

In Re the Matter of:

The Petition of James E. Fox and Gail L. Lachmiller Fox,
husband and wife, John F. Loewe and Janice Loewe,
husband and wife, Keith D. Peck and LaVonne A. Peck,
husband and wife, Paul J. Koller, a single person, Scott
Churchill, a single person, requesting the annexation of certain
property to the City of Le Sueur, pursuant to M.S.A. 414.033, Subd. 5.

**PETITION
FOR ANNEXATION**

TO: The City of Le Sueur, pursuant to M.S.A. 414.033, Subd. 5.

Comes now the undersigned, James E. Fox and Gail L. Lachmiller Fox, husband
and wife, John F. Loewe and Janice Loewe, husband and wife, Keith D. Peck and
LaVonne A. Peck, husband and wife, Paul J. Koller, a single person, and Scott Churchill,
a single person, who respectfully represent and state:

1. That John F. Loewe and Janice Loewe are the owners of lands located
within the Township of Tyrone, County of Le Sueur, and State of Minnesota, and more
particularly described as follows, to-wit:

See attached Exhibit "A"

2. That Keith D. Peck and LaVonne A. Peck, husband and wife, are the
owners of lands located within the Township of Tyrone, County of Le Sueur and State
of Minnesota and more particularly described as follows, to-wit:

See attached Exhibit "B"

3. That Paul John Koller aka Paul J. Koller, a single person, is the owner of
lands located within the Township of Tyrone, County of Le Sueur and State of
Minnesota and more particularly described as follows, to-wit:

See attached Exhibit "C"

4. That Scott Churchill, a single person, is the owner of lands located within the Township of Tyrone, County of Le Sueur and State of Minnesota and more particularly described as follows, to-wit:

See attached Exhibit "D"

5. That James E. Fox and Gail L. Lachmiller-Fox have a purchase agreement to purchase a portion of the premises described on Exhibit "A".

6. That said premises above described are contiguous with a portion of the northerly and easterly boundary line of the municipal limits of the City of Le Sueur, Minnesota.

7. There is a residential home within the area proposed to be annexed and described as Exhibit "A", owned by Petitioners, John F. Loewe and Janice Loewe and they are the only occupants of such residential home.

There is a residential home within the area proposed to be annexed and described as Exhibit "B" owned by Petitioners, Keith D. Peck and LaVonne A. Peck, and there are the only three occupants of such residential home.

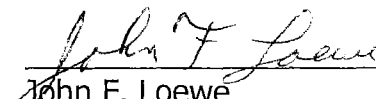
8. The area proposed to be annexed is less than 200 acres and all of the property owners have signed this Petition and are requesting annexation. The lands to be annexed are unplatted and it is intended that the lands to be annexed, once within the municipal limits of the City of Le Sueur, be serviced with municipal sanitary sewer and water from the City of Le Sueur, Minnesota. The premises described on Exhibits "A" and "B" shall be used for residential purposes. The premises described on Exhibits "C" and "D" shall be used for commercial purposes.

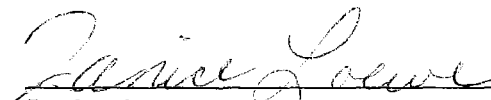
9. That the following parties are entitled to notice under Minnesota Statutes 414.033:

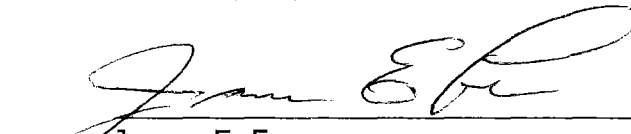
- a. Township of Tyrone, Le Sueur County, Minnesota;
- b. County of Le Sueur;
- c. State of Minnesota, Office of Administration.

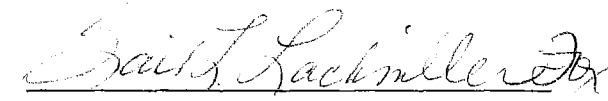
10. That the purpose of this Petition is to have the City of Le Sueur, by ordinance, annex the above described property to the City of Le Sueur, pursuant to Statute.

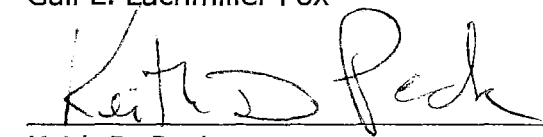
WHEREFORE, your Petitioners pray that the foregoing Petition to annex the above described premises to the City of Le Sueur as herein prayed for be granted.

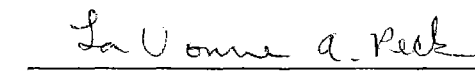

John F. Loewe



Janice Loewe


James E. Fox


Gail L. Lachmiller Fox


Keith D. Peck


LaVonne A. Peck


Paul J. Koller

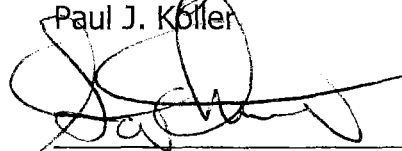

Scott Churchill

Exhibit "A"

Part of the South Half of Section 19, Township 112 North, Range 25 West, Le Sueur County, Minnesota, described as: Beginning at the Northeasterly Corner of HYLAND HILLS (on file and of record at the Le Sueur County Recorder's Office); thence South 09 degrees 17 minutes 40 seconds West (assumed bearing) on the easterly line of HYLAND HILLS, 527.55 feet; thence South 02 degrees 10 minutes 01 seconds East on said easterly line, 206.79 feet; thence South 30 degrees 45 minutes 56 seconds East on said easterly line, 380.00 feet to the Southeasterly Corner of HYLAND HILLS; thence South 57 degrees 50 minutes 32 seconds West on the southerly line of HYLAND HILLS, 291.05 feet to a point on the easterly line of a parcel described in Document Number 306904 as witnessed by found iron pipe monuments; thence South 19 degrees 55 minutes 31 seconds East, 436.46 feet to a found iron pipe monument; thence South 57 degrees 55 minutes 31 seconds East, 123.45 feet to a found iron pipe monument; thence South 78 degrees 50 minutes 41 seconds East, 62.65 feet to a point on the westerly right-of-way line of Trunk Highway Number 169 (the previous 3 courses being along the brow of the bluff on the West side of the ravine) being a point on a 5261.69 foot radius non-tangential curve to the left, having a central angle of 5 degrees 29 minutes 26 seconds, the radius point of said curve bears North 29 degrees 47 minutes 32 seconds West from said point; thence northeasterly on said westerly right-of-way line, 504.23 feet to a point on a 4255.54 foot radius non-tangential curve to the left, having a central angle of 2 degrees 52 minutes 34 seconds, the radius point of said curve bears North 35 degrees 16 minutes 59 seconds West from said point; thence northeasterly on said westerly right-of-way line, 213.61 feet; thence South 38 degrees 09 minutes 32 seconds East on said westerly right-of-way line, 300.00 feet to a point on a 4555.54 foot radius non-tangential curve to the left, having a central angle of 6 degrees 42 minutes 40 seconds, the radius point of said curve bears North 38 degrees 09 minutes 32 seconds West from said point; thence northeasterly on said westerly right-of-way line, 533.60 feet; thence South 44 degrees 52 minutes 13 seconds East on said westerly right-of-way line, 40.00 feet to a point on a 4595.54 foot radius non-tangential curve to the left, having a central angle of 5 degrees 57 minutes 22 seconds, the radius point of said curve bears North 44 degrees 52 minutes 13 seconds West from said point; thence northeasterly on said westerly right-of-way line, 477.73 feet to the West line of a parcel described in Document Number 219889; thence North 00 degrees 16 minutes 08 seconds West on said West line, 719.51 feet to the southerly line of a parcel described in Document Number 275863 as witnessed by found iron pipe monuments; thence South 60 degrees 03 minutes 11 seconds West on said southerly line and the southerly line of a parcel described in Document Number 252598 as witnessed by found iron pipe monuments, a distance of 325.05 feet to the Southwesterly corner of said parcel; thence North 29 degrees 44 minutes 25 seconds West on the westerly line of

said parcel, 153.01 feet to a found iron pipe monument; thence North 11 degrees 54 minutes 46 seconds East on said westerly line, 647.88 feet to a found iron pipe monument designating the Southeasterly corner of a parcel described in Document No. 318692; thence South 75 degrees 06 minutes 57 seconds West on the southerly line of said parcel, 564.24 feet to a found iron pipe monument; thence South 41 degrees 47 minutes 07 seconds West on said southerly line, 235.53 feet to a found iron pipe monument designating the Southwesterly Corner of said parcel; thence South 77 degrees 21 minutes 11 seconds West on the southerly line of a parcel described in Document Number 303951, a distance of 473.78 feet to a found iron pipe monument being on the East line of a parcel described in Document Number 309289; thence South 00 degrees 32 minutes 38 seconds East on said East line, 42.00 feet to a found iron pipe monument designating the Southeast corner of said parcel; thence South 89 degrees 27 minutes 22 seconds West on the South line of said parcel, 323.57 feet to the point of beginning. Said parcel contains 60.48 acres of land, more or less, and is subject to and together with any and all easements of record.

Exhibit "B"

All that part of the North Half of the Southwest Quarter (N ½ of SW ¼) of Section Number 19, Township Number 112 North, Range Number 25 West, Le Sueur County, Minnesota, described as follows: Commencing at the West Quarter corner of Section Number 19, Township Number 112 North, Range 25 West, thence East on the North line of the Southwest Quarter of said Section Number 19, a distance of 1500.00 feet; thence South 07 degrees 14 minutes East 750.00 feet; thence South 30 degrees 44 minutes East 612.00 feet to the centerline of a Township Road as it now exists and is located in the said Southwest Quarter of Section Number 19; thence North 61 degrees 10 minutes East along said road centerline 410.30 feet to the place of beginning; thence continuing North 61 degrees 10 minutes East along said road centerline 253.70 feet; thence North 13 degrees 10 minutes East 761.13 feet; thence North 54 degrees 23 minutes West 215.00 feet; thence South 47 degrees 37 minutes West 37.00 feet; thence South 31 degrees 25 minutes West 227.50 feet; thence South 13 degrees 10 minutes West 650.13 feet; thence South 28 degrees 50 minutes East 152.25 feet to place of beginning. Containing 6.72 acres and being subject to all existing road easements. Said description being in accordance with the recorded maps and plats thereof on file and of record in the Office of the County Recorder in and for Le Sueur County, Minnesota.

