

Approved by the Director
of the Office of Strategic
and Long-Range
Planning: July 15, 2002

CITY OF ELKO
SCOTT COUNTY, MINNESOTA

REC'D BY
MMB

JUL 01 2002

ORDINANCE NO. 105

**AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF
THE CITY OF ELKO TO INCLUDE CERTAIN
UNINCORPORATED LAND (60 ACRES OR LESS) ABUTTING
UPON THE CITY LIMITS**

WHEREAS, a certain petition requesting annexation of the real property ("Subject Property") hereinafter described was duly presented to the council on the 18th day of June, 2002; and

WHEREAS, pursuant to Minn. Stat. § 414.033, subd. 2b, the Elko City Council has conducted a public hearing preceded by 30 days' written notice to consider the annexation petition.

WHEREAS, the petition was signed by all owners of the Subject Property ("Petitioner"); and

WHEREAS, the Subject Property is not presently within the corporate limits of any incorporated city; and

WHEREAS, the Subject Property abuts upon the city limits; and

WHEREAS, the Subject Property is 60 acres or less; and

WHEREAS, recent legislative changes have dissolved the Municipal Board and transferred its responsibilities to the Office of Strategic and Long-Range Planning. Throughout this Ordinance, reference continues to be made to the Municipal Board since the legislature has not yet modified Minnesota Statutes Chapter 414 to fully reflect the 1999 changes. In all respects, the use of the term Municipal Board and reference to Minn. Stat. Chapter 414 shall be read to apply to the Municipal Boundary Adjustment Division of the Office of Strategic and Long-Range Planning as the successor to the Municipal Board's responsibilities in administering the provisions of state law regarding orderly annexation agreements and to subsequent amendments to state law.

THE CITY COUNCIL OF THE CITY OF ELKO ORDAINS:

Section 1. Validity of Petition. The City Council hereby finds (1) that the Subject Property abuts upon the city limits; and (2) the Subject Property is 60 acres or less; and (3) the Subject Property is not presently served by public sewer facilities or public sewer facilities are not otherwise available; and (4) the Subject Property is now or about to become urban or

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suburban in character.

Section 2. Subject Property Annexed. The corporate limits of the City of Elko are hereby extended to include the real property legally described in the attached Exhibit "A" now owned by Petitioner, and the same is hereby annexed to and included within the City as effectually as if it had originally been part of the City.

Section 3. Filing. The City Clerk is directed to file certified copies of this ordinance with the Secretary of State, the County Auditor, the Town Clerk of the affected township and the Municipal Board.

Section 4. Effective Date of Annexation. This ordinance takes effect upon its passage and publication and the filing of certified copies as directed in Section 3, and approval of this Ordinance by the Municipal Board.

ADOPTED this 18 day of June, 2002, by the City Council of the City of Elko.

CITY OF ELKO

BY: Carolyn Miller

Carolyn Miller, Mayor

ATTEST:

