

ORDINANCE NO. 828**AN ORDINANCE ANNEXING CERTAIN LANDS INTO THE CITY OF WASECA,
MINNESOTA AND ESTABLISHING ZONING THEREOF**

WHEREAS, Craig and Theresa Berberich, William and Diane Kemp, and Michael and Mary Conway are the sole owners of the property described in Exhibit "A", attached hereto and incorporated herein by this reference (the **Property**); and

WHEREAS, The City Council for the City of Waseca had previously introduced and adopted Ordinance Numbers 819, 820, and 821 annexing and establishing zoning for the three parcels of land; and

WHEREAS, The City of Waseca held a public hearing on Ordinances 819, 820, and 821 to accept public comment on the annexations on July 8, 2003; and July 15, 2003

WHEREAS, The property described in Exhibit "A" encompasses three separate contiguous parcels of land, thereby meeting the statutory requirements of 414.033 Subdivision 2, Clause 2 as specified by Minnesota Planning, Boundary Adjustments; and

WHEREAS, The Property is depicted in Exhibit "B" attached hereto and incorporated herein by this reference; and

WHEREAS, The property described in Exhibit "A" is completely surrounded by land within the municipal city limits; and

WHEREAS, Woodville Township and all landowners within and contiguous to the property have been given thirty (30) days notice by certified mail of the annexation; and

WHEREAS, A public hearing has been held in regards to the annexation; and

WHEREAS, Electric services provided to the area will not change following annexation.


**NOW, THEREFORE, THE CITY COUNCIL OF WASECA, MINNESOTA
DOES HEREBY DETERMINE, FIND AND ORDAIN:**

Section 1. That the Property described in Exhibit "A" is completely surrounded by the municipal city limits of Waseca.

SEP 24 2003

- Section 2. That the Property is 11.48 acres in size, that the property is not served by public sewer facilities and public sewer facilities are not otherwise available.
- Section 3. That the above-described parties are the sole owners of the property to be annexed by this ordinance.
- Section 4. That the corporate limits of the City of Waseca are extended to include the property and shall be zoned R-1 Suburban Residential upon annexation.
- Section 5. Certified copies of this ordinance shall be filed with Minnesota Planning, the Minnesota Secretary of State, the Waseca County Auditor, the Waseca County Recorder, and the Clerk of the Woodville Township Board.
- Section 6. This ordinance shall be effective: upon passage and legal publication and the filing of the certified copies as described in Section 5; and, upon approval of the Ordinance by Minnesota Planning.

Adopted by the City Council of Waseca, Minnesota, this 16th day of September 2003.


FRAN ZWACH
ACTING MAYOR

ATTEST:


MARY BUENZOW
RECORDS SECRETARY

Introduced: September 2, 2003
Adopted: September 16, 2003
Published: September 23, 2003
Effective: October 3, 2003

Exhibit "A" – Legal Description

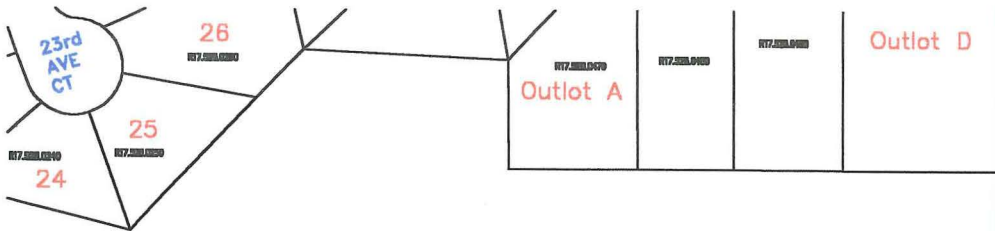
All that part of the South One-half of the Southwest Quarter ($S \frac{1}{2}$ of $SW \frac{1}{4}$) of Section Five (5), Township One Hundred Seven (107) North, Range Twenty-two (22) West, described as:

Commencing at the Northwest corner of Lot 13, Block 1, Oak View Addition, Waseca, Minnesota; thence North $0^{\circ} 36'$ East, assumed bearing, to the North line of the $S \frac{1}{2}$ of the $SW \frac{1}{4}$ of Section 5, Township 107 North, Range 22 West; thence east on the said north line 125 feet; thence South $0^{\circ} 36'$ West to the Northeast Corner of said Lot 13; thence west on the north line of said Lot 13 to the Northwest Corner thereof, being the point of beginning, subject to easements and rights of ways of record, and assuming the west line of the $SW \frac{1}{4}$ of Section 5 to be North 0° East;

