

**ORDINANCE NO. 00-11-2006**

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF EAGLE BEND TO INCLUDE CERTAIN UNINCORPORATED TERRITORY NOT WITHIN THE CITY LIMITS BUT ABUTTING THEREON

WHEREAS, certain territory described below is not presently included within the corporate limits of any incorporated city or borough; and

WHEREAS, pursuant to Minn. Stat. 414.033, Subd. 2(3), this territory abuts upon the corporate limits of the City of Eagle Bend (City) to the south, the area to be annexed is 60 acres or less, and said property is deemed to be urban or suburban in character; and

WHEREAS, this territory is not presently served by public sewer facilities or public sewer facilities are not otherwise available; and

WHEREAS, the City has received a Petition for annexation from all the property owners of the territory to be annexed; and

WHEREAS, the affected township is Wykeham Township (Twp. 131, Range 35W); and

WHEREAS, pursuant to Minn. Stat. §414.033, Subd. 2b, the City held a public hearing on November 20, 2000 at 7:00 p.m. at the Eagle Bend City Hall, upon 30 days written notice by certified mail to Wykeham Township and to all landowners within and contiguous to the area to be annexed; and

WHEREAS, the City has heard all interested parties and entertained a motion to adopt the proposed ordinance and declare the land annexed.

WHEREAS, the city has complied, to the extent applicable, with the provisions Minn. Stat. §414.033, Subd. 13.

NOW, THEREFORE, the City Council of Eagle Bend ordains:

Section 1. **Territory annexed.** The corporate limits of the City of Eagle Bend, Minnesota, are hereby extended to include the unplatted territory described as follows, which territory now abuts territory already included within the city limits:

**Commencing at the Southeast corner of the Northwest Quarter of Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$ ) of Section 13, thence West 28 $\frac{1}{2}$  rods, thence North 11 $\frac{1}{2}$  rods, thence East 28 $\frac{1}{2}$  rods, thence South 11 $\frac{1}{2}$  rods to point of beginning, all in Section 13, Township 131, Range 35.**

**and**

**NW $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 13, Township 131 North, Range 35 West of the 5<sup>th</sup> P.M., excepting therefrom the West 6 rods thereof, and also excepting therefrom the East 28 $\frac{1}{2}$  rods of the South 11 $\frac{1}{2}$  rods thereof, all in Township 131 North, Range 35 West of the 5<sup>th</sup> P.M.**

**and**

**That part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 13, Township 131 North, Range 35, West of the 5<sup>th</sup> P.M., according to the United States Government Survey thereof, described as follows: Commencing at the Southeast corner of said SW $\frac{1}{4}$ SW $\frac{1}{4}$ , thence Northerly along the East line thereof a distance of 1051.00 feet to the point of beginning of the land to be described, thence deflect to the West 90°00' a distance of 528.00 feet, thence deflect to the North 90°00' a distance of 283.66 feet to the North line of said SW  $\frac{1}{4}$ SW $\frac{1}{4}$ , thence Easterly along said North line a distance of 528.02 feet to the Northeast corner thereof, thence South along said East line a distance of 288.52 feet to the point of beginning. Containing 3.47 acres, more or less. Subject to County Road Easements and Right of Way on Record.**

**and**

**A tract of land in Section 13, Township 131 North, Range 35, West of the 5<sup>th</sup> P.M., described as follows; Beginning at a point 325 feet North of the Southeast corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 13, thence 165 feet North, thence 429 feet West, thence 165 feet South, thence 429 feet East to the point of beginning, all according to the United States Government Survey thereof.**

**and**

**Commencing at a point 490 feet North of the Southeast corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 13, Township 131, Range 35, thence West 429 feet,**

thence North 300 feet, thence East 429 feet, thence South 300 feet to the place of beginning, being a party of SW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 13, Township 131 North, Range 35 West of the 5<sup>th</sup> p.m., Todd County, Minnesota.

and

That part of the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ ) of Section 13, Township 131, Range 35, Todd County, Minnesota, described as follows: Commencing at the Southeast corner of said Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ ); thence Northerly along the East line thereof a distance of 790.00 feet to the point of beginning of the land to be described; thence deflect to the West 90 degrees 00 minutes a distance of 528.00 feet; thence deflect to the North 90 degrees 00 minutes a distance of 261.00 feet; thence deflect to the East 90 degrees 00 minutes a distance of 528.00 feet to the East line of said Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ ); thence South along said East line a distance of 261.00 feet to the point of beginning.

Section 2. **Filing.** The City Attorney or City Administrator is directed to file certified copies of this ordinance with the Secretary of State, the County Auditor of the county in which the property is located, the Town Clerk of the affected township, the County Recorder, and the Office of Municipal Boundary Adjustments..

