

CITY OF HAWLEY
ORDINANCE NO. 269

REC'D BY
MBA

MAR 09 2015

**AN ORDINANCE OF THE CITY OF HAWLEY, MINNESOTA,
ANNEXING ADJACENT STREETS OMITTED FROM
ORDINANCE NO. 259, RECORDED IN THE
CLAY COUNTY RECORDER'S OFFICE ON JULY 11, 2013
AS DOCUMENT NO. 724213,
PURSUANT TO MINNESOTA STATUTES §414.033, SUBD. 2(1),
PERMITTING ANNEXATION BY ORDINANCE**

WHEREAS, the City of Hawley annexed a portion of Hawley Township, Clay County, Minnesota by Ordinance No. 259 on June 20, 2013; and

WHEREAS, the property annexed included the East 77.56 feet of Lot Seven (7) and all of Lot Eight (8) Gloryland Subdivision, Clay County, Minnesota; and

WHEREAS, said property is bounded on the East by 15th Street owned entirely by the City of Hawley; and

WHEREAS, said property is bounded on the South by 1st Avenue South/Jetvig Boulevard, a jointly owned street with the Town of Hawley. The City is annexing its one-half of the city street, i.e. the north one-half of 1st Avenue South/Jetvig Boulevard; and

WHEREAS, this Ordinance is being adopted pursuant to the provisions of Minn. Stat. §414.033, Subd. 2(1);

NOW, THEREFORE, the City Council of the City of Hawley hereby ordains as follows:

1. The City hereby determines that the property as hereinafter described abuts the City Limits and is a City street which borders property annexed to the City by Ordinance No. 259, Exhibit 1.
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 Statutes §414.0325.
3. The corporate limits of the City of Hawley are hereby extended to include the following described property, said land abutting the City of Hawley, and being one hundred twenty (120) acres or less in area and owned by the City of Hawley, to-wit:

- (A) All that portion of 15th Street abutting Lot Eight (8), Gloryland Subdivision, and continuing southerly on 15th Street to the south line of Jetvig Boulevard and 1st Avenue South, and the North Half of that part of 1st Avenue South/Jetvig Boulevard situated east of a line drawn as a southerly extension of the west boundary of the east 77.56 feet of Lot Seven (7), Gloryland Subdivision, Clay County, Minnesota.

The above portions of 15th Street South and Jetvig Boulevard/1st Avenue South contain 36,228 square feet, more or less. (Exhibit 2)

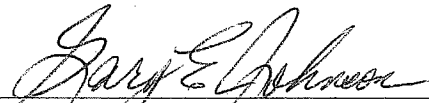
4. That the City of Hawley and Township of Hawley have a cooperative agreement for the maintenance of the roadway adjacent to the property lying south of the above described lots, to-wit: the City is responsible for the maintenance and repair of the improved roadway surface and the Township is responsible for mowing and weed control of that portion of property.

5. That the City Clerk of the City of Hawley is authorized and directed to file a copy of this Ordinance with the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, the Minnesota Secretary of State and the Clay County Auditor, the Hawley Township Clerk and record the Ordinance with the Clay County Recorder's Office.

6. The property herein described is a publicly dedicated roadway adjacent to property previously annexed by Ordinance No. 259, City of Hawley. (Exhibit 3)


7. 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 Hawley, Minnesota, this 17 day of February, 2015.



 Gary E. Johnson, Mayor

ATTEST:



 Lisa Jetvig, City Clerk

From: Lisa Jetvig
To: Zenas Beier
Subject: FW: Annexation of part of Gloryland Sub
Date: Friday, December 19, 2014 3:58:05 PM
Attachments: Image001.png
Importance: High

Zenas,

How do we fix this? Please put together whatever we need to make this correct.

