

ORDINANCE NO. 1401.00

REC'D BY
MMB

FEB 11 2005

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF WATERVILLE, LE SUEUR COUNTY, MINNESOTA, TO INCLUDE CERTAIN LAND OWNED BY BRADLEY BETHKE WHICH ABUTS THE CITY OF WATERVILLE, LE SUEUR COUNTY, MINNESOTA, A MINNESOTA MUNICIPAL CORPORATION.

WHEREAS, Bradley Bethke has filed a Petition dated January 26th, 2004, requesting that certain land legally described as follows:

That part of the South Half of the Southwest Quarter of the Southeast Quarter of Section 27, Township 109 North, Range 23 West, Le Sueur County, Minnesota described as follows: Beginning at the South Quarter Comer of said Section 27 thence North 00 degrees 47 minutes, 49 seconds East, on the West line of said South Half of the Southeast Quarter, 661.88 feet to the Northwest Corner of said South Half of the Southwest Quarter of the Southeast Quarter, thence South 89 degrees, 56 minutes, 27 seconds East, on the North Line of said South Half of the Southwest Quarter of the Southeast Quarter; 930.96 feet to a point 396.00 feet West of the Northeast Corner of said South Half of the Southwest Quarter of the Southeast Quarter, thence South 00 degrees, 36 minutes, 59 seconds West, parallel to the East Line of said South Half of the Southwest Quarter of the Southeast Quarter, 359.61 feet to the Northerly right of way Line of the Sakatah Singing Hills Trail; thence Southwesterly, on said right of way line, a distance of 51.43 feet along a non tangential curve to the left having a radius of 5449.65 feet, a central angle of 00 degrees 30 minutes, 35 seconds and a 51.43 foot chord which bears South 46 degrees 28 minutes 28 seconds . West; thence South 46 degrees 13 minutes 10 seconds West, on said right of way line, tangent to said curve, 383.38 feet to the South Half of the Southwest Quarter of the Southeast Quarter; thence South 89 degrees 56 minutes 46 seconds West, on said South Line, 622.21 feet to the point of beginning. Said parcel of land contains 13.08 acres of land more or less and is subject to and together with any and all easements of record.

And

That part of the Northwest Quarter of the Northeast Quarter of Section 34, Township 109, Range 23 West, Le Sueur County, Minnesota. Described as follows: Beginning at the North Quarter of said Section 34; thence 00 degrees 22 minutes 44 seconds West, on the West Line of said Northeast Quarter, 493.36 feet to the Northerly right of way line, a distance of 543.03 feet along a non tangential curve to the left having a radius of 1859.86 feet, a central angle of 16 degrees 27 minutes 05 seconds and a 532.19 foot chord which bears North 54 degrees 26 minutes 42 seconds East; thence North 46 degrees 13 minutes 10 seconds East, tangent to said curve, 266.62 feet to the North Line of said Northwest Quarter of the Northeast Quarter; thence South 89 degrees 56 minutes 46 seconds West on said North Line, 622.21 feet of land more or less and is subject to and together with any and all easements of record.

to be annexed with the City of Waterville, Le Sueur County, Minnesota, a Minnesota Municipal Corporation (hereinafter City of Waterville); and,

WHEREAS, Bradley Bethke represents that he is the sole owner of the above identified and legally described property, that the property is unincorporated, abuts the boundary limits of the City of Waterville, is not included with any other municipality, and is not included in any area that has already been designated for orderly annexation pursuant to Minnesota Statute §414.0325, will use this site for residential purposes, will need city services of sewer and water of which are presently unavailable to the property and is approximately 13.08 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,

WHEREAS, public hearing regarding the matter was held on August 3, 2004 at 7:00 p.m. in the Waterville City Hall per Minn. Stat. §414.033, Subd. 2(2b).

NOW THEREFORE, the City Council of the City of Waterville, 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 sixty (60) acres or less, that the property is not included in any area that has been designated for orderly annexation pursuant to Minnesota Statutes §414.0325, that the municipality has received a properly prepared Petition for annexation from the owner of the property, and that the Petition complies with all provisions of Minnesota Statute §414.033.

Section 2: The property is urban in nature or about to become so and will be used for residential purposes and will need city sewer and water services.

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


Section 4: The City Administrator is directed to file certified copies of this ordinance with Minnesota Planning, Waterville Township, the Le Sueur County Auditor, the Le Sueur County Recorder, and the Minnesota Secretary of State.

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

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

Amended this 1st day of February, 2005.


Allen Benson, Mayor


Jennifer Grobe
City Clerk/Administrator

Council Member Allen Benson introduced the above ordinance and moved its amendment to correct an error in the legal description of said property.

