

ORDINANCE NO. 401

AN ORDINANCE ANNEXING CERTAIN UNINCORPORATED PROPERTY
ABUTTING THE CITY OF STAPLES
PURSUANT TO MINNESOTA STATUTES SECTION 414.033

WHEREAS, the City of Staples has studied its municipal borders and the City's growth patterns and the City further desires to promote orderly growth and provide municipal services in an efficient manner; and

WHEREAS, the property which is the subject of this annexation abuts the municipality, and the area to be annexed is less than 60 acres, and the municipality has received a petition for annexation from all of the property owners of the land; and

WHEREAS, the City finds that the property proposed for annexation is or about to become urban or suburban in character and the annexation by the City of Staples is required to protect the public health, safety and welfare and the annexation is in the best interests of the property proposed for annexation; and

WHEREAS, the City held public hearings on October 22, 1996 and November 12, 1996 following thirty (30) days written notice by certified mail to the township affected by the proposed ordinance and to all landowners within and contiguous to the area being annexed, and no objections to the annexation were received by the City; and

WHEREAS, the City desires to proceed with the annexation of said property by ordinance pursuant to Minnesota Statutes Section 414.033;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Staples as follows:

Section 1. The corporate limits of the City are hereby amended to include the following described property currently in the jurisdiction of Staples Township in Todd County, Minnesota, which property consists of approximately 12.5 acres, and is also currently in the jurisdiction of Thomastown Township in Wadena County, Minnesota, which property consists of approximately 1.0 acres, and the property is hereby annexed to and included within the corporate limits of the City pursuant to Minnesota Statutes Section 414.033 as if such property had originally been a part of the City:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTIONS OF ALL
PROPERTY TO BE ANNEXED

Section 2. Pursuant to the City Zoning Ordinance, the City Council hereby designates all of the above described parcels of property annexed under Section 1 of this ordinance to be R1 Residential except that the following described tracts shall be designated as industrial:

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12, Block 7,
Kennedy Addition to the City of Staples (Todd County,
Minnesota)


Section 3. The amount required to pay the filing fee of the Minnesota Municipal Board for this annexation ordinance is hereby appropriated for such purpose and the City Administrator is directed to make the necessary filings and provide required information to the Minnesota Municipal Board, the Township of Staples, the Auditor of Todd County, the Township of Thomastown, the Auditor of Wadena County, and the Minnesota Secretary of State.

Section 4. The subject property contains an estimated population of 40.

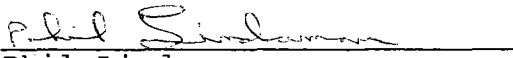
Section 5. This ordinance is effective upon passage and publication pursuant to the Staples City Charter, Minnesota Statutes, and approval by the Minnesota Municipal Board.

PASSED by the City Council of the City of Staples this 26th day of November, 1996.

APPROVED BY


Franklin L. Williams
Mayor

ATTEST


Phil Lindaman
City Clerk

First Reading: November 12, 1996
Second Reading: November 26, 1996
Adoption: November 26, 1996
Published: December 5, 1996

EXHIBIT A

REC'D. BY
MMA DEC 06 1996

LEGAL DESCRIPTIONS

Lots 1, 2, 3, 4, 5, and 6, Block 5, Bigelow's Addition to Staples (Todd County, Minnesota).

AND

Lots 11 and 12, Block 6, Bigelow's Addition to Staples (Todd County, Minnesota).

AND

Lots 1 and 2, Block 8, Bigelow's Addition to Staples (Todd County, Minnesota).

AND

Lots 10 and 11, Block 9, Bigelow's Addition to Staples (Todd County, Minnesota).

AND

Lots 2, 3, 4, and 5, Block 10, Bigelow's Addition to Staples (Todd County, Minnesota).

AND

Lot 6, Block 10, Bigelow's Addition to Staples (Todd County, Minnesota).

AND

Lots 2 and 3, Block 11, Bigelow's Addition to Staples (Todd County, Minnesota).

AND

Lots 7, 8, 9, 10, and 11, Block 12, Bigelow's Addition to Staples (Todd County, Minnesota).

AND

Commencing at a point 66 feet South of the southwest corner of Lot 7, Block 12 of Bigelow's Addition to Staples; thence running South a distance of 221 feet; thence running East a distance of 294 feet; thence running northerly a distance of 221 feet, more or less, to a point 66 feet South of the southeast corner of Lot 6, Block 12, Bigelow's Addition to Staples; thence running West in a straight line to the point of beginning, which premises are also known as Lot 51 of Auditor's Subdivision of the South Half

