

CITY OF WALKER
ORDINANCE NO. 2-101: 6

**AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY TO
INCLUDE CERTAIN UNPLATTED LANDS ABUTTING UPON THE CITY LIMITS
AND DESIGNATING SUCH LANDS AS LOW DENSITY RESIDENTIAL (LDR)
PURSUANT TO M.S. 414.033 SUBD. 2(3)**

WHEREAS, a Petition dated September 7, 1999, requesting annexation into the city of Walker was presented to the city council, City of Walker on October 4, 1999. The petition is signed by Larry S. Nygard, President, Tianna Estates, L.L.C. as the purchaser and by Liza Vogt as the owner/seller of a certain parcel of real estate. The real estate is located in Shingobee Township, Cass County, Minnesota, and is described as follows:

Those parts of Government Lots 2 and 3, Section 22, Township 142 North, Range 31 West, Cass County, Minnesota described as follows: Commencing at the intersection of the north line of said Government Lot 2 and easterly line of the former Burlington Northern Railroad; thence South 27 degrees 17 minutes 10 seconds East, assumed bearing along said easterly line 1661.40 feet, thence North 60 degrees 49 minutes 29 seconds East 1037.78 feet to the point of beginning of the tract to be herein described; Thence South 60 degrees 49 minutes 29 seconds West 1037.78 feet to said easterly line; thence southeasterly along said easterly line to the west line of Railroad Street, as dedicated in PARKSIDE ADDITION to WALKER, plat of record, said County; thence North 4 degrees 53 minutes 00 seconds West along said west line and the west line of Blocks 5 and 6, said plat 361.43 feet to the Northwest corner of said Block 6; **thence North 43 degrees 20 minutes 00 seconds East along the north line of said Block 6** a distance of 356 feet, more or less, to the shoreline of Leech Lake; thence northerly along said shoreline to the intersection with a line bearing North 81 degrees 35 minutes 33 seconds East from the point of beginning; thence South 81 degrees 35 minutes 33 seconds West 75 feet, more or less, to the point of beginning.

WHEREAS, Larry S. Nygard, President, Tianna Estates, L.L.C. represents that they are:

1. They are the purchasers of the property.
2. The population of the property at the time of sale will be zero.
3. The property is unincorporated.
4. The property abuts City of Walker's corporate limits.
5. The property is not included in any boundary adjustment proceeding pending before the Minnesota Office of State Planning.
6. The property consists of approximately 19.32 acres.
7. The property is not presently served by public sewer facilities nor are public sewer facilities available.
8. The property is or is about to become urban or suburban in character.

**NOW, THEREFORE, THE CITY COUNCIL OF WALKER, MINNESOTA, DOES
HEREBY ORDAIN:**

Section 1. The City Council hereby determines and finds that:

- The property abuts the municipality;

- the area to be annexed is sixty (60) acres or less;
- the area to be annexed is not presently served by public sewer facilities or public sewer facilities are not otherwise available;
- the municipality has received a properly prepared Petition for Annexation from the property owner and purchasers of the property;
- The area is appropriate for annexation by ordinance under M.S. 414.033, Subd. 2, Clause (3); and,
- The Petition complies with all the provisions of Minnesota Statute 414.033.

Section 2. The property is urban or suburban in nature or about to become so.

Section 3. The property is currently served by Minnesota Power's electric utility service and the property owners have waived their right to receive notice pursuant to M.S. 614.233 Subd. 23, regarding an estimate of the cost impact of any change in electric utility services, including rate changes and assessments, resulting from the annexation.

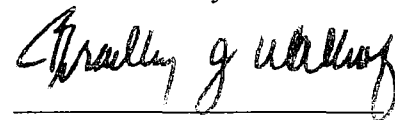
Section 4. Pursuant to law, a public hearing was scheduled, with proper notification given, and held on Monday, December 6, 1999, prior to Council consideration of this ordinance for annexation.

Section 5. The corporate limits of the City of Walker are hereby extended to include property and the same is hereby annexed to and included within the City of Walker as if the property had originally been part thereof.

Section 6. That for purposes of zoning and in particular Walker City Code, Article 6, and notwithstanding any provisions to the contrary contained therein, the property to be annexed by this ordinance shall be zoned Low Density Residential (LDS).

Section 7. The City Clerk/Administrator is directed to file certified copies of this ordinance with the Minnesota Office of State Planning, Shingobee Township, the Cass County Auditor/Treasurer, and the Minnesota Secretary of State.

Section 8. This ordinance takes effect upon its passage and publication and filing of the certified copies as directed in Section 7 and approval of the ordinance by the Minnesota Office of State Planning.



Bradley J. Walhof, Mayor

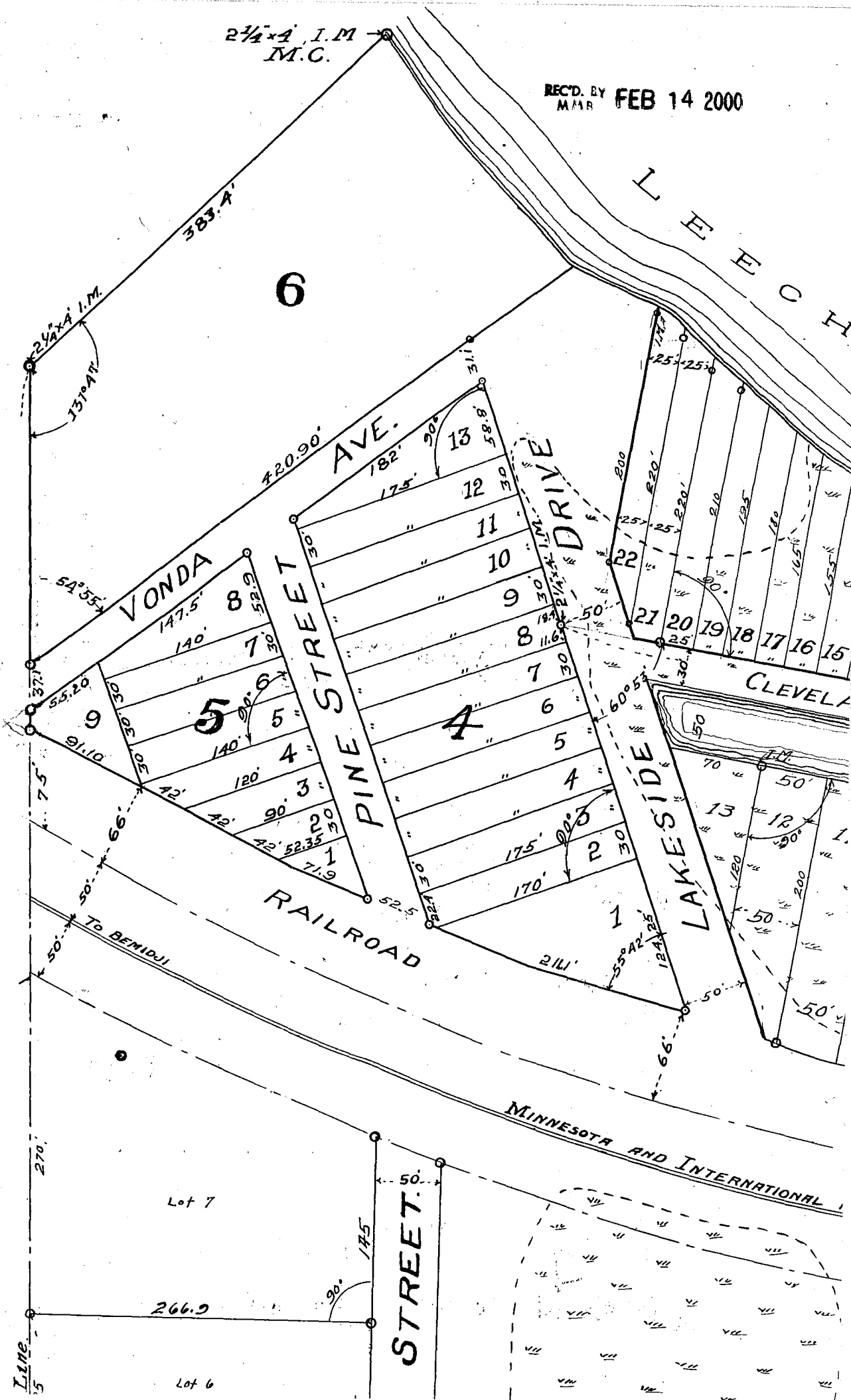
ATTEST:



