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ORDINANCE NO. 2004-143**AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF
LONSDALE TO INCLUDE CERTAIN LAND OWNED BY
MONTGOMERY/LONSDALE SCHOOL DISTRICT**

WHEREAS, Montgomery/Lonsdale School District have filed a petition dated October 21st, 2003, requesting the annexation by the City of Lonsdale of certain real property (hereinafter "Property") for future school site within the County of Rice, State of Minnesota, described as follows:

That part of the South half of the Southeast quarter of Section 27, Township 112, Range 22, Rice County, Minnesota, described as follows: Beginning at the Southeast corner of said South Half of the Southeast Quarter; thence North 89 degrees 57 Minutes, 26 seconds West, assumed bearing, along the South line of said South Half of the Southeast Quarter 666.34 feet; thence North 0 degrees 01 Minutes 27 seconds East 616.25 feet; thence South 89 degrees 58 minutes 33 seconds East 18.89 feet; thence North 0 degrees 01 minute 06 seconds West, 710.22 feet to the North line of said South Half of the Southeast Quarter; thence North 89 degrees 58 minutes 54 seconds East, along said North line 648.47 feet to the East line of said South Half of the Southeast Quarter; thence South 0 Degrees, 02 Minutes, 44 seconds West, also said East line 1327.16 to the point of beginning. Subject to the right of way of 80th Street West and County State Aid Highway No. 4.

That part of the South Half of the Southeast quarter of Section 27, Township 112, Range 22, Rice County, Minnesota, described as follows: Commencing at the Southeast corner of said South Half of the Southeast Quarter; thence North 89 Degrees 57 Minutes 26 Seconds West, assuming bearing, along the South line of said South Half of the Southeast Quarter, a distance of 729.45 feet to the point of beginning of the tract to be described; thence North 0 Degrees 01 Minute, 27 Seconds East 616.22 feet; thence South 89 Degrees 58 Minutes 33 Seconds East 63.11 feet; thence South 0 degrees 01 minute 27 seconds West 616.25 feet to the South line of said South half of the Southeast Quarter; thence North 89 Degrees 57 Minutes 26 Seconds West, along said South line 63.11 feet to the point of beginning.

WHEREAS, the population of the Property is Zero and all Property owners have joined in the Petition; and

WHEREAS, the Property is unincorporated, abuts on the east boundary of the City of Lonsdale and is not included in any boundary adjustment proceeding pending before the Office of Strategic Long-Range Planning; and

WHEREAS, the Property is approximately 20 acres in size and located within the boundaries of Wheatland Township, County of Rice, State of Minnesota; and

WHEREAS, the Property is not presently served by public sewer facilities or public sewer facilities are not otherwise available, and is or is about to become urban or suburban in character; and

WHEREAS, said Property is currently served by Xcel Energy and electric service utility notice has been served.

NOW, THEREFORE, THE CITY COUNCIL OF LONSDALE, MINNESOTA DOES HEREBY ORDAIN:

Section 1. The City Council hereby determines and finds that the Property abuts the municipality, that the area to be annexed is sixty acres or less, that the area to be annexed is not presently served by public sewer facilities or public sewer facilities are not otherwise available, that the municipality has received a properly prepared Petition for Annexation from all of the owners of the Property, that the area is appropriate for annexation under MINN. STAT. § 414.033, Subd. 2, (3), and that the Petition complies with all the provisions of MINN. STAT. § 414.033.

Section 2. The Property is urban in nature or about to become so.

Section 3. The Property is currently served by Xcel Energy and the utility service notice has been given.

Section 4. Pursuant to law, a public hearing was scheduled, with proper notification given, and held on March 25th, 2004 prior to Council consideration of this ordinance for annexation.

Section 5. The corporate limits of the City of Lonsdale are hereby extended to include the Property such as described above.

Section 6. The City Planner is directed to file certified copies of this ordinance with the Director of the Office of Strategic and Long-Range Planning, Wheatland Township, Rice County Auditor, and the Minnesota Secretary of State.

Section 7. This ordinance takes effect upon its passage and publication and filing of the certified copies as directed in Section 6 herein and approval of the ordinance by the Director of the Minnesota Office of Strategic and Long-Range Planning.

Date: _____


Tim Rud, Mayor

ATTEST:

Joyce Skluzacek, City Administrator