

ORDINANCE NO. 2003-01
EXTENDING THE CORPORATE LIMITS
OF THE CITY OF ELGIN
TO INCLUDE CERTAIN UNINCORPORATED LAND
ABUTTING THE CITY OF ELGIN

WHEREAS, Minnesota Statute §414.033 allows a city to annex land into the city limits by ordinance when: a) the land abuts the municipality, b) the land area is less than 60 acres, c) the city receives a petition for annexation from all property owners of the land, and d) the area to be annexed is not presently served by public sewer facilities, and

WHEREAS, the City of Elgin has received petitions dated April 24, 2003 from Harold Schumacher and Judith Schumacher, being all of the owners of the property described on Exhibit A hereto, no part of which is now included in the city limits of the City of Elgin, and

WHEREAS, the petitioners' lands taken together abut the City, and

WHEREAS, the land is approximately 23.32 acres in area, and

WHEREAS, the property to be annexed is not presently served by public sewer facilities, and

WHEREAS, the City believes the land is about to become urban or suburban in character because the area in which the property is located is between the City of Elgin on the north, which includes single-family housing, and Woodland Estates Subdivision, a residential single-family housing addition on the south, and the property to be annexed will be used for construction of new single-family homes in a residential subdivision to be developed by petitioners, and

WHEREAS, a public hearing was held on July 21, 2003 pursuant to Minnesota Statute §414.033, Subd.2(b), and 30 days' written notice was given by certified mail to Elgin Township and to all landowners within and contiguous to the area to be annexed, and

WHEREAS, the City feels that annexation of the property by ordinance is in the best interests of the citizens of the City of Elgin;

NOW THEREFORE, IT IS ORDAINED BY THE CITY OF ELGIN, MINNESOTA
AS FOLLOWS:

1. The land described on Exhibit A hereto is declared annexed to the City of Elgin, and the corporate limits of the City of Elgin are hereby extended to include said land.
2. A certified copy of this ordinance shall be immediately forwarded by the City Attorney to the Wabasha County Auditor and to the state agency responsible for annexations, together with appropriate filing fees. A certified copy shall also be forwarded to the Elgin Township Clerk, Secretary of State, and the petitioners.
3. This ordinance shall take effect upon the latest of date of passage, approval by the state agency, and publication according to law.

Dated: 8-18-03

Kevin Keilholtz
Kevin Keilholtz, Mayor

Carol Anderson
Carol Anderson, City Clerk

LAND DESCRIPTION OF ANNEXATION TO CITY

That part of the south 50.00 feet lying east of the east line of the west 900.00 feet of the Southeast Quarter of the Northeast Quarter of Section 27, Township 108 North, Range 12 West, Wabasha County, Minnesota.

AND

That parts of the Southwest Quarter of the Northwest Quarter and the Northwest Quarter of the Southwest Quarter all in Section 26, Township 108 North, Range 12 West, Wabasha County, Minnesota described as follows:

Beginning at the west corner of said Section 26; thence on an assumed bearing of North 00°06'43" East 50.00 feet along the west section line of said Section 26; thence North 57°50'10" East 1261.06 feet; thence South 00°00'00" West 442.32 feet; thence South 40°58'17" West 1454.97 feet; thence South 89°53'24" East 777.66 feet thence; South 0°00'00" West 500.00 feet to the south line of the said Northwest Quarter of the Southwest Quarter of said Section 26; thence North 89°53'24" West 900.00 feet to the southwest corner of said Northwest Quarter of the Southwest Quarter; thence North 00°22'42" East 1319.35 feet to the point of beginning.

Excepting

That part of the Southwest Quarter of the Northwest Quarter and the Northwest Quarter of the Southwest Quarter all in Section 26, Township 108 North, Range 12 West, Wabasha County, Minnesota, described as follows:

