

ORDINANCE NO. 24 Second Series
AN ORDINANCE EXTENDING
THE CORPORATE LIMITS OF THE
CITY OF PINE ISLAND
PURSUANT TO MINNESOTA STATUