

ORDINANCE NO. 710

**AN ORDINANCE OF THE CITY OF AUSTIN, MINNESOTA, ANNEXING
PROPERTY LOCATED IN LANSING TOWNSHIP, MOWER COUNTY, MINNESOTA,
PURSUANT TO MINNESOTA STATUTES 414.033, SUBD. 2(1), PERMITTING
ANNEXATION BY ORDINANCE.**

WHEREAS, said property is unincorporated, is wholly within the city and is owned by the City of Austin; and

WHEREAS, the City of Austin was not required to hold a public hearing pursuant to Minnesota Statutes § 414.033, Subd. 2(b), as the land is owned by the city, nor was written notice required to be mailed to the Township of Lansing; and

WHEREAS, the city council reviewed the annexation;

NOW THEREFORE, the city council of the City of Austin hereby ordains as follows:

1. The city council hereby determines that the property as hereinafter described is wholly within the city and is urban or suburban in nature or about to become so and said land is currently owned by the City of Austin.
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 Austin, Minnesota, are hereby extended to include the following described property, said land within the City of Austin and already owned by said City of Austin and it being necessary and appropriate that the same be annexed within the corporate limits of said City of Austin, Minnesota, described as follows:

See attached Exhibit "A"

4. That the area legally described herein is vacant and will not affect the population of the city.
The area to be annexed includes 1.65 acres in Lansing Township.
5. The parcel is part of the public right of way.
6. The City of Austin will make no cash payment to Lansing Township pursuant to Minnesota Statutes § 414.036, since the land being annexed is City owned.
7. That pursuant to Minnesota Statutes § 414.036, there are no special assessments assigned by the town to the annexed property.
8. That the City Clerk-Treasurer of the City of Austin is hereby authorized and directed to file a copy of this ordinance with the Municipal Boundary Adjustment Unit of the Office of the

Administrative Hearings, the Minnesota Secretary of State, the Mower County Auditor, Mower County Recorder and the Lansing Clerk.

9. That this ordinance shall be in full force and effect and final upon the dates this ordinance is approved by the Office of Administrative Hearings.

Passed by the Austin City Council this 6th day of September, 2022

YEAS 7

NAYS 0

ATTEST:

APPROVED:



Tom Dankert, City Recorder



Stephen M. King, Mayor

This ordinance was introduced on September 6, 2022; approved on September 6, 2022; was published in the Austin Daily Herald on September 14, 2022, and becomes effective September 21, 2022.

Exhibit A
Legal Description

All that portion of the Northwest Quarter of the Southeast Quarter of Section 35, Township 103 North, Range 18 West, Mower County, Minnesota, lying east of the following described parcel:

The following portion of the Northwest Quarter of the Southeast Quarter of said Section 35: Beginning at the Southeast corner of said Quarter-Quarter Section; thence West 66.0 feet along the South line of said Quarter-Quarter Section; thence Northerly 845.94 feet at a deflection angle of 88° 53' right; thence Northerly 235.11 feet at a deflection angle of 0° 40' left, to the Southeasterly right-of-way line of the former Chicago Great Western Railway Company; thence Northeasterly 112.02 feet at a deflection angle of 36° 06' right, along said railroad right-of-way line; thence Southerly 326.0 feet at a deflection angle of 143° 54' right; thence Southerly 847.42 feet at a deflection angle of 0° 40' right, to the point of beginning containing 1.65 acres. Said parcel having been previously described as "Tract B" in the Deed of Dedication from Geo. A. Hormel & Company to the City of Austin dated September 19, 1966, and recorded in the office of the Mower County Recorder on September 23, 1966, as document number 279218.

O'Leary Silver 1.65 acres

CERTIFICATE OF SURVEY

IN NE1/4 SE1/4 SECTION 35-T103N-R18W
AUSTIN, MOWER COUNTY, MINNESOTA

PREPARED LEGAL DESCRIPTION

All that part of the NE1/4 SE1/4 Section 35-T103N-R18W, Mower County, Minnesota; described as follows:

Beginning at the southeast corner of said NE1/4 SE1/4;

thence North 00°55'46" West a distance of 330.00 feet on the east line of the SE1/4 of said Section 35;

thence South 89°14'49" West a distance of 660.00 feet, parallel with the south line of said SE1/4, to the west line of the East 660 feet of said NE1/4 SE1/4;

thence North 00°55'46" West a distance of 988.03 feet on the west line of said East 660.00 feet, to the northwest corner of said East 660 feet;

thence South 89°25'33" West a distance of 587.19 feet on the north line of said SE1/4, to the southeasterly right-of-way line of the Chicago & Northwestern Transportation Company, now abandoned;

thence Southwest a distance of 145.30 feet, on the southeasterly right-of-way line of said abandoned Railroad, and on a nontangential curve, concave to the Northwest with a central angle of 01°26'25", a radius of 5779.59 feet, a chord bearing of South 31°41'48" West, and a chord length of 145.29 feet, to the west line of said NE1/4 SE1/4;

thence South 01°04'16" East a distance of 1197.27 feet on the west line of said NE1/4 SE1/4, to the southwest corner thereof;

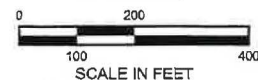
thence North 89°14'49" East a distance of 1322.56 feet on the south line of said NE1/4 SE1/4, to the point of beginning;

subject to an easement for public street and utilities over, under and across the East 22.00 feet of the South 47.00 feet of said NE1/4 SE1/4.

