

THE FOLLOWING WAS PRESENTED BY MEMBER JOHNSTON, SECONDED BY MEMBER CUMBERLAND, AN ORDINANCE TO INCLUDE THE DEPARTMENT OF NATURAL RESOURCES PUBLIC ACCESS PROPERTY AS PART OF THE CITY LIMITS OF THE CITY OF ELYSIAN:

ORDINANCE NO. 40-98

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE  
CITY OF ELYSIAN

WHEREAS, a Petition has been filed by the Minnesota Department of Natural Resources requesting that certain land, legally described on the attached Exhibit A be annexed to the City of Elysian, Minnesota, pursuant to M.S. §414.033, Subd. 5, and

WHEREAS, the City Council of Elysian, Minnesota, has determined that said Petition is in proper form and that the same has been signed by all (100%) of the property owners in number, and

WHEREAS, the land proposed to be annexed is unplatted and less than 200 acres in size, consisting of approximately 1.80 acres, and is not included in any area that has been designated for orderly annexation pursuant to M.S. §414.0325, and

WHEREAS, the described tract of unincorporated property abuts the municipal limits of the City of Elysian, and

WHEREAS, the described land is now or about to become urban or suburban in character because of the construction of municipal roadway and intended utilities, and

WHEREAS, the Town Board of Elysian Township, within which the land to be annexed lies, has been served with a copy of said Petition for Annexation and has not lodged an objection within 90 days of service of the same, and

WHEREAS, the requirements of M.S. §414.033, Subd. 13 are inapplicable, and

WHEREAS, a public hearing is not necessary pursuant to the provisions of M.S. §414.033, Subd. 5 because of the property owners have signed the Petition for Annexation.

NOW, THEREFORE, the City of Elysian, Minnesota, hereby ordains:

1. The corporate limits of the City of Elysian are hereby extended to include the property legally described on the attached Exhibit A and the same is hereby annexed to and included within the City of Elysian as if the property had originally been part thereof.

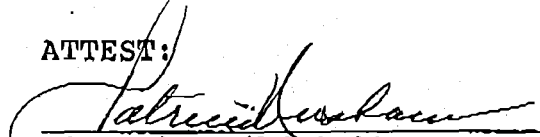
2. The City Clerk/Administrator is directed to file certified copies of this Ordinance with the Minnesota Municipal Board, Elysian Township, the LeSueur County Auditor and the Minnesota Secretary of State pursuant to M.S. §414.033, Subd. 7.

3. This Ordinance takes effect upon its passage and publication and approval of the Ordinance by the Minnesota Municipal Board.

Adopted this 28th day of July, 1998.

  
Mayor

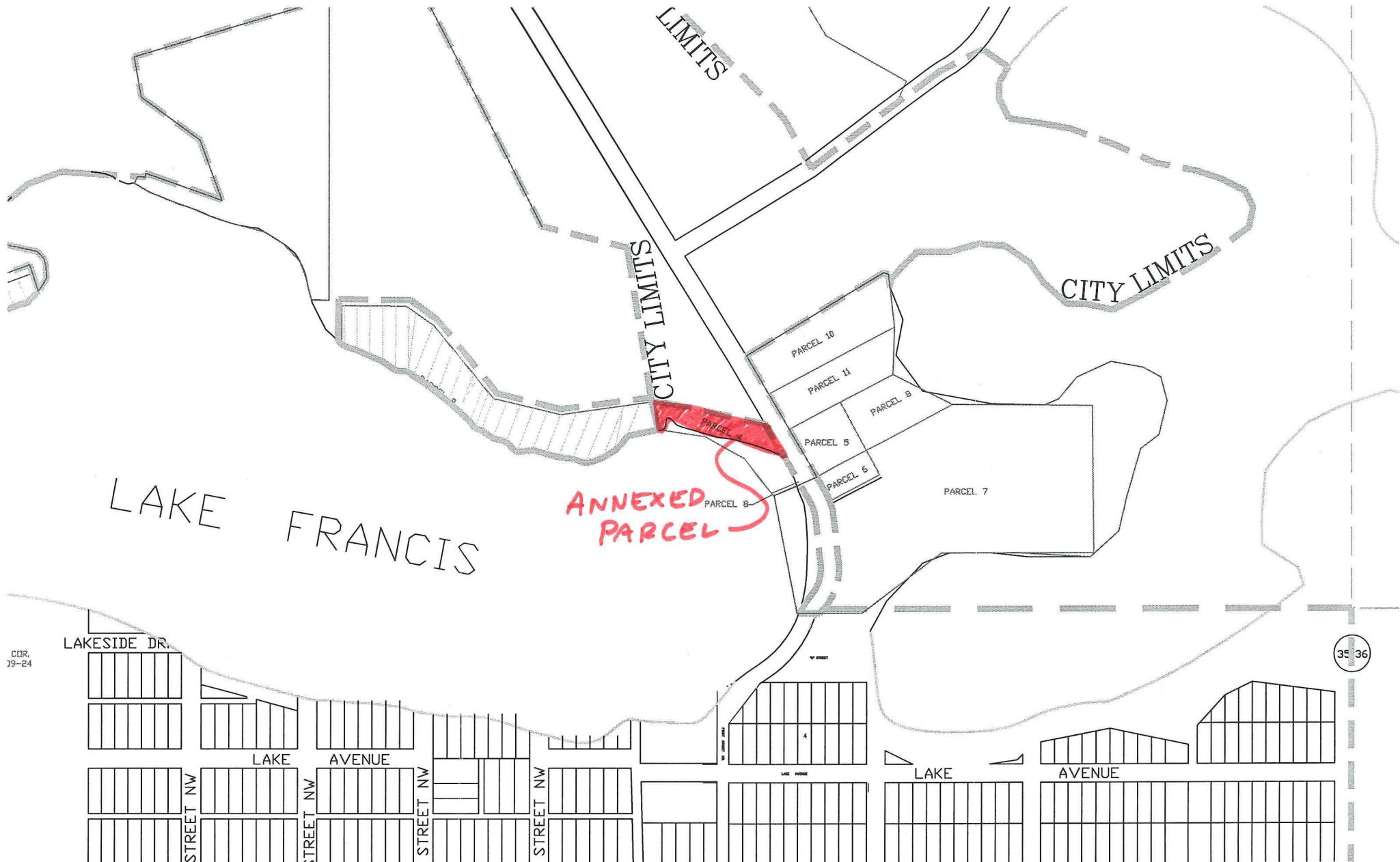
ATTEST:

  
City Clerk/Administrator

#### EXHIBIT A

All that part of Government Lots Five (5) and Six (6), Section Thirty-five (35), Township One Hundred Nine (109) North, Range Twenty-four (24) West of the 5th P.M., bounded by the water's edge of Lake Frances and the following described lines: Beginning at the Northeast corner of Lot 23 of Root's Beach Subdivision, thence South 13°07' East, 150 feet, more or less, along the East line of Lot 23 to the water's edge of said lake and there terminating. And from the point of beginning South 84°13' East, 66.55 feet, thence South 77°55' East, 410.45 feet to a point on the centerline of County State Aid Highway #11; thence South 28°11' East 208.4/58 feet on and along said centerline of County State Aid Highway #11; thence South 67°04' West, 145 feet, more or less, to the water's edge of said lake and there terminating. Including all riparian rights to the contained 1.8 acres, more or less, and subject to all existing road easements.

REC'D. BY  
M.M.B. MAR 25 1999



REC'D. BY MAR 25 1999  
MAB