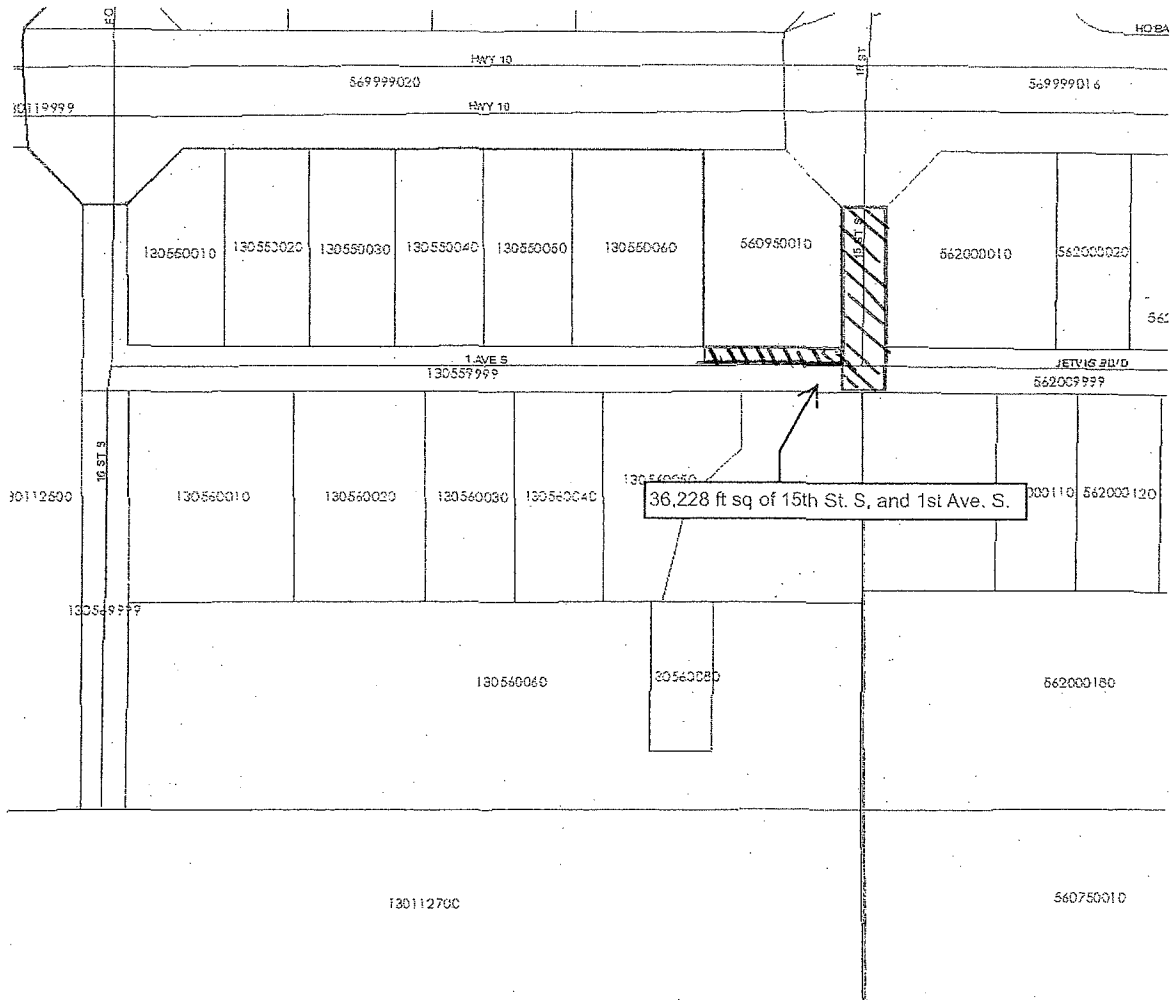
Thank you.

Lisa Jetvig
Clerk Treasurer
City of Hawley, PO Box 69, Hawley, MN 56549
(218)483-3331

City of Hawley, Annexation of Streets adjacent
to Dollar General tract annexed by Ordinance
259 recorded July 11, 2013 as Doc. # 724213.

