

ORDINANCE NO. 100

AN ORDINANCE EXTENDING THE CORPORATE CITY LIMITS OF THE CITY OF NICOLLET TO INCLUDE 55.9 ACRES OF UNPLATTED LAND LOCATED IN THE WEST HALF OF THE NORTHWEST QUARTER (W1/2NW1/4) OF SECTION TEN (10), TOWNSHIP ONE HUNDRED NINE (109) NORTH, RANGE TWENTY-EIGHT (28) WEST, NICOLLET COUNTY, MINNESOTA.

THE CITY COUNCIL OF THE CITY OF NICOLLET, MINNESOTA ORDAINS:

SECTION 1. A petition for annexation under Minn. Stat. Sec. 414.033, Subd. 2(3) has been filed with the governing body of the City of Nicollet, Minnesota by all of the owners of the land contained in said petition, requesting that the following described land be annexed to the City of Nicollet, Minnesota, to-wit:

See attached Exhibit A; a drawing of the land to be annexed is also attached as Exhibit B.

SECTION 2. The area petitioned for annexation is 55.9 acres unplatted, abuts on the city's south side, is located in the Township of Nicollet, and is not included within any other municipality.

SECTION 3. All of the tract of land proposed for annexation is owned by petitioners.

SECTION 4. All of the annexation area is or is about to become urban or suburban in character. None of the annexation area is presently served by public sewer facilities. The population within the area to be annexed is 1.

SECTION 5. The area proposed for annexation is not included in any area that has already been designated for orderly annexation pursuant to Minn. Stat. Sec. 414.0325.

SECTION 6. The annexation is in the best interests of the City of Nicollet, Minnesota.

SECTION 7. The petition for annexation was dated May 25, 1999 and was filed on May 26, 1999. An affidavit has been filed in the office of the City Clerk stating that 30 days written notice of the public hearing on the annexation petition, along with a copy of the petition, was given by certified mail upon the Town Board of Nicollet Township, Larry L. Hewitt and Linda L. Hewitt, as the sole landowners within the area to be annexed, all adjacent landowners contiguous to the area to be annexed and the County Board of Nicollet County in which all of the the land to be annexed is located. A public hearing on the petition and this proposed ordinance was held on June 30, 1999 at Nicollet City Hall.

SECTION 8. The corporate limits of the City of Nicollet, Minnesota is hereby extended to include the property described in Exhibit A to Section 1, and the same is hereby annexed to and included within the City of Nicollet, Minnesota as effectively as if it had been originally a part thereof.

SECTION 9. The City Clerk is directed to file certified copies of this Ordinance with the Minnesota Municipal Board, the Secretary of State, the Nicollet County Auditor and the Nicollet Township Clerk, and to publish a copy of the same in the Lafayette-Nicollet Ledger, a legal newspaper of Nicollet County.

Adopted by the City Council this June 30, 1999.



Marc Chadderdon, Mayor



Claus Peukert, City Clerk.

EXHIBIT A

TRACT I

Part of the West Half of the Northwest Quarter (W1/2NW1/4) of Section Ten (10), Township One Hundred Nine (109) North, Range Twenty-eight (28) West, in Nicollet County, Minnesota, described as follows:

Beginning at a point 755.0 feet South of the Northwest corner of said W1/2NW1/4 and extending southerly therefrom a distance of 417.5 feet along the West line of said W1/2NW1/4; thence deflecting easterly parallel to the North line of said W1/2NW1/4 for a distance of 417.5 feet; thence northerly parallel to said West line of said W1/2NW1/4 for a distance of 417.5 feet; thence westerly to the point of beginning.

Said tract contains 4.0 acres, more or less, and is subject to all easements and rights of way of record.

TRACT II

The West Half of the Northwest Quarter (W $\frac{1}{2}$ NW $\frac{1}{4}$) of Section Ten (10), Township One Hundred Nine (109) North, Range Twenty-eight (28) West, except the following described parcels:

Parcel #1: Beginning at a point 755.0 feet South of the Northwest corner of said W $\frac{1}{2}$ NW $\frac{1}{4}$ and extending southerly therefrom a distance of 417.5 feet along the West line of said W $\frac{1}{2}$ NW $\frac{1}{4}$; thence deflecting easterly parallel to the North line of said W $\frac{1}{2}$ NW $\frac{1}{4}$ for a distance of 417.5 feet; thence northerly parallel to said West line of said W $\frac{1}{2}$ NW $\frac{1}{4}$ for a distance of 417.5 feet; thence westerly to the point of beginning. Said exception contains four (4.0) acres, more or less.

