

CITY OF NEW MARKET  
SCOTT COUNTY, MINNESOTA

ORDINANCE NO. 158

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

WHEREAS, a certain petition dated October 11, 2002, requesting annexation of the real property ("Subject Property") hereinafter described was duly presented to the Council on the 12<sup>th</sup> day of February, 2003; and

WHEREAS, pursuant to Minn. Stat. § 414.033. subd. 2b, the New Market Planning and Zoning Commission 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 ("Petitioners"); 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 provision of state law regarding orderly annexation agreements and to subsequent amendments to state law.

## THE CITY COUNCIL OF THE CITY OF NEW MARKET 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 is about to become urban or suburban in character.

Section 2. Subject Property Annexed. The corporate limits of the City of New Market are hereby extended to include the real property legally described in the attached Exhibit "A" now owned by Petitioners, 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, and 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.

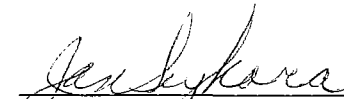
ADOPTED this 12<sup>th</sup> day of February 2003, by the City Council of the City of New Market.

CITY OF NEW MARKET

By:

  
Jim Friesges, Mayor

ATTEST:

  
Jan Seykora, City Clerk

## EXHIBIT A

That part of the Southeast Quarter of Section 29, Township 113, Range 21, Scott County, Minnesota, described as follows:

Commencing at the southeast corner of said Southeast Quarter; thence North 89 degrees 29 minutes 25 seconds West, assumed bearing, along the south line of said Southeast Quarter, a distance of 345.36 feet to the west line of the east 345.34 feet of said Southeast Quarter; thence North 1 degree 10 minutes 28 seconds East, along said west line, 660.04 feet to the north line of the south 660.00 feet of said Southeast Quarter; thence North 89 degrees 29 minutes 25 seconds West, along said north line, 325.07 feet to the point of beginning of the tract to be described; thence North 0 degrees 30 minutes 35 seconds East 145.00 feet; thence North 89 degrees 29 minutes 25 seconds West 27.57 feet; thence North 0 degrees 30 minutes 35 seconds East 574.41 feet; thence South 67 degrees 22 minutes 55 seconds West 204.37 feet; thence South 52 degrees 43 minutes 08 seconds West 61.79 feet; thence South 66 degrees 32 minutes 45 seconds West 195.00 feet; thence South 22 degrees 46 minutes 37 seconds East 132.90 feet; thence South 79 degrees 21 minutes 43 seconds West 259.90 feet; thence North 23 degrees 27 minutes 15 seconds West 110.24 feet; thence South 66 degrees 32 minutes 45 seconds West 371.51 feet; thence South 15 degrees 03 minutes 02 seconds East 74.16 feet; thence North 88 degrees 37 minutes 18 seconds West 406.88 feet to the easterly right of way line of Harvest Drive, as platted and dedicated in HARVEST VIEW ESTATES, according to the recorded plat thereof, said Scott County; thence South 1 degree 22 minutes 42 seconds West, along said right of way line 198.82 feet; thence southwesterly 302.84 feet, continuing along said right of way line, being a tangential curve, concave to the northwest, having as radius of 377.66 feet, and a central angle of 45 degrees 56 minutes 42 seconds; thence southwesterly 249.91 feet, continuing along said right of way line, being a reverse curve, concave to the southeast, having as radius of 311.66 feet, and a central angle of 45 degrees 56 minutes 42 seconds; thence South 1 degree 22 minutes 42 seconds West, continuing along said right of way line, tangent to said last described curve 203.40 feet to the south line of said Southeast Quarter; thence South 89 degrees 29 minutes 25 seconds East, along said south line 637.10 feet to the west line of the east 1665.34 feet of said Southeast Quarter; thence North 1 degree 10 minutes 28 seconds East, along said west line, a distance of 660.04 feet to the north line of the south 660.00 feet of said Southeast Quarter; thence South 89 degrees 29 minutes 25 seconds East, along said north line 995.02 feet to the point of beginning.

Subject to the right of way of 270th Street East.



