

July 11, 1984

Mr. Richard Carlson
Olivia City Administrator
1009 West Lincoln Avenue
Olivia, Minnesota 56277

Mr. John Schemmel
Troy Township Clerk
Route 1, Box 27
Danube, Minnesota 56230

Re: A-4088 Olivia

Gentlemen:

On July 9, 1984, the Minnesota Municipal Board received a request of counsel for the Town of Troy for their withdrawal of the township's objection to the above-referenced matter. On July 11, 1984, the Minnesota Municipal Board unanimously approved the withdrawal of the Troy Township objection. The City of Olivia may proceed to adopt and file an annexation by ordinance in the above-referenced matter.

Please do not hesitate to contact this office if you have any questions regarding this matter. You are to be commended for resolving this issue at the local level prior to hearing.

Sincerely,

MUNICIPAL BOARD

Terrence A. Merritt
Executive Director

TAM:sg

cc: Thomas J. Simmons
MN DOT

OFFICE OF
RENVILLE COUNTY ATTORNEY
OLIVIA, MINNESOTA 56277
PHONE (612) 523-2661

REC'D. BY
M M R

JUL 11 1984

COUNTY ATTORNEY
THOMAS J. SIMMONS

ASSISTANT COUNTY ATTORNEYS
CHARLES L. HUNT
VAN P. JACOBSEN

July 10, 1984

Mr. Terry Merritt
Minnesota Municipal Board
Metro Square Bldg.
St. Paul, Mn.

Re: Annexation City of Olivia
Troy Township

Dear Mr. Merritt:

Please be advised that Troy Township withdraws its objections to the above annexation, and that the scheduled hearing will not be necessary.

I presume the Board will proceed accordingly, and that the appropriate orders will be forth coming.

If any further information is needed please advise. Thank you.

Yours very truly,

Thomas J. Simmons

TJS/ddc

cc: Waldemar Penke
Troy Township Chairman
Danube, Mn. 56230

Richard Carlson
City Administrator
Olivia, Mn. 56277

REC'D BY APR 20 1984
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State of Minn Municipal Board
Docket No. A-4088

at the annual meeting and election of the township of tray held on Tuesday March 13 1984 at the Danube Community Hall.

a motion was made and seconded by tray township voters that the township of tray go on record as being against the annexation of certain property west of Olivia Minn belonging to Blackburn Inc, + Lee J Folberts and Ruth Ravenhorst. The reason being the loss of tax Revenue to tray Township

at a Regular Town Board meeting held on April 2nd 1984, the clerk John Schemmel was instructed to write a letter objecting to the annexation of certain land west of Olivia Minn. and send copies to the Minn Municipal Board and to the City of Olivia

John Schemmel - Clerk of tray
Wally E Penke Chairman of tray

April 18th, 1984

FEB 23 1984

COPY

NOTICE

TO THE TOWN BOARD OF TROY TOWNSHIP, RENVILLE COUNTY, MINNESOTA.

WHEREAS, the City Council of the City of Olivia, passed Resolution 84-10, A Resolution Petitioning the Minnesota Municipal Board to Consider Annexing Certain Unplatted Land into the Corporate Limits of the City of Olivia, indicating its intent to annex certain territory within the Town of Troy, described as follows:

That part of the East three-fourths (E3/4) of the Northeast Quarter (NE1/4) of Section Ten (10), Township One Hundred Fifteen (115), Range Thirty-five (35), lying South of the South right-of-way line of the Chicago, Milwaukee, St. Paul and Pacific Railway and lying North of the South right-of-way line of U. S. Trunk Highway Number Two Hundred Twelve (212).

also

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also

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Commencing at a point on the East line of said Southwest Quarter (SW1/4) of Section Eleven (11), distant North One Thousand Two Hundred Twenty-seven and Five tenths (1,227.5) feet from the Southeast corner of said Southwest Quarter (SW1/4), which point is the place of beginning; thence deflecting Northwesterly Seventy-six (76) degrees, Fifty-one (51) minutes a distance of Two Hundred Nine and One tenth (209.1) feet to a point marked by an iron monument; thence deflecting Northerly Seventy-six (76) degrees, Twelve (12) minutes a distance of One Hundred Sixty-seven and Eight tenths (167.8) feet to a point marked by an iron monument; thence deflecting Easterly Ninety-six (96) degrees, Nineteen

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Commencing at the Northwest corner of said Northwest Quarter of the Southwest Quarter (NW1/4 SE1/4) of Section Eleven (11); thence South along the West line thereof a distance of One Hundred Eighty-seven and Seven tenths (187.7) feet to a point; thence deflecting Southeasterly Sixty-one (61) degrees, Thirty-nine (39) minutes a distance of Four Hundred Six and One tenth (406.1) feet to a point which is the place of beginning; thence continuing on the same course a distance of Seven Hundred Sixty (760) feet to a point; thence Northeasterly at right angles a distance of Two Hundred Seventy-five (275) feet to a point which is distant Twenty-five (25) feet from the Southerly right-of-way line of U.S. Trunk Highway Number Two Hundred Twelve (212), measured at right angles to said right-of-way line as presently constituted; thence Northwesterly on a line parallel with said Southerly right-of-way line to a point which is the point of intersection with a line drawn through the above mentioned point of beginning at right angles to the course above mentioned from the West line of said Section to the place of beginning; thence Southwesterly along said intersecting line a distance of Three Hundred Forty-two (342) feet to the place of beginning, said tract containing 6.03 acres; and

WHEREAS, 60% or more of the perimeter of the above described land is bordered by land within the City of Olivia;

NOW, THEREFORE, notice is hereby given to the Town Board of Troy Township, that the City of Olivia intends to annex the above described land pursuant to M.S.A. 414.033, Subd. 3, and will so annex the land if no written objections are received from the town board within 90 days from the service of this notice upon the town clerk.

FEB 21 1984

Date

(SEAL)

John R. Stumpff
John R. Stumpff Mayor

ATTEST:

Richard Carlson
Richard Carlson, City Clerk

REC'D. BY
M M B

FEB 23 1984

CITY OF
OLYMPIA