Parcel #2: Commencing at the West 1/4 corner of Section 10, T109N, R28W; thence North along the West line of the W $\frac{1}{2}$ NW $\frac{1}{4}$ of said Section 10 a distance of 33.00 feet; thence East along a line parallel to the South line of the W $\frac{1}{2}$ NW $\frac{1}{4}$ of said section a distance of 50.00 feet to the point of beginning; thence continuing along said line a distance of 544.50 feet; thence North along a line parallel to the West line of the W $\frac{1}{2}$ NW $\frac{1}{4}$ of said section a distance of 200.0 feet; thence West along a line parallel to the South line of the W $\frac{1}{2}$ NW $\frac{1}{4}$ of said section a distance of 544.50 feet; thence South along a line parallel to the West line of the W $\frac{1}{2}$ NW $\frac{1}{4}$ of said section a distance of 200.00 feet to the point of beginning. Said exception contains 2.50 acres, more or less.

Parcel #3: The East 520.00 feet of the South 755.00 feet of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 10, T109N, R28W. Said exception contains 9.012 acres, more or less.

Parcel #4: The South 33.0 feet of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 10, T109N, R28W, excepting the East 520.00 feet. Said exception contains 0.569 acres of land, more or less.

Parcel #5: Beginning at the Northwest corner of said W $\frac{1}{2}$ NW $\frac{1}{4}$ Section 10, thence southerly along the West line of said section 10 a distance of 340.00 feet; thence at right angles easterly and parallel with the North line of said Section 10 a distance of 435.6 feet; thence at right angles northerly and parallel with the West line of said Section 10 a distance of 340.00 feet, to the North line of said Section 10; thence at right angles westerly along the North line of said Section 10 a distance of 435.6 feet to the point of beginning. Said exception contains 3.4 acres, more or less, and is subject to easements and restrictions of record.

Parcel #6: The easterly 270.00 feet of the southerly 70.00 feet of the northerly 110.00 feet of the W $\frac{1}{2}$ NW $\frac{1}{4}$ Section 10, T109N, R28W. Also beginning at a point 110.00 feet South and 70.00 feet West of the Northeast corner of the W $\frac{1}{2}$ NW $\frac{1}{4}$ of said Section 10; thence southerly parallel with the East line of said W $\frac{1}{2}$ NW $\frac{1}{4}$ a distance of 1245.00 feet (to a point 35.00 feet South and 70.00 feet West of the center of the NW $\frac{1}{4}$ of said Section 10); thence easterly parallel with the North line of said W $\frac{1}{2}$ NW $\frac{1}{4}$ a distance of 70.00 feet to the East line of said W $\frac{1}{2}$ NW $\frac{1}{4}$; thence northerly along said East line 1245.00 feet to a point 110.00 feet South of the Northeast corner of said W $\frac{1}{2}$ NW $\frac{1}{4}$; thence westerly parallel with the North line of said W $\frac{1}{2}$ NW $\frac{1}{4}$ a distance of 70.00 feet to the place of beginning. Said exception contains 2.43 acres or land, more or less.