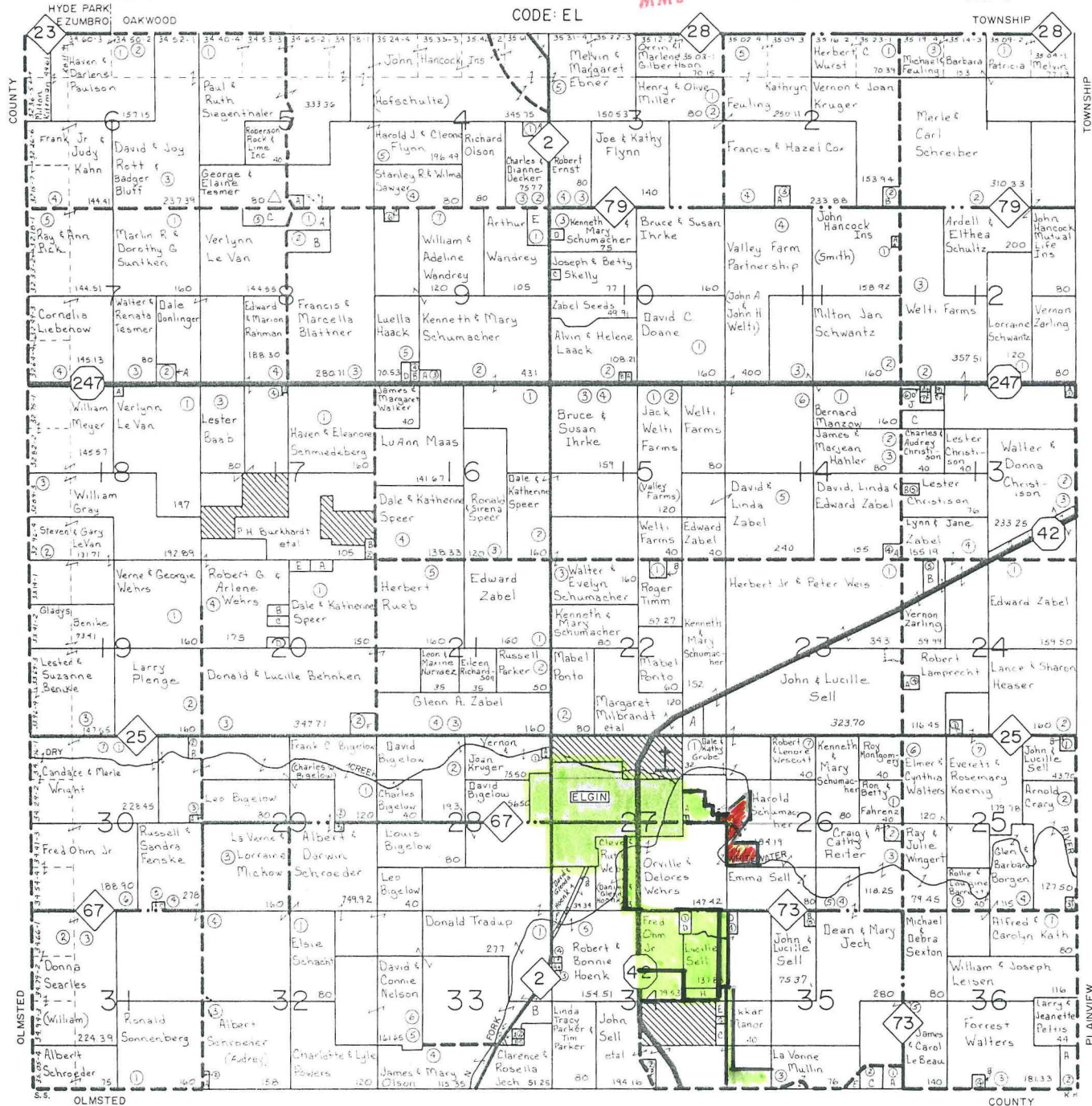
Commencing at the northwest corner of the Northwest Quarter of said Southwest Quarter; thence South 00 degrees 01 minutes 55 seconds (NOTE: all bearings are in relationship with the west line of said Southwest Quarter which is assumed) along the west line of the Northwest Quarter of said Southwest Quarter for a distance of 140.00 feet to the POINT OF BEGINNING of the Parcel to be described; thence North 61 degrees 34 minutes 57 seconds East for a distance of 216.22 feet; thence North 52 degrees 00 minutes 20 seconds East for a distance of 114.20 feet; thence North 47 degrees 14 minutes 19 seconds East for a distance of 211.43 feet; thence North 59 degrees 57 minutes 18 seconds East for a distance of 130.31 feet; thence North 77 degrees 41 minutes 08 seconds East for a distance of 116.29 feet; thence North 63 degrees 22 minutes 13 seconds East for a distance of 65.41 feet; thence North 35 degrees 34 minutes 44 seconds East for a distance of 67.78 feet; thence North 10 degrees 33 minutes 04 seconds East for a distance of 55.29 feet; thence North 27 degrees 27 minutes 54 seconds West for a distance of 47.26 feet; thence north 81 degrees 45 minutes 39 seconds East for a distance of 243.65 feet; thence South 07 degrees 10 minutes 25 seconds East for a distance of 34.03 feet; thence South 54 degrees 01 minutes 09 seconds West for a distance of 163.86 feet; thence South 44 degrees 16 minutes 07 seconds West for a distance of 232.48 feet; thence South 45 degrees 00 minutes 16 seconds West for a distance of 313.60 feet; thence South 60 degrees 53 minutes 00 seconds West for a distance of 166.01 feet; thence South 38 degrees 24 minutes 50 seconds West for a distance of 44.94 feet; thence South 13 degrees 25 minutes 10 seconds East for a distance of 267.53 feet; thence South 76 degrees 37 minutes 33 seconds West for a distance of 298.26 feet; thence north 00 degrees 55 minutes 25 seconds West for a distance of 219.52 feet to the centerline of the driveway; thence North 30 degrees 43 minutes 14 seconds West along the centerline of said driveway for a distance of 141.35 feet to the POINT OF BEGINNING. Containing 5.02 Acres, more or less. Above Parcel is subject to the Right of Way easement for any portion of the existing Township Road over the westerly side thereof.

The above described parcel contain, 23.32 acres.



SEP 17 2002 RANGE: 12 W

CODE: EL



SEE SMALL TRACT OWNERS FOLLOWING TOWNSHIP MAPS

CORPORATE LIMITS

 PROPERTY TO BE ANNEKED

