

IN THE MATTER OF THE PETITION OF  
CERTAIN PERSONS FOR ANNEXATION PURSUANT  
TO MINNESOTA STATUTES § 414.033, SUBD. 5

TO: Council of the City of Kasota, Minnesota  
AND

FILED BY  
MAM

MAY 13 2009

Office of Administrative Hearings  
Municipal Boundary Adjustments  
P. O. Box 64620  
St. Paul, MN 55164-0620  
651-361-7900

PETITIONER(S) STATE: The property owner or a majority of the property owners in number are required to commence a proceeding under Minnesota Statutes § 414.033, Subd. 5.

It is hereby requested by: Chankaska Creek Ranch, LLC

X the sole property owner; or  
       all of the property owners; or  
       a majority of the property owners

of the area proposed for annexation to annex certain property described herein lying in the Town of Kasota to the City of Kasota, County of Le Sueur, Minnesota.

SEE LEGAL DESCRIPTIONS AND SURVEYED DRAWINGS

The area proposed for annexation is described as follows:

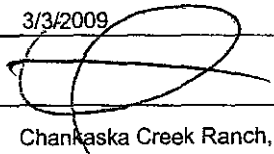
***INSERT THE COMPLETE AND ACCURATE PROPERTY DESCRIPTION.  
DO NOT USE DESCRIPTIONS FROM PROPERTY TAX STATEMENTS.***

1. There are 1 property owners in the area proposed for annexation. (If a property owner owns more than one parcel in the area proposed for annexation, he/she is only counted once as an owner - the number of parcels owned by a petitioner is not counted.)
2. 1 property owners have signed this petition. (If the land is owned by both husband and wife, both must sign the petition to represent all owners.)
3. Said property is unincorporated, abuts on the city's N S (E) W (circle one) boundary(ies), and is not included within any other municipality.
4. The area of land proposed for annexation, in acres, is:  
X Unplatted        Platted        Total

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5. The reason for the requested annexation is Business Use.
6. The area proposed for annexation will be zoned Agriculture/Commercial.
7. All of the area proposed for annexation is or is about to become urban or suburban in character.
8. The area proposed for annexation is not included in any area that has already been designated for orderly annexation pursuant to Minnesota Statutes § 414.0325, nor in any other boundary adjustment proceeding pending before the Office of Administrative Hearings - Municipal Boundary Adjustments.

PETITIONERS REQUEST: That pursuant to Minnesota Statutes § 414.033, the property described herein be annexed to and included within the City of Kasota, Minnesota.

Dated: 3/3/2009  
 Signatures:   
Chankaska Creek Ranch, LLC

NOTE: Pursuant to Minnesota Statutes § 414.033 and Minnesota Rules 6000.0800, the petition to the Office of Administrative Hearings must be accompanied by a certification showing that a copy of the petition was filed within 10 days after service on the annexing city to the affected township(s), county, and any other abutting municipality(ies).

NOTE: Under Minnesota Statutes § 414.033, Subd. 5, if the petition is not signed by all of the property owners of the land proposed for annexation, the ordinance shall not be enacted until the the municipal council has held a hearing on the proposed annexation after at least 30 days mailed notice to all property owners within the area to be annexed.

## LEGAL DESCRIPTION FORMER COUNTRY PUB PARCEL:

(Per Preliminary Title Opinion September 25, 2008)

## Parcel 1:

Commencing at a point 270 feet West of the Northeast corner of the Southeast Quarter of Section 33-110-26; thence running West 300 feet; thence running South 530 feet; thence running East 300 feet; and thence running North 530 feet to the place of beginning, all being in Section 33-110-26, in Le Sueur County, Minnesota.

TOGETHER WITH AN EASEMENT FOR ROADWAY over and across the lands described as follows:

Commencing at the point of intersection of the Easterly line of Federal Highway No. 169 with the East and West centerline of Section 33-110-26, and running thence East on and along the said center line to a point 570 feet West from the East line of said Section 33; thence running South parallel with said East line of said Section a distance of 33 feet; thence at right angles West and parallel with said East and West centerline to the Easterly line of said Highway No. 169 and thence on and along the Easterly line of said highway to the point of commencement.

## Parcel 2:

Part of the Southeast Quarter of Section 33, Township 110 North, Range 26 West, Le Sueur County, Minnesota, described as:

Commencing at the Northeast corner of the Southeast Quarter of Section 33; thence North 89 degrees 30 minutes 39 seconds West (assumed bearing) on the North line of the Southeast Quarter of Section 33, a distance of 570.00 feet; thence South 00 degrees 54 minutes 21 seconds West parallel with the East line of the Southeast Quarter of Section 33, a distance of 225.00 feet to the point of beginning; thence north 89 degrees 30 minutes 39 seconds West, parallel with the North line of the Southeast Quarter of Section 33, a distance of 200.00 feet; thence South 00 degrees 54 minutes 21 seconds West, parallel with said East line, 287 feet more or less to the centerline of the creek; thence easterly along the centerline of said creek, 219 feet more or less to a point on a line which bears South 00 degrees 54 minutes 21 seconds West from the point of beginning; thence North 00 degrees 54 minutes 21 seconds East, parallel to said East line 301 feet more or less to the point of beginning.

LEGAL DESCRIPTION FORMER MOSHER PROPERTY:

(Per Preliminary Title Opinion July 15, 2008)

All that part of the Northeast Quarter of the Southeast Quarter of Section 33, Township 110 North, Range 26 West, Le Sueur County, Minnesota, described as:

Commencing at the Northeast corner of the Southeast Quarter (SE 1/4) of Section 33-110-26 West, and running thence South on Section line 495 feet; thence West 267.20 feet; thence North 495 feet; thence East 267.20 feet to the place of beginning; except the North thirty-three (33) feet thereof; and that certain part of the East Half of the Southeast Quarter (E 1/2 SE 1/4) of Section 33-110-26 West lying north of Chankaska Creek, as the same is located and running through said land and South of and adjoining said land described above;

AND ALSO

All that part of the West Half of the West 60 acres of the Southwest Quarter of Section 34 Township 110, Range 26, lying North of Chankaska Creek, as the same is located and running through said land, except the North thirty-three (33) feet thereof, all being in Le Sueur County, Minnesota.