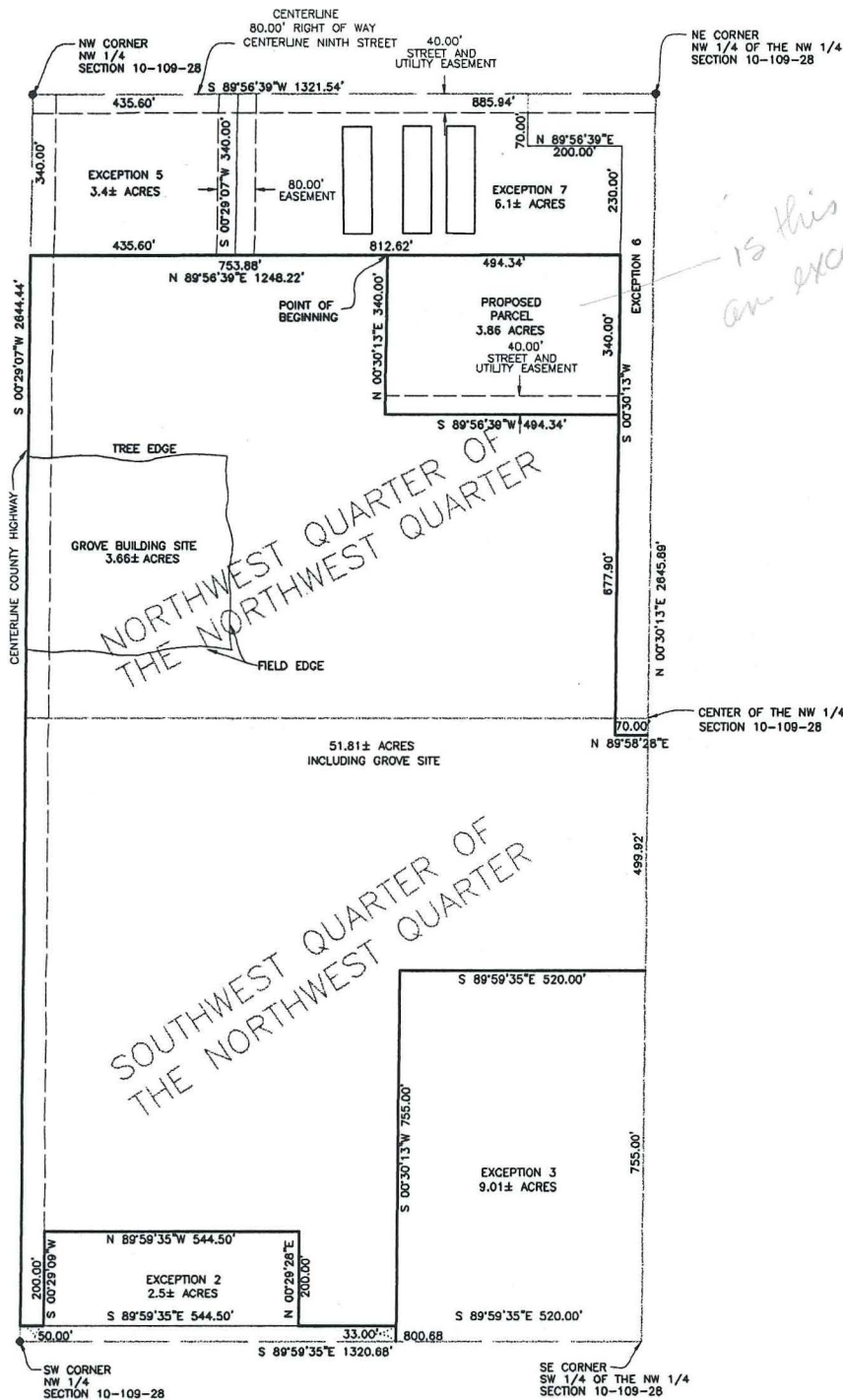
Grantors also grant to grantee an easement of perpetual duration for street, utility, sewer, drainage and all other municipal purposes over the entire North 40.00 feet of the W $\frac{1}{2}$ NW $\frac{1}{4}$ of said Section 10, T109N, R28W.

PARCEL #7: The northerly 340.00 feet of the W $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 10, T109N, R28W, except the westerly 435.6 feet thereof. Also except the easterly 270.00 feet of the northerly 110.00 feet of the W $\frac{1}{2}$ NW $\frac{1}{4}$. Also except the easterly 70.00 feet of the southerly 230.00 feet of the northerly 340.00 feet of said W $\frac{1}{2}$ NW $\frac{1}{4}$ of said Section 10, T109N, R28W. Said exception contains 6.1 acres of land, more or less.

This parcel is subject to easements and restrictions of record, including an easement for street, utility, sewer, drainage and all other municipal purposes over the North 40.00 feet of the W $\frac{1}{2}$ NW $\frac{1}{4}$ of said Section 10 as previously conveyed by the grantors to the City of Nicollet, Minnesota in the said deed as set out in the exception in the paragraph above.

