

REC'D BY
MBA

NOV 03 2010

ORDINANCE NO. 521

AN ORDINANCE OF THE CITY OF LE SUEUR ANNEXING LAND LOCATED IN THE TOWNSHIP OF TYRONE, LE SUEUR COUNTY, MINNESOTA PURSUANT TO MINNESOTA STATUTES § 414.033 SUBDIVISION 2(3), PERMITTING ANNEXATION BY ORDINANCE

The Common Council of the City of Le Sueur does ordain:

A petition signed by all the property owners, which comprise of the Estate of Leland J. Boyland, requesting that property legally described as follows, to-wit:

Commencing at the point of intersection of the South line of the Southwest Quarter of Section Seventeen (17), Township One Hundred Twelve (112) North, Range Twenty-Five (25) West, Le Sueur, County, Minnesota, and the Easterly (Ely) line of the right of way of the old and new Highway #169; proceeding thence Northeasterly (NEly) along the Easterly (Ely) line of said right of way, a distance of 200 feet to a point; proceeding thence Southeasterly (SEly) on a line parallel to the South (S) line of a tract of land heretofore conveyed by Deed recorded in Book 141 of Deeds on Page 339, a distance of 350 feet; proceeding thence Southwesterly (SWly) parallel to the Easterly line of old Trunk Highway #169, 625 feet to a point; proceeding thence Northwesterly (NWly) from a line parallel to the North (N) line of the Tract herein described 350 feet more or less to the Easterly line of the Public Highway; proceeding thence Northeasterly (NEly) along the Easterly (Ely) line of said Highway, 425 feet to the point of beginning, the same consisting of a portion of the Southwest Quarter of Section Seventeen (17) and of the Northwest Quarter of Section Twenty (20), Township One Hundred Twelve (112) North, Range Twenty-Five (25) West, Le Sueur County, Minnesota.

be annexed to the City of Le Sueur, Minnesota, was duly presented to the Council of the City of Le Sueur on the 26th day of July, 2010.

That said property is unincorporated and abuts the City of Le Sueur on its easterly boundary; is 5.0 acres; is not presently served by public sewer facilities or public sewer facilities are not otherwise available.

That said property is not located within a flood plain or shoreland area.

That said property is currently commercial business property and annexation is requested to facilitate the extension of city services for the commercial-industrial development of the property.

That the City of Le Sueur held a public hearing on the 13th day of September, 2010 pursuant to Minnesota Statutes § 414.033 Subd. 2b, following thirty (30) days written notice by certified mail to the Township of Tyrone and to all landowners within and contiguous to the area legally described herein to be annexed.

That the provisions of Minnesota Statutes § 414.033 Subd. 13 are not applicable in that there will be no change in the electric utility service provider resulting from the annexation of the territory to the municipality.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LE SUEUR HEREBY ORDAINS AS FOLLOWS:

1. The City Council hereby determines that the property as hereinafter described abuts the city limits and is or is about to become urban or suburban in nature in that commercial-industrial use is being proposed for said property the construction of which requires or will need city services, including public sewer facilities.
2. None of the property is now included within the limits of any city, or in any area that has already been designated for orderly annexation pursuant to Minnesota Statute § 414.0325.
3. The corporate limits of the City of Le Sueur, Minnesota, are hereby extended to include the following described property, said land abutting the City of Le Sueur and being 120 acres or less in area, and is not presently served by public sewer facilities or public sewer facilities are not otherwise available, and the City having received a petition for annexation from all the property owners of the land, to wit:

Commencing at the point of intersection of the South line of the Southwest Quarter of Section Seventeen (17), Township One Hundred Twelve (112) North, Range Twenty-Five (25) West, Le Sueur, County, Minnesota, and the Easterly (Ely) line of the right of way of the old and new Highway #169; proceeding thence Northeasterly (NEly) along the Easterly (Ely) line of said right of way, a distance of 200 feet to a point; proceeding thence Southeasterly (SEly) on a line parallel to the South (S) line of a tract of land heretofore conveyed by Deed recorded in Book 141 of Deeds on Page 339, a distance of 350 feet; proceeding thence Southwesterly (SWly) parallel to the Easterly line of old Trunk Highway #169, 625 feet to a point; proceeding thence Northwesterly (NWly) from a line parallel to the North (N) line of the Tract herein described 350 feet more or less to the Easterly line of the Public Highway; proceeding thence Northeasterly (NEly) along the Easterly (Ely) line of said Highway, 425 feet to the point of beginning, the same consisting of a portion of the Southwest Quarter of Section Seventeen (17) and of the

Northwest Quarter of Section Twenty (20), Township One Hundred Twelve (112) North,
Range Twenty-Five (25) West, Le Sueur County, Minnesota..