John K. Thompson
Walker City Clerk/Administrator

certify that the within instru-
 in this office for record on
 of *Feb* A. D.
 o'clock *11* M. and was
 in book of
 page
Trust
 REGISTER OF DEEDS

REC'D. BY
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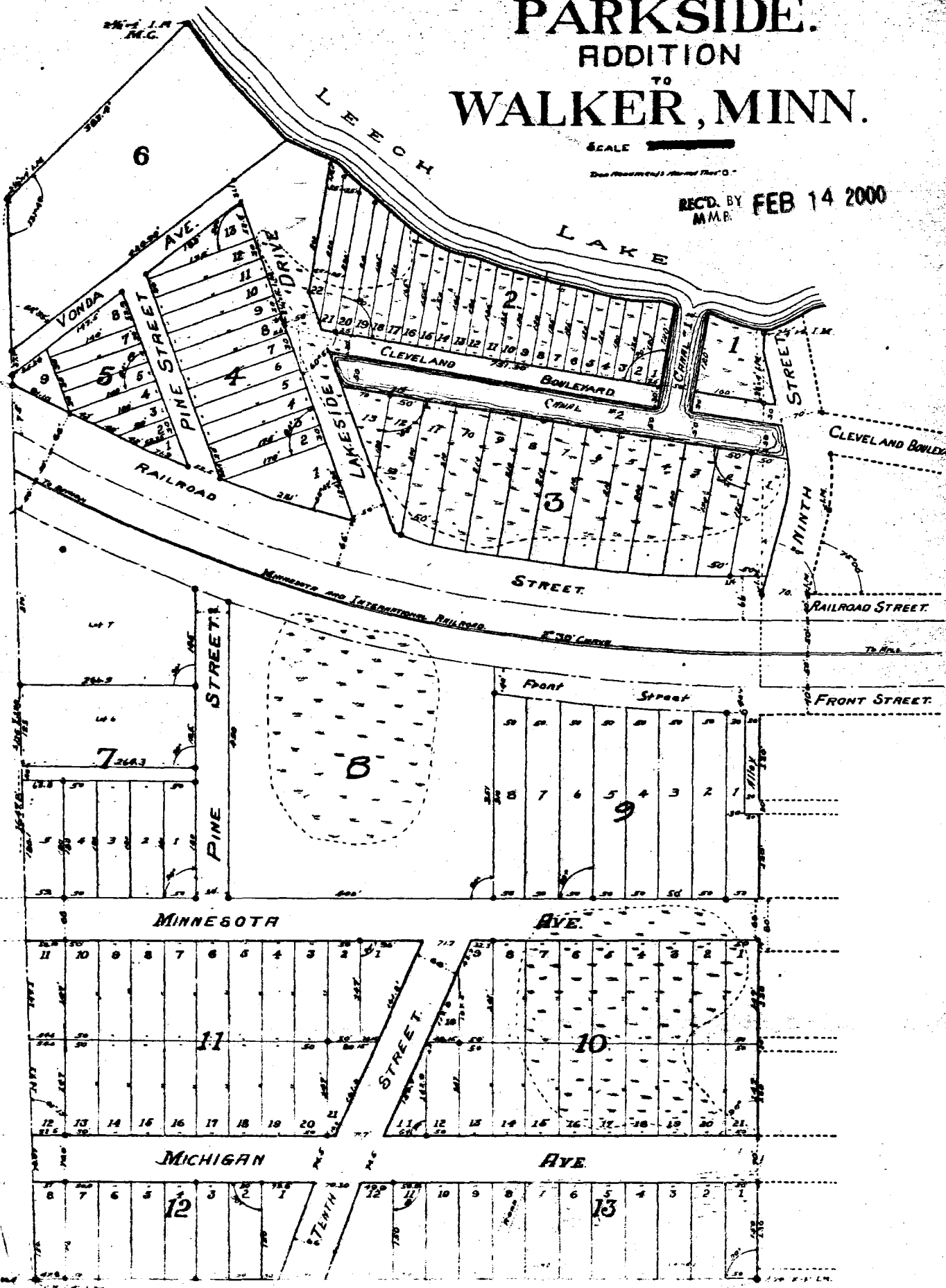


REGISTERED DEEDS,
 County of Cook,
 State of Illinois.
 A.D. 1900
 No. 11
 In Book 11
 Page 11
 REGISTER OF DEEDS

PARKSIDE. ADDITION TO WALKER, MINN.

SCALE
 Two Hundred and Fifty Feet

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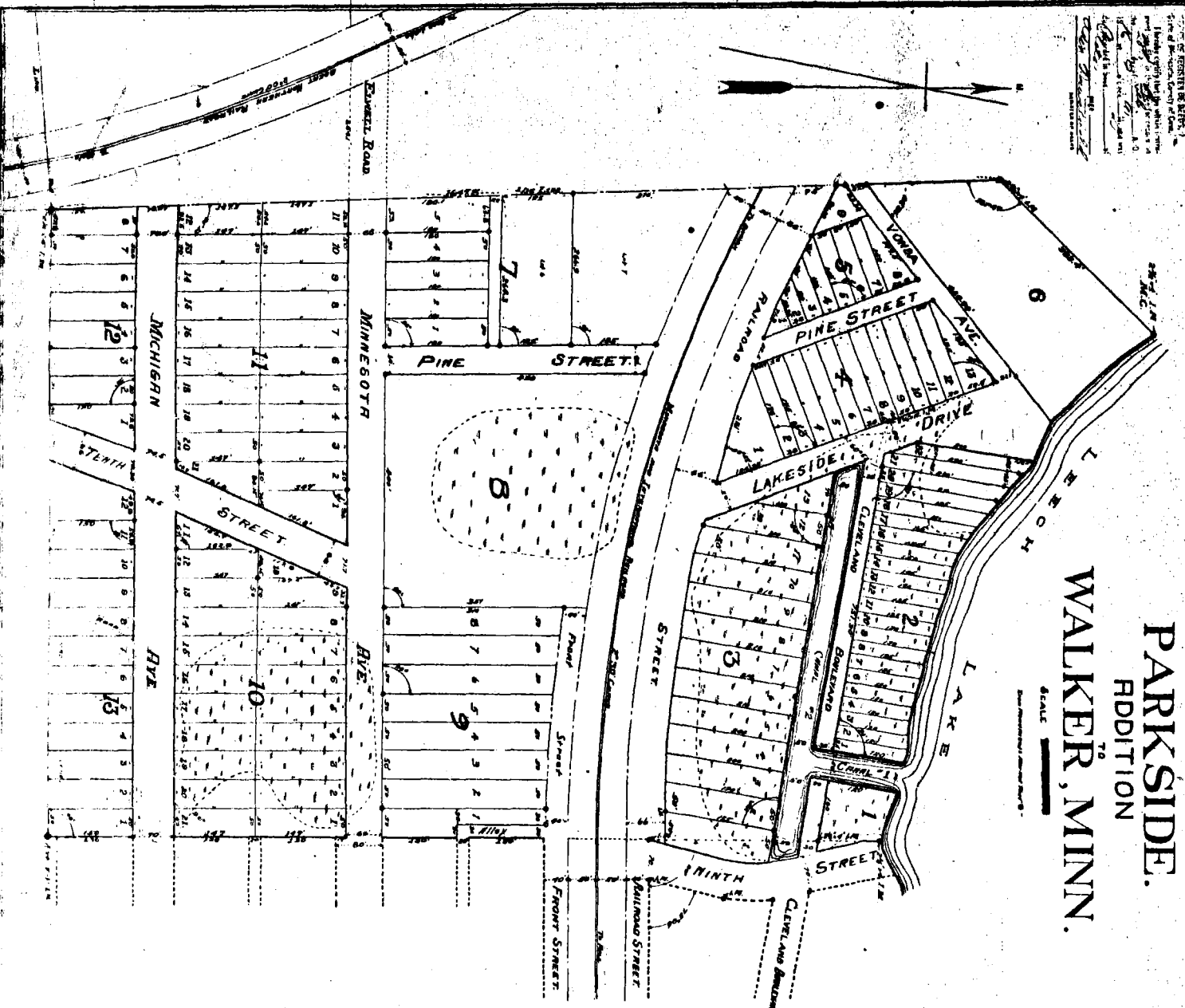
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PARKSIDE. ADDITION WALKER, MINN.