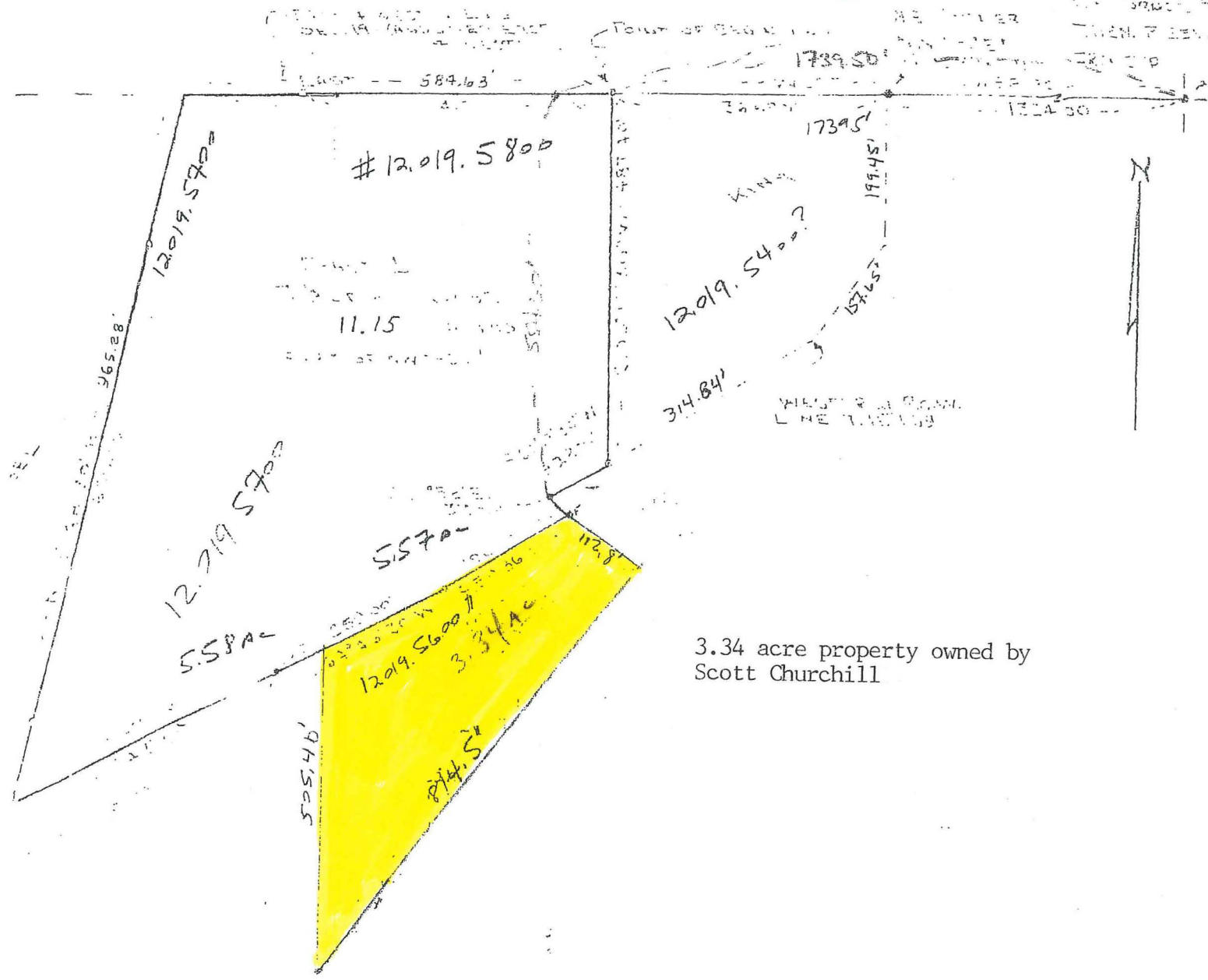
Exhibit "C"

All that part of the Southeast Quarter of Section No. 19, Township 112 North, Range 25, Le Sueur County, Minnesota, described as follows:
Commencing at the East one quarter corner of said Section No. 19; thence South 90 degrees 00 minutes 00 seconds West on the North line of said Southeast one quarter 1739.50 feet; thence South 00 degrees 00 minutes 00 seconds West 554.60 feet to a point on the westerly right-of-way line of Minnesota Trunk Highway No. 169 and in the centerline of County Road No. 7; thence South 59 degrees 36 minutes 30 seconds West on the centerline of said County Road 196.30 feet; thence South 64 degrees 46 minutes 30 seconds West on said road centerline 259.00 feet to the point of beginning of the tract to be described; thence South 62 degrees 47 minutes 30 seconds West on said Road centerline 318.00 feet; thence South 00 degrees 16 minutes 30 seconds West 723.00 feet more or less to the northerly right-of-way line of said Trunk Highway No. 169; thence North 37 degrees 29 minutes 30 seconds East on said right-of-way line 466.50 feet more or less to a point bearing South 00 degrees 16 minutes 30 seconds West of the point of beginning; thence North 00 degrees 16 minutes 30 seconds East, 505.40 feet to the point of beginning. Containing 4.00 acres and being subject to all easements of record.

