

ORDINANCE NO. 372, SECOND SERIES

**AN ORDINANCE OF THE CITY OF SAINT PETER, MINNESOTA ANNEXING LAND LOCATED
WITHIN THE TOWN OF OSHAWA, NICOLLET COUNTY, MINNESOTA PURSUANT TO MINN. STAT.
414.033, SUBD. 2, PERMITTING ANNEXATION BY ORDINANCE**

WHEREAS, the territory described below is not presently within the corporate limits of any incorporated city and abuts the corporate limits of the City of Saint Peter, Minnesota; and

WHEREAS, this territory is deemed to be urban or suburban in character; and

WHEREAS, a petition requesting annexation has been received which has been signed by all owners of property within the territory subject to annexation by ordinance; and

WHEREAS, the property to be annexed includes approximately 3.6 acres of land; and

WHEREAS, there are zero (0) human inhabitants of the territory subject to annexation by ordinance; and

WHEREAS, the territory to be annexed is not currently served by City owned water or sanitary sewer services; and

WHEREAS, upon recommendation of the Saint Peter Planning and Zoning Commission, the City Council has determined that the annexation of the subject territory is in conformance with the Comprehensive Plan of the City of Saint Peter; and

WHEREAS, on December 13, 2004, a public hearing was conducted by the City Council regarding the annexation of the subject properties.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAINT PETER, NICOLLET COUNTY, MINNESOTA DOES HEREBY ORDAIN:

Section 1. Territory Annexed: Pursuant to Minnesota Statute 414.033, the corporate limits of the City of Saint Peter are hereby extended by annexation of the property described as follows:

Tract: A. Lot 11N1 of the Revised Nicollet County Right-of-Way Plat No. 1 for County State Aid Highway Number 20, Nicollet County, Minnesota.

Section 2. Filing: The City Administrator is directed to file certified copies of this ordinance with the Secretary of State, the County Auditor of Nicollet County, the Town Clerk of Oshawa Township and Minnesota Planning Boundary Adjustments.

Section 3. Effective Date of Annexation: This ordinance takes effect upon its passage, publication and the filing of certified copies as directed in Section 2, and its approval by the Minnesota Municipal Board, now known as Minnesota Planning Municipal Boundary Adjustments.

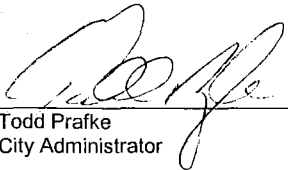
Section 4. Official Map: The Community Development Director is directed to change the Official Zoning Map to reflect the new boundary of the City resulting from annexation of the property.

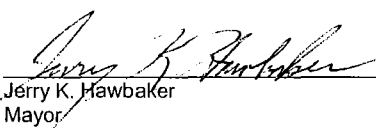
Section 5. Zoning Designation: Upon annexation the properties shall be zoned as R-2 "One and Two Family Residential".

Section 5. Adoption of General Provisions: All the provisions of Chapter 1, of the Saint Peter City Code are made a part hereof and applicable to this Ordinance.

Adopted by the City Council of the City of Saint Peter, Nicollet County, Minnesota this 13th day of December, 2004.

ATTEST:


Todd Prafke
City Administrator


Jerry K. Hawbaker
Mayor

The foregoing Ordinance was adopted by the following votes:

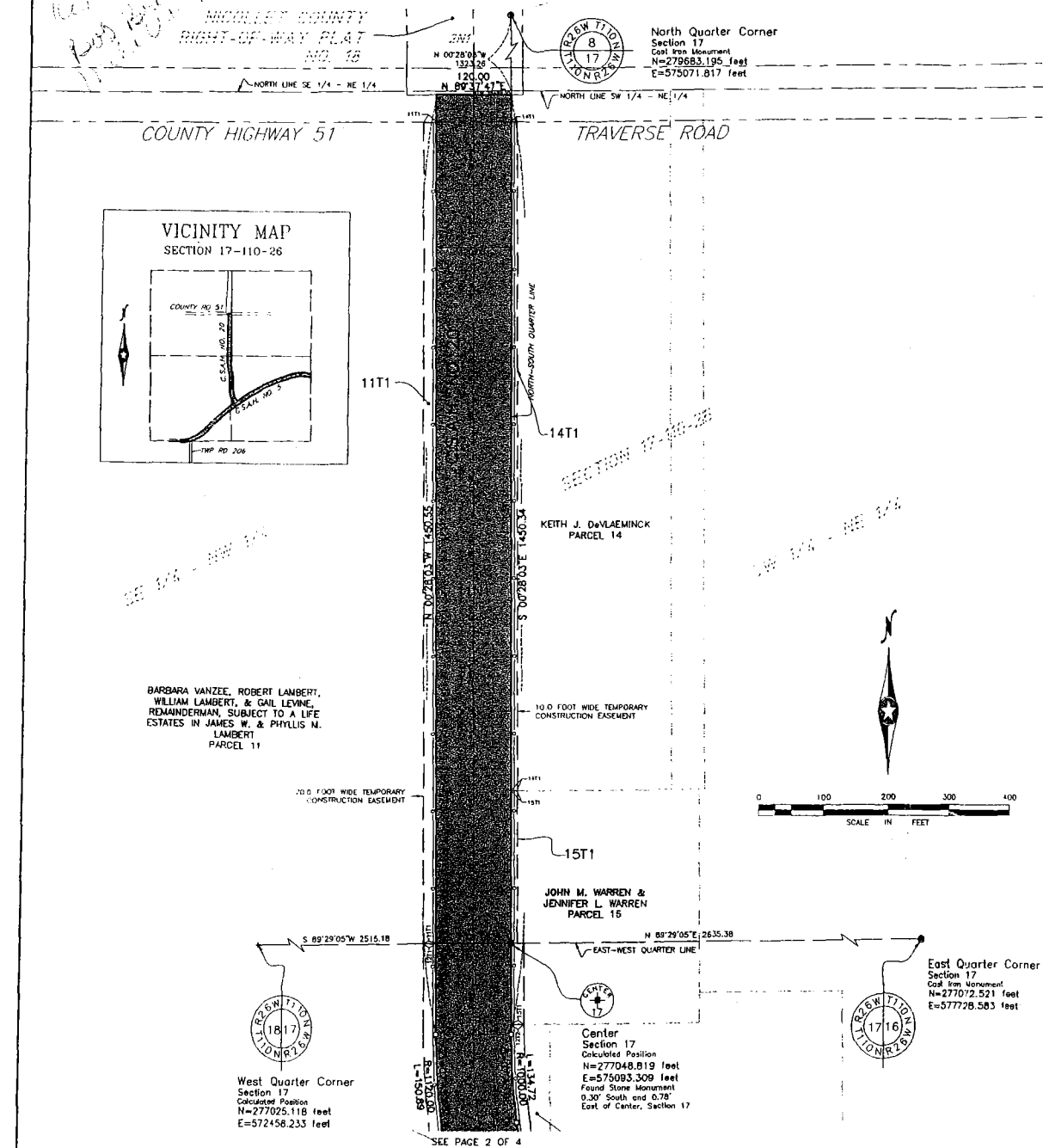
Ayes: Councilmembers Pfeifer, Strand, Kvamme, Gover, Douglas, Brinker, and Mayor Hawbaker

Nayes: None

Abstain: None

Published in the Saint Peter Herald on December 23, 2004.

REVISED NICOLLET COUNTY RIGHT OF WAY PLAT NO. 1



The Board of County Commissioners for Nicollet County, Minnesota, pursuant to board resolution number _____ dated July 13, 2004 is hereby designating the definite location of the Right Of Way of County State Aid Highway Number 5, and County State Aid Highway Number 20. Said Highways being located in Sections 17, and 20, Township 110 North, Range 26 West, Nicollet County, Minnesota.