WEST LINE OF THE SE 1/4  
OF SEC. 29, T. 113, R. 21

S01°22'43"W 1240.00

WEST LINE OF OUTLOT A,  
HARVEST VIEW ESTATES

OUTLOT A

NORTH LINE OF OUTLOT A,  
HARVEST VIEW ESTATES

S88°37'18"E 401.00

S01°22'42"W 185.40

S01°22'42"W  
203.40

EASTERLY RIGHT OF WAY  
LINE OF HARVEST DRIVE

302.84 Δ=45°56'42"  
R=377.66  
249.91 Δ=45°56'42"  
R=311.66

249.91 Δ=45°56'42"  
R=311.66  
302.84  
Δ=45°56'42" R=377.66

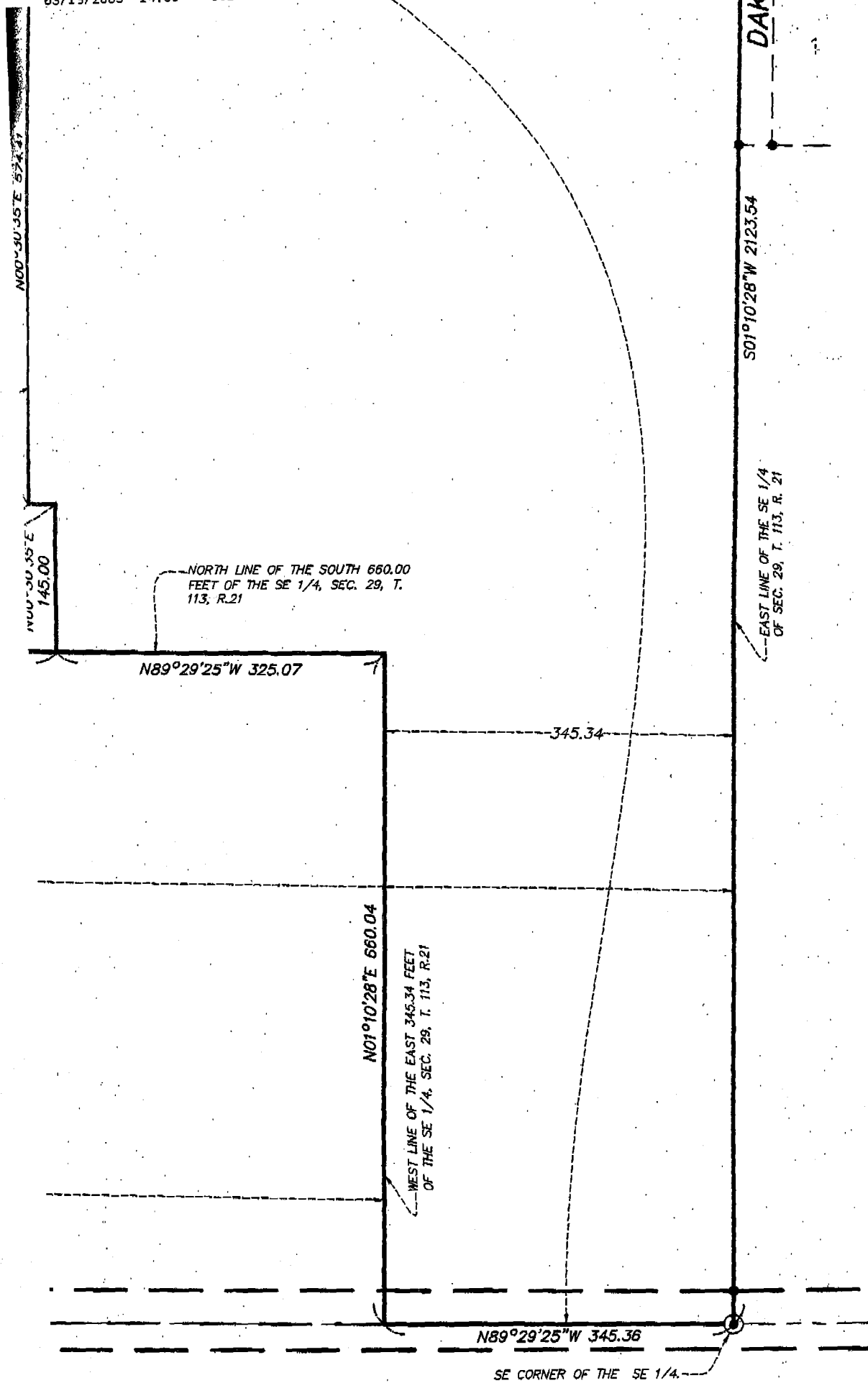
