



REC'D BY
MMB

DEC 24 2001

RESOLUTION 01-34

GOLDEN TEE ANNEXATION REQUEST (SEE ATTACHED MAP)

Section 1. The City of Byron has received a petition from all of the owners of record of the property described in Schedule A attached hereto and made a part hereof, requisition the annexation of said lands into the corporate limits of the City of Byron, which land is located in Kalmar Township, Olmsted County, Minnesota.

Section 2. The City having reviewed the petition and lands involved has made the following findings and determinations:

- A. The land is urban or suburban in nature;
- B. The land abuts the corporate limits of the City of Byron;
- C. The land is 259.01 acres or less in size;
- D. The land is not served by City sewer/water and said facilities are not available at present time.

Section 3. The City of Byron has notified the supervisors of Kalmar Township, all owners of record of the property described in Schedule A attached hereto, and all land owners within and contiguous to the area to be annexed, of said annexation petition and a hearing thereon was held at the regularly scheduled meeting of the Planning Commission on 13th day of November, 2001 at 6:30PM at which time the Planning Commission took testimony for and against said annexation.

Section 4. The City of Byron is empowering pursuant to Minnesota statute 414.033 to annex the subject property by Orderly Annexation and by the execution of this resolution directs that said property be annexed into the City of Byron.

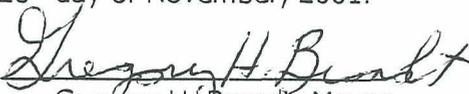
Section 5. As a result of this annexation the population of the City of Byron will not increase.

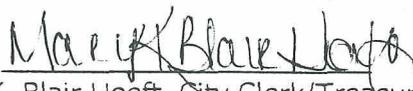
Section 6. The City of Byron hereby requests that the Minnesota Planning, Municipal Boundary Adjustments, immediately order and approve said annexation upon receipt of this resolution. The City further requests that no further consideration of said Board is necessary and that no alteration of the stated boundaries of the annexation be made by said Board.

Section 7. The City hereby directs that the zoning map described in Section 1.03 of the City of Byron's City Zoning Ordinance be amended to include property described in Schedule A. and further that the City amend its land use plan to conform to the City's Zoning and Land Use Ordinance as a result of this annexation.

Section 8. That Byron's City Clerk is directed to file a certified copy of this resolution with the following boards and agencies: Minnesota Planning, Kalmar Township, Olmsted County Auditor and the Minnesota Secretary of State.

The foregoing resolution was duly passed and adopted by the City Council of the City of Byron, Minnesota, at its meeting on the 28th day of November, 2001.

By: 
Gregory H. Brandt, Mayor

Attest: 
Mary K. Blair Hoelt, City Clerk/Treasurer

**Resolution Number 2001-01
Town of Kalmar
County of Olmsted**

Whereas, the Annexation of 259.1 acres in Kalmar Township presented to the Kalmar Town Board by the City of Byron for their review and approval on December 17, 2001 described as follows:

Parcel "A" - the Northwest Quarter of Section 28, except the South 60 acres thereof, the South Half of the Southwest Quarter of Section 21; and

Parcel "B" - the Northeast Quarter of the Northeast Quarter of Section 29; and

Parcel "C" - the South Half of the Northeast Quarter of Section 29;

all in Township 107 North, Range 15 West, Olmsted County, Minnesota.

be annexed to the City of Byron,

Whereas, Aimes Construction, Inc., a corporation, owns the above-described parcel "A"; Margaret Gemelke, a single person, owns the above-described parcel "B"; and Till Partners, a family partnership, owns the above-described parcel "C";

Whereas, the properties do not lie within an incorporated boundary, abut the City of Byron, and are included in an orderly annexation area designated by the Kalmar Town Board and City of Byron Orderly Annexation Agreement,

Whereas, the City of Byron is requesting Township approval of the annexation per "A Joint Resolution of the City of Byron and the Township of Kalmar Designating an Unincorporated Area as in Need of Orderly Annexation", as entered into by Kalmar Township on July 18, 2000 and the City of Byron on July 27, 2000, and

Whereas, the Town Board of Kalmar, after duly examining the documents, finds them to be in proper order,

Now, Therefore, Be It Resolved that the Town Board of Kalmar grants approval of the Annexation of above-described 259.1 acres; and

Be It Further Resolved that the Town Board of Kalmar hereby agrees to waive the usual ninety-day waiting period.

PASSED, ADOPTED AND APPROVED BY THE KALMAR TOWN BOARD OF SUPERVISORS THIS 17TH DAY OF DECEMBER 2001.