That portion of said County State Aid Highway Number 5, and County State Aid Highway Number 20 located in Sections 17, and 20, Township 110 North, Range 26 West, as shown on this plat effected by the County of Nicollet, Department of Public Works is hereby certified to be the official plat of that portion of said County State Aid Highway within said sections pursuant to Minnesota Statutes Chapter 160.085 and Chapter 160.14, Subdivision 1.

Nicollet County Highway Engineer
Minnesota Registration No. _____

Date: _____

I hereby certify that this plat was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota; that this plat meets the requirements of Minnesota Statutes Chapter 160.085 and Chapter 160.14, Subdivision 1; that all parcels of land affected by the acquisition are correct as shown on this plat; that all measurements are correctly shown on this plat; and that the right of way boundary lines are correctly designated on this plat.

Janele Fowlds
Minnesota License No. 26748

Date: _____

I hereby certify that this instrument was filed in the office of the County Recorder for record on this _____ day of _____, 2004, at _____ o'clock _____ m., and was duly recorded in Nicollet County Records, as Document Number _____

Nicollet County Recorder

SURVEYOR'S NOTES

- 1) Orientation of this bearing system is the Minnesota County Coordinate System of 1983. (1986 Adjustment)
- 2) Parcel boundaries and corresponding parcel acreages have been determined by current deed evidence of record only.
- 3) The listing of record owners noted in the parcel table was formed from current deeds of record available in Nicollet County records.
- 4) Stationing is shown on this plat for reference only.
- 5) The location and size of the recorded easements ("E" parcels) identified on this plat were determined based on the information contained on NICOLLET COUNTY RIGHT OF WAY PLAT NO. 1, according to the record plat thereof.
- 6) The location and size of the prescriptive easements ("P" parcels) identified on this plat were determined based on the location of the existing maintained public right-of-way.
- 7) As displayed on this REVISED NICOLLET COUNTY RIGHT OF WAY PLAT NO. 1, the right of way and corresponding controlled access for Parcel 1, and that part of the right of way and corresponding controlled access of Parcel 2, lying Northerly and Southerly of C.S.A.H. No. 5, is not currently planned for use as public right-of-way on the original or revised NICOLLET COUNTY RIGHT-OF-WAY PLAT NO. 1.

LEGEND

—	New Centerline	○	3/4" Iron Pipe Monument Set, Marked by
—	Section Line	●	Registration Number 26748
—	Quarter Line	●	Monument Found
—	Shoreline Line	—	Existing Right of Way Line
—	Property Line	—	New Right of Way Line
—	Easement Line	—	New Right of Way Parcels
—	Controlled Access Line		













