

CITY OF GILMAN
COUNTY OF BENTON
STATE OF MINNESOTA

REC'D BY
M M B

JAN 20 2006

ORDINANCE NUMBER 2005-8

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE
CITY OF GILMAN TO INCLUDE CERTAIN UNINCORPORATED LAND
NOT EXCEEDING 60 ACRES IN AREA ABUTTING UPON CITY LIMITS
PURSUANT TO MINN. STAT § 414.033, SUBD. 2(3)

WHEREAS, Doug Foss, Krystie Foss and Jennifer Petron have submitted to the City a petition for annexation of certain land to the City pursuant to Minn. Stat. § 414.033, subd. 2(3);

WHEREAS, the petition was signed by all the owners;

WHEREAS, the land described in the petition abuts upon the city limits;

WHEREAS, the quantity of land embraced within the area described in the petition and bounded as described is less than sixty (60) acres in area, no part of which is included within the limits of an incorporated city;

WHEREAS, the property proposed for annexation is or is about to become urban or suburban in character;

WHEREAS, the property proposed for annexation is not currently served by public sewer facilities;

WHEREAS, notice of the public hearing on the petition was duly published for thirty (30) days and provided by mail pursuant to Minn. Stat. § 414.033, subd. 2b; and

WHEREAS, a public hearing was held on November 9, 2005, during which the petition was discussed and testimony taken.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF GILMAN,
MINNESOTA ORDAINS:

Section 1. The above recitals are hereby adopted.

Section 2. That the City Council hereby determines that the annexation will be in the best interest of the City and territory affected; (2) that the territory described herein abuts upon the City limits and is or is about to become urban in character; and (3) that none of said territory is included within the limits of any city, village or borough.

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Section 3. Territory Annexed: The corporate limits of the City of Gilman is hereby extended to include land described as follows and the same is hereby annexed to and included within the City as effectually as if it had originally been a part hereof:

All that part of the Southeast Quarter of Southwest Quarter (SE 1/4 of SW 1/4) of Section Thirty-three (33), Township Thirty-eight (38) North, Range Twenty-nine (29) West, Fourth Principal Meridian, Benton County, Minnesota, described as follows: Commencing at the intersection of the North line of said SE 1/4 of SW 1/4 with the Westerly right of way line of Minnesota Trunk Highway No. 25; thence South 29°51' East along said right of way line a distance of 340 feet to the point of beginning of the tract to be described; thence South 60°09'00" West and at right angles to the last described line a distance of 312.22 feet to a point; thence South 29°51' East and parallel with the Westerly right of way line of said Minnesota Trunk Highway No. 25 a distance of 600.6 feet; thence North 60°09'00" East to the point of intersection with the east line of said SE 1/4 of SW 1/4; thence North along said East line to its intersection with the said westerly right of way line of Minnesota Trunk Highway No. 25; thence northwesterly along said right of way line of Minnesota Trunk Highway No. 25 to the point of beginning and there terminating.

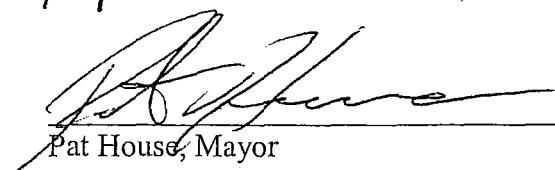
The area of land annexed contains approximately 2.125 acres more or less.

Section 4. Zoning. The annexed territory shall be zoned "R-1" Single and Two Family Residential District, according to City of Gilman Zoning Ordinance Section 11, Subdivision 2 (3), which provides that all land which may hereafter become a part of the City of Gilman through annexation shall be automatically classified in the "R-1" Single and Two Family Residential District until otherwise changed by amendment procedure.

Section 5. Filing. The City Clerk is hereby directed to file a certified copy of this Ordinance with Municipal Planning - Municipal Boundary Adjustments, the Secretary of State, the County Auditor and Alberta Township.

Section 6. Effective Date. This Ordinance shall be effective immediately upon its passage.

~~Section 7. CONTINGENCIES.~~ PETITIONER MUST PAY ALL COSTS AND FEES INCURRED BY CITY, INCLUDING BUT NOT LIMITED TO ATTORNEY'S FEES.
PASSED AND ADOPTED by unanimous vote of the Gilman City Council, this 9th day of November, 2005. 4-1


Pat House, Mayor

ATTEST:


Michelle Spiczka, Clerk