From: Carol Wickenheiser [mailto:Carol.Wickenheiser@co.clay.mn.us]
Sent: Friday, December 19, 2014 3:53 PM
To: Lisa Jetvig
Subject: RE: Annexation of part of Gloryland Sub

Lisa, the orange line is where I have drawn the City Limits.

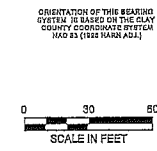
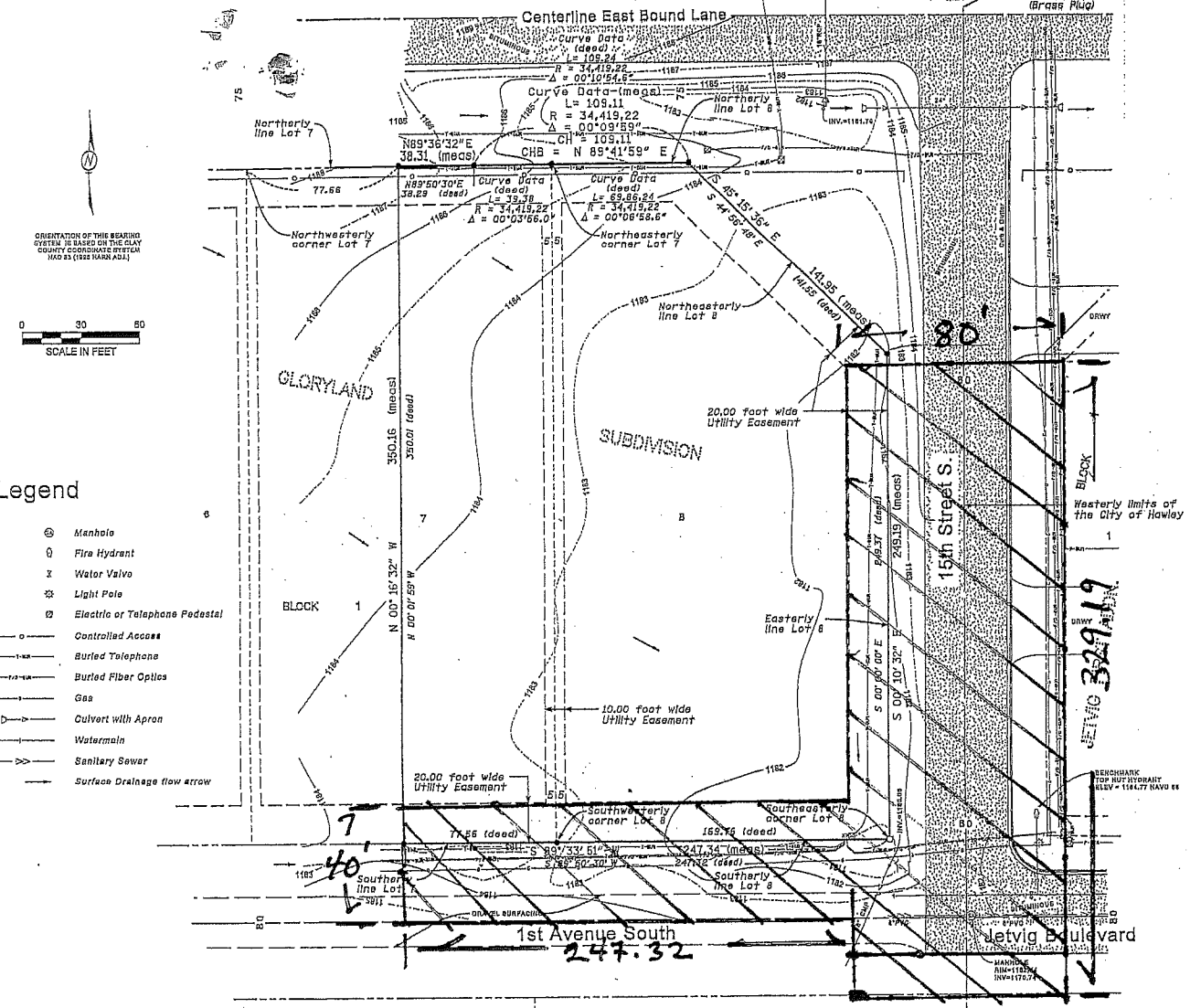