REC'D BY
M.M.B.
JAN 05 2005

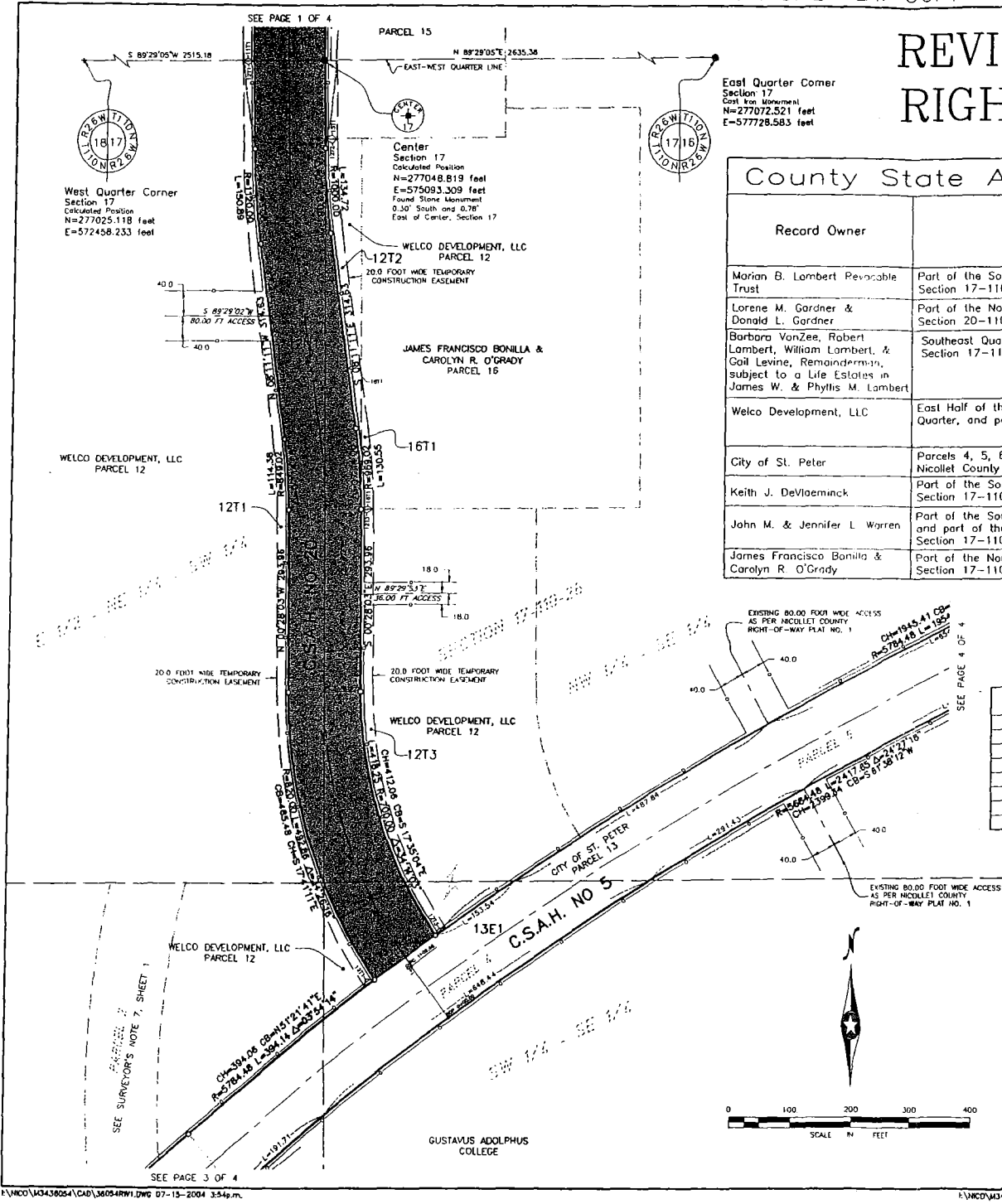
REC'D BY
M.M.B.
DEC 23 2004

REVISED NICOLLET COUNTY
RIGHT OF WAY PLAT NO. 1

County State Aid Highway Right of Way					Easements
Record Owner	Location	New Right of Way Parcel Acquiring from Land Owner (Acres)	Permanent Right-of-Way being Retained (Acres)	Prescriptive Easement being Retained (Acres)	Construction Easement Acquiring from Land Owner (Acres)
Marian B. Lambert Revocable Trust	Part of the Southeast Quarter of the Southwest Quarter of Section 17-110-26	2N1 0.160	-	-	-
Lorene M. Gardner & Donald L. Gardner	Part of the Northwest Quarter of the Northwest Quarter of Section 20-110-26	3N1 0.061	-	3P1 0.277	-
Barbara VanZee, Robert Lambert, William Lambert, & Gail Levine, Remainderman, subject to a Life Estates in James W. & Phyllis M. Lambert	Southeast Quarter of the Northwest Quarter, Section 17-110-26	11N1 3.613	-	-	11T1 0.583
Welco Development, LLC	East Half of the Northeast Quarter of the Southwest Quarter, and part of Lot 1, Block 1, Church of St. Peter	12N1 4.045	-	-	12T1 0.694 12T2 0.211 12T3 0.324
City of St. Peter	Parcels 4, 5, 6, 7, 8, 9, 10, and part of Parcels 2, & 3, Nicollet County Right of Way Plat No. 1	-	13E1 12.919	-	-
Keith J. DeVlaeminck	Part of the Southwest Quarter of the Northeast Quarter of Section 17-110-26	-	-	-	14T1 0.237
