

BEFORE THE MUNICIPAL BOARD
OF THE STATE OF MINNESOTA

Kenneth F. Sette	Chair
Robert J. Ferderer	Vice Chair
John W. Carey	Commissioner

IN THE MATTER OF THE ORDERLY ANNEXATION)
AGREEMENT BETWEEN THE CITY OF BUFFALO) ORDER
AND THE TOWN OF BUFFALO PURSUANT TO)
MINNESOTA STATUTES 414)

WHEREAS, a joint resolution for orderly annexation was adopted by the City of Buffalo and the Town of Buffalo; and

WHEREAS, an amendment to the joint resolution was received from the City of Buffalo and the Town of Buffalo requesting that certain property be annexed to the City of Buffalo pursuant to M.S. 414.0325, Subdivision 1; and

WHEREAS, M.S. 414.0325 states that in certain circumstances the Minnesota Municipal Board may review and comment, but shall within 30 days order the annexation of land pursuant to said subdivision; and

WHEREAS, on March 17, 1993, the Minnesota Municipal Board has reviewed and accepted the resolution for orderly annexation;

IT IS HEREBY ORDERED: That the following described property is hereby annexed to the City of Buffalo, Minnesota, the same as if it had originally been made a part thereof:

A tract of land in Government Lot 3, Section 16, Township 120, Range 25 described as follows: Commence at the center of the Buffalo and Pelican Lake Road at a point $37\frac{1}{2}$ rods due North of the South line of said Government. Lot 3; thence West parallel to the South line of Government. Lot 3, 332 ft. for a point of beginning; thence North at right angles, 90 feet; thence left at right angles to the shore of Lake Pulaski, being a distance of 225 feet more or less; thence Southwesterly along the shore of Lake Pulaski, 100

feet more or less to a point $37\frac{1}{2}$ rods due North of the South line of said Government Lot 3; thence East parallel to the South line of said Government Lot 3, 282 feet to the point of beginning, together with Riparian rights, accretions and relictions between the said tract and Lake Pulaski and also together with an easement for ingress and egress across a 12 foot strip of land lying immediately North and adjacent to a line $37\frac{1}{2}$ rods due North and parallel with the South line of said Government Lot 3, and which said 12 strip lies between the above described premises and the Buffalo and Pelican Lake Road.

AND

That part of the North 17.5 rods of the South 55 rods of Government Lot 3, Section 16, Township 120, Range 25, lying West of the centerline of the Buffalo and Pelican lake Road and described as follows: Commencing at the intersection of the North line of said South 55 rods (according to monumentation and line of occupation) and the centerline of said road; thence North $89^{\circ}05'W$ (assumed bearing) along the said North line, 340.82 feet to the actual point of beginning; thence South $9^{\circ}18'$ West, 113.0 feet; thence South $88^{\circ}38'$ West, 165.0 feet; thence North $85^{\circ}32'$ West, 79.0 feet; thence North $63^{\circ}32'$ West, 88.68 feet more or less, to the shore line of Lake Pulaski; thence Northeasterly along said shore line, 93.25 feet more or less, to the said North line of the South 55 rods; thence South $89^{\circ}06'$ East along said North line, 258.08 feet more or less to the point of beginning, together with the right of ingress and egress over a strip of land 1 rod wide in width, the centerline of said 1 rod bearing South $77^{\circ}42'$ East, 229 feet more or less, to the centerline of the Buffalo and Pelican Lake Road from a point of the East line of the above described tract distant 14 feet North of the Southeast corner thereof, together with any land lying between the above conveyed property and Lake Pulaski as the waters of lake Pulaski from time to time recede or rise, together with all privileges, appurtenances, options, rights of easements, if any, appertaining to the above premises owned by first parties and subject to all of the restrictions and covenants all as defined in that certain deed executed by Edward J. Vandergon and Kathryn M. Vandergon, husband and wife, as grantors to George C. Van Nostrand and Elsie S. Van Nostrand, husband and wife, as joint tenants, as grantees, dated December 31, 1968 and recorded December 31, 1968 in Book 224 of Deeds, pages 248-250. Excepting therefrom a tract of land deeded on December 29, 1972 to George C. Van Nostrand and Elsie S. Van Nostrand, husband and wife, recorded in Book 251 of Deeds, pages 415-416.