Exhibit "D"

Commencing at the East Quarter corner of Section 19-112-25; thence West and on the North line of the Southeast Quarter of said Section 19 a distance of 1,739.5 feet; thence deflecting 90 degrees 00 minutes left a distance of 554.6 feet to a point on the Westerly right-of-way line of new U.S. Highway No. 169 and in the centerline of State Aid Road No. 7, said point being the place of beginning; thence South 52 degrees 30 ½ minutes East and along the Westerly right-of-way of said Highway 169 a distance of 112.8 feet to the Northerly right-of-way line of said Highway 169; thence South 37 degrees 29 ½ minutes West and along the Northerly right-of-way line of said Highway 169 a distance of 814.5 feet; thence North 0 degrees 16 ½ minutes East a distance of 505.4 feet to a point in the centerline of State Aid Road No. 7; thence North 64 degrees 46 ½ minutes East and along said centerline a distance of 259.0 feet; thence North 59 degrees 36 ½ minutes East and along said centerline a distance of 196.3 feet to the place of beginning. All of said tract lies in the Northwest Quarter of the Southeast Quarter of said Section 19. Subject to existing highways and easements of record. Subject also to a sign easement of record. According to the recorded maps and plats on file and of record in the Office of the County Recorder in and for Le Sueur County, Minnesota. Said parcels contains 3.34 acres.

REC'D BY MMB OCT 08 2005



3.34 acre property owned by
Scott Churchill

I HEREBY CERTIFY THAT THIS PLAN, SURVEY OR
REPORT WAS PREPARED BY ME OR UNDER MY
DIRECT SUPERVISION AND THAT I AM A DULY
REGISTERED UNDER THE LAWS OF
THE STATE OF MINNESOTA

Jeffrey Lawrence

DATE: 7-8-00 REGISTRATION NO. 12277

DRAWN
CHECK
SURVEY BY
803

RCM rieka
carroll
muller
associates inc

architects
engineers
land surveyors
planners

DR
NU
Fl
80

REC'D BY
M.M.B.
OCT 06 2005

PROPOSED DESCRIPTION

All that part of the Southeast quarter of Section No. 19, T.112N., R.25, Le Sueur County, Minnesota, described as follows: Commencing at the East one quarter corner of said Section No. 19, thence South 90 degrees 00 minutes 00 seconds West on the North line of said Southeast one quarter 1739.50 feet, thence South 00 degrees 00 minutes 00 seconds West 554.60 feet to a point on the westerly right-of-way line of Minnesota Trunk Highway No. 169 and in the centerline of County Road No. 7, thence South 59 degrees 36 minutes 30 seconds West on the centerline of said County Road 196.30 feet, thence South 64 degrees 46 minutes 30 seconds West on said road centerline 259.00 feet to the point of beginning of the tract to be described; thence South 62 degrees 47 minutes 30 seconds West on said road centerline 318.00 feet, thence South 00 degrees 16 minutes 30 seconds West 723.00 feet more or less to the northerly right-of-way line of said Trunk Highway No. 169, thence North 37 degrees 29 minutes 30 seconds East on said right-of-way line 466.50 feet more or less to a point bearing South 00 degrees 16 minutes 30 seconds West of point of beginning, thence North 00 degrees 16 minutes 30 seconds East 505.40 feet to point of beginning. Containing 4.00 acres and being subject to all easements of record.

SURVEY SKETCH AND DESCRIPTION

LANDS IN THE SE $\frac{1}{4}$ OF SECTION NO.19, T.112, R.25,
TYRONE TOWNSHIP, LE SUEUR COUNTY, MINN.

FOR: JOHN LOWE, RT.3, BOX 168, LE SUEUR, MINN.