S01°22'42"W  
198.82

N01°22'42"E 446.00

N88°37'18"W 406

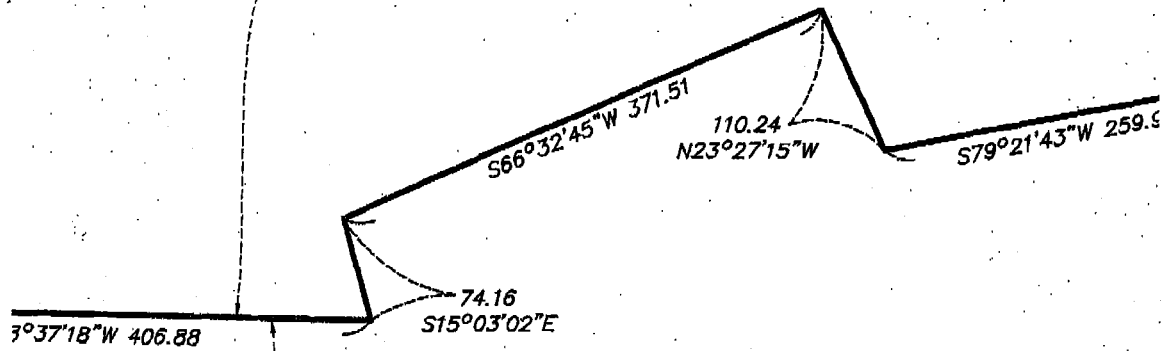
191.02  
S89°29'25"E

637.10  
S89°29'25"E



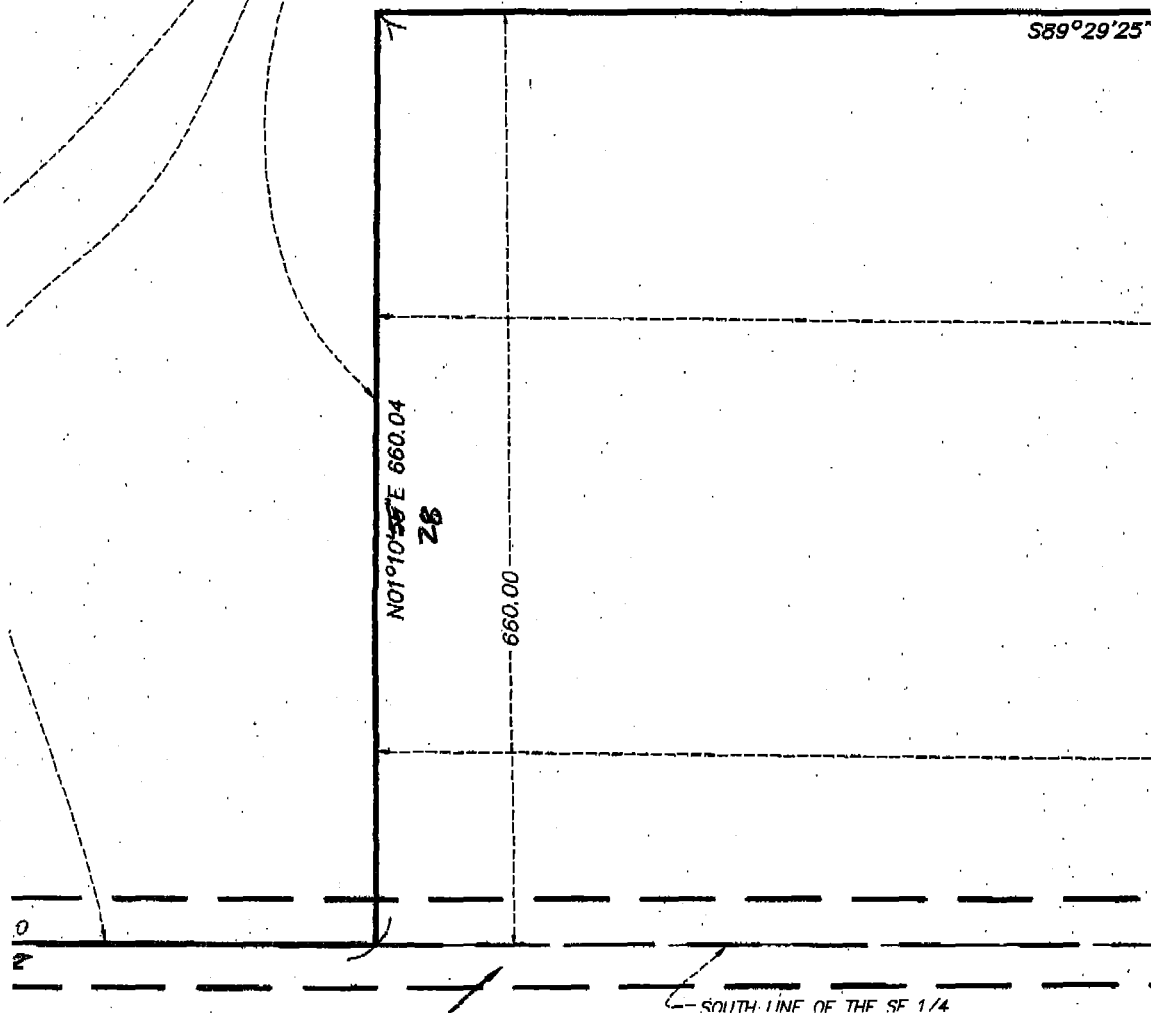
**PROPOSED ANNEX**

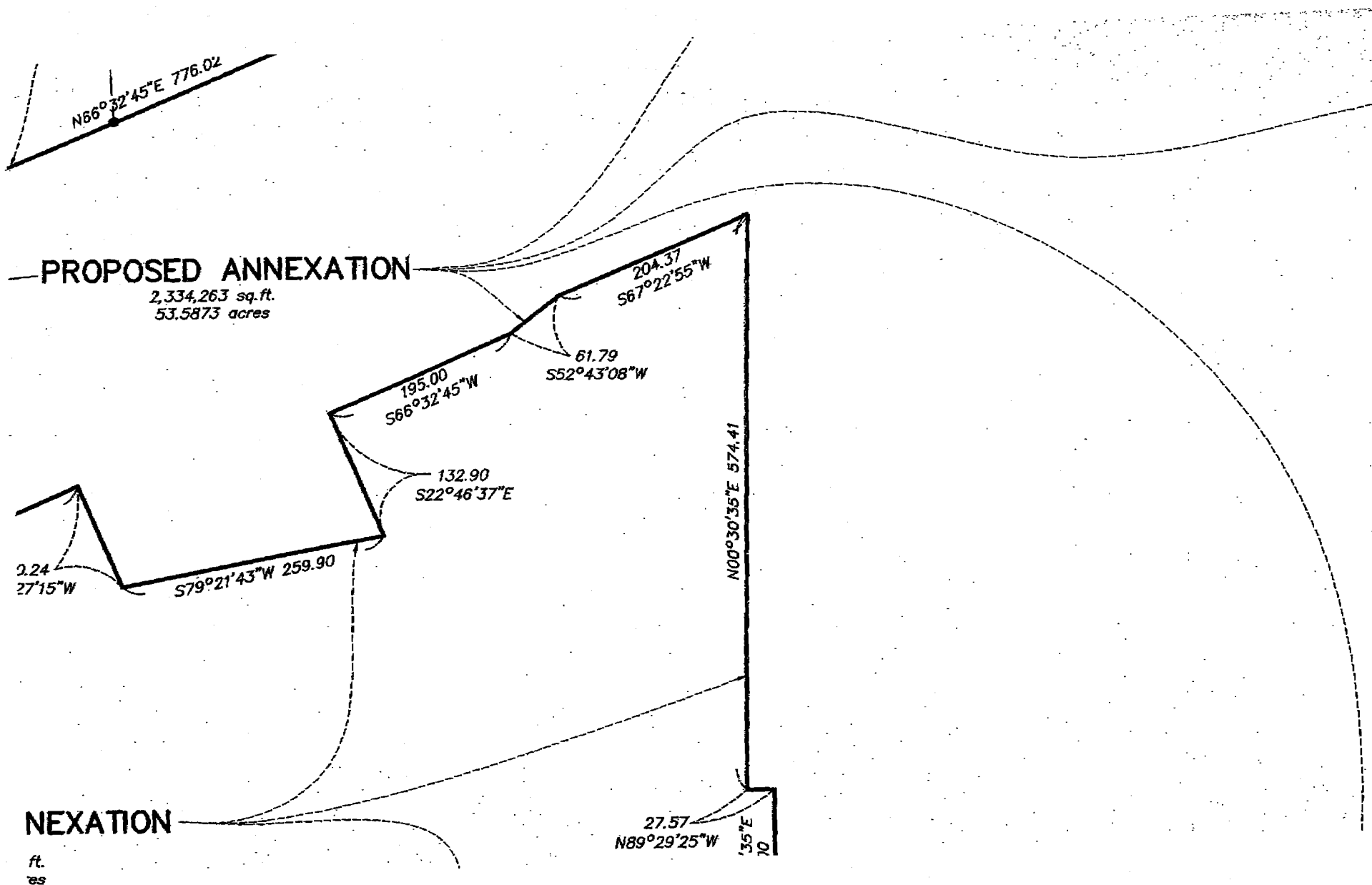