Jahn M. & Jennifer L. Warren	Part of the Southwest Quarter of the Northeast Quarter and part of the Northwest Quarter of the Southeast Quarter Section 17-110-26	-	-	-	15T1 0.111
James Francisco Bonilla & Carolyn R. O'Grady	Part of the Northwest Quarter of the Southeast Quarter of Section 17-110-26	-	-	-	16T1 0.062

LOCATION	MONUMENT DESCRIPTION	COORDINATE	
Northwest Corner Section 17, Township 110 North, Range 26 West	Found Cast Iron Monument	NORTHING (FT)	EASTING (FT)
East Quarter Corner Section 17, Township 110 North, Range 26 West	Found Cast Iron Monument	278705.798	577710.979
Southeast Corner Section 17, Township 110 North, Range 26 West	Found Cast Iron Monument	277072.521	577728.583
South Quarter Corner Section 17, Township 110 North, Range 26 West	Found Pk Nail	274439.319	577745.896
Southwest Corner Section 17, Township 110 North, Range 26 West	Found Iron Pipe	274414.925	575114.798
West Quarter Corner Section 17, Township 110 North, Range 26 West	Found County Disc	274389.960	572484.068
Northwest Corner Section 17, Township 110 North, Range 26 West	Calculated Position	277025.118	572458.233
North Quarter Corner Section 17, Township 110 North, Range 26 West	Found Stone Monument	279660.249	572431.852
North Quarter Corner Section 17, Township 110 North, Range 26 West	Found Cast Iron Monument	279683.195	575071.817