SCALE 1" = 40'



DEDICATION

KNOW ALL MEN BY THESE PRESENTS: That J.S. Scribner and Helen A. Scribner, his wife, Edward L. Rogers and Mayne Rogers his wife, owners and proprietors of the following described land, situated in the County of Cass and State of Minnesota, do hereby:

That part of Government Lot No. 6, of Section 22, Township 142 N., Range 31 W., and 141 W., surrounded by six large iron monuments, and more fully described as follows: Beginning at a large iron monument set at a point where the West boundary of the original plat of Walker intersects the South boundary of French Lakes; thence South following the West boundary of said original plat of Walker 400 feet to a large iron monument and 30 feet North of the center line of the Minnesota and International Trail Road; thence continuing South following the West boundary of the said original plat of Walker 1040 feet to a large iron monument set 20 feet South of the center line of said original plat; thence West following 120 feet South of and in line with the South side of Walker Avenue 1027 feet to a large iron monument and in line with the West side of said following north of corner to the center of the South West quarter of said Section 22; thence North along the 316 line following the West boundary of said lot 6, a distance of 1617.00 feet to a large iron monument which has been set at the 316 corner in the center of the West half of said section 22; thence at an angle of 48 degrees and 33 minutes to the right, being 148° 33' E. 141 feet to a large iron monument and for a smaller corner on the West boundary of French Lakes; thence in a South-easterly direction following the shore of said Lake 1030 feet more or less to the place of beginning; have caused the same to be surveyed and platted as **PARKSIDE** addition, hereby dedicating the same to public use forever, all streets, avenues, alleys, drives, roads and easements as shown by the plat herein.

IN WITNESS WHEREOF we have hereunto signed our names this 21st day of Feb., 1911.

WITNESSES

John S. Scribner
Edward L. Rogers

John S. Scribner
Edward L. Rogers
Mayne Rogers

State of Minnesota)

On this 21st day of February, 1911 personally appeared J.S. Scribner, Helen A. Scribner, Edward L. Rogers and Mayne Rogers to me known to be the persons describing in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

I, JAMES WALKER, County Clerk, have known and advised my official seal and office in Walker, Minnesota this year first duly written.

My commission expires 1st day of April, 1912.

SURVEYORS' CERTIFICATE

I, John K. Rice, County Surveyor of Cass County, Minnesota, do hereby certify that I have surveyed and platted the land described in the accompanying dedication and have divided the same into blocks, lots, streets, avenues, alleys, drives, roads and easements as shown on this plat; and that the lots and blocks are numbered progressively; that the size of all lots and the widths of all streets and alleys are indicated on the plat by figures denoting feet and decimals of a foot; that the said plat accurately represents the survey; that all angles and distances are correct as shown; that iron monuments for the boundaries of French Lakes have been placed in the ground as shown and that there are no wet lands, swamps, roads or public highways except as shown by this plat; that the 6 large iron monuments mentioned in the dedication are 24 inches girted iron pipes, 4 feet long, capped on top and set nearly their full length in the ground.

John K. Rice
County Surveyor Cass Co. Minn.

State of Minnesota,
County of Cass.
This certificate was filed for record in the office of the County Clerk of Cass County, Minnesota, on the 21st day of February, 1911, and is by me duly acknowledged.

James Walker, County Clerk
J. S. Scribner, Edward L. Rogers, Mayne Rogers
John S. Scribner, Helen A. Scribner, Edward L. Rogers

REC'D BY FEB 14 2000
M.M.B.