

ORDINANCE NO. 9-9-2002

AN ORDINANCE OF THE CITY OF EDGERTON, MINNESOTA, ANNEXING A PORTION OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION TWENTY-ONE (21), TOWNSHIP ONE HUNDRED FIVE (105) NORTH, RANGE FORTY-FOUR (44) WEST OF THE FIFTH (5TH) P.M., OSBORNE TOWNSHIP, PIPESTONE COUNTY, MINNESOTA, INTO THE CITY OF EDGERTON, MINNESOTA.

THE CITY OF EDGERTON ORDAINS:

Section 1. This annexation ordinance is being passed and adopted pursuant to the provisions of Minnesota statute §414.033, Subdivision 2, Subparagraph (3).

Section 2. On or about February 11, 2002 the City of Edgerton, Minnesota received a "Petition for Annexation of Real Property into the city of Edgerton, Minnesota" dated February 9, 2002, signed by Ronald Lee Menning, President; Rex Keller, Vice President; Kimberly Menning, Secretary; and Geraldine Keller, Treasurer; of Menning Plastics, Inc., a Minnesota corporation with offices in Edgerton, Minnesota.

Section 3. The area described in the Petition is under the control of the petitioners, abuts the limits of the City of Edgerton, Minnesota, contains 6.05 Acres or less, is not presently served by public sewer facilities, and is unpopulated.

Section 4. Pursuant to Minnesota statute §414.033, Subdivision 2, Subparagraph (3), a public hearing of the Petition was held by the Edgerton City Council at its regularly scheduled meeting commencing at 7:00 o'clock p.m. on March 27, 2002, notice of such hearing being published in the Edgerton Enterprise for two consecutive weeks; and mailed by certified return receipt requested mail on February 19, 2002, to Osborne Township and to all landowners within and contiguous to the area to be annexed. No objections to the Petition were heard by the Edgerton City Council at the public hearing.

Section 5. In their Petition the Petitioners waived the 30-day notice required by Minnesota statute §414.033, Subdivision 13, that the cost of electric utility service to the Petitioners may change if the subject real property is annexed into the City.

Section 6. This Ordinance corrects the legal description in Ordinance 3-27-2002 which incorrectly described the annexed tract as the "West Four Hundred Feet..." instead of the "East Four Hundred Feet..."

Section 7. The City hereby annexes real property situated in the Township of Osborne, County of Pipestone, State of Minnesota, legally described correctly as follows, to-wit:

The East Four Hundred (400.00) feet of the South Six Hundred Fifty Eight and Two-thirds (658.67) feet of the Northeast Quarter of the Southwest Quarter of Section 21, Township 105 North, Range 44 West, 5th Principal Meridian, Pipestone County, Minnesota

Section 8. The township of Osborne waived its right to a 90-day objection period in a resolution adopted on February 9, 2002.

Section 9. The City Clerk/Treasurer is hereby directed to file certified copies of this Ordinance with the Minnesota Municipal Board, Osborne Township, the Pipestone County Auditor, and the Minnesota Secretary of State.


Section 10. This ordinance shall take effect and be in force from and after its passage and publication and be given the Number 9-9-02, after its approval by the Minnesota Municipal Board.

Voting Aye: Harold Ten Cate, Evert Krosschell and Jim Achterhoff
Voting Nay: 0
Absent: Tim Mitchell

The Mayor declared the Ordinance passes.

Passed: 9-9-, 2002

ATTEST:


JIM ACHTERHOF,
MAYOR OF EDGERTON


GAIL KORTLEEVER, Clerk/Treasurer

AFFIX
-SEAL-
HERE

PLAT OF SURVEY

REC'D BY
MMB

SEP 16 2002

LAND SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION, AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

Charles M. Foust

CHARLES M. HANSON
MY REGISTRATION RENEWAL DATE IS JUNE 30, 2002

DATE 12/26/2001 REG. NO. 14329

PROTECT YOUR CORNER MARKERS! A MINIMUM FEE OF \$150 EACH WILL BE CHARGED TO RESTORE ANY DISTURBED OR REMOVED MARKERS SHOWN ON THE ENCLOSED SURVEY PLAT.



SEAL
(NOT OFFICIAL UNLESS STAMPED WITH BLUE INK)

DESCRIPTION

The east four hundred (400.00) feet of the south six hundred fifty-eight and two thirds (658.67) feet of the Northeast Quarter of the Southwest Quarter of Section 21, Township 105 North, Range 44 West, 5th Principal Meridian, Pipestone County, Minnesota.

(6.05 acres including 0.76 acre of public highway right-of-way)



NORTH
graphic scale in feet



(200 feet per inch)

o = set 5/8"x24" rebar

- = found iron pin

date of survey: 12/05/2001

south line of NW¼ SW¼

Plat revised 08/24/2002

EDGERTON WATER TOWER SITE ADDITION

EDGERTON REST CENTER

CAPRI STREET

DEKAM FIRST ADDITION

ESAH

prepared by C. Hanson



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