Section 3. **Population.** The population of the annexed territory is **not applicable**.

Section 4. **Effective date of annexation.** This ordinance takes effect upon passage and publication and the filing of certified copies as directed in Section 2 and approval by the Office of Municipal Boundary Adjustments.

Adopted by the City Council of Eagle Bend, Minnesota this 20<sup>th</sup> day of NOVEMBER, 2000.

ATTEST:

Kevin Hess  
Kevin Hess  
City Administrator/Clerk

Harlan Guse  
Harlan Guse  
Mayor

Published in \_\_\_\_\_, 2000.



CITY LIMITS

REC'D. BY DEC 07 2000

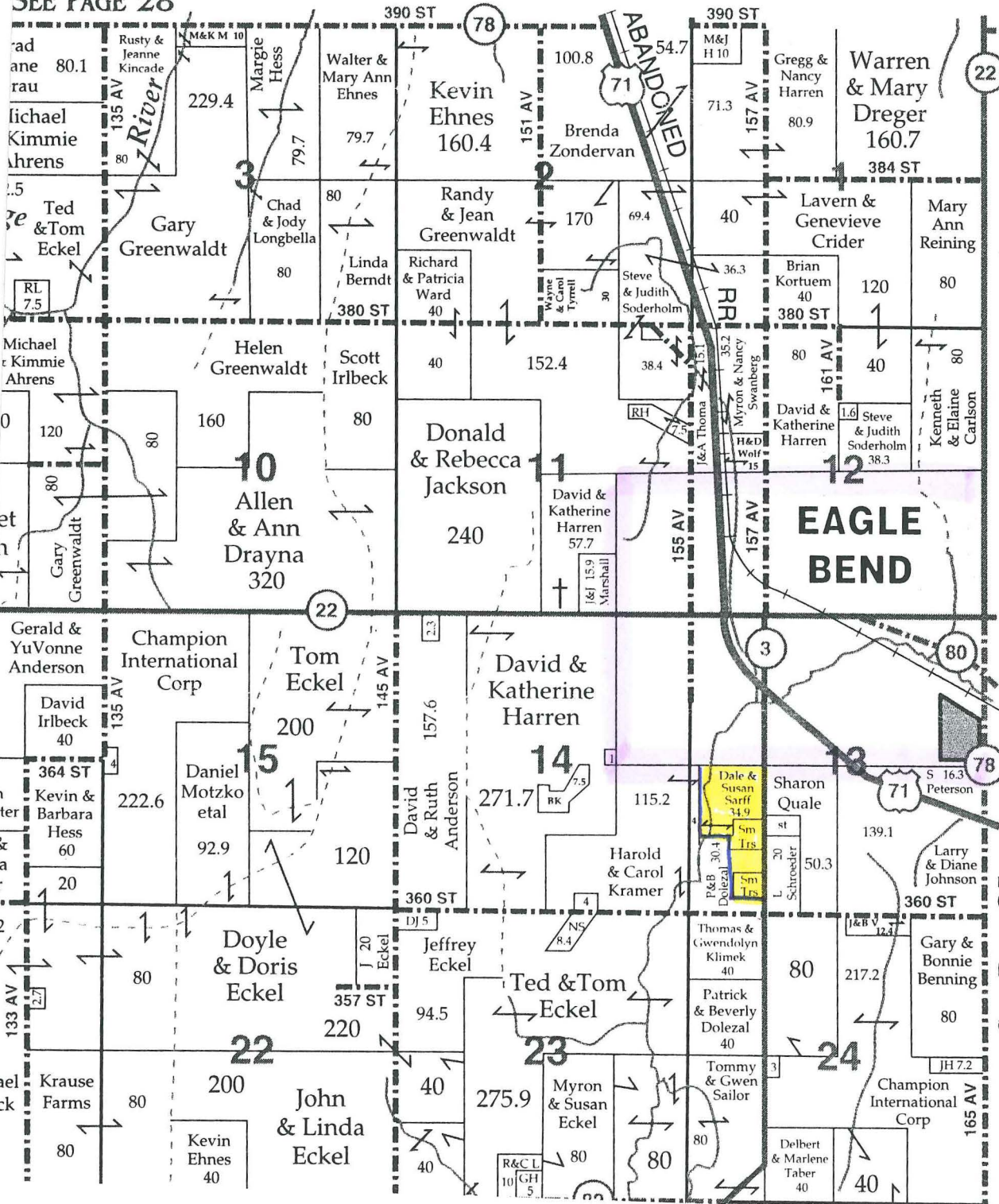
AREA ANNEXED

# T.131N. - R.35W.

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