The above described premises contains 51.9 acres of land, more or less and is subject to all easements and rights of way of record.

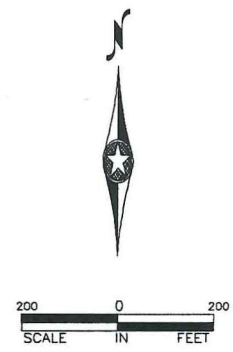
REC'D. BY
MMB JUL 13 1999



is this an exception?

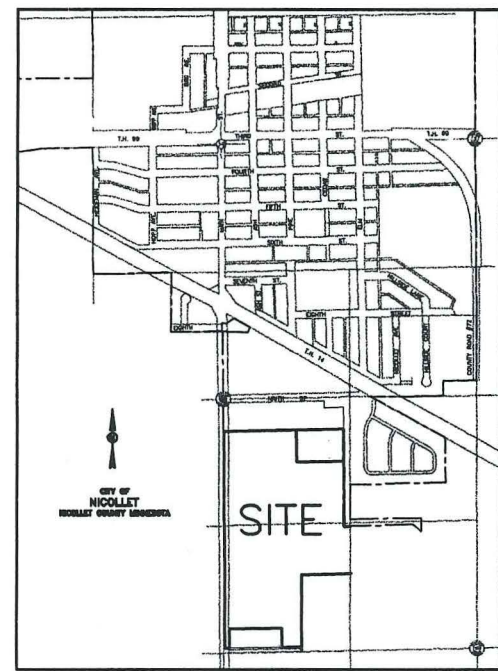
PROPOSED PARCEL

That part of the Northwest Quarter of the Northwest Quarter of Section 10, Township 109 North, Range 28 West, Nicollet County, Minnesota described as follows: Commencing at the Northwest Corner of the Northwest Quarter of said Section 10; thence South 00 degrees 29 minutes 07 seconds West (assumed bearing) on the West line of the Northwest Quarter of the Northwest Quarter, 340.00 feet; thence North 89 degrees 56 minutes 39 seconds East parallel to the North line of the Northwest Quarter, 753.88 feet to the point of beginning; thence continuing North 89 degrees 56 minutes 39 seconds East, 494.34 feet to a point 70.00 feet West of the East line of the Northwest Quarter of the Northwest Quarter; thence South 00 degrees 30 minutes 13 seconds West parallel to said East line, 340.00 feet; thence South 89 degrees 56 minutes 39 seconds West, 494.34 feet; thence North 00 degrees 30 minutes 13 seconds East, 340.00 feet to the point of beginning. Said parcel containing 3.86 acres of land, and is subject to and together with any and all easements of record, said parcel is also subject to a 40.00 foot wide street and utility easement North of and adjacent to the South line of said parcel.



LEGEND

- . . . 3/4" IRON PIPE MONUMENT SET MARKED BY REG. NO. 17367
- . . . IRON MONUMENT FOUND



LOCATION MAP
NOT TO SCALE

I hereby certify that this survey was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

Peter W. Blethen
Peter W. Blethen
5/25/99
Date License No. 17367

<p>CERTIFICATE OF SURVEY NICOLLET COUNTY, MINNESOTA</p>		<p>REVISED: I:\DATA\G9107C01.DWG 05-25-1999 9:19a.m.</p>
<p>BOLTON & MENK, INC CONSULTING ENGINEERS & SURVEYORS 515 NORTH RIVERFRONT DRIVE, WASHINGTON, ILL. 60001 (807) 625-4171 MANKATO, MN FARMINGTON, MN SLEEPY EYE, MN BURNSVILLE, MN WILLMAR, MN AMES, IA LIBERTY, MO</p>	<p>SCALE: 1"=200' FIELD BOOK: 33-Y-4, PAGE 62 JOB NUMBER: G989.0107 E:\DATA\00014C03.CRD F:\SURVEY\G9107.WPD DRAWN BY: WRY</p>	<p>PART OF THE NORTHWEST CORNER SECTION 10-109-28</p> <p>FOR: LARRY HEWITT</p>