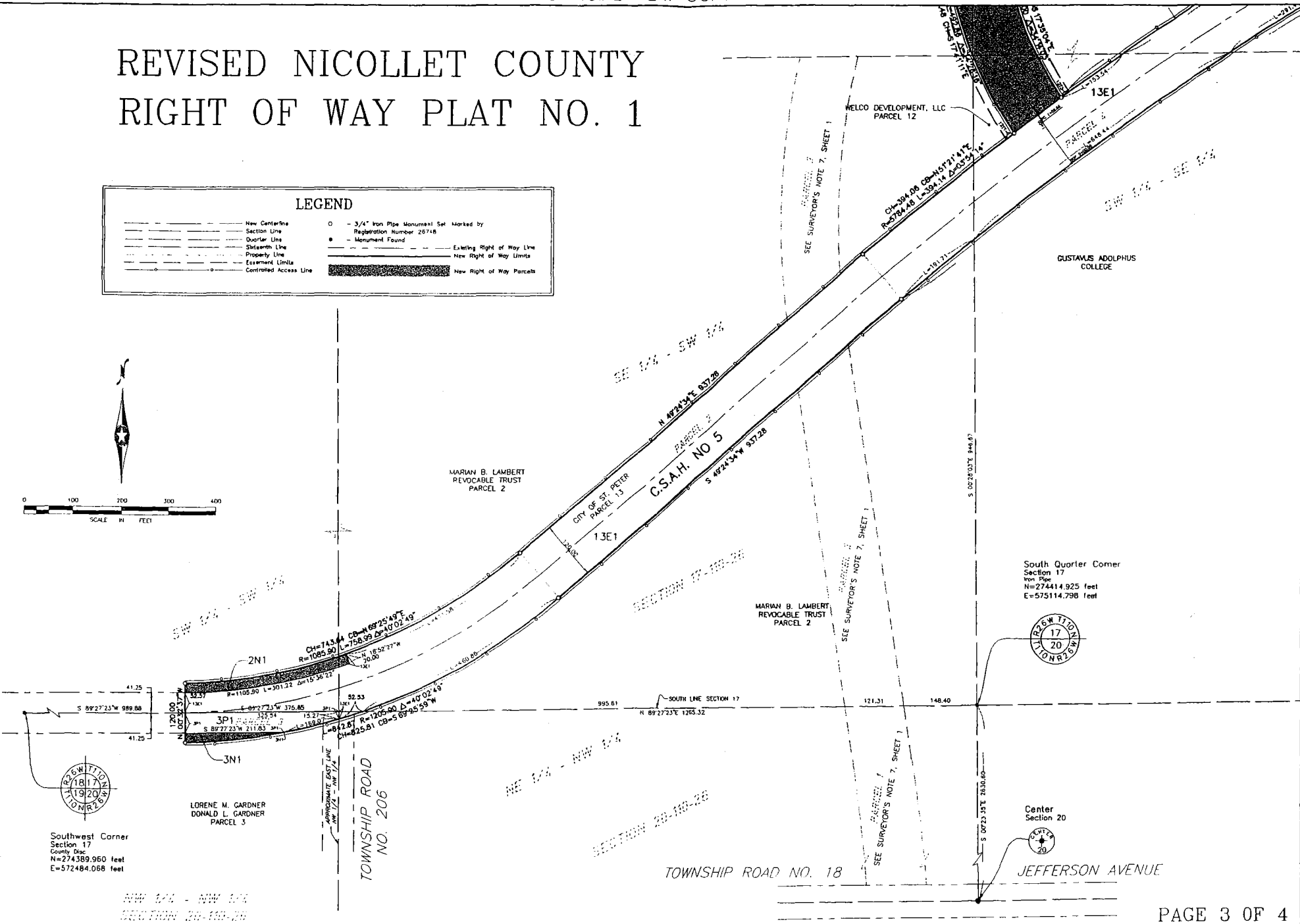
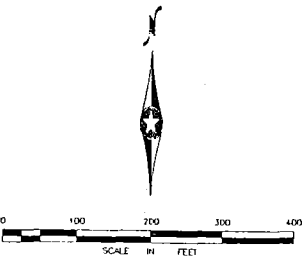
LEGEND	
	New Centerline
	Section Line
	Quarter Line
	Sixteenth Line
	Property Line
	Easement Limits
	Controlled Access Line
	3/4" Iron Pipe Monument Set Marked by Registration Number 26748
	Monument Found
	Existing Right of Way Line
	New Right of Way Limits
	New Right of Way Parcels



REC'D BY
JMB
DEC 2 2004
REC'D BY
JMB
JAN 5 2005

REVISED NICOLLET COUNTY RIGHT OF WAY PLAT NO. 1

LEGEND	
	New Centerline
	Section Line
	Quarter Line
	Sixteenth Line
	Property Line
	Easement Line
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	3/4" Iron Pipe Monument Set Marked by Registration Number 26748
	Monument Found
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	New Right of Way Line
	New Right of Way Parcels