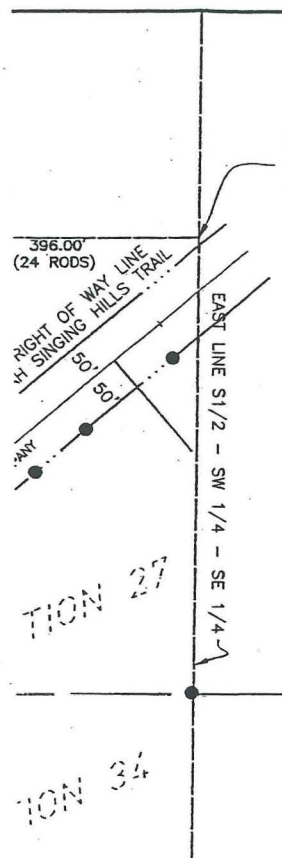
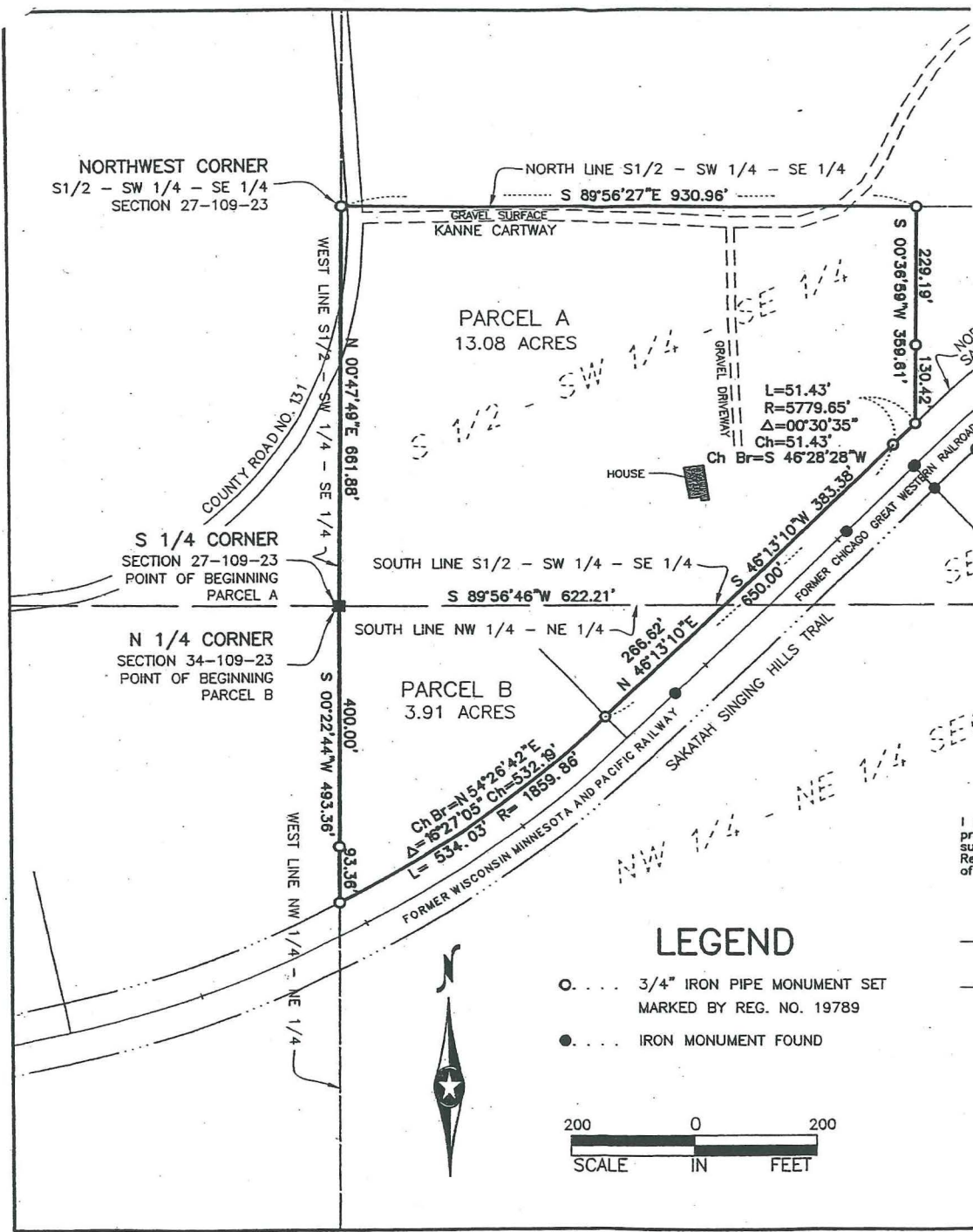
Council Member Susan Cutts seconded the foregoing amended ordinance.

And the following voted in favor thereof: Allen Benson, Susan Cutts, Valerie Vail, and Alan Schmidtke

And the following voted against: NONE

whereby the ordinance was declared duly past and ordained.

This is a true and correct copy of City of Waterville Ordinance No. 1401. 00 as attested to by City Clerk/Administrator Jennifer Grobe.



by certify that this survey was
sd by me or under my direct
sion and that I am a duly
red Land Surveyor under the laws
State of Minnesota.

Rory Jensen
RORY JENSEN
12/02 License No. 19789
late

SKETCH OF SURVEY
CITY OF WATERVILLE, MINNESOTA

BOLTON & MENK, INC.
Consulting Engineers & Surveyors
21 NORTH LEXINGTON, LE CENTER, MN 56057 (507) 357-4482
AMES, IA BURNSVILLE, MN FAIRMONT, MN
LIBERTY, MO MANKATO, MN SLEEPY EYE, MN WILLMAR, MN

PART OF S1/2 - SW 1/4 - SE 1/4 OF
SECTION 27-109-23 AND PART OF
NW 1/4 OF NE 1/4 OF
SECTION 34-109-23 WATERVILLE TWP.

FOR: GLADYS MARZAHN