Patricia Nutt
Patricia Nutt, City Clerk

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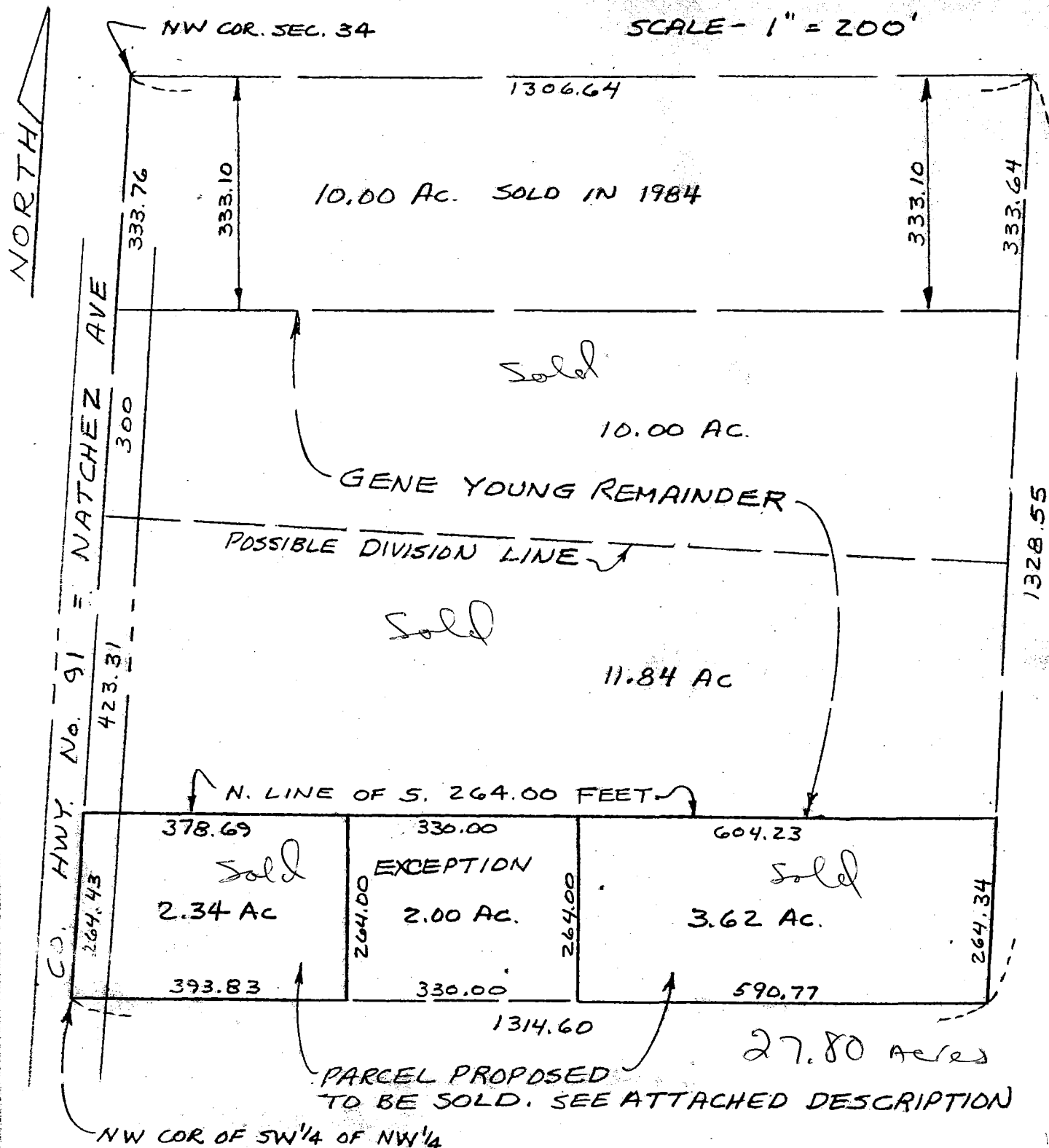
EXHIBIT "A"

THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (NW1/4 OF NW1/4) OF SECTION THIRTY-FOUR (34), TOWNSHIP ONE HUNDRED THIRTEEN (113), RANGE TWENTY-ONE (21), SCOTT COUNTY, MINNESOTA, EXCEPTING THEREFROM: 23 RODS 14 FEET 4 INCHES EAST OF THE NORTHWEST CORNER OF SOUTHWEST QUARTER OF THE NORTHWEST QUARTER; THENCE EAST 20 RODS; THENCE NORTH 16 RODS; THENCE WEST 20 RODS; THENCE SOUTH 16 RODS TO THE PLACE OF BEGINNING.

SKETCH OF NW 1/4 OF NW 1/4, SECTION 34, T113, R21

NW COR. SEC. 34

SCALE - 1" = 200'



Prepared for: Gene Young
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JACOBSON
Engineers Surveyors
P.O. Box 541
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Dr. By: GLJ Date: Feb. 4, 1997
Project No. 97008.21