

REC'D. BY  
M M R MAY 31 1995

ORDINANCE 1995-05

AN ORDINANCE ANNEXING THE  
NEW VISION ALLIANCE AND THE MINNESOTA DEPARTMENT OF  
TRANSPORTATION PROPERTY TO THE CITY OF ALBANY AND  
REPEALING ORDINANCE NUMBER 1995-03.

The City Council, Albany, MN, ordains as follows:

1. That the City of Albany has been petitioned by the sole owner of certain property lying in Stearns County, Minnesota, legally described as follows, to wit:

TRACT A:

That part of the NW 1/4 NE 1/4 and SW 1/4 NE 1/4 of Section 21, Township 125, Range 31, Stearns County, Minnesota described as follows: Commencing at the Southwest corner of said NW 1/4 NE 1/4; thence North 00 degrees 57' 24" East (assumed bearing) along the West line of said NW 1/4 NE 1/4 165.00 feet; thence South 89 degrees 02' 36" East 865.00 feet to the point of beginning of the land to be described; thence North 04 degrees 57' 24" East 195.29 feet; thence North 43 degrees 42' 32" East 341.96 feet to the centerline of County Road No. 10; thence South 46 degrees 11' 38" East along said centerline 271.81 feet to the East line of said NW 1/4 NE 1/4; thence South 00 degrees 45' 28" West along the East line of said NW 1/4 NE 1/4 and the East line of said SW 1/4 NE 1/4 1240.41 feet; thence North 89 degrees 47' 09" West 518.33 feet to its intersection with a line which bears South 04 degrees 57' 24" West from the point of beginning; thence North 04 degrees 57' 24" East along said line 988.46 feet to the point of beginning. Containing 14.23 acres more or less. Subject to County Road easements and right of way on record.

TRACT B:

That part of the NW 1/4 NE 1/4 of Section 21, Township 125 North, Range 31 West, Stearns County, Minnesota described as follows: Commencing at the Southwest corner of said NW 1/4 NE 1/4; thence North 0 degrees 57' 24" East (Minnesota State Plane Grid Bearing, Central Zone) along the West line of said NW 1/4 NE 1/4, 165.00 feet (this point is also 1153.61 feet South of the Northwest corner of said NW 1/4 NE 1/4); thence South 89 degrees 02' 36" East 595 feet to the point of beginning of the tract to be described; thence North 04 degrees 57' 24" East 325 feet; thence South 89 degrees 02' 36" East 244.39 feet; thence North 43 degrees 42' 32" East 139.13 feet to a point hereinafter known as "Point A"; thence Southeasterly on a non-tangential curve concave to the Southwest a distance of 106.87 feet to a point hereinafter known as "Point B", said curve has a radius of 768.51 feet, a delta angle of 07 degrees 58' 03", and the chord of said curve bears South 66 degrees 49' 25" East; thence South 43 degrees 42' 32" West 260.35 feet; thence South 04 degrees 57' 24" West 195.29 feet; thence North 89 degrees 02' 36" West 270 feet to the point of beginning, containing 2.43 acres more or less.

TRACT C:

All that part of the two following described tracts:

1. That part of the NW 1/4 NE 1/4 of Section 21, Township 125 North, Range 31 West, described as follows: Beginning at a point 165 feet North and 325 feet East of the Southwest corner of said NW 1/4 NE 1/4 of said Section 21; thence due East for a distance of 270 feet; thence in a Northeasterly direction and at an angle of 94 degrees 00' with said

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last mentioned line running due East for a distance of 500 feet; thence North 216.50 feet to a point on the Easterly line of the Albany-St. Martin Road; thence Southwesterly along said Easterly line of said road for a distance of 551 feet; thence in a Southeasterly direction of 249.50 feet to a point 110 feet due North of the point of beginning; thence due South for a distance of 110 feet to place of beginning.

