

ORDINANCE NO. 10**AN ORDINANCE RELATING TO THE ANNEXATION OF CERTAIN
PROPERTY**

THE CITY COUNCIL OF THE CITY OF OGILVIE, MINNESOTA ORDAINS:

Section 1 – The City Code is amended by adding a new section to read:

Section 2 – The City Council hereby finds that on March 14, 2003, James D. Anderson, the owner of the property described below, filed a properly prepared Petition requesting the annexation to the City of Ogilvie of real property located within Kanabec County, State of Minnesota, legally described as follows:

See Legal Description Attachment A

Section 3 – The City Council hereby finds that the property is not included in any boundary adjustment proceeding pending before the Minnesota State Planning Agency.

Section 4 – The City Council hereby determines and finds that the property abuts the City of Ogilvie, that the area to be annexed is sixty (60) acres or less, that the area to be annexed is not presently served by public sewer facilities and public sewer facilities are not otherwise available, that the municipality has received a properly prepared Petition for annexation from all the owners of the property, that the area is appropriate for annexation by ordinance under Minn. Stat. 414.033, Subd. 2, clause (3), and that the Petition complies with all the provisions of Minn. Stat. 414.033.

Section 5 – The property is urban or suburban in nature or about to become so.

Section 6 – The property owners have received notice pursuant to Minn. Stat. 414.033, Subd. 13, regarding the cost impact of a possible change in electric utility services resulting from the annexation.

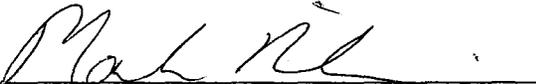
Section 7 – Pursuant to law, a public hearing was scheduled, with proper notice given, and held on April 16, 2003, prior to Council consideration of this ordinance for annexation.

Section 8 – The corporate limits of the City of Ogilvie are hereby extended to include the property and the same is hereby extended to and included within the City of Ogilvie as if the property had originally been part thereof.

Section 9 – The City Clerk is directed to file certified copies of this ordinance with the Minnesota State Planning Agency, Kanabec Township, the Kanabec County Auditor-Treasurer, and the Minnesota Secretary of State.

Section 10 – This ordinance takes effect upon its passage and publication and filing of the certified copies as directed in Section 9 and approval of the ordinance by the Minnesota State Planning Agency.

Adopted at a Public Hearing at a Meeting of the City Council of the City of Ogilvie, Minnesota, held the 23rd day of April, 2003.



Mark Nilson, Mayor of the City of Ogilvie

ATTEST:



Beth Bos, City Clerk

PREPARED BY:
City of Ogilvie
City Hall
P.O. Box 57
Ogilvie, MN 56358

Published in the Kanabec County Times on the 22nd day of May 2003.

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EXHIBIT A

See attached

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All of that part of the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ of NE $\frac{1}{4}$), Section Thirty-four (34), Township Thirty-nine (39) North, Range Twenty-five (25) West, Kanabec County, Minnesota, that lies north of the State Trunk Highway Number 23 Right-of-Way, and that lies west of the State Trunk Highway Number 47 Right-of-Way;

EXCEPT THE FOLLOWING DESCRIBED PROPERTIES:

1 Beginning at the Northeast corner of said Northeast Quarter of Northeast Quarter; thence westerly along the north line of said Northeast Quarter of Northeast Quarter a distance of 828 feet to the point of beginning of the land to be described, thence continuing in a westerly direction along the north line of said Northeast Quarter of Northeast Quarter, a distance of 305 feet; thence southerly parallel with the east line of said Northeast Quarter of Northeast Quarter, a distance of 375 feet; thence easterly parallel with said north line of said Northeast Quarter of Northeast Quarter a distance of 305 feet; thence northerly parallel with the east line of said Northeast Quarter of Northeast Quarter a distance of 375 feet to said point of beginning.

2 **AND EXCEPT:**

Beginning at the Northeast corner of said Northeast Quarter of Northeast Quarter; thence westerly along the north line of said Northeast Quarter of Northeast Quarter a distance of 523 feet to the point of beginning of the land to be described; thence continuing in a westerly direction along the north line of said Northeast Quarter of Northeast Quarter, a distance of 305 feet; thence southerly parallel with the east line of said Northeast Quarter of Northeast Quarter, a distance of 375 feet; thence easterly parallel with said north line of said Northeast Quarter of Northeast Quarter a distance of 305 feet; thence northerly parallel with the east line of said Northeast Quarter of Northeast Quarter a distance of 375 feet to said point of beginning.

3 **AND EXCEPT:**

Beginning at the Northeast corner of said Northeast Quarter of Northeast Quarter; thence westerly along the north line of said Northeast Quarter of Northeast Quarter a distance of 1133 feet to the point of beginning of the land to be described, thence southerly parallel with the east line of said Northeast Quarter of Northeast Quarter, a distance of 450 feet; thence westerly parallel with the north line of said Northeast Quarter of Northeast Quarter, to a point on the west line of said Northeast Quarter of Northeast Quarter, a distance of 205 feet, more or less; thence northerly along the west line of said Northeast Quarter of Northeast Quarter to the Northwest corner of said Northeast Quarter of Northeast Quarter, a distance of 450 feet, more or less, thence easterly along the north line of said Northeast Quarter of Northeast Quarter to said point of beginning, a distance of 205 feet, more or less.

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AND EXCEPT:

4 Beginning at the Northeast corner of said Northeast Quarter of Northeast Quarter; thence westerly along the north line of said Northeast Quarter of Northeast Quarter a distance of 320.00 feet; thence southerly parallel with the east line of said Northeast Quarter of Northeast Quarter, a distance of 300.00 feet; thence easterly parallel with the north line of said Northeast Quarter of Northeast Quarter, a distance of 320.00 feet to said east line; thence northerly on said east line of the Northeast Quarter of the Northeast Quarter a distance of 300.00 feet to said point of beginning.

AND EXCEPT:

5 All that part of the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ of NE $\frac{1}{4}$), Section Thirty-four (34), Township Thirty-nine (39) North, Range Twenty-five (25) West that lies northerly of the State Trunk Highway Number 23 Right-of-Way, and that lies southerly of Line "A" described below, and westerly of line "C" described below, and easterly of line "D" described below:

Description of Line "A"

Beginning at the Northeast corner of said Northeast Quarter of Northeast Quarter; thence Westerly along the north line of said Northeast Quarter of Northeast Quarter a distance of 523 feet; thence Southerly parallel with the east line of said Northeast Quarter of Northeast Quarter a distance of 375 feet; thence Westerly parallel with said north line of said Northeast Quarter of Northeast Quarter a distance of 610 feet; thence southerly parallel with the east line of said Northeast Quarter of Northeast Quarter, a distance of 75 feet; thence westerly parallel with the north line of said Northeast Quarter of Northeast Quarter, a distance of 205 feet, more or less, to a point on the west line of said Northeast Quarter of Northeast Quarter.

Description of Line "C"

Beginning at the Northeast corner of said Northeast Quarter of Northeast Quarter; thence Westerly along the north line of said Northeast Quarter of Northeast Quarter a distance of 523 feet; thence Southerly parallel with the east line of said Northeast Quarter of Northeast Quarter a distance of 375 feet; thence Westerly parallel with said north line of said Northeast Quarter of Northeast Quarter a distance of 315 feet to the point of beginning of Line "C"; thence southerly to a point on the north boundary line of the State Trunk Highway Number 23 Right-of-Way, said point located 400 feet easterly of a point which is the intersection of the State Trunk Highway Number 23 Right-of-Way and the west boundary line of said Northeast Quarter of Northeast Quarter.

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Description of Line "D"

Beginning at the Northeast corner of said Northeast Quarter of Northeast Quarter; thence Westerly along the north line of said Northeast Quarter of Northeast Quarter a distance of 523 feet; thence Southerly parallel with the east line of said Northeast Quarter of Northeast Quarter a distance of 375 feet; thence Westerly parallel with said north line of said Northeast Quarter of Northeast Quarter a distance of 445 feet to the point of beginning of Line "D"; thence southerly to a point on the north boundary line of the State Trunk Highway Number 23 Right-of-Way, said point located 200 feet easterly of a point which is the intersection of the State Trunk Highway Number 23 Right-of-Way and the west boundary line of said Northeast Quarter of Northeast Quarter.

AND EXCEPT:

All that part of the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ of NE $\frac{1}{4}$), Section Thirty-four (34), Township Thirty-nine (39) North, Range Twenty-five (25) West that lies northerly of the State Trunk Highway Number 23 Right-of-Way, easterly of the west boundary line of said Northeast Quarter of Northeast Quarter, southerly of Line "A" described below, and westerly of line "D" described below.

Description of Line "A"

Beginning at the Northeast corner of said Northeast Quarter of Northeast Quarter; thence Westerly along the north line of said Northeast Quarter of Northeast Quarter a distance of 523 feet; thence Southerly parallel with the east line of said Northeast Quarter of Northeast Quarter a distance of 375 feet; thence Westerly parallel with said north line of said Northeast Quarter of Northeast Quarter a distance of 610 feet; thence southerly parallel with the east line of said Northeast Quarter of Northeast Quarter, a distance of 75 feet; thence westerly parallel with the north line of said Northeast Quarter of Northeast Quarter, a distance of 205 feet, more or less, to a point on the west line of said Northeast Quarter of Northeast Quarter.

Description of Line "D"

Beginning at the Northeast corner of said Northeast Quarter of Northeast Quarter; thence Westerly along the north line of said Northeast Quarter of Northeast Quarter a distance of 523 feet; thence Southerly parallel with the east line of said Northeast Quarter of Northeast Quarter a distance of 375 feet; thence Westerly parallel with said north line of said Northeast Quarter of Northeast Quarter a distance of 445 feet to the point of beginning of Line "D"; thence southerly to a point on the north boundary line of the State Trunk Highway Number 23 Right-of-Way, said point located 200 feet easterly of a point which is the intersection of the State Trunk Highway Number 23 Right-of-Way and the west

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boundary line of said Northeast Quarter of Northeast Quarter.