AND

That part of the North $17\frac{1}{2}$ rods of the South 55 rods of that part of Government Lot 3, Section 16, Township 120, Range 25, Wright County, Minnesota, lying westerly of the centerline of the Buffalo and pelican Lake Road described as follows: Commencing at the intersection of the North line of said South 55 rods and the center line of said Buffalo and pelican lake road; Thence Southwesterly,

along said center line, a distance of 194 feet more or less to the Southeasterly corner of a tract described in a deed recorded in Book 231 of Deeds pages 285-286; Thence westerly along the Southerly line of said tract, a distance of 135 feet more or less to the Southwesterly corner of said tract; Thence North, along the west line of said tract, a distance of 1.70 feet to the Southeast corner of a tract described in deed recorded 251 of Deeds pages 235 and 236; Thence N77° 42'W (deed bearing) along the South line of said tract, a distance of 92.20 feet to the east line of a tract described in a deed recorded in Book 224 of Deeds pages 248-250; Thence S59°18'W (deed bearing along said east line, a distance of 22.25 feet to the Southeast corner of said tract; Thence S88° 38' W, along the South line of said tract, a distance of 165 feet; thence N85° 32'W, along the South line of said tract, a distance of 79.00 feet; thence N63° 32'W, along the South line of said tract, a distance of 88.68 feet more or less to the shore line of lake pulaski; Thence Southwesterly, along said shore line, a distance of 60 feet more or less to the North line of a tract described in a deed recorded in Book 203 of Deeds page 306; Thence easterly, along the North line of said tract, to the westerly most corner of a tract described in a deed recorded in Book 214 of Deeds page 410; Thence Southeasterly along the Southwesterly line of said tract and the Northeasterly line of a tract described in a deed recorded in Book 214 of Deeds page 412, a distance of 291.1 feet to the Northeasterly corner of the last described tract; Thence South, at an angle of 59° 36' a distance of 24 feet to a line parallel with and 37½ rods North of the South line of said Government Lot 3; Thence east, along said parallel line, to the center line of said Buffalo and Pelican Lake Road; Thence Northeasterly, along said center line, to the point of beginning.

AND

That part of the North 17.5 rods of the South 55 rods of Government Lot 3, Section 16, Township 120, Range 25, Wright County, Minnesota, lying west of the centerline of the Buffalo and Pelican Lake Road and described as follows: Commencing at the intersection of the North line of the said South 55 rods (according to monumentation and line of occupation) and the centerline of said road: thence N 89°06'W (assumed bearing) along the said North line a distance of 340.82 feet; thence S 9°18' West a distance of 75.00 feet to the actual point of beginning; thence continue S 9°18' West a distance of 24.00 feet to a point hereinafter referred to as point A; thence continue S 9°18'W a distance of 14.00 feet; thence S 80°30'W a distance of 165.00 feet; thence N 85°32'W a distance of 79.00 feet; thence N 63°32' W a distance of 88.68 feet to a point hereinafter referred to as point B; thence continue N 63°32'W a

distance of 19 feet more or less to the shore line of Lake Pulaski; thence Northeasterly along the said shore line a distance of 41 feet more or less to the intersection of a line bearing N 71°32'08" W from a point hereinafter referred to a point C, said point C being on a line bearing N 37°09' E, distant 43.25 feet from said point B; thence S 71°32'08" E along the said line a distance of 19 feet more or less to said point C; thence continue S 71°32'08" E a distance of 192.41 feet; thence N 79°33'32" E a distance of 122.65 feet to the point of beginning. Subject to the right of an ingress and egress easement over a one rod strip, the centerline of the said easement bears N 77°42' W from the said point A, the sidelines of the said easement to be shortened or lengthened to terminate at the above described line bearing N 79°33'32" E, also the right of ingress and egress over a one rod strip, the centerline of which bears S 77°42' E from the said point A a distance of 229.00 feet more or less to the centerline of the Buffalo and Pelican Lake Road. Also, That part of the North 17.5 rods of the South 55 rods of Government Lot 3, Section 16, Township 120, Range 25 Wright County, Minnesota lying West of the centerline of the Buffalo and Pelican Lake Road described as follows: Commencing at the intersection of the North line of said South 55 rods and the centerline of said road; thence North 89° 06' West (assumed bearing) along the North line of the said South 55.0 rods a distance of 263.7 feet to the actual point of beginning; thence continue North 89°06' West along the last described course a distance of 77.12 feet; thence South 9°18" West a distance of 90.75 feet to the North line of the one rod ingress and egress strip of land, according to the deed recorded in the office of the Registered Deeds in book 224 of Deeds, pages 248-250; thence South 77°42' East along the North line of said one rod strip to its intersection with a line drawn South at right angles to the North line of the said South 55 rods from the point of beginning; thence North along the said line to the point of beginning. The foregoing tracts together containing a total of 21,000 square feet, more or less.

ALSO:

That part of Government Lot 3 of Section 16, Township 120, Range 25, described as follows: Commencing at the center of the Buffalo and Pelican Lake Road, now known as County Road No. 114, to a point which is 55 rods due North of the South line of said Government Lot 3; thence West and parallel with the South line of said Government Lot 3 a distance of 263.7 feet; thence angle left 90° for a distance 109.7 feet; thence angle left 76°17' for a distance of 135 feet to the center of the said County Road No. 114; thence Northeasterly along the center of said County Road a distance of 194 feet, more or less, to the point of beginning; together with the following three non-exclusive easements which shall apertain to the above conveyed premises, to wit: (A) Access to the public road from the above premises upon a strip of land one rod wide described as the "ingress and egress" strip of land in that certain deed made by Edward J. Vandergon and Kathryn H. Vandergon, husband and wife, to George C. VanNostrand and Elsie S. VanNostrand, husband and

wife, as grantees, recorded in Book 224 of Deeds, page 248-250. (B) A foot path (never exceeding 3 feet in width) to Lake Pulaski, being first upon the above described "ingress and egress" strip of land granted for easements purposes in the above described deed of record in Book 224 of Deeds, pages 248-250 from the premises herein conveyed Westerly until the same reached the property so conveyed in Book 224 of Deeds, pages 248-250 then adjoining the same in a Southerly direction to the Southeast corner of said premises; thence Westerly and adjoining to said premises 165 feet; thence continuing Westerly on the North side of and adjoining that certain tract conveyed by Edward J. Vandergon and Kathryn M. Vangergon, husband and wife, to Walter A. Ernst and Edith S. Ernst, husband and wife, recorded in Book 203 of Deed, page 306 to the shore of Lake Pulaski, (C) Use of 30 feet of lake shore of Lake Pulaski for recreational purposes, being immediately Northerly and adjacent to the premises above referred to described in Book 203 of Deeds, page 306, Said use to include docking and boating privileges on said 30 feet. The parties of the first part, their heirs and assigns shall have an easement to go upon North 5 feet of described property to maintain their garage. Subject to restrictions, reservations, and easements of record, if any.

AND

A tract of land in Government Lot Three (3), Section Sixteen (16), Township One Hundred Twenty (120), Range Twenty-five (25) described as follows: Commence at the center of the Buffalo and Pelican Lake Road at a point $37\frac{1}{2}$ rods due North of the South line of Government Lot Three (3) in Section Sixteen (16), Township One Hundred Twenty (120) of Range Twenty-Five (25); thence West parallel with the South line of said Government Lot Three (3), a distance of 332.0 feet; thence angle right 90° , a distance of 90 feet; thence angle right 90° a distance of 14 feet for a point of beginning; thence angle left $81^\circ 12'$ for a distance of 90 feet, thence angle left $101^\circ 80'$ for a distance of 210 feet, more or less, to the shore of Lake Pulaski; thence Southerly along the Lake shore a distance of 80 feet; thence East a distance of 230 feet, more or less, to the point of beginning; together with an easement for ingress and egress over the following described tract: Commencing at center of Buffalo and Pelican lake Road at a point $37\frac{1}{2}$ rods due North of the South line of Government Lot Three (3), Section Sixteen (16), Township One Hundred Twenty (120), Range Twenty-Five (25); thence West, parallel with South line of Government Lot Three (3), 332 feet; thence angle right 90° a distance of 90 feet; thence angle right 90° a distance of 14 feet; thence angle right 90° a distance of 78 feet; thence angle right 90° to a point on the center of said road 12 feet North of point of beginning; thence along center of road to point of beginning.