FILE NO. 054

Scale: one inch = 200 feet

•— denotes iron monuments found

○— denotes iron monuments set

June-1990

SIBLEY SURVEYORS, INC.
LE CENTER and GAYLORD



730 Lincoln Ave. E.
Gaylord, MN 55334
Gaylord, (612) 237-5212
Le Center (612) 357-4482

Avery Grochow
Registered Land Surveyor
Gaylord (612) 237-5212

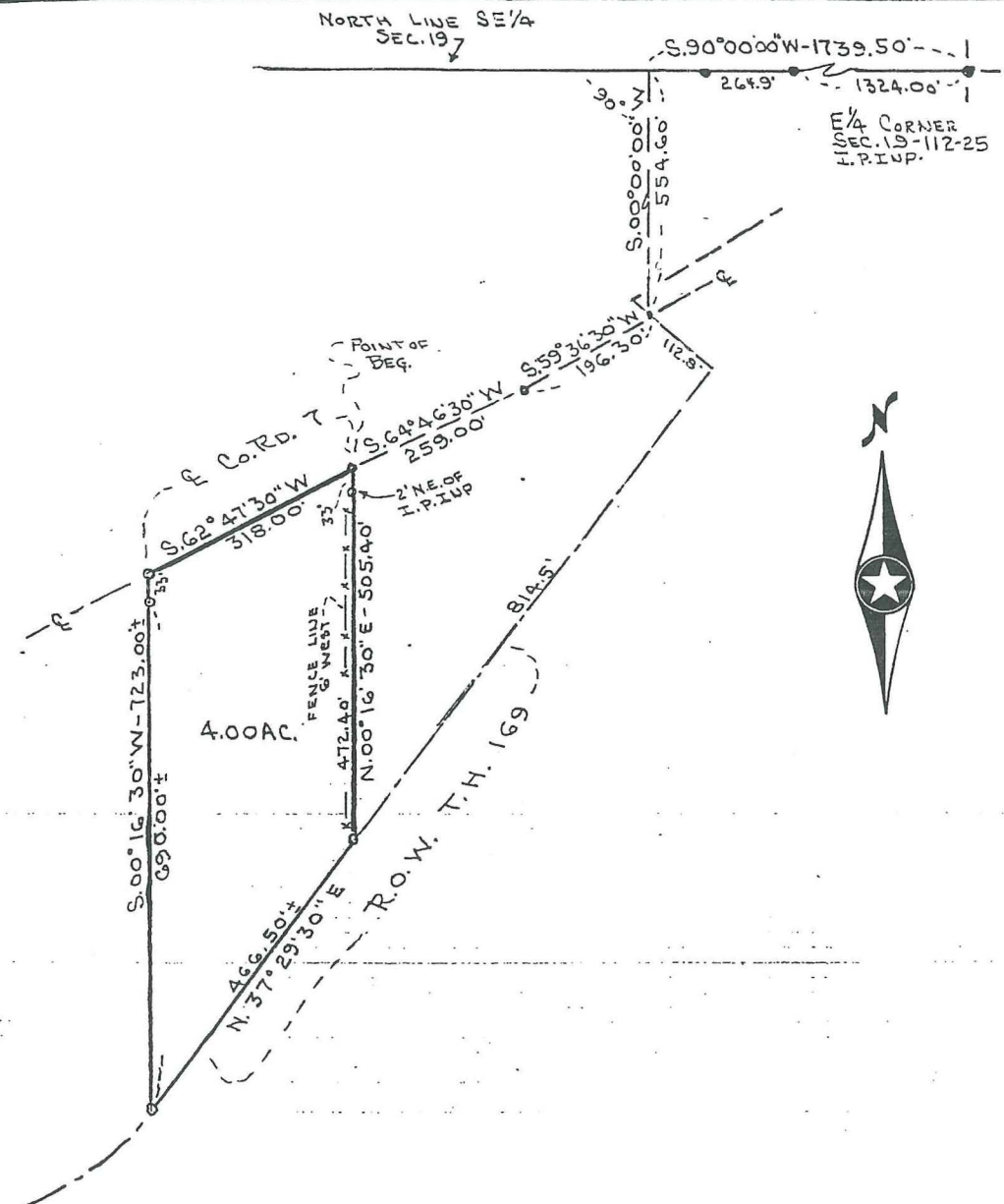
Richard Bradshaw
Le Center (612) 357-4922

Richard Bornholdt
Le Center (612) 357-6220

I hereby certify that this survey, plan or report 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

Avery Grochow

Date 7-3-90 Registration No. 15475



NORTH LINE OF NW 1/4 SW 1/4
 SEC. 19 - (ASSUMED EAST 4V. ECT)

EAST - 100.00'

WEST 1/4 CORNER
 SEC. 19, T112N, R25W

POINT OF BEGINNING
 DRIVEWAY

SKETCH OF LANDS IN SEC. 19,
 T.112N, R.25W, TYRONE TWP.
 SHOWING: 6.31 AC. SOLD TO
 KIMBEL BY F. DEWE &
 THE CENTER LINE OF A 2 ROD
 DRIVE FROM THE TOWN ROAD
 NORTH TO THE S 1/2 OF NW 1/4
 (FORMER OSBORN 80 AC.)

SCALE: ONE INCH = 200 FT.
 MONUMENTS IRON MONUMENTS
 JUNE - 1973
 SURVEYORS: DEEGAN & BRADSHAW
 LE CENTER, MINN.

