

REC'D. BY
MMB MAY 24 1991

PETITION FOR ANNEXATION BY ORDINANCE

IN THE MATTER OF THE PETITION OF (CERTAIN
PERSONS) (OR THE CITY OF Wells) (OR THE
TOWN OF _____) FOR ANNEXATION
PURSUANT TO MINNESOTA STATUTES 414.033, SUBD. 5

TO: Council of the City of Wells, Minnesota

and

Minnesota Municipal Board
165 Metro Square Building
St. Paul, Minnesota 55101

PETITIONERS STATE: The property owner or a majority of the property owners in number are required to commence a proceeding under M.S. 414.033, Subd. 5.

It is hereby requested by:

- the sole property owner; or
- all of the property owners; or

a majority of the property owners of the area proposed for annexation to annex certain property described herein lying in the Town of Clark to the City of Wells, County of Faribault, Minnesota. (Where the petition is commenced by a municipality or town, the petition must include the appropriate action by the governing body, including the citation to the resolution, ordinance, or notice of intent.)

The area proposed for annexation is described as follows:

(INSERT COMPLETE AND ACCURATE PROPERTY DESCRIPTION)

See Attached


1. There are one property owners in the area proposed for annexation.
2. One property owners have signed this petition. (If the land is owned by both husband and wife, both must sign the petition to represent all owners.)
3. The population of the annexation area is 0. (optional)
4. Said property is unincorporated, abuts on the city's N S E W (circle one) boundary(ies), and is not included within any other municipality.
5. The area of land to be annexed in acres is:
Platted 10.8 Unplatted _____ Total _____
6. The reason for the requested annexation is provide for sanitary sewer connection to meet MN Pollution Control requirements for waste water disposal.
7. All of the annexation area is or is about to become urban or suburban in character.

OVER

- 8. The area proposed for annexation is not included in any area that has already been designated for orderly annexation pursuant to M.S. 414.0325.

PETITIONERS REQUEST: That pursuant to M.S. 414.033, the property described herein be annexed to and included within the City of Wells.

Dated: May 17, 1991

Stokely USA Inc.
PO Box 8, Hwy. 22N
Wells, MN 56097

Plant Manager

The petition to the Minnesota Municipal Board should be accompanied by the following pursuant to Minnesota Municipal Board Law Chapter 414 and Rules of Procedure:

- A. A certification showing that a copy of the petition was filed within 10 days after service on the annexing city with the Town of Clark on May 23, 1991, the County of Faribault on May 23, 1991, and the abutting municipality of NA, on NA.
- B. A filing fee of \$5 per acre with a minimum of \$100 and a maximum of \$600.
- C. Mapping requirements are described below:

(414.011)(DEFINITIONS) Subd. 9: "Corporate boundary map" means a map which accurately describes the boundaries of a municipality.

(414.011)(DEFINITIONS) Subd. 10: "Plat map" means that document recorded in the office of the county recorder in the county where the area is located.

(414.012)(MAPS) Subd. 1: (CORPORATE BOUNDARY MAP.) A municipality initiating any boundary adjustment authorized by this chapter shall file with the Municipal Board a corporate boundary map. Any proposed boundary adjustment shall be delineated on a copy of the corporate boundary map.

(414.012)(MAPS) Subd. 2: (PLAT MAPS.) Any party initiating a boundary adjustment, which includes platted land, shall file with the Municipal Board maps which are necessary to support and identify the land description. The maps shall include copies of plats.

Minnesota Municipal Board Rule 6000.0800 (c) A map showing the property proposed for consideration and its relationship to any surrounding municipality. All distance references should be given by length. Beginning points should be land survey monuments and the description must close the boundaries. References to roads or railroads should be to survey lines such as centerline or known right-of-way line. The intent to include or exclude highway, railroad, and street right-of-ways surrounding platted blocks or lots should be clearly stated.

MAY 24 1991



JHS

JONES, HAUGH & SMITH INC
CONSULTING ENGINEERS
CIVIL ENGINEERS & LAND SURVEYORS

515 South Washington
ALBERT LEA, MINNESOTA 56007
Telephone 507-373-4876

January 12, 1989

HAROLD H. HAUGH
Reg. Civil Engineer
Reg. Land Surveyor

ARTHUR W. SMITH
Reg. Civil Engineer

JOHN H. SCHULTE IV
Reg. Land Surveyor

MICHAEL J. HANSON
Reg. Civil Engineer

C. V. JONES
Senior Consultant

Mr. P. J. Krull
Dei Monte Foods, USA
P.O. Box 8
Wells, MN 56097-0008

Dear Mr. Krull:

Enclosed is a description and four (4) copies of our Certificate of Survey for property located in the SE $\frac{1}{4}$ Section 5 - T103N - R24W, Wells, Minnesota.