of the Northeast Quarter (S 1/2 of NE 1/4) and the Northeast Quarter of the Southeast Quarter (NE 1/4 of SE 1/4) of Section 11 and the Southwest Quarter of the Northwest Quarter (SW 1/4 of NW 1/4), the Northwest Quarter of the Southwest Quarter (NW 1/4 of SW 1/4) and the Southeast Quarter of the Southwest Quarter (SE 1/4 of SW 1/4) of Section 12, Township 133, Range 33; except the following described tract: commencing at 147 feet South of the southwest corner of Lot 7, Block 12, Bigelow's Addition to Staples; thence South 140 feet; thence East at a right angle 140 feet; thence North at a right angle 140 feet; thence West at a right angle 140 feet to the point of commencement, being a part of the SW 1/4 of NW 1/4 of Section 12, Township 133, Range 33, said excepted tract also being described as follows: Commencing at the southwest corner of Lot 51, Auditor's Subdivision of the S 1/2 of the NE 1/4, the NE 1/4 of SE 1/4 of Section 11, and the SW 1/4 of NW 1/4, NW 1/4 of SW 1/4 and the SE 1/4 of SW 1/4 of Section 12, Township 133, Range 33; thence East along the south line of said Lot 51 a distance of 140 feet; thence North 140 feet; thence West 140 feet; thence South 140 feet to the point of beginning.

LESS: A rectangular tract of land commencing at a point 287 feet South of the southwest corner of Lot 7, Block 12 of Bigelow's Addition to Staples; thence running due East a distance of 140 feet to the point of beginning; thence running due East a distance of 20 feet; thence North at a right angle a distance of 140 feet; thence West at a right angle a distance of 20 feet; thence South at a right angle a distance of 140 feet to the point of beginning, being a part of the SW 1/4 of NW 1/4 of Section 12, Township 133, Range 33, said rectangular tract also being described as follows: Commencing at a point 140 feet East of the southwest corner of Lot 51, Auditor's Subdivision of the S 1/2 of NE 1/4, the NE 1/4 of SE 1/4, Section 11 and the SW 1/4 of NW 1/4, the NW 1/4 of SW 1/4 and the SE 1/4 of SW 1/4, Section 12, Township 133, Range 33, thence East along the south line of said Lot 51 a distance of 20 feet, thence North 140 feet; thence West 20 feet; thence South 140 feet to the point of beginning (Todd County, Minnesota).

AND

Commencing at a point 33 feet West and 136 feet North of the quarter corner, between Section 11 and 12 of Township 133 North, Range 33 West of the Fifth Principal Meridian; thence running North 203 feet; thence running West 236 feet; thence running South 203 feet; thence running East 236 feet to the point of beginning, being part of Lot 49 of Auditor's Subdivision of the South Half of the Northeast Quarter (S 1/2 of NE 1/4) and the Northeast Quarter of the Southeast Quarter (NE 1/4 of SE 1/4), Section 11, and the Northwest Quarter of the Southwest Quarter (NW 1/4 of SW 1/4) and the Southwest Quarter of the Northwest

Quarter (SW 1/4 of NW 1/4) and the Southeast Quarter of the Southwest Quarter (SE 1/4 of SW 1/4) of Section 12, Township 133, Range 33 excepting therefrom the south 70 feet thereof (Todd County, Minnesota).

AND

The south 70 feet of the following described tract: Commencing at a point 33 feet West and 136 feet North of the quarter corner between Sections 11 and 12 of Township 133 North and Range 33 West; thence running North 203 feet; thence running West 236 feet; thence running South 203 feet; thence running East 236 feet to the point of beginning, said tract being part of Lot 49 of Auditor's Subdivision of the South Half of the Northeast Quarter (S 1/2 of NE 1/4) and the Northeast Quarter of the Southeast Quarter (NE 1/4 of SE 1/4) of Section 11 and the Southwest Quarter of the Northwest Quarter (SW 1/4 of NW 1/4) and the Northwest Quarter of the Southwest Quarter (NW 1/4 of SW 1/4) and the Southeast Quarter of the Southwest Quarter (SE 1/4 of SW 1/4) of Section 12, Township 133 North, Range 33 West, and the north 75 feet of the East 150 feet of the south 136 feet of Lot 49 of Auditor's Plat of the South Half of the Northeast Quarter (S 1/2 of NE 1/4) and the Northeast Quarter of the Southeast Quarter (NE 1/4 of SE 1/4) of Section 11 and the Southwest Quarter of the Northwest Quarter (SW 1/4 of NW 1/4) and the Northwest Quarter of the Southwest Quarter (NW 1/4 of SW 1/4) and the Southeast Quarter of the Southwest Quarter (SE 1/4 of SW 1/4) of Section 12, Township 133 North, Range 33 West, said latter tract also described as follows: Commencing 33 feet West from the quarter corner between Sections 11 and 12, Township 133 North, Range 33 West; thence North 136 feet to point of beginning; thence due West 150 feet; thence due South 75 feet; thence due East 150 feet; thence due North 75 feet to point of beginning (Auditor's Plat is also referred to as "Auditor's Subdivision"), Todd County, Minnesota.

AND

Lot "J" of Subdivision of Lot 54 of Auditor's Subdivision of the Southwest Quarter of the Northwest Quarter (SW 1/4 of NW 1/4) and other lands in Section 12, Township 133 North, Range 33 West (Todd County, Minnesota).