NOT TO SCALE
 FOR REFERENCE ONLY

CTR. LINE OF 2 ROD DRIVE TO
 S 1/2 OF NW 1/4 - SEC. 19

S. 13° 10' W
 650.13'

DENNIS
 KIMBEL
 6.72 AC ±

N. 12° 10' E - 761.13'

S. 47° 37' W
 37.00'

S. 10° 25' W
 227.00'

10° 50' E
 173.25'

20'

253.70'

POINT OF
 BEGINNING
 ROAD

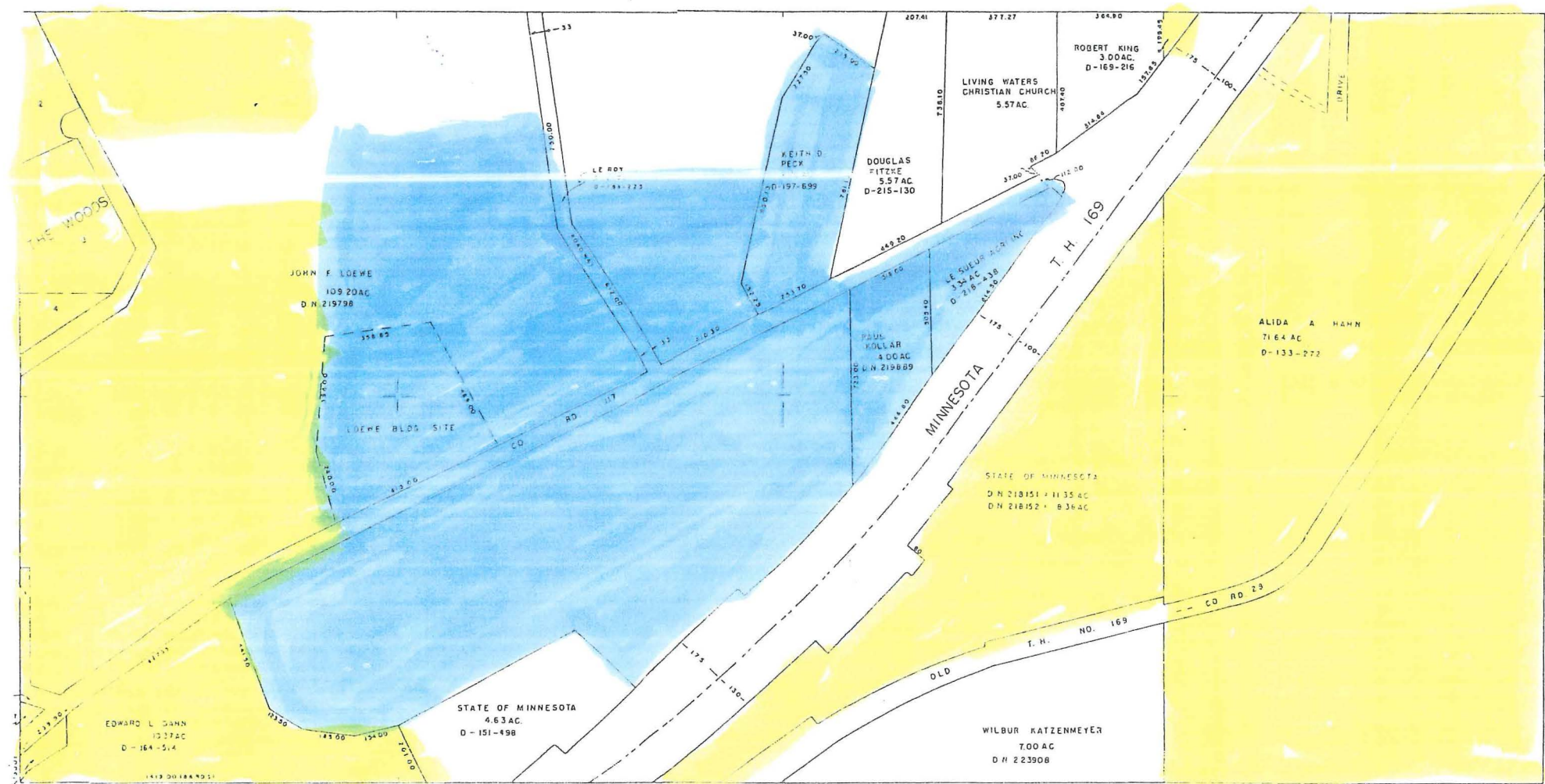
40.70' NW 1/4
 TOWN RD.

REC'D BY
 A.M.B.

