

STATE OF MINNESOTA)
COUNTY OF MARTIN) ss
CITY OF FAIRMONT)

ORDINANCE NO. 99-3

**AN ORDINANCE ANNEXING CERTAIN UNINCORPORATED PROPERTY
ABUTTING AND OWNED BY THE CITY OF FAIRMONT, CONSISTING OF
APPROXIMATELY 208.40 ACRES, MORE OR LESS**

WHEREAS, the City of Fairmont (the "City") has studied its municipal borders and the City's growth patterns; and

WHEREAS, the City desires to promote orderly growth and provide municipal services in an efficient manner; and

WHEREAS, a major agricultural processing facility to be operated by Cenex Harvest States Cooperative Oilseed Processing and Refining ("Cenex Harvest States") will be located on property currently in Rolling Green Township which abuts the City and is currently owned by the City; and

WHEREAS, the Cenex Harvest States facility requires municipal services in order for it to locate in the Fairmont area; and

WHEREAS, the City desires to proceed with the annexation of said property by ordinance pursuant to Minn. § 414.033; and

WHEREAS, the City Council finds that (i) the property proposed for annexation is, or is about to become, urban or suburban in character, (ii) annexation of said property and municipal government is required to protect the public health, safety, and welfare, (iii) annexation would be in the best interest of the property proposed for annexation, and (iv) municipal government will most efficiently provide services to the property.

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

Section 1. Property to be Annexed. The corporate limits of the City are hereby amended to include the following property described in paragraphs A through B of this section constituting approximately 208.40 acres, and said property is hereby annexed to and included within the corporate limits of the City pursuant to Minn. Stat. § 414.033 as if such property had originally been a part of the City.

- A. East Track consisting of 100.247 acres as more particularly described on the attached Exhibit A.
- B. West Track consisting of 108.153 acres as more particularly described on the attached Exhibit B.

Section 2. Population of Annexed Property. This property contains a total of 0 households with an estimated population of 0.

Section 3. Zoning. Pursuant to the City Zoning Ordinance, the City designates the property to be annexed in zoning classification I-1.

Section 4. Appropriation of Filing Fee; Authorization to File Ordinance. The amount necessary to pay the filing fee required by 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 Rolling Green, the Auditor of Martin County, and the Minnesota Secretary of State.

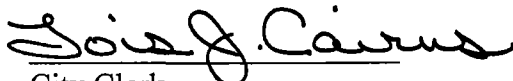
Section 5. Effective Date. This Ordinance is effective upon publication pursuant to the City Charter and approval by the Minnesota Municipal Board.

ADOPTED by the City Council of the City of Fairmont this 22nd day of February, 1999.

APPROVED BY:


Mayor

ATTEST:


City Clerk

Readings: Feb. 8, 1999 and Feb. 22, 1999

Adoption: Feb. 22, 1999

Published:

Exhibits: A through B as listed in Section 1.

Loewe Farm
FS98.0038

Bolton & Menk, Inc.
April 20, 1992
Rev. 12/28/98

PROPERTY DESCRIPTION

EAST TRACT

(EXCEPT NORTHEAST HARRIS EXCEPTION)

A tract of land in the West Half of Section 1, Township 102 North, Range 31 West in Martin County, Minnesota described as follows:

Commencing at the Northwest corner of the Northwest Quarter of Section 1, Township 102 North, Range 31 West in Martin County, Minnesota; thence North 90 degrees 00 minutes 00 seconds East (assumed bearing) along the North line of the Northwest Quarter a distance of 1161.85 feet to the northwest corner of a tract of land deeded to LaVonne and Perry Harris and recorded and described in the office of the Martin County Recorder in Document No. 248265; thence South 0 degrees 00 minutes 00 seconds West along the west line of said Harris tract a distance of 806.00 feet to the southwest corner thereof; thence North 90 degrees 00 minutes 00 seconds East along the south line of said Harris tract a distance of 204.53 feet to the point of beginning; thence South 0 degrees 16 minutes 08 seconds West a distance of 2828.28 feet to an iron pipe survey marker on the northerly line of a tract of land deeded to Truman Farmers Elevator Company and recorded and described in the office of the Martin County Recorder in Book 308 of Deeds, Page 292; thence South 84 degrees 27 minutes 04 seconds East along the northerly line of said Truman Farmers Elevator Company tract a distance of 1272.44 feet to the East line of the Southwest Quarter; thence North 0 degrees 10 minutes 59 seconds East along the East line of the Southwest Quarter a distance of 1168.17 feet to the Southeast corner of the Northwest Quarter; thence North 0 degrees 10 minutes 59 seconds East along the East line of the Northwest Quarter a distance of 2589.13 feet to the Northeast corner of the Northwest Quarter; thence South 90 degrees 00 minutes 00 seconds West along the North line of the Northwest Quarter a distance of 884.38 feet; thence South 0 degrees 00 minutes 00 seconds West a distance of 806.00 feet; thence South 90 degrees 00 minutes 00 seconds West a distance of 100.00 feet to the southeast corner of said Harris tract; thence continuing South 90 degrees 00 minutes 00 seconds West along the south line of said Harris tract a distance of 280.83 feet to the point of beginning. Subject to an easement for public road-way right-of-way along the North line of the Northwest Quarter of Section 1.

Said tract contains 100.247 acres including the aforementioned easement.

Loewe Farm
FS98.0048
Rev. for City of Fairmont

Bolton & Menk, Inc.
April 20, 1992
December 15, 1998

PROPERTY DESCRIPTION

WEST TRACT

A tract of land in the West Half of Section 1, Township 102 North, Range 31 West in Martin County, Minnesota described as follows:

Beginning at the Northwest corner of the Northwest Quarter of Section 1, Township 102 North, Range 31 West in Martin County, Minnesota; thence North 90 degrees 00 minutes 00 seconds East (assumed bearing) along the North line of the Northwest Quarter a distance of 1161.85 feet to the northwest corner of a tract of land deeded to LaVonne and Perry Harris and recorded and described in the office of the Martin County Recorder in Document No. 248265; thence South 0 degrees 00 minutes 00 seconds West along the west line of said Harris tract a distance of 806.00 feet to the southwest corner thereof; thence North 90 degrees 00 minutes 00 seconds East along the south line of said Harris tract a distance of 204.53 feet; thence South 0 degrees 16 minutes 08 seconds West a distance of 2828.28 feet to an iron pipe survey marker on the northerly line of a tract of land deeded to Truman Farmers Elevator Company and recorded and described in the office of the Martin County Recorder in Book 308 of Deeds, Page 292; thence North 84 degrees 27 minutes 04 seconds West along the northerly line of said Truman Farmers Elevator Company tract a distance of 793.25 feet to the east line of a tract of land deeded to the Iowa, Minnesota and Northwestern Railway Company and recorded and described in the office of the Martin County Recorder in Book 84 of Deeds, Page 130; thence North 0 degrees 17 minutes 43 seconds East along the east line of said railroad tract a distance of 33.43 feet to the northeast corner thereof; thence North 84 degrees 27 minutes 04 seconds West along the northerly line of said railroad tract a distance of 587.00 feet to the West line of the Southwest Quarter; thence North 0 degrees 17 minutes 43 seconds East along the West line of the Southwest Quarter a distance of 916.88 feet to the Southwest corner of the Northwest Quarter; thence North 0 degrees 21 minutes 16 seconds East along the West line of the Northwest Quarter a distance of 2550.53 feet to the point of beginning. Subject to an easement for public roadway right-of-way along the North line of the Northwest Quarter of Section 1.

Said tract contains 108.153 acres including the aforementioned easement.

REC'D. BY
MMB FEB 24 1999

Existing City
Limits
Proposed
Annexation

Area Abutting at a
Single Point Which is
587' Long