2. That part of the NW 1/4 NE 1/4 of Section 21, Township 125 North, Range 31 West described as follows: Beginning at a point 165 feet North and 25 feet East of the Northwest corner of the SW 1/4 NE 1/4 of said Section 21; thence due East 300 feet; thence due North 110 feet; thence in a Northwesterly direction 249.5 feet to the East line of Albany-St. Martin Public Road; thence in a Southwesterly direction along the East line of said Albany-St. Martin Public Road 135.5 feet to a point where it is intersected by a private cartway from the South; thence due South along the East line of said cartway 105 feet to point of beginning.

described as follows:

Commencing at the Southwest corner of said NW 1/4 NE 1/4; thence North 0 degrees 57' 24" East (Minnesota State Plane Coordinate Grid Bearing, Central Zone) along the West line of said NW 1/4 NE 1/4 165.00 feet (this point is also 1153.61 feet South of the Northwest corner of said NW 1/4 NE 1/4); thence South 89 degrees 02' 36" East 25.00 feet to the point of beginning; thence South 89 degrees 02' 36" East 570.00 feet; thence North 4 degrees 57' 24" East 468.00 feet; thence South 72 degrees 04' 52" West 271.04 feet; thence South 54 degrees 36' 42" West 278.43 feet; thence South 40 degrees 28' 32" West 191.58 feet to a point on the East line of a private cartway; thence South 0 degrees 57' 24" West along the East line of said cartway 66.37 feet to the point of beginning; containing 4.24 acres, more or less.

Less and except:

That part of the NW 1/4 NE 1/4 of Section 21, Township 125 North, Range 31 West, Stearns County, Minnesota, described as follows: Commencing at the Southwest corner of said NW 1/4 NE 1/4; thence North 00 degrees 57' 24" East (Minnesota State Plane Coordinate Grid Bearing, Central Zone) along the West line of said NW 1/4 NE 1/4 165 feet (this point is also 1153.61 feet South of the Northwest corner of said NW 1/4 NE 1/4); thence South 89 degrees 02' 36" East 25 feet to the point of beginning; thence South 89 degrees 02' 36" East 430 feet; thence North 04 degrees 57' 24" East 273 feet; thence South 89 degrees 02' 36" East 140 feet; thence North 04 degrees 57' 24" East 195 feet; thence South 72 degrees 04' 52" West 271.04 feet; thence South 54 degrees 36' 42" West 278.43 feet; thence South 40 degrees 28' 32" West 191.58 feet to a point on the East line of a private cartway; thence South 00 degrees 57' 24" West along the East line of said cartway 66.37 feet to the point of beginning; containing 3.36 acres, more or less.

The acreage of such area is approximately as follows: (see attached map)

TRACT A:	14.23 acres
TRACT B:	2.43 acres
TRACT C:	.88 acres

2. Pursuant to Minn. Stat. 414.033, Subd. 3(2), the City Council is empowered to annex the property, and the public hearing required by Minn. State. 414.033, Subd. 2b has been held.

3. The City of Albany, by power vested pursuant to Minnesota law, does hereby annex the property referred to in Sections 1 of this Ordinance.

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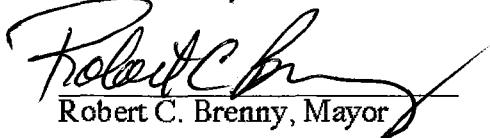
4. The City Clerk is directed to file a copy of this Ordinance with the Secretary of State, the Executive Director of the Minnesota Municipal Board, the County Auditor, and the Town Clerk of the Township of Albany.

5. REPEAL OF ORDINANCE NUMBER 1995-03.  
Ordinance number 1995-03 is hereby repealed.

This Ordinance shall become effective upon passage, publication and filing with the Minnesota Municipal Board.

Dated this 24th day of May, 1995.