From: Lisa Jetvig [mailto:ljetvig@arvig.net]
Sent: Friday, December 19, 2014 3:43 PM
To: Carol Wickenheiser
Subject: RE: Annexation of part of Gloryland Sub

Carol,

Can you send me a copy of the map that you have and how it is now drawn?

Ex. 1.



- Legend**
- ⊙ Manhole
 - ⊕ Fire Hydrant
 - ⊗ Water Valve
 - ⊛ Light Pole
 - ⊖ Electric or Telephone Pedestal
 - Controlled Access
 - Buried Telephone
 - Buried Fiber Optics
 - Gas
 - Culvert with Apron
 - Watermain
 - Sanitary Sewer
 - Surface Drainage flow arrow

All of Lot 8 and that part of Lot 7, Block 1, of Gloryland Subdivision, said plat is on file and of record in the office of the Recorder in Clay County, Minnesota, described as follows: Commencing at a found iron monument which designates the Northwest corner of said Lot 7; thence North 89 degrees 00 minutes 30 seconds East on an assumed bearing along the Northerly line of said Lot 7 for a distance of 77.66 feet to a found iron monument, said point is the point of beginning; thence South 00 degrees 01 minutes 59 seconds East for a distance of 850.01 feet to an iron monument on the Southerly line of said Lot 7; thence North 89 degrees 00 minutes 30 seconds East along the Southerly line of said Lot 7 for a distance of 77.66 feet to a found iron monument at the Southwest corner of said Lot 8; thence continuing North 89 degrees 00 minutes 30 seconds East along the Southerly line of said Lot 8 for a distance of 185.30 feet to a found iron monument at the Southeast corner of said Lot 8; thence North 00 degrees 00 minutes 30 seconds East along the Easterly line of said Lot 8 for a distance of 246.57 feet to a found iron monument; thence North 44 degrees 00 minutes 48 seconds West along the Northerly line of said Lot 8 for a distance of 141.88 feet to a found iron monument on the Northerly line of said Lot 7; thence West along the Northerly line of said Lot 7 on a curve commencing to the South, having a central angle of 60 degrees 00 minutes 53 seconds and a radius of 64,418.23 feet, for a distance of 69.83 feet (chord bearing South 89 degrees 00 minutes 30 seconds West) to a found iron monument at the Northeast corner of said Lot 7; thence continuing West along the Northerly line of said Lot 7 on a curve commencing to the South, having a central angle of 60 degrees 00 minutes 53 seconds and a radius of 64,418.23 feet, for a distance of 69.83 feet (chord bearing South 89 degrees 00 minutes 30 seconds West) to a found iron monument; thence South 89 degrees 00 minutes 30 seconds West continuing along the Northerly line of said Lot 7 for a distance of 88.29 feet to the point of beginning.

Containing 61,608 square feet, more or less.

(Abstract Property)