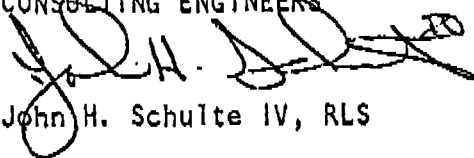
While doing the survey we found that the distance given in your deed from the north line of the SE $\frac{1}{4}$ to the south line of your property is 1455.0 feet versus measured 1451.98 feet. This discrepancy is caused by a shortage in the platted north-south dimension of Garden Addition and that at the time the property was acquired the S $\frac{1}{2}$ of Cleveland Street was still platted, which would have limited the grant to the centerline of Cleveland Street. Subsequently in 1961 the S $\frac{1}{2}$ of Cleveland Street was vacated and would have accrued to the lots to the south.

There is a train winch cable building located on Lot 25 of Garden Addition, as shown on the Certificate. We are unaware of any recorded agreements with the owner of Lot 25 regarding this structure.

If there are any questions regarding the enclosures, please let us know.

Yours very truly,

JONES, HAUGH & SMITH INC
CONSULTING ENGINEERS


John H. Schulte IV, RLS

JHS:egw

Enclosures

January 11, 1989

DESCRIPTION
IN SE¼ SEC 5-T103N-R24W

All that part of the SE¼ Section 5 - T103N - R24W, described as follows:

Commencing at the northeast corner of the SE¼ Section 5 - T103N - R24W; thence north $89^{\circ} 09' 00''$ west a distance of 748.5 feet, on an assumed bearing, on the north line of said ¼ section; thence south $00^{\circ} 00' 00''$ west a distance of 1451.98 feet, on a line parallel with the east line of said NE¼, to a point on the centerline of vacated Cleveland Street, as shown on the plat of Garden Addition, as the same is platted and recorded in the office of the County Recorder of Faribault County, Minnesota; which point is the point of beginning of the tract to be described;

thence north $89^{\circ} 09' 00''$ west a distance of 406.35 feet, on the centerline of said vacated Cleveland Street, parallel with the north line of said ¼ section, to a point 66 feet northeasterly, measured at a right angle from the northeasterly right-of-way line of the Soo Line Railroad (formerly the Chicago, Milwaukee, St. Paul & Pacific Railroad), said point being 16 feet northeasterly, measured at a right angle, from the northeasterly line of Thurman Street, as shown on said plat of Garden Addition;

thence north $41^{\circ} 09' 28''$ west a distance of 238.31 feet, on a line parallel with and 16 feet northeasterly, measured at a right angle, from the northeasterly line of said Thurman Street;

thence northwesterly a distance of 226.98 feet, on a line parallel with and 16 feet northeasterly, measured at a right angle, from the northeasterly line of said Thurman Street, on a non-tangential curve, concave to the northeast, with a radius of 5613.50 feet, a central angle of $02^{\circ} 19' 00''$, and a chord bearing of north $38^{\circ} 58' 57''$ west;

thence north $37^{\circ} 49' 27''$ west a distance of 1265.06 feet, on a line parallel with and 16 feet northeasterly, measured at a right angle, from the northeasterly line of said Thurman Street, to the point of intersection with a line drawn perpendicular to the northeasterly line of said Thurman Street, from a point thereon, which is 100 feet southeasterly from the point of intersection of the northeasterly line of said Thurman Street, with the southwesterly right-of-way line of Trunk Highway No. 22;

thence north $52^{\circ} 10' 33''$ east a distance of 23.42 feet, on a line perpendicular to the northeasterly line of said Thurman Street, to a point on the southwesterly right-of-way line of Trunk Highway No. 22;

thence south $51^{\circ} 46' 10''$ east a distance of 1862.72 feet; on the southwesterly right-of-way line of said Trunk Highway No. 22, to the point of intersection with a line parallel with and 748.5 feet west of the east line of the SE¼ of said Section 5 - T103N - R24W;

thence south $00^{\circ} 00' 00''$ west a distance of 222.81 feet, on a line parallel with and 748.5 feet west of the east line of said SE¼, to the point of beginning;

subject to easements of record.

PLAT O WELLS, MINN.

SCALE 1" = 400'

AUGUST 1939

REVISED MAY 1951
REVISED JAN 1962
REVISED APR 1975
REVISED JUNE 1979

Δ = 13°59' LT
D = 24°00'
T = 351.4
L = 599.2
PC 8+12.0