Chair

Attest:

Clerk

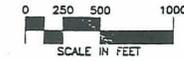
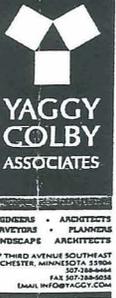
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mjf

**ANNEXATION DESCRIPTION
CITY OF BYRON**

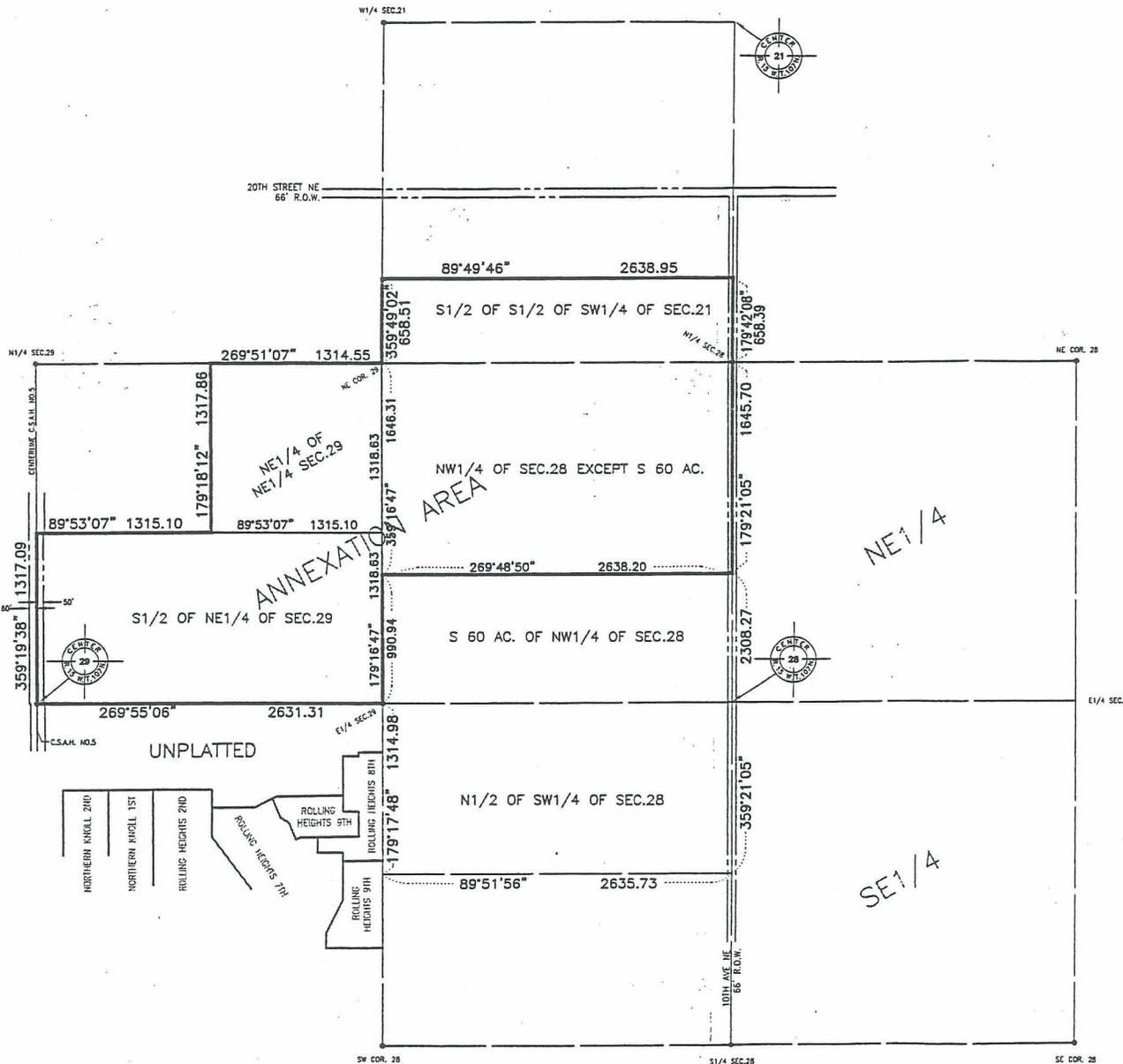
The Northwest Quarter of Section 28, except the South 60.00 acres thereof, the South Half of the South Half of the Southwest Quarter of Section 21, The Northeast Quarter of the Northeast Quarter of Section 29, and the South Half of said Northeast Quarter of Section 29, all in Township 107 North, Range 15 West, Olmsted County, Minnesota.

Said tract contains 259.01 acres, more or less

ANNEXATION MAP



- MONUMENTS**
- Set 1/2" Rebars
 - Set 3/4" Iron Pipes
 - Found Monuments (Pipe, Rod, Etc.)
- All monuments set have a plastic cap stamped L.S. 20703.



REC'D BY
 M.M.B
 DEC 24 2001

CLIENT:
 GOLDEN TEE DEVELOPMENT LLC.

PROJECT NUMBER: P1
 COMPUTER FILE: 7572BOUNDARY.dwg
 DATE: 9-8-01
 DRAFTER: ERSON, DP