- GENERAL SURVEY NOTES:**
1. The premises property described herein is the same as the property described in SURETY TITLE GUARANTEE COMPANY Title Insurance's Commitment No. 18-23339 with a date of February 20, 2013, and that all easements in said title commitment or apparent from a physical inspection of the site or otherwise known to us have been platted hereon or otherwise noted as to their effect on the subject property. Refer to said Commitment for reference to all covenants and restrictions pertinent to the subject property.
 2. The utilities shown have been located from field survey information and markings per Gopher State One Call Ticket No. 150720201 and existing utility maps. The surveyor makes no guarantee that the underground utilities shown comprise all such utilities in the area, either in service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated although he does certify that they are located as accurately as possible from information available. The surveyor has not physically located the underground utilities.
 3. This survey was made in accordance with laws and/or Minimum Standards of the State of Minnesota.
 4. The field work for this survey was done on March 19, 2013. Substantial snow cover of the site impeded the precise collection of some of the data. The data shown is as accurate as possible given the snow conditions at that time.
 5. The premises are not identified as being flood zone per FEMA's FIRM for Community Panel No. 270270 0414 E (Effective Date April 17, 2012)
 6. The site is located in Hawley Township adjacent to the west boundary limits of the City of Hawley. The site and surrounding township property is currently zoned Agriculture.
 7. An application for annexation of the site into the City of Hawley is in process. When the site is annexed to the City, the zoning will be designated C2 - Highway Commercial.
 - Outside for building and parking area
 - Front property line 20 feet
 - Side and back property line 30 feet
 - Side line of Corner Lot 10 (if provided no structure or visual impingement is constructed within a distance of 5' from the intersection of the property lines of the two streets.
 8. Maximum lot coverage 50%
 9. Maximum Building Height 70'
 10. Annexation and Zoning Survey: City of Hawley, 3/26/2013.
 11. Access to US HWY 10 is restricted. There are no existing driveway openings constructed that directly serve the premises in any direction.
 12. Drainage and utility easements are as platted and are shown hereon. Before any building can be done over and across the lot line between lots 7 and 8, the platted drainage and utility easement will need to be vacated.
 13. There was no observed evidence of current earth moving work, building construction or building additions.
 14. There is no observed evidence of site use as a solid waste dump, sump or sanitary landfill.
 15. There are no wetlands observed at the time of this survey.
 16. 15th Street is scheduled to be reconstructed in conjunction with State Project S.P. 1401-188 (TH10-002) in the near future. Contact the Clay County Highway Department for more information.

LIST OF POSSIBLE ENCROACHMENTS
The following list of encroachments is only the opinion of this surveyor and should not be interpreted as a complete listing.

- NONE.

PREMISES LOCATION:
22473 Hwy. 10, Hawley, County of Clay, State of Minnesota
(The address will be reassigned during the annexation process.)
Located in Section 31, Township 139, Range 45
Clay County Tax Parcel No. 15.056.0080

SURVEYOR'S CERTIFICATE
To The Overland Group, LLC, and Stewart Title Guaranty Company:
This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 5, 6(a), 8, 11(a), 16, 18 and 19 of Table A hereof. The field work was completed on March 19, 2013.

Date of Map: March 27, 2013

Samuel J. DeLoe
Samuel J. DeLoe, PLS
Minnesota License No. 40341

- DENOTES: SET IRON PIPE WITH CAP STAMPED "DELOE 40341"
- DENOTES: FOUND IRON MONUMENT
- ⊙ DENOTES: FOUND GOVERNMENT SECTION CORNER MONUMENT

REC'D BY
MBA

MAR 09 2015

City of Hawley
Annexation of streets adjacent to Dollar General front
annexed by Ordinance # 259, recorded July 11, 2013, Doc. # 724213,
Containing 36,228 ft² +/-.

Ex. 2.

OUTLOT A

NO.	REVISIONS AS OF	DATE
	EX. 15	

KLD 23 North 11th Avenue
St. Cloud, MN 56301
320.328.1100

KRAMER LEAS DELEO
REGISTERED PROFESSIONAL LAND SURVEYOR
MINN. LICENSE NO. 40341

Project No. OVERG1301

Signature: *Samuel J. DeLoe* 03/27/2013
Samuel J. DeLoe, PLS Date
Minnesota License No. 40341

ALTA/ACSM LAND TITLE SURVEY

For: The Overland Group, LLC
Site Location: 22473 Highway 10, Hawley
County of Clay, State of Minnesota
Located in Section 11, Township 139 North, Range 45 West

City of Hawley

Annexation of Streets adjacent to Dollar General tract annexed by Ordinance #259, recorded July 11, 2013 Doc. # 724213, containing 36,228 square feet +/-