City of Albany

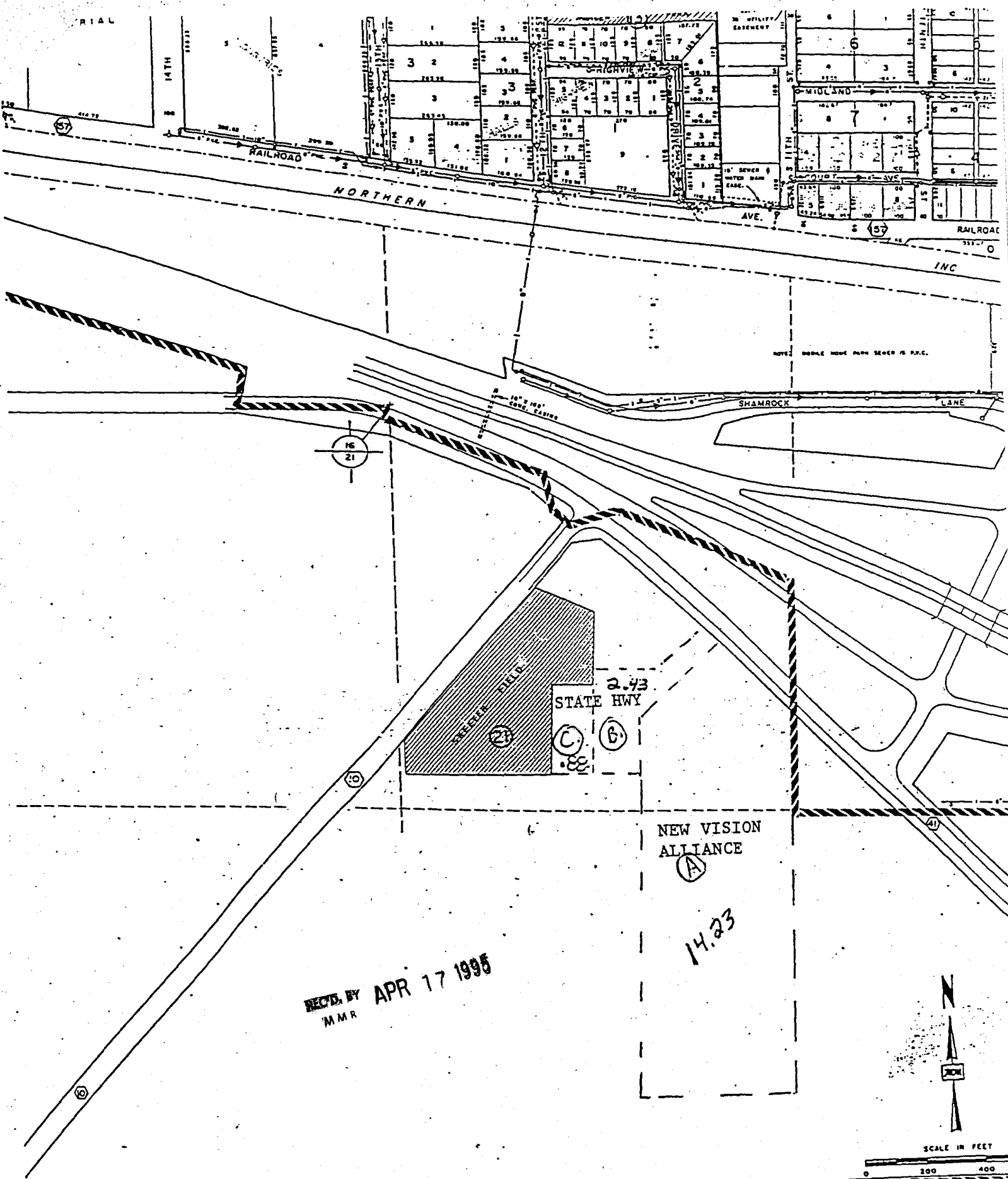
  
Robert C. Brenny, Mayor

Attest

  
Tom Schneider, Clerk/Adm.

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(SEAL)



REC'D BY APR 17 1995  
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