AND ALSO

A tract of land in Government Lot 3, Section 16, Township 120, Range 25 described as follows: Commence at the center of the Buffalo and Pelican lake Road at a point $37\frac{1}{2}$ rods due North of the South line of said Government Lot 3; thence West parallel to the South line of said Government Lot 3, a distance of 332.0 feet;

thence angle right 90° a distance of 90 feet; thence angle right 90° a distance of 14 feet; thence angle left 81°12' for a distance of 80 feet for a point of beginning of the lands to be described; thence angle left 101°50' for a distance of 210 feet, more or less, to the shore of lake Pulaski; thence Northerly along the lake shore a distance of 15 feet; thence in an Easterly direction to the point of beginning. Also a tract of land described as follows: Commencing at the center of the Buffalo and Pelican Lake Road at a point 37½ rods due North of the South line of said Government Lot 3 of Section 16, Township 120, Range 25; thence West parallel with the South line of said Government Lot 3, a distance of 332.0 feet; thence angle right 90° a distance of 90 feet; thence angle right 90° a distance of 14 feet for a point of beginning; thence angle left 81°12' for a distance of 80 feet; thence angle right 100° for a distance of 50 feet; thence angle right 80° for a distance of 80 feet; thence angle right 100° a distance of 50 feet to the point of beginning. EXCEPT That part of Government Lot 3, Section 16, Township 120, Range 25, Wright County, Minnesota described as follows: Commencing at the intersection of the centerline of the Buffalo and Pelican Lake Road and a line drawn parallel with and distant 37½ rods North of the South line of said Government Lot 3; Thence west along said parallel line a distance of 332 feet; Thence North at a right angle to said parallel line a distance of 93.6 feet (90 feet deed); Thence east at a right angle a distance of 14.0 feet; Thence deflect 81°12' left in a Northeasterly direction a distance of 80.0 feet to the actual point of beginning; Thence deflect 100° right in a Southeasterly direction a distance of 50 feet; Thence deflect 80° right in a Southwesterly direction a distance of 10.9 feet, Thence Northwesterly a distance of 53.1 feet to the point of beginning.

AND ALSO

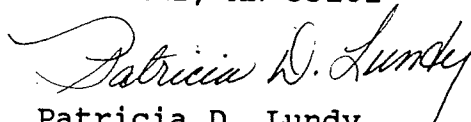
That part of Government Lot 3, Section 16, Township 120, Range 25, Wright County, Minnesota described as follows: Beginning at the intersection of the centerline of the Buffalo and Pelican Lake Road at a line drawn parallel with and distant 37½ rods North of the South line of said Government Lot 3; thence West along said parallel line a distance of 332 feet; thence North at a right angle to said parallel line a distance of 93.6 feet (90 feet deed); thence East at a right angle a distance of 14.0 feet; thence deflect 18°48' right in a Southeasterly direction a distance of 50 feet; thence deflect 100° left in a Northeasterly direction a distance of 69.1 feet; thence deflect 100° left in a Northeasterly direction a distance of 69.1 feet; thence deflect 111°46' right in a Southeasterly direction a distance of 238 feet; thence deflect due South at an angle of 59°36' a distance of 24 feet; thence due East along a line parallel with and 37½ rods North of the South line of Government Lot 3 to the point of beginning subject to an easement for ingress and egress over the South 24 feet lying directly North of the line 37½ rods North of the South line of Government Lot 3 described as follows: Commencing at the center of the Buffalo and Pelican Lake Road at a line lying 37½ rods North of the South line of Government Lot 3; thence Northeasterly along the center line of said Buffalo and Pelican Lake Road a distance of 13.7 feet already subject to easement; thence due west a distance

of 60.95 feet; thence due North a distance of 12 feet; thence due East to the center line of Buffalo and Pelican Lake Road a distance of 67 feet; thence Southwesterly to the point of beginning, together with an easement for ingress and egress over the following described tract: Commencing at the center of the Buffalo and Pelican Lake Road at a point $37\frac{1}{2}$ rods due North of the South line of Government Lot 3, Section 16, Township 120, Range 25; thence Northeasterly to a second point on the center of said Buffalo and Pelican Lake Road a distance of 13.7 feet; thence due West along a line parallel to the South line of Government Lot 3 a distance of 39.35 feet; thence deflect $149^{\circ}26'$ in a Northwesterly direction a distance of 24.7 feet; thence due East along the line lying 24 feet due North of a line lying $37\frac{1}{2}$ rods North of the South line of Government Lot 3 a distance of 67 feet to the center of Buffalo and Pelican Lake Road a distance of 13.7 feet.

IT IS FURTHER ORDERED: That the effective date of this order is March 17, 1993.

Dated this 17th day of March, 1993.

MINNESOTA MUNICIPAL BOARD
Suite 475 McColl Building
St. Paul, MN 55101



Patricia D. Lundy
Assistant Director