OCT 06 21

S1/2 - SEC. 19 T. 112 R. 25

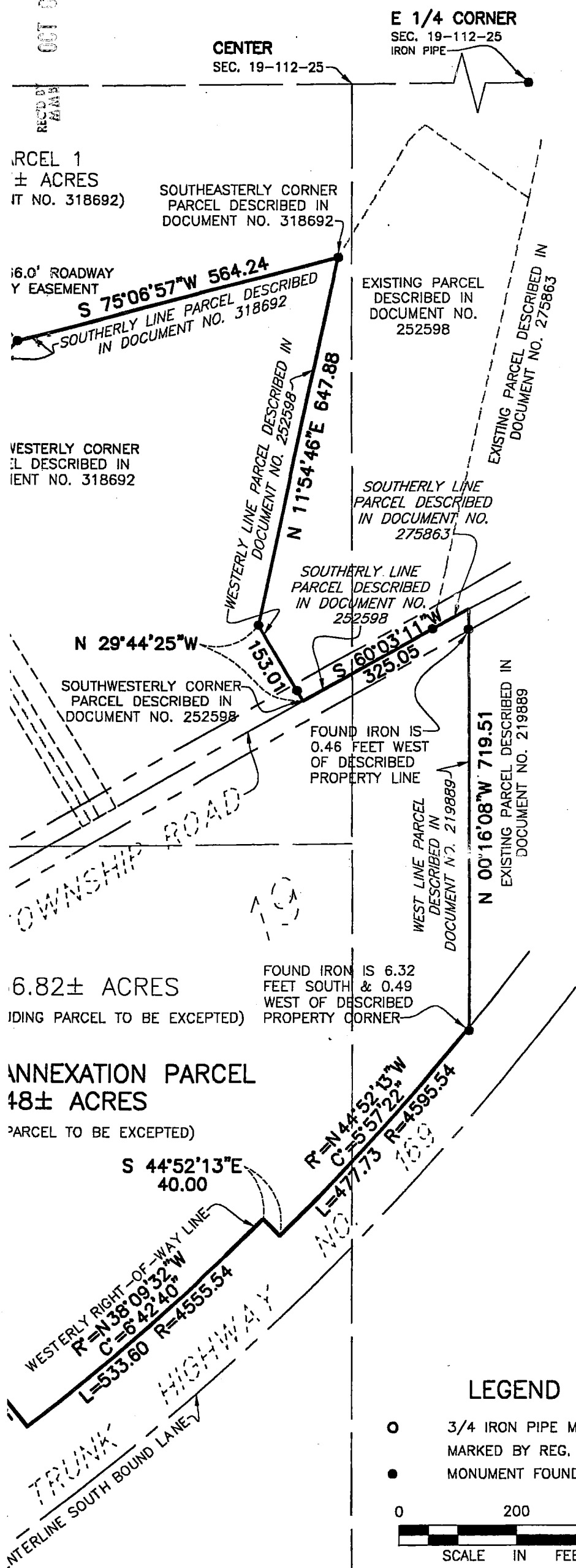
THIS IS A COMPILATION OF RECORDS AS THEY APPEAR IN THE LESSEUR COUNTY OFFICES AFFECTING THE AREA SHOWN. THIS DRAWING IS TO BE USED ONLY FOR REFERENCE PURPOSES AND THE COUNTY IS NOT RESPONSIBLE FOR ANY INACCURACIES HEREIN CONTAINED.



