

REC'D. BY
M M B OCT 17 1990

ORDINANCE 90-14

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

WHEREAS, a certain petition dated August 30, 1990 requesting annexation of the territory hereinafter described was duly presented to the council on the 10th date of September, 1990; and,

WHEREAS, the petition was signed by the owner of said property; and,

WHEREAS, no objections to the annexation have been received from the town board, or the government body of any municipality whose boundaries abut upon the boundaries of the land to be annexed; and,

WHEREAS, the land described in the petition abuts upon the city limits at the northeast boundary (boundaries) thereof;

THE CITY OF FARIBAULT ORDAINS:

Section 1. The city council hereby determines (1) that the territory described herein abuts upon the city limits and is (is about to become) urban or suburban in character; and (2) that none of the territory is now included within the limits of any city.

Section 2. The population of the territory is zero.

Section 3. Territory annexed. The corporate limits of the city are hereby extended to include the unplatted land described as follows and the same is hereby annexed to and included within the city as effectually as if it had originally been a part thereof:

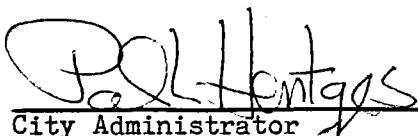
Section 4. Filing. The city administrator is hereby directed to file certified copies of this ordinance with the Minnesota Municipal Board, the Secretary of State, the Town Clerk, and the County Auditor.

Section 5. Effective Date. This ordinance takes effect upon its passage and publications and the filing of the certified copies as directed in Section 3, and approval of the ordinance by the Minnesota Municipal Board.

First Reading: September 10, 1990

Second Reading: September 25, 1990

ATTEST:


City Administrator

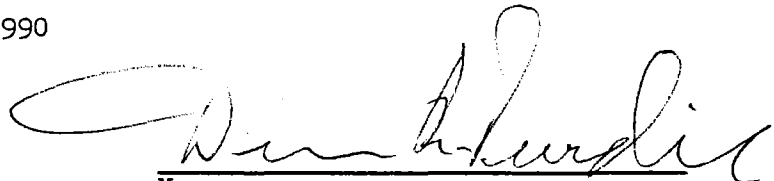

Mayor

EXHIBIT "A"

Tract I Map No. 11-19-00-00-006 (14.77 Acres) (somtimes referred to as Drive-In property)

Part of the North One-half of the Northeast Quarter of Section 19, Township 110 North, Range 20 West of the Fifth Principal Meridian, Rice County, Minnesota, described as follows: Beginning at the Southwest corner of said North One-half of Northeast Quarter; thence South 89°30'45" East, along the South line of said North One-half of Northeast Quarter (for purposes of this description bearings are assumed and based on said South line being South 89°30'45" East), a distance of 644.18 feet to a point in the center line of an easement for Trunk Highway construction and maintenance acquired by the State of Minnesota by final certificate filed and of record in the County Recorder's Office in Book 225 of Deeds, pages 48 to 62; thence North 16°46'36" East, along said Highway easement center line, 260.70 feet to a point in a line 250.24 feet northerly from and parallel with said South line of North One-half of Northeast Quarter and the true point of beginning of the parcel to be herein described; thence South 89°30'45" East, along said parallel line, 957.39 feet to a point in the northwesterly right of way line of the Chicago Great Western Railway Company (now abandoned); thence North 25°44'12" East, along said northwesterly right of way line, 447.17 feet; thence North 89°29'01" West, along said right of way line, 55.27 feet; thence North 25°44'12" East, along said right of way line, 281.61 feet; thence North 89°29'01" West, 878.52 feet to a point in the center line of Ames Trail (formerly "Old Jefferson Highway"); thence South 48°00'31" West, along said center line of Ames Trail, 262.35 feet to a point in aforesaid center line of State Trunk Highway Easement; thence South 16°46'36" West, along said center line of Trunk Highway Easement, 502.62 feet to said true point of beginning; subject to said State Trunk Highway Easement and Ames Trail, over the westerly side of said herein described parcel; containing 14.777 acres, more or less, including said rights of way.

Tract II Map No. 11-19-00-00-008 (37.8 Acres) (The acreage references in the legal descriptions do not equal 37.8 acres because a portion of the described parcel is already within the city limits).

All of the Chicago and North Western Transportation Company property, lying within the North One-half of the Northeast Quarter of the Northeast Quarter of Section 19, Township 110 North, Range 20 West of the Fifth Principal Meridian, Rice County, Minnesota, being a strip of land 200 feet in width, 100 feet on both sides of the center line of the now removed main track of said Transportation Company, extending over and across said North One-half of Northeast Quarter of Northeast Quarter, described as follows: Beginning at a point in the South line of said North One-half of Northeast Quarter of Northeast Quarter (for purposes of this description bearing of said South line is assumed North 89°29'01" West), a distance of 581.15 feet, westerly from the Southeast corner of said North One-half of Northeast Quarter of Northeast Quarter; thence continue along said South line, North 89°29'01" West, 221.07 feet; thence North 25°44'12" East, 723.53 feet to a point in the North line of said Northeast Quarter; thence South 89°27'17" East, along said North line, 221.02 feet; thence South 25°44'12" West, 723.40 feet to said point of beginning; containing 3.322 acres, more or less; subject to easements of record.

AND

All of the Chicago North Western Transportation Company property, being within the South One-half of the Northeast Quarter of the Northeast Quarter and the South One-half of the Northeast Quarter, and that part of the Northwest Quarter of the Southeast Quarter, being a strip of land 100 feet in width, 50 feet on both sides of the center line of the now removed main track of said Transportation Company, all being in Section 19, Township 110 North, Range 20 West of the Fifth Principal Meridian, Rice County, Minnesota, described as follows: Beginning at a point in the North line of said South One-half of Northeast Quarter of Northeast Quarter (for purposes of this description bearing of said North line is assumed North 89°29'01" West), a distance of 636.42 feet westerly from the Northeast corner of said South One-half of Northeast Quarter of Northeast Quarter; thence, along said North line, North 89°29'01" West, 110.54 feet; thence South 25°44'12" West, 3164.91 feet; thence South 89°34'24" East, 110.62 feet; thence North 25°44'12" East, 3164.71 feet to said point of beginning; containing 7.265 acres, more or less; subject to easements of record.

AND

All that part of the following described property located North of the South line of the Northeast Quarter (NE¼) of Section 19:

PART OF THE E½ OF SECTION 19, TOWNSHIP 110 NORTH, RANGE 20 WEST OF THE FIFTH PRINCIPAL MERIDIAN, RICE COUNTY, MINNESOTA, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE EAST LINE OF THE NE¼ OF SAID SECTION 19 (FOR PURPOSES OF THIS DESCRIPTION BEARING OF SAID EAST LINE IS ASSUMED SOUTH 0°15'27" WEST), A DISTANCE OF 654.32 FEET SOUTHERLY FROM THE NORTHEAST CORNER OF SAID NE¼, SAID POINT BEING THE NORTHEAST CORNER OF THE S½ OF THE N½ OF SAID NE¼; THENCE CONTINUE SOUTH 0°15'27" WEST, ALONG SAID EAST LINE, 1409.32 FEET TO A POINT IN THE CENTER OF CANNON RIVER; THENCE SOUTHWESTERLY, ALONG SAID CENTER OF CANNON RIVER ON THE FOLLOWING FIVE COURSES: SOUTH 50°15'27" WEST, 440.00 FEET; SOUTH 26°57'20" WEST, 579.11 FEET; SOUTH 42°55'36" WEST, 300.00 FEET; SOUTH 74°10'36" WEST, 450.00 FEET; SOUTH 57°10'36" WEST, 550.00 FEET; NORTH 89°34'24" WEST, PARALLEL WITH THE SOUTH LINE OF SAID NE¼, 304.00 FEET TO A POINT IN THE SOUTHEASTERLY RIGHT OF WAY LINE OF THE CHICAGO AND NORTH WESTERN TRANSPORTATION COMPANY; THENCE NORTH 25°44'12" EAST, ALONG SAID SOUTHEASTERLY RIGHT OF WAY LINE, 3164.72 FEET TO A POINT IN THE NORTH LINE OF SAID S½ OF N½ OF NE¼; THENCE SOUTH 89°29'01" EAST, 636.42 FEET TO SAID POINT OF BEGINNING; SUBJECT TO THE PROPRIETARY AND SOVEREIGN RIGHTS OF THE STATE OF MINNESOTA IN ALL THAT PORTION OF THE LAND LYING BELOW THE NATURAL ORDINARY HIGH WATER-MARK OF THE CANNON RIVER; NOT, HOWEVER, TO DEPRIVE THE FEE OWNERS OF THE USUAL RIPARIAN RIGHTS THAT ATTACH TO THE LAND RIPARIAN TO A NAVIGABLE PUBLIC BODY OF WATER INCIDENT TO THE OWNERSHIP THEREOF; CONTAINING 51.323 ACRES, MORE OR LESS, INCLUDING SAID CANNON RIVER, AND CONTAINING 48.086 ACRES, MORE OR LESS, EXCLUDING SAID CANNON RIVER.

Tract III Map No. 11-19-00-00-007.5 (11.9 Acres)

PART OF THE S½ OF THE N½ OF THE NE¼ OF SECTION 19, TOWNSHIP 110 NORTH, RANGE 20 WEST OF THE FIFTH PRINCIPAL MERIDIAN, RICE COUNTY, MINNESOTA, LYING EAST OF THE CHICAGO AND NORTH WESTERN TRANSPORTATION COMPANY'S RIGHT OF WAY---, BEING MORE EXACTLY DESCRIBED AS: BEGINNING AT A POINT IN THE EAST LINE OF SAID NE¼ (FOR PURPOSES OF THIS DESCRIPTION BEARING OF SAID EAST LINE IS ASSUMED SOUTH 0°15'27" WEST), A DISTANCE OF 654.32 FEET SOUTHERLY FROM THE NORTHEAST CORNER OF SAID NE¼; SAID POINT BEING THE NORTHEAST CORNER OF SAID S½ OF N½ OF NE¼; THENCE CONTINUE SOUTH 0°15'27" WEST, ALONG SAID EAST LINE, 654.32 FEET TO THE SOUTHEAST CORNER OF SAID S½ OF N½ OF NE¼; THENCE NORTH 89°30'45" WEST, ALONG THE SOUTH LINE OF SAID S½ OF N½ OF NE¼, 947.77 FEET TO A POINT IN THE SOUTHEASTERLY RIGHT OF WAY LINE OF THE CHICAGO AND NORTH WESTERN TRANSPORTATION COMPANY; THENCE NORTH 25°44'12" EAST, ALONG SAID SOUTHEAST RIGHT OF WAY LINE, 723.78 FEET TO A POINT IN THE NORTH LINE OF SAID S½ OF N½ OF NE¼; THENCE SOUTH 89°29'01" EAST, ALONG SAID NORTH LINE, 636.42 FEET TO SAID POINT OF BEGINNING; CONTAINING 11.901 ACRES, MORE OR LESS.

Tract IV Map No. 11-19-00-00-007 (5.2 Acres) (Sometimes referred to as Hoover property)

Part of the South One-half of the North One-half of the Northeast Quarter of Section 19, Township 110 North, Range 20 West, lying South and East of the center line of a Trunk Highway easement recorded in Book 225 of Deeds, pages 48 to 62 of record in the office of the Rice County Recorder and lying westerly from the westerly right of way line of the Chicago Great Western Railroad; excepting therefrom the following described parcel:

Commencing at a point in the center of Trunk Highway No. 218, said point being 700 feet East and 250.24 feet North of the Southwest corner of the North One-half of the Northeast Quarter of Section 19, Township 110 North, Range 20 West; thence running East, a distance of 955 feet to the westerly right-of-way line of the Chicago, Great Western Railroad; thence northeasterly, along the said right-of-way line, a distance of 728 feet; thence West 935.3 feet to the center of the Road or Highway known as "Old Jefferson Highway", the "Faribault-Dundas Road" and as the "Dundas-Faribault River Road"; thence southwesterly, along the said center of said Road or Highway, a distance of 257 feet to the center line of Trunk Highway No. 218; thence southwesterly, along the said center line of said Trunk Highway No. 218, a distance of 506.5 feet to the place of beginning;

being more exactly described as: Part of the North One-half of the Northeast Quarter of Section 19, Township 110 North, Range 20 West of the Fifth Principal Meridian, Rice County, Minnesota, described as follows: Beginning at a point in the South line of said North One-half of Northeast Quarter (for purposes of this description bearings are assumed and based on said South line being South 89°30'45" East), a distance of 644.18 feet easterly from the Southwest corner of said North One-half of Northeast Quarter, said point being the center line of an easement for Trunk Highway construction and maintenance acquired by the State of Minnesota by final certificate filed and of record in the County Recorder's Office in Book 225 of Deeds, pages 48 to 62; thence North 16°46'36" East, along said Highway easement center line, 260.70 feet to a point in a line 250.24 feet northerly from and parallel with said South line of North One-half of Northeast Quarter; thence South 89°30'45" East, along said parallel line, 957.39 feet; thence South 25°44'12" West, 276.67 feet to a point in said South line; thence North 89°30'45" West, along said South line, 921.51 feet to said point of beginning; subject to said State Trunk Highway Easement over the westerly side of said herein described parcel; containing 5.223 acres, more or less, including said right of way.