2,334,263 sq. ft.  
53.5873 acres



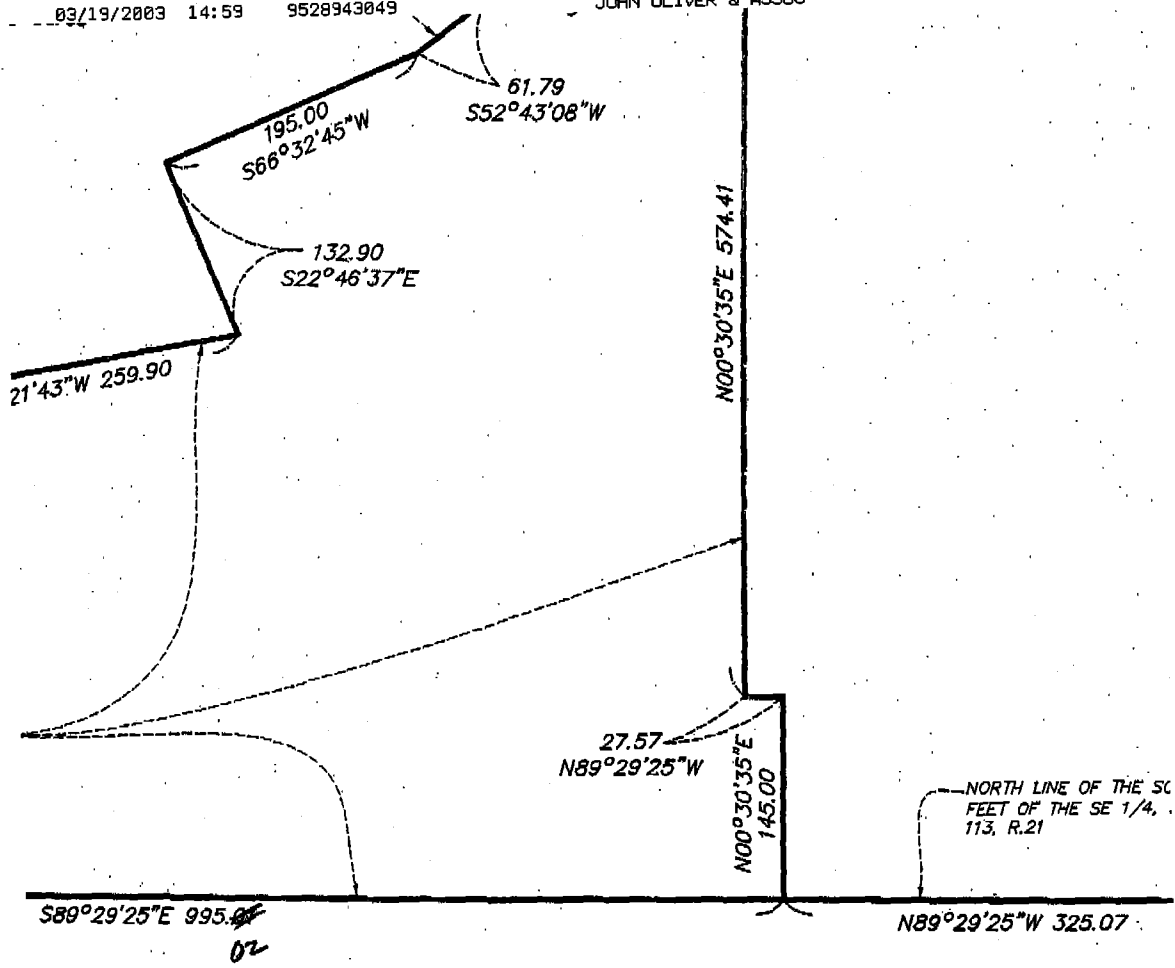
**FUTURE ANNEXATION**

941,479 sq. ft.  
21.6134 acres









1665.34

1320.00

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