THOMAS A. HUELLER
D.D. AC.
D.N. 209907

REC'D BY
M.M.B.
OCT 06 2005

RECD BY MAIL
OCT 06 2005



PROPOSED DESCRIPTION PARCEL TO BE ANNEXED

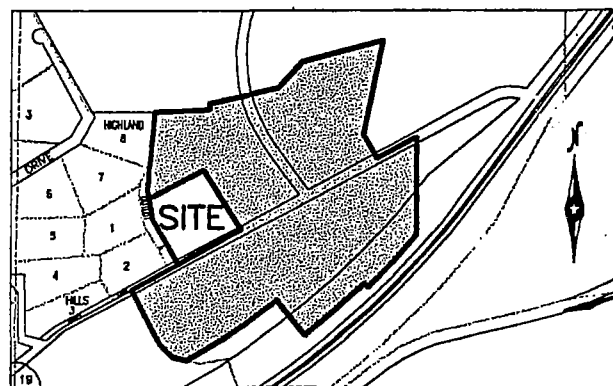
Part of the South Half of Section 19, Township 112 North, Range 25 West, Le Sueur County, Minnesota, described as: Beginning at the Northeastly Corner of HYLAND HILLS (on file and of record at the Le Sueur County Recorder's Office); thence South 09 degrees 17 minutes 40 seconds West (assumed bearing) on the easterly line of HYLAND HILLS, 527.55 feet; thence South 02 degrees 10 minutes 01 seconds East on said easterly line, 206.79 feet; thence South 30 degrees 45 minutes 56 seconds East on said easterly line, 380.00 feet to the Southeastly Corner of HYLAND HILLS; thence South 57 degrees 50 minutes 32 seconds West on the southerly line of HYLAND HILLS, 291.05 feet to a point on the easterly line of a parcel described in Document Number 306904 as witnessed by found iron pipe monuments; thence South 19 degrees 55 minutes 31 seconds East, 436.46 feet to a found iron pipe monument; thence South 57 degrees 55 minutes 31 seconds East, 123.45 feet to a found iron pipe monument; thence South 78 degrees 50 minutes 41 seconds East, 62.65 feet to a point on the westerly right-of-way line of Trunk Highway Number 169 (the previous 3 courses being along the brow of the bluff on the West side of the ravine) being a point on a 5261.69 foot radius non-tangential curve to the left, having a central angle of 5 degrees 29 minutes 26 seconds, the radius point of said curve bears North 29 degrees 47 minutes 32 seconds West from said point; thence northeasterly on said westerly right-of-way line, 504.23 feet to a point on a 4255.54 foot radius non-tangential curve to the left, having a central angle of 2 degrees 52 minutes 34 seconds, the radius point of said curve bears North 35 degrees 16 minutes 59 seconds West from said point; thence northeasterly on said westerly right-of-way line, 213.61 feet; thence South 38 degrees 09 minutes 32 seconds East on said westerly right-of-way line, 300.00 feet to a point on a 4555.54 foot radius non-tangential curve to the left, having a central angle of 6 degrees 42 minutes 40 seconds, the radius point of said curve bears North 38 degrees 09 minutes 32 seconds West from said point; thence northeasterly on said westerly right-of-way line, 533.60 feet; thence South 44 degrees 52 minutes 13 seconds East on said westerly right-of-way line, 40.00 feet to a point on a 4595.54 foot radius non-tangential curve to the left, having a central angle of 5 degrees 57 minutes 22 seconds, the radius point of said curve bears North 44 degrees 52 minutes 13 seconds West from said point; thence northeasterly on said westerly right-of-way line, 477.73 feet to the West line of a parcel described in Document Number 219889; thence North 00 degrees 16 minutes 08 seconds West on said West line, 719.51 feet to the southerly line of a parcel described in Document Number 275863 as witnessed by found iron pipe monuments; thence South 60 degrees 03 minutes 11 seconds West on said southerly line and the southerly line of a parcel described in Document Number 252598 as witnessed by found iron pipe monuments, a distance of 325.05 feet to the Southwestly Corner of said parcel; thence North 29 degrees 44 minutes 25 seconds West on the westerly line of said parcel, 153.01 feet to a found iron pipe monument; thence North 11 degrees 54 minutes 46 seconds East on said westerly line, 647.88 feet to a found iron pipe monument designating the Southeastly Corner of a parcel described in Document Number 318692; thence South 75 degrees 06 minutes 57 seconds West on the southerly line of said parcel, 564.24 feet to a found iron pipe monument; thence South 41 degrees 47 minutes 07 seconds West on said southerly line, 235.53 feet to a found iron pipe monument designating the Southwestly Corner of said parcel; thence South 77 degrees 21 minutes 11 seconds West on the southerly line of a parcel described in Document Number 303951, a distance of 473.78 feet to a found iron pipe monument being on the East line of a parcel described in Document Number 309289; thence South 00 degrees 32 minutes 38 seconds East on said East line, 42.00 feet to a found iron pipe monument designating the Southeast Corner of said parcel; thence South 89 degrees 27 minutes 22 seconds West on the South line of said parcel, 323.57 feet to the point of beginning. Said parcel contains 60.48 acres of land, more or less, and is subject to and together with any and all easements of record.

PARCEL TO BE EXCEPTED

Part of the Southwest Quarter of Section 19, Township 112 North, Range 25 West, Le Sueur County, Minnesota, described as: Commencing at the Northeastly Corner of HYLAND HILLS (on file and of record at the Le Sueur County Recorder's Office); thence South 09 degrees 17 minutes 40 seconds West (assumed bearing) on the easterly line of HYLAND HILLS, 527.55 feet; thence South 02 degrees 10 minutes 01 seconds East on said easterly line, 82.72 feet to the point of beginning; thence continuing South 02 degrees 10 minutes 01 seconds East, 124.07 feet; thence South 30 degrees 45 minutes 56 seconds East on said easterly line, 380.00 feet to the Southeastly Corner of HYLAND HILLS; thence North 60 degrees 03 minutes 11 seconds East, 491.74 feet; thence North 32 degrees 27 minutes 25 seconds West, 476.88 feet; thence South 61 degrees 52 minutes 26 seconds West, 418.67 feet to the point of beginning. Said parcel contains 5.31 acres of land, more or less, and is subject to and together with any and all easements of record.

LEGEND

- 3/4 IRON PIPE MONUMENT SET MARKED BY REG. NO. 17367
- MONUMENT FOUND



VICINITY MAP
NOT TO SCALE

THE NORTH LINE OF THE SOUTHWEST QUARTER OF SECTION 19-112-25 IS ASSUMED TO BEAR NORTH 89°27'22" EAST.

REVISED 8/9/05

CERTIFICATE OF SURVEY LE SUEUR COUNTY, MINNESOTA

BOLTON & MENK, INC.

Consulting Engineers & Surveyors

1960 PREMIER DRIVE, MANKATO, MN 56001 (507) 625-4171
MANKATO, MN FAIRMONT, MN SLEEPY EYE, MN WILLMAR, MN
BURNSVILLE, MN CHASKA, MN AMES, IA

PART OF THE S 1/2, SECTION 19,
TOWNSHIP 112 NORTH, RANGE 25 WEST,
E. TYRONE TOWNSHIP, LE SUEUR COUNTY

FOR: JOHN LOEWE

I hereby certify that this survey was prepared by me or under my direct supervision and that I am a duly licensed land surveyor under the laws of the State of Minnesota.

Rory Jensen
Rory Jensen

Date 8/9/05 License No. 19789

JOB NUMBER: M31.36442

FIELD BOOK: 41W-6, PG 45-46

DRAWN BY: JLA

4.0, R25-T112-S19