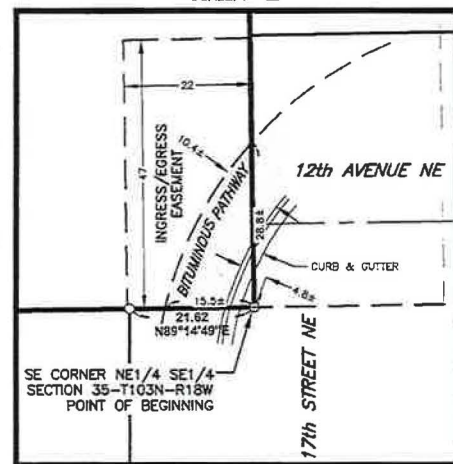
LEGEND:

- = 5/8" x 16" Iron stake monument (Capped SUT 22705)-Placed
- = Iron stake monument-Found
- ⊕ = Mag Nail

SCALE: 1" = 200'

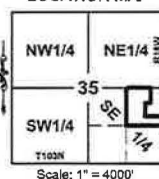


DETAIL:
SCALE: 1" = 20'



FOR: DIANE PERSINGER

LOCATION MAP



Date: 11/20/2017
Revised date: 12/18/2017
Drawn by: ADM
Survey: SUT
Coord-System: MNDOT CO. NAD83 2011
Page 1 of 1
Job No: 17-437_REV1.DWG

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I hereby certify that this survey, plan, or report 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.

Steven J. Thompson,
L.S. No. 22705

Date



**JONES
HAUGH
SMITH**
Engineers + Surveyors

515 South Washington Ave.
Albert Lea, MN 56007
507-373-4876

415 West North Street
Owatonna, MN 55060
507-451-4598

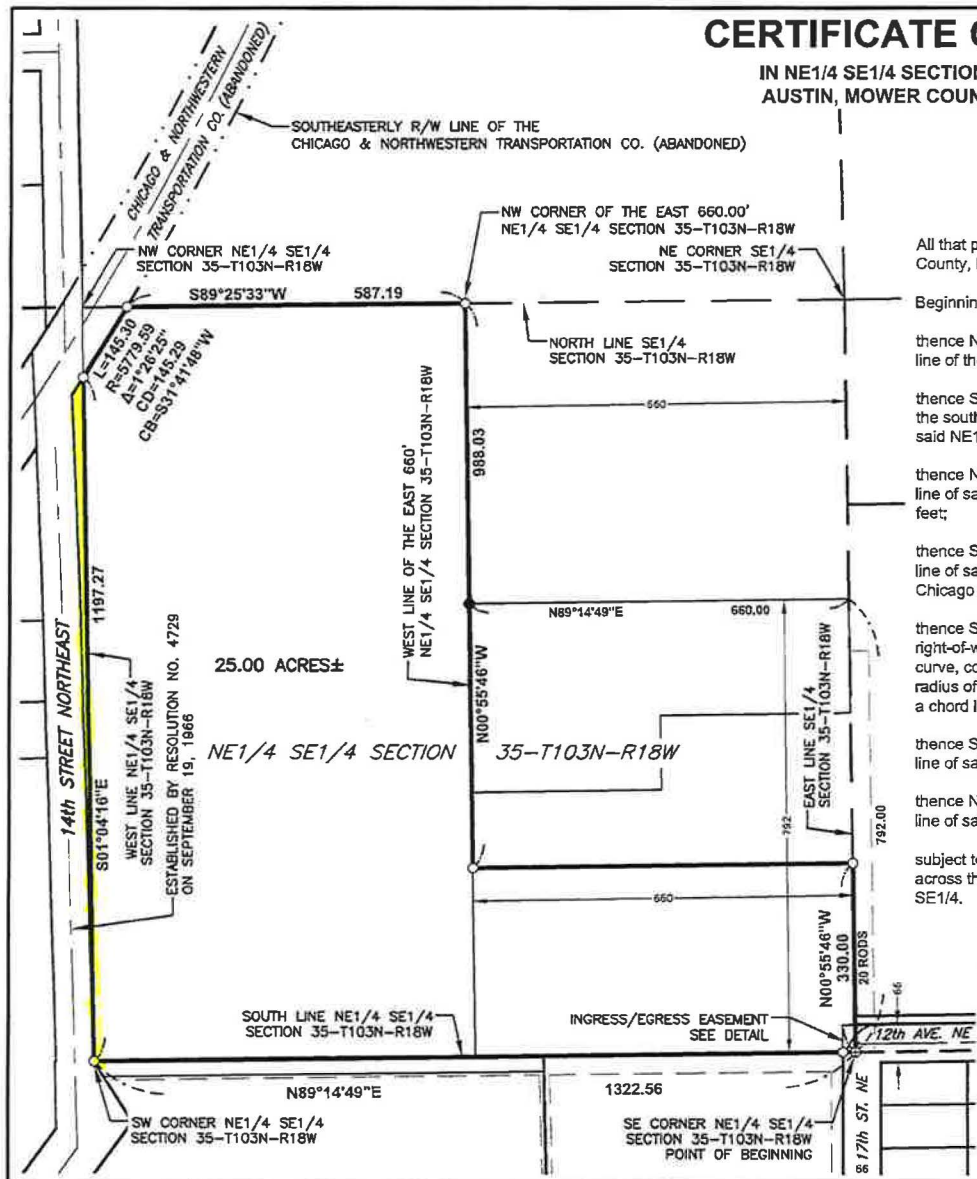


FIGURE 2-3.

FUTURE LAND USE

- Public / Civic
- Parks / Open Space (280 acres)
- Suburban Low Density Residential Neighborhood (299 acres)
- Traditional Moderate Density Residential Neighborhood (175 acres)
- Mixed High Density Residential Neighborhood
- Mixed Use (46 acres)
- Commercial / Retail (101 acres)
- Public / Institutional
- Office/Light Industrial (317 acres)
- Industrial (93 acres)
- City Limits
- Water