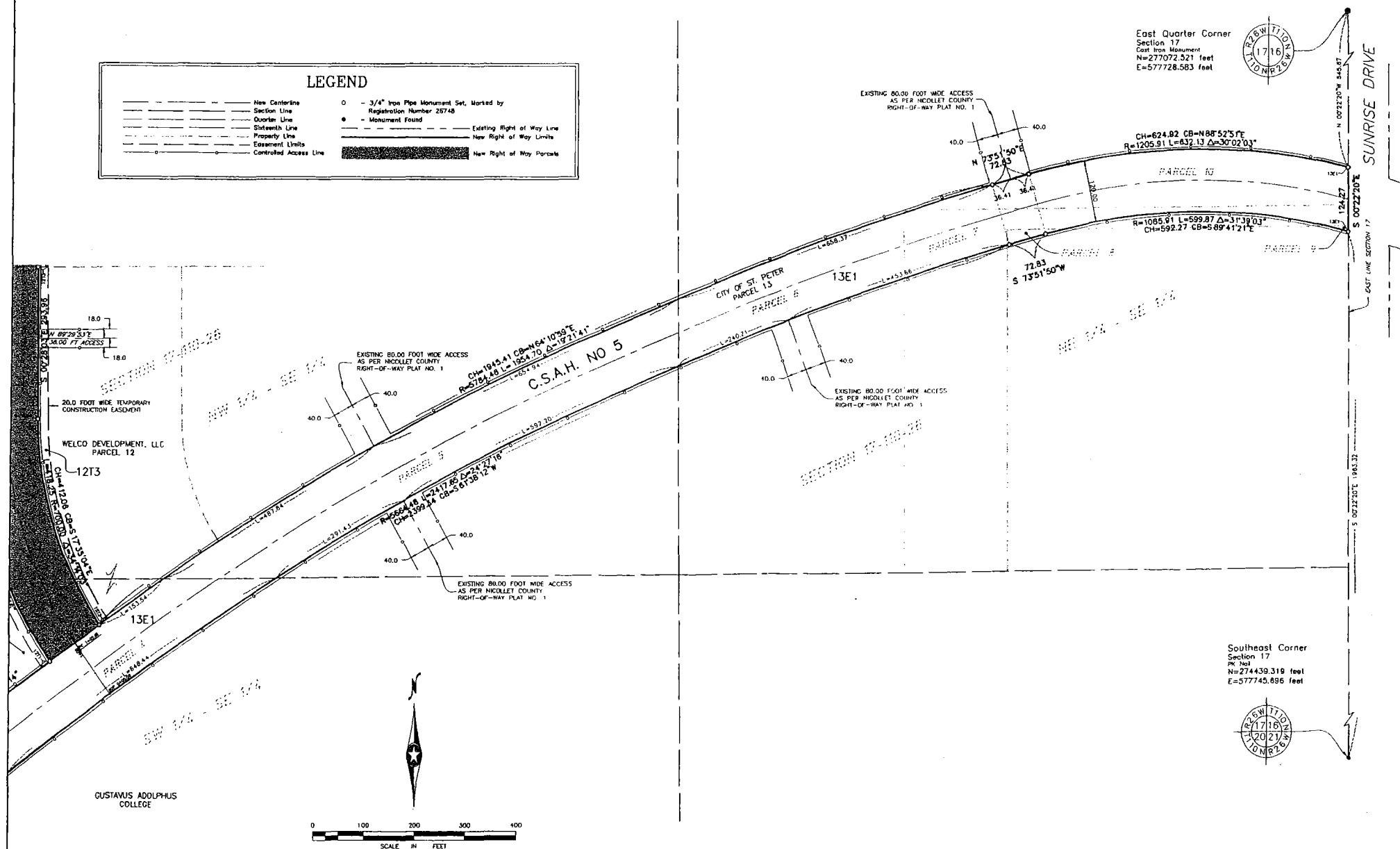
Southwest Corner
Section 17
County Disc
N=274389.950 feet
E=572484.058 feet

South Quarter Corner
Section 17
Iron Pipe
N=274414.925 feet
E=575114.798 feet

Center
Section 20

RECD BY
M.M.B.
JAN 05 2005

REVISED NICOLLET COUNTY RIGHT OF WAY PLAT NO. 1



PAGE 4 OF 4

THIS PLAT PREPARED BY BOLTON & MENK, INC.
DRAWN BY: JAH SEC. 17 & 20-110-20 2.0

REC'D BY
MMB
JAN 05 2005

REC'D
MAY 15 1964