1 **AND EXCEPT:**

All that part of the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ of NE $\frac{1}{4}$), Section Thirty-four (34), Township Thirty-nine (39) North, Range Twenty-five (25) West that lies northerly of the State Trunk Highway Number 23 Right-of-Way, and that lies southerly of Line "A" described below, and westerly of line "B" described below, and easterly of line "C" described below:

Description of Line "A"

Beginning at the Northeast corner of said Northeast Quarter of Northeast Quarter; thence Westerly along the north line of said Northeast Quarter of Northeast Quarter a distance of 523 feet; thence Southerly parallel with the east line of said Northeast Quarter of Northeast Quarter a distance of 375 feet; thence Westerly parallel with said north line of said Northeast Quarter of Northeast Quarter a distance of 610 feet; thence southerly parallel with the east line of said Northeast Quarter of Northeast Quarter, a distance of 75 feet; thence westerly parallel with the north line of said Northeast Quarter of Northeast Quarter, to a point on the west line of said Northeast Quarter of Northeast Quarter, a distance of 205 feet, more or less.

Description of Line "B"

Beginning at the Northeast corner of said Northeast Quarter of Northeast Quarter; thence Westerly along the north line of said Northeast Quarter of Northeast Quarter a distance of 523 feet; thence Southerly parallel with the east line of said Northeast Quarter of Northeast Quarter a distance of 375 feet; thence Westerly parallel with said north line of said Northeast Quarter of Northeast Quarter a distance of 115 feet to the point of beginning of Line "B"; thence southerly to a point on the north boundary line of the State Trunk Highway Number 23 Right-of-Way, said point located 600 feet easterly of a point which is the intersection of the State Trunk Highway Number 23 Right-of-Way and the west boundary line of said Northeast Quarter of Northeast Quarter.

Description of Line "C"

Beginning at the Northeast corner of said Northeast Quarter of Northeast Quarter; thence Westerly along the north line of said Northeast Quarter of Northeast Quarter a distance of 523 feet; thence Southerly parallel with the east line of said Northeast Quarter of Northeast Quarter a distance of 375 feet; thence Westerly parallel with said north line of said Northeast Quarter of Northeast Quarter a distance of 315 feet to the point of beginning of Line "C"; thence southerly to a point on the north boundary line

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of the State Trunk Highway Number 23 Right-of-Way, said point located 400 feet easterly of a point which is the intersection of the State Trunk Highway Number 23 Right-of-Way and the west boundary line of said Northeast Quarter of Northeast Quarter.

8 AND EXCEPT

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All of that part of the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ of NE $\frac{1}{4}$), Section Thirty-four (34), Township Thirty-nine (39) North, Range Twenty-five (25) West, Kanabec County, Minnesota, that lies southerly of Line "A" described below, and easterly of line "B" described below, and northerly of line "C" described below, and westerly of the west boundary line of the Exception to this property described below, and westerly of the Southerly extension of the west boundary line of said Exception, said Southerly extension of the west boundary line terminating at the point of intersection with line "C" described below;

EXCEPT, the following described property:

Beginning at the Northeast corner of said Northeast Quarter of Northeast Quarter; thence westerly along the north line of said Northeast Quarter of Northeast Quarter a distance of 320.00 feet; thence southerly parallel with the east line of said Northeast Quarter of Northeast Quarter, a distance of 300.00 feet; thence easterly parallel with the north line of said Northeast Quarter of Northeast Quarter, a distance of 320.00 feet to said east line; thence northerly on said east line of the Northeast Quarter of the Northeast Quarter a distance of 300.00 feet to said point of beginning.

Description of Line "A"

Beginning at the Northeast corner of said Northeast Quarter of Northeast Quarter; thence Westerly along the north line of said Northeast Quarter of Northeast Quarter a distance of 523 feet and there terminating.

Description of Line "B"

Beginning at the Northeast corner of said Northeast Quarter of Northeast Quarter; thence Westerly along the north line of said Northeast Quarter of Northeast Quarter a distance of 523 feet to the point of beginning of Line "B"; thence Southerly parallel with the east line of said Northeast Quarter of Northeast Quarter a distance of 375 feet; thence Westerly parallel with said north line of said Northeast Quarter of Northeast Quarter a distance of 115 feet; thence southerly to a point on the north boundary line of the State Trunk Highway Number 23 Right-of-Way, said point located 600 feet easterly of a point which is the intersection of the State Trunk Highway Number 23 Right-of-Way and the west boundary line of said Northeast Quarter of Northeast Quarter.

Description of Line "C"

Beginning at the Northeast corner of said Northeast Quarter of Northeast Quarter; thence southerly along the east line of said Northeast Quarter of Northeast Quarter a distance of 475 feet; thence westerly parallel with the north line of said Northeast Quarter of Northeast Quarter to a point on Line B, and there terminating.

