

ORDINANCE NO. 1, 1985

ORDINANCE TO ANNEX CERTAIN PROPERTY ADJOINING

THE CITY OF PAYNESVILLE

579073

WHEREAS, certain territory described below is not presently included within the corporate limits of any incorporated city, village or borough; and,

WHEREAS, this territory borders upon the City limits of the City of Paynesville and is deemed to be urban in the character; and,

WHEREAS, the property has access to City water and sewer and has been developed to some degree and is in a position for further development,

NOW, THEREFORE, the City Council of the City of Paynesville ordains:

SECTION 1. TERRITORY ANNEXED. The corporate limits of the City of Paynesville, Minnesota, are hereby extended to include the unplatted territory described as follows, which territory is now and has heretofore been adjacent to the incorporated limits of the City of Paynesville:

A part of the Southeast Quarter (SE $\frac{1}{4}$ ) of Section Sixteen (16), Township One Hundred Twenty-two (122) North, Range Thirty-two (32) West, described as follows: Beginning at the center of said Section 16; thence along the North line thereof East 50.0 feet to the right of way line of Minn. T.H. #124; thence along said highway right of way line South 308.20 feet to the point of beginning of the tract herein described; thence East 300.00 feet; thence South 180.00 feet; thence West 300 feet to the East 50 foot right of way line of Minn T.H. #124; thence along said highway right of way line North 180.00 feet to the point of beginning.

ALSO,

A part of the Southeast Quarter (SE $\frac{1}{4}$ ) of Section Sixteen (16), Township One Hundred Twenty-two (122) North, Range Thirty-two (32) West, described as follows: Beginning at the center of said Section 16; thence along the North line thereof East 50.0 feet to the right of way line of Minn. T.H. #124; thence along said highway right of way line South 488.2 feet to the point of beginning of the tract herein described; thence East 300.0 feet; thence South 180.0 feet; thence West 300.0 feet to the East 50 foot right of way line of Minnesota Trunk Highway #124; thence along said highway right of way line North 180.0 feet to the point of beginning.

Section 2. QUANTITY. The quantity of land embraced within the

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Page 1 of 5

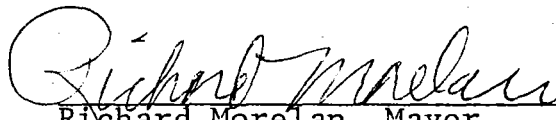
(2)

foregoing description and bounded as described is approximately 2.48 acres, more or less.

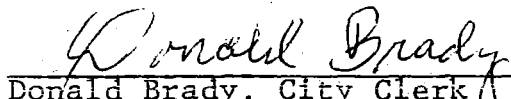
Section 3. FILING. The City Clerk is hereby directed to file certified copies of the Ordinance with the Secretary of State, the County Auditor, and the Register of Deeds of the County in which the property is located and the Minnesota Municipal Commission.

Section 4. ZONING. The foregoing described property is annexed to the City of Paynesville and zoned within the City limits as Zone C-2, highway commercial district.

Section 5. EFFECTIVE DATE OF ANNEXATION. This Ordinance takes effect upon passage and publication and the filing of certified copies as directed in Section 3 and approval pursuant to Minnesota statutes. Adopted by the City Council of the City of Paynesville, Stearns County, Minnesota, on the 13<sup>th</sup> day of February, 1985.

  
Richard Morelan, Mayor

ATTEST:

  
Donald Brady, City Clerk

Ronald R. Frauenshuh, Sr.  
City Attorney

## CERTIFICATE OF CLERK

I, Donald Brady, the duly appointed, qualified and acting Clerk of the City of Paynesville, do hereby certify that the records of the City Council of the City of Paynesville indicates that the attached Ordinance to Annex Certain Property Adjoining The City of Paynesville is a true and correct copy of said ordinance of the City of Paynesville.

That present at said meeting were Mayor Morelan, and Councilmen Butler, Louis, Putzke and Guenther absent. none

That said ordinance was unanimously passed. All Councilmen present and the Mayor joined in said vote.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal to said Certificate this 13<sup>th</sup> day of February, 1985.

Donald Brady  
Donald Brady, City Clerk

## ACCEPTANCE OF ANNEXATION

REC'D. BY MAY 07 1990  
MAB

WHEREAS, Dr. R. A. Dreyling is the owner of certain real estate located in the Paynesville Township described as follows:

A part of the Southeast Quarter (SE $\frac{1}{4}$ ) of Section Sixteen (16), Township One Hundred Twenty-two (122) North, Range Thirty-two (32) West, described as follows: Beginning at the center of said Section 16; thence along the North line thereof East 50.0 feet to the right of way line of Minn T.H. #124; thence along said highway right of way line South 308.20 feet to the point of beginning of the tract herein described; thence East 300.00 feet; thence South 180.00 feet; thence West 300 feet to the East 50 foot right of way line of Minn. T.H. #124; thence along said highway right of way line North 180.00 feet the point of beginning.

A part of the Southeast Quarter (SE $\frac{1}{4}$ ) of Section Sixteen (16), Township One Hundred Twenty-two (122) North, Range Thirty-two (32) West, described as follows: Beginning at the center of said Section 16; thence along the North line thereof East 50.0 feet to the right of way line of Minn. T.H. #124; thence along said highway right of way line South 488.2 feet to the point of beginning of the tract herein described; thence East 300.0 feet; thence South 180.0 feet; thence West 300.0 feet to the East 50 foot right of way line of Minnesota Trunk Highway #124; thence along said highway right of way line North 180.0 feet to the point of beginning.

WHEREAS, Dr. R. A. Dreyling has requested that this land be annexed to the City of Paynesville for access to the City utilities.

NOW THEREFORE, be it resolved by the town board of the City of Paynesville.

## RESOLUTION

The town board of the City of Paynesville will not oppose the Petition for Annexation recognizing the right of the land owner to have such as annexation under the circumstances.

David Schwendt  
Chairman of the Town Board

Donald H. White  
Clerk of the Town Board

OFFICE OF COUNTY RECORDER  
STEARNS COUNTY, MINNESOTA

CERTIFIED, FILED AND/OR  
RECORDED IN

MAR 19 4 24 PM '85  
AS DOC. # 579073  
PATRICIA M. OVERMAN  
COUNTY RECORDER  
BY \_\_\_\_\_ DEPUTY

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Page 4 of 5

REC'D. BY  
MAMB MAY 07 1990

