

Council Member Lloyd Wiechmann introduced the following ordinance and moved for its adoption:

ORDINANCE NO. 21-2003

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF MONTGOMERY, LE SUEUR COUNTY, MINNESOTA, TO INCLUDE CERTAIN LAND OWNED BY JAMES D. DAVIDSON AND JEANINE L. DAVIDSON, HUSBAND AND WIFE, AND ABUTTING THE CITY OF MONTGOMERY, LE SUEUR COUNTY, MINNESOTA, A MINNESOTA MUNICIPAL CORPORATION.

WHEREAS, James D. Davidson and Jeanine L. Davidson, husband and wife, have filed a petition dated March 25, 2003, requesting that certain land as legally described below:

Commencing at a point 793.2 feet West of the Northeast corner of the Southwest Quarter of Section 34, Township 112, Range 23, thence due South 462 feet, thence West 670.8 feet, thence South 858 feet, thence East 152.3 feet, thence South 1320 feet, more or less to the south line of said Southwest Quarter, thence West to the Southwest corner of said Southwest Quarter, thence North on the West line of said Southwest Quarter to the Northwest corner of said Southwest Quarter, thence East on the North line of said Southwest Quarter to the point of beginning.

EXCEPT the West 704.55 feet as measured at a right angle to the west line thereof. This tract contains 41.07 acres of land

to be annexed to the City of Montgomery, Le Sueur County, Minnesota, a Minnesota municipal corporation (hereinafter City of Montgomery); and,

WHEREAS, James D. Davidson and Jeanine L. Davidson, husband and wife, represent that they are the sole owners of the above identified tract, that the property is unincorporated, abuts the limits of the City of Montgomery, is not included within any other municipality, and is not included in any area that has already been designated for orderly annexation pursuant to Minnesota Statutes Section 414.0325, will use this site for residential purposes, will need city services, and is approximately 41.07 acres in size; and,

WHEREAS, such described land is now or about to become urban or suburban in character and that the same will be in need of municipal sewer and water services; and,

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WHEREAS, a public hearing regarding the matter was held on May 5, 2003, at 7:00 p.m. in the Montgomery City Hall per Minnesota Statutes Section 414.033, Subdivision 2(2b).

NOW, THEREFORE, the City Council of the City of Montgomery, Minnesota, does hereby ordain:

Section 1: The City Council determines and finds that the property abuts the municipality, that the area to be annexed is 60 acres or less, that the property is not included in any area that has already been designated for orderly annexation pursuant to Minnesota Statutes Section 414.0325, that the municipality has received a properly prepared petition for annexation from the owners of the property, and that the petition complies with all provisions of Minnesota Statutes Section 414.033.

Section 2: The property is urban in nature or about to become so, and will be used by James D. Davidson and Jeanine L. Davidson, husband and wife, for residential purposes, and will need city services.

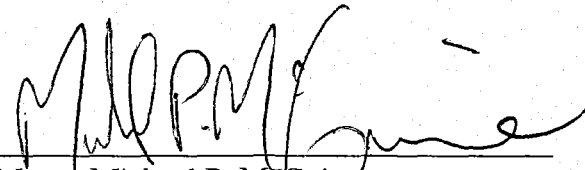
Section 3: The corporate limits of the City of Montgomery are hereby extended to include the property and the same is hereby annexed to and included within the City of Montgomery as if the property had originally been part thereof.

Section 4: The City Administrator is directed to file certified copies of this ordinance with Department of Administration-Municipal Boundary Adjustments, Lanesburgh Township, Montgomery Township, the Le Sueur County Auditor, the Le Sueur County Recorder, and the Minnesota Secretary of State.

Section 5: The City will comply fully with the requirements of Minnesota Statutes Section 414.033, Subd. 12 (2003).

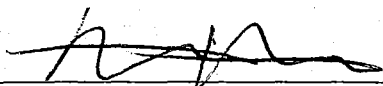
Section 6: This ordinance takes effect upon its passage and publication and the filing of the certified copies as directed in Section 4 and upon approval of the ordinance by Minnesota Planning.

Adopted this 5th day of May, 2003.



Mayor-Michael P. McGuire

ATTEST:



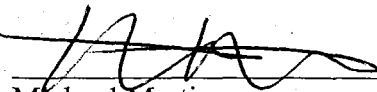
City Administrator-Michael Martin

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Council Member Sharon More seconded the foregoing ordinance
and the following voted in favor thereof: Lloyd Wiechmann, Sharon More, James
Filipek, and Michael P. McGuire. Council Person Jean Keogh was absent.
and the following voted against same: None

whereby the ordinance was declared duly passed and ordained.

This is a true and correct copy of City of Montgomery Ordinance No. 21-2003 as
attested to by City Administrator Michael Martin.



Michael Martin

REC'D BY
MMB

MAY 12 2003