AND

Lots 3, 4, 5, and 6, Block 2, Kennedy Addition to the City of Staples (Todd County, Minnesota).

AND

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12, Block 7, Kennedy Addition to the City of Staples (Todd County, Minnesota).

AND

The west 74 feet of Lots 8, 9, and 10, and all of Lots 11 and 12, Block 8, Kennedy Addition to the City of Staples (Todd County, Minnesota).

AND

Lots 13, and 14, Block 8, Kennedy Addition to the City of Staples (Todd County, Minnesota).

AND

Lots 4, 5, and 6 of Block 11, Bigelow's Addition to Staples, according to the plat thereof on file and of record in the office of the Todd County Recorder.

AND

Commencing 147 feet South of the southwest corner of Lot 7, Block 12, Bigelow's Addition to Staples; thence South 140 feet; thence East at a right angle 140 feet; thence North at a right angle 140 feet; thence West at a right angle 140 feet to the point of commencement, being part of the Southwest Quarter of the Northwest Quarter (SW 1/4 of NW 1/4), Section 12, Township 133, Range 33. Also described as follows: Commencing at the southwest corner of Lot 51 of Auditor's Subdivision of the South Half of the Northeast Quarter (S 1/2 of NE 1/4), the Northeast Quarter of the Southeast Quarter (NE 1/4 of SE 1/4) of Section 11, and the Southwest Quarter of the Northwest Quarter (SW 1/4 of NW 1/4), the Northwest Quarter of the Southwest Quarter (NW 1/4 of SW 1/4), the Southeast Quarter of the Southwest Quarter (SE 1/4 of SW 1/4) of Section 12, Township 133, Range 33; thence East along the south line of said Lot 51 a distance of 140 feet; thence North 140 feet; thence West 140 feet; thence South 140 feet to the point of beginning.

AND

A rectangular tract of land commencing at a point 287 feet South of the southwest corner of Lot 7, Block 12 of Bigelow's Addition to Staples; thence running due East a distance of 140 feet to the point of beginning; thence running due East a distance of 20 feet; thence North at a right angle a distance of 140 feet; thence West at a right angle a distance of 20 feet; thence South at a right angle a distance of 140 feet to the point of beginning, being a part of the Southwest Quarter of the Northwest Quarter (SW 1/4 of NW 1/4) of Section 12, Township 133, Range 33, said rectangular tract also being described as follows: Commencing at a point 140 feet East of the southwest corner of Lot 51, Auditor's Subdivision of the South Half of the Northeast Quarter (S 1/2 of NE 1/4), the Northeast Quarter of the Southeast Quarter (NE 1/4 of SE 1/4),

Section 11, and the Southwest Quarter of the Northwest Quarter (SW 1/4 of NW 1/4), the Northwest Quarter of the Southwest Quarter (NW 1/4 of SW 1/4), and the Southeast Quarter of the Southwest Quarter (SE 1/4 of SW 1/4) of Section 12, Township 133, Range 33; thence East along the south line of said Lot 51 a distance of 20 feet; thence North 140 feet; thence West 20 feet; thence South 140 feet to the point of beginning.

AND

Lots 4 and 5, Block 1, Kennedy's Addition to Staples (Todd County, Minnesota).

AND

Commencing at the southwest corner of the Northwest Quarter of the Southeast Quarter (NW 1/4 of SE 1/4) of Section 36, Township 134N, Range 33W; thence North along the west line thereof a distance of 250 feet to the point of beginning of the tract being described herein; thence East and parallel with the south line of said NW 1/4 SE 1/4 a distance of 233 feet; thence North and parallel with the west line of said NW 1/4 SE 1/4 a distance of 183 feet to the south line of the tract owned by Christian and Missionary Alliance Church as recorded in Book 68 of Deeds, page 617; thence West along the south line of said church tract a distance of 233 feet to the west line of said NW 1/4 SE 1/4; thence south along said west line a distance of 183 feet to the point of beginning (Wadena County, Minnesota).

EACH OF THE ABOVE LEGAL DESCRIPTIONS SHALL INCLUDE ALL ABUTTING STREETS AND ALLEYS.

REC'D. BY
M M H

DEC 06 1996

City Clerk's Certificate

I, the undersigned, being the duly qualified and acting City Clerk of the City of Staples, Minnesota, do hereby certify that I have carefully compared the foregoing Ordinance No. 401 with the original thereof on file in my office and I further certify that the same is a full, true and correct copy.

Witness by hand such City Clerk and the official seal of the City this 4th day of December, 1996.

(Seal)

Phil E. Lindaman

Phil E. Lindaman
City Clerk

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Staples Township

FOURTH STREET NORTH

NO. 43

COUNTY [REDACTED] STATE [REDACTED] AID [REDACTED] HIGHWAY [REDACTED] NO. WC3/TC33

COUNTY [REDACTED] STATE [REDACTED] AID [REDACTED] HIGHWAY [REDACTED] NO. WC3/TC33

