

ORDINANCE NO: 02-10-30-01

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF EAGLE BEND TO INCLUDE CERTAIN UNINCORPORATED TERRITORY ABUTTING LAND WITHIN THE CITY LIMITS, PURSUANT TO MINN. STAT §414.033, SUBD. 2(3). *ab 5*

WHEREAS, the City has received a Petition requesting annexation dated August 17, 2002, from Randy & Jean Greenwaldt, the property owners of Exhibit A, the territory to be annexed; and

WHEREAS, the petition was signed by all owners of the territory to be annexed; and

WHEREAS, the territory described in Exhibit A, is not a part of, nor within, the corporate limits of any incorporated city or borough; and

WHEREAS, this territory abuts upon the northwest corporate limits of the city; and

WHEREAS, the area to be annexed is 1.16 acres and is deemed to be urban or suburban in character;

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

WHEREAS, the city held a public hearing upon notice, or waiver of notice, to the town or township affected by the proposed ordinance and to all landowners within and contiguous to the area to be annexed; and

WHEREAS, the City has complied with the provisions of Minn. Stat. §414.033, Subd.13, regarding the cost of electric utility service; annexation of the subject property does not result in any change in electric utility service or rates.

NOW THEREFORE, The City Council of Eagle Bend, Minnesota, hereby ordains:

Section 1. **Territory annexed.** Pursuant to Minn. Stat. §414.033, subd. 2(3), 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:

SEE ATTACHED EXHIBIT A

Section 2. **Filing.** The City Attorney or City Administrator is directed to file certified copies of this ordinance with the Secretary of State, the Todd County Auditor, the Wykeham Township Board, the Todd County Recorder, and the Minnesota Boundary Adjustment Board.

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 Minnesota Boundary Adjustment Board.

Section 5. **Zoning.** The property described in Exhibit A shall be zoned Agricultural.

Adopted by the City Council of Eagle Bend, Minnesota this 30th day of October, 2002.

ATTEST:

Kevin Hess
Kevin Hess
City Administrator

Delvin Salathe
Delvin Salathe
Mayor

Exhibit A-Greenwaldt Petition for Annexation

REC'D BY
MMB

NOV 08 2002

That part of the Southeast Quarter of the Northeast Quarter (SE ¼ NE ¼) of Section 11, Township 131 North, Range 35 West, Todd County, Minnesota, described as follows:

Beginning at the east quarter corner of said Section 11;

thence North 00 degrees 40 minutes 57 seconds East, assumed bearing along the east line of said Section, 208.72 feet, that portion of said east line also being the center line of a public roadway (Township Road);

thence North 88 degrees 39 minutes 10 seconds West 241.71 feet;

thence South 00 degrees 40 minutes 57 seconds West 208.72 feet to the south line of aforesaid Southeast Quarter of the Northeast Quarter (SE ¼ NE ¼);

thence South 88 degrees 39 minutes 10 seconds East, along said south line, 241.71 feet to the point of beginning.

The tract contains 1.16 acres more or less subject to an existing public roadway easement over the East 33.00 feet thereof (Township Road).

MHA

CERTIFICATE OF SURVEY