4. That the population of the area legally described (herein or attached exhibit) and hereby annexed is 0.

5. The City of Le Sueur, pursuant to Minnesota Statutes § 414.036, that with respect to the property taxes payable on the area legally described herein and hereby annexed, shall make a cash payment to the Township of Tyrone in accordance with the following schedule:

The City of Le Sueur shall provide reimbursement to Tyrone Township of \$670, which is an amount equal to the property tax payable to Tyrone Township for the year 2010. This reimbursement shall be made in two equal payments, the first of which shall be paid to Tyrone Township no later than December 31, 2011, and the second of which shall be paid no later than December 31, 2012. This reimbursement shall be in addition to, and not in lieu of, property taxes received by Tyrone Township pursuant to Minn. Stat. § 414.03, subdivision 12.


6. That pursuant to Minnesota Statutes § 414.036. with respect to any special assessments assigned by the Town to the annexed property and any portion of debt incurred by the Town prior to the annexation and attributable to the property to be annexed, but for which no special assessments are outstanding, for the area legally described herein there are no special assessments or debt incurred by the Township on the subject area for which reimbursement is required.


7. That the City Clerk of the City of Le Sueur is hereby authorized and directed to file a copy of this Ordinance with the Municipal Boundary Adjustment Unit of the Minnesota Office of Administrative Hearings, the Minnesota Secretary of State, the Le Sueur County Auditor, and the Tyrone Township Clerk.

8. That this Ordinance shall be in full force and effect and final upon the date this Ordinance is approved by the Office of Administrative Hearings.

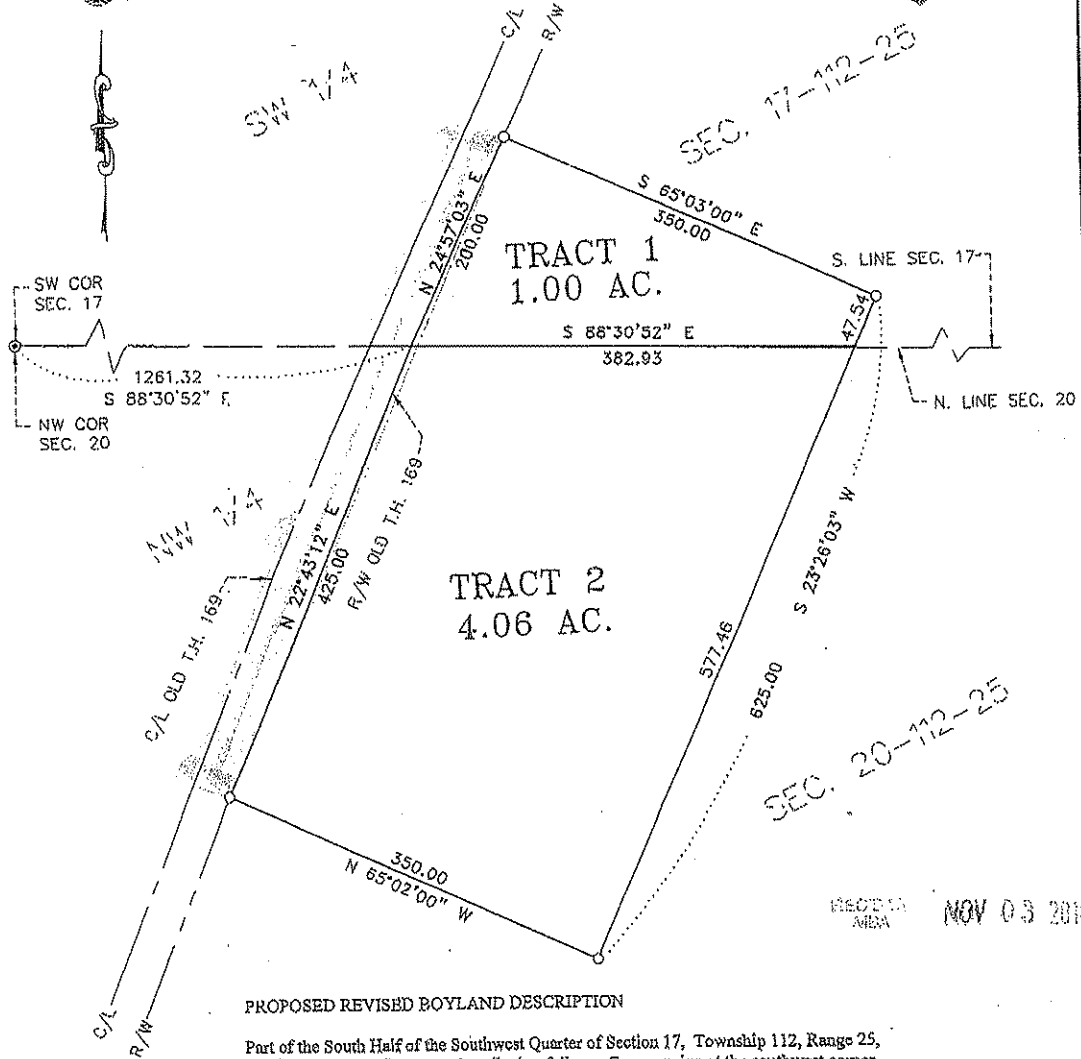
PASSED AND ADOPTED by the City Council of the City of Le Sueur, Minnesota , this 27th
day of September, 2010.