ALSO Commencing at the Northwest corner of Lot Fourteen (14), Block One (1), Oak View Addition, Waseca, Minnesota; thence North $0^{\circ} 36'$ East, assumed bearing to the north line of the $S \frac{1}{2}$ of $SW \frac{1}{4}$ of Section 5, Township 107 North, Range 22 West; thence East on said North line of the said $S \frac{1}{2}$ of $SW \frac{1}{4}$ to the east line thereof; thence south on the said east line to the Northeast Corner of said Lot 14; thence west on the north line of said Lot 14 to the Northwest Corner thereof, being the point of beginning, subject to easements and rights of ways of record and assuming the west line of the $SW \frac{1}{4}$ of Section 5 to be North 0° East;

ALSO that parcel of land contiguous to Lot Eleven (11), Block One (1), Oak View Addition, Waseca, Minnesota. described as: commencing at the Northwest corner of said Lot Eleven (11), thence N $0^{\circ} 36'$ E, assumed bearing, to the North line of the South One-Half of the Southwest Quarter ($S \frac{1}{2}$ of $SW \frac{1}{4}$) of Section Five (5), Township One Hundred Seven (107) North, Range Twenty-two (22) West; thence East on the said North Line One Hundred Twenty-five (125) feet; thence S $0^{\circ} 36'$ W to the Northeast corner of said Lot Eleven (11); thence West on the North line of said Lot Eleven (11) to the Northwest corner thereof being the point of beginning, subject to easements and right of ways of record and assuming the West line of the Southwest Quarter ($SW \frac{1}{4}$) of Section Five (5) to be N 0° E;

ALSO that parcel of land contiguous to Lot Twelve (12), Block One (1), Oak View Addition, Waseca, Minnesota described as commencing at the Northwest corner of said Lot Twelve (12), Block One (1), Oak View Addition, Waseca, Minnesota thence N $0^{\circ} 36'$ E, assumed bearing to the North line of the South One-Half of the Southwest Quarter ($S \frac{1}{2}$ of $SW \frac{1}{4}$) of Section Five (5), Township One Hundred Seven (107) North, Range Twenty-two (22) West; thence east on the said North line one Hundred Twenty-five (125) feet; thence S $0^{\circ} 36'$ W to the Northeast corner of said Lot Twelve (12); thence West on the North Line of said Lot Twelve (12) to the Northwest corner thereof, being the point of beginning, subject to easements and right of ways of record, and assuming the west line of the Southwest Quarter ($SW \frac{1}{4}$) of Section Five (5) to be N 0° E.



REC'D BY
MMB

SEP 24 2003

46
1p3

City



R-2

City

107-5

107-5

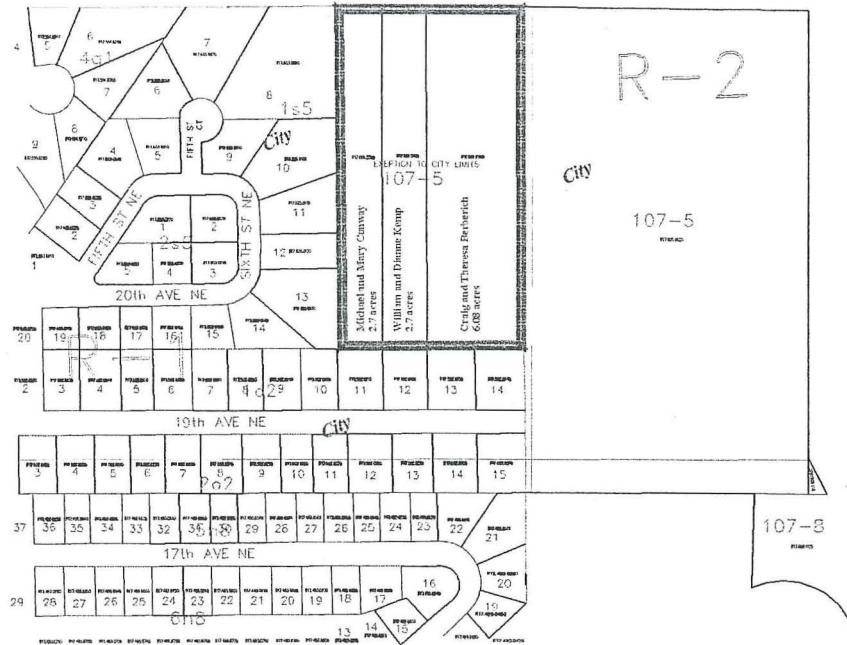


Exhibit "B" - Depiction