ATTEST:


City Clerk


Mayor

DEED BY GATE ON SURVEY



PROPOSED REVISED BOYLAND DESCRIPTION

Part of the South Half of the Southwest Quarter of Section 17, Township 112, Range 25, LeSueur County, Minnesota, described as follows: Commencing at the southwest corner of said Section 17; thence on an assumed bearing of South 88 degrees 30 minutes 52 seconds East along the South line of said Southwest Quarter 1261.32 feet to a point on the easterly right-of-way line of old Highway 169, said point being the point of beginning of the tract to be described; thence continuing South 88 degrees 30 minutes 52 seconds East along said South line 382.93 feet; thence North 23 degrees 26 minutes 03 seconds East 47.54 feet; thence North 65 degrees 03 minutes 00 seconds West 350.00 feet to said easterly right-of-way of old Highway 169; thence southwesterly along said easterly right-of-way line 200.00 feet to the point of beginning. This tract contains 1.00 acres of land and is subject to any and all easements of record.

ALSO

Part of the North Half of the Northwest Quarter of Section 20, Township 112, Range 25, LeSueur County, Minnesota, described as follows: Commencing at the northwest corner of said Section 20; thence on an assumed bearing of South 88 degrees 30 minutes 52 seconds East along the North line of said Northwest Quarter 1261.32 feet to a point on the easterly right-of-way line of old Highway 169, said point being the point of beginning of the tract to be described; thence continuing South 88 degrees 30 minutes 52 seconds East along said North line 382.93 feet; thence South 23 degrees 26 minutes 03 seconds West 577.46 feet; thence North 65 degrees 02 minutes 00 seconds West 350.00 feet to said easterly right-of-way line of old Highway 169; thence northeasterly along said easterly right-of-way line 425.00 feet to the point of beginning. This tract contains 4.06 acres of land and is subject to any and all easements of record.

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.

[Signature]
 AVERY GRIGOROW, L.S.
 DATE 10/25/10 REGISTRATION NO. 18475

LAND SURVEY FOR
LELAND BOYLAND
 PART OF SW 1/4, SEC. 17 & PART OF NW 1/4
 SEC. 20, T112, R25 TYRONE TOWNSHIP
 LE SUEUR COUNTY, MINNESOTA

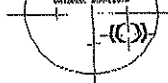
- ⊙ DENOTES LE SUEUR CO. MONUMENT
- DENOTES IRON PIPE FOUND
- DENOTES IRON PIPE SET BY RLS NO. 15475

SCALE: 1 INCH = 100 FEET

Oct. 2010

FILE NO. 3161

SIBLEY SURVEYORS, INC.
MINNESOTA SURVEYORS



RECORD AREA

NOV 03 2010

CITY OF LE SUEUR

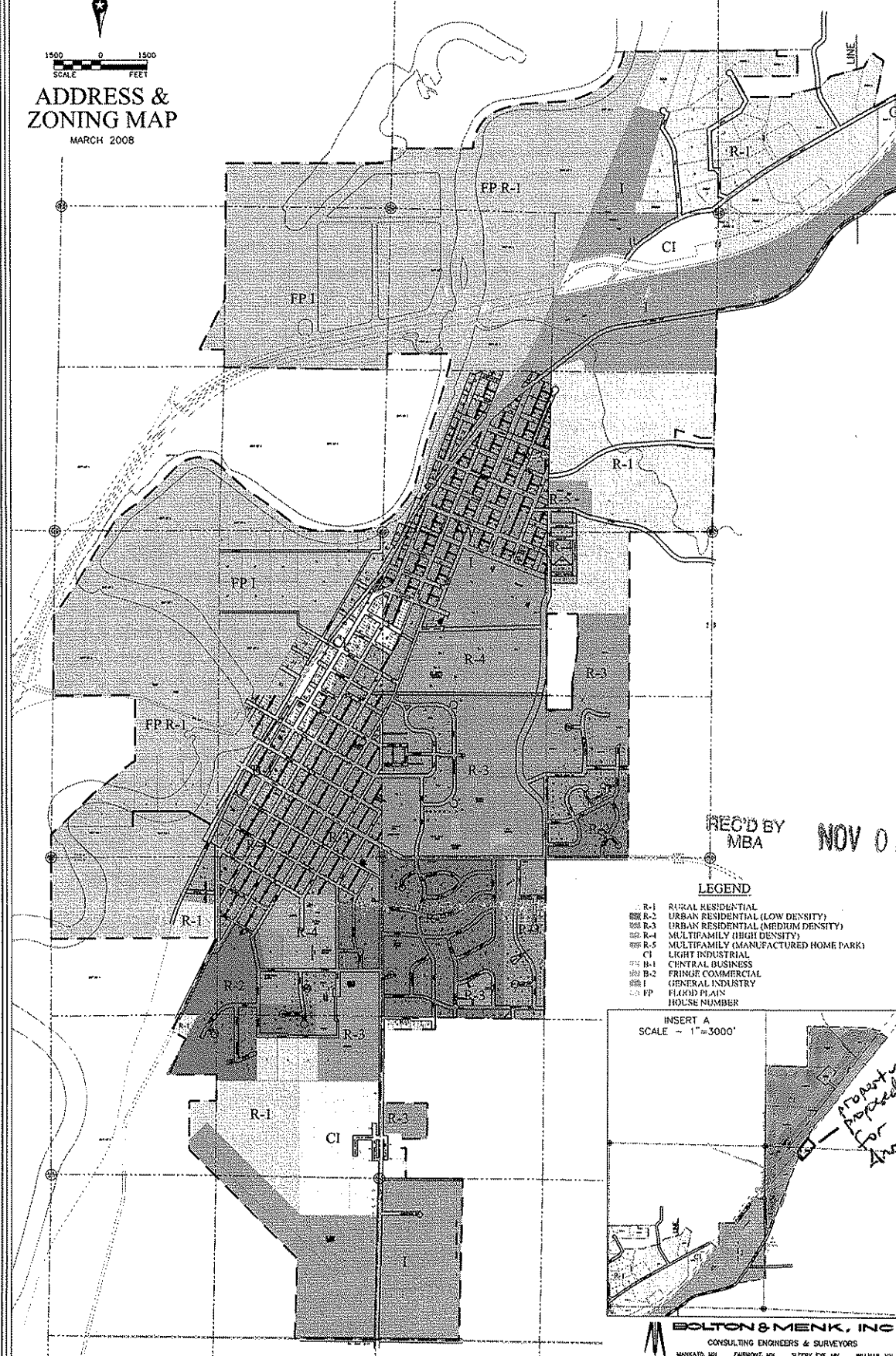
LE SUEUR COUNTY, MINNESOTA

1500 0 1500
SCALE FEET

**ADDRESS &
ZONING MAP**

MARCH 2008

SEE
INSERT A

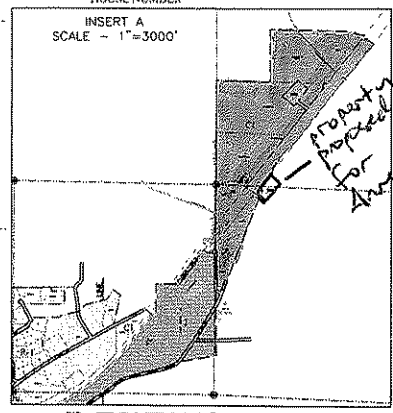


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LEGEND

- R-1 RURAL RESIDENTIAL
- R-2 URBAN RESIDENTIAL (LOW DENSITY)
- R-3 URBAN RESIDENTIAL (MEDIUM DENSITY)
- R-4 MULTIFAMILY (HIGH DENSITY)
- R-5 MULTIFAMILY (MANUFACTURED HOME PARK)
- CI LIGHT INDUSTRIAL
- B-1 CENTRAL BUSINESS
- B-2 FRINGE COMMERCIAL
- I GENERAL INDUSTRY
- FP FLOOD PLAIN
- HOUSE NUMBER



BOLTON & MENK, INC
CONSULTING ENGINEERS & SURVEYORS

MINNETONKA, MN FAIRBANKS, MN SLEEPY EYE, MN WELLSVILLE, MN
BURNSVILLE, MN CHASKA, MN RAMSEY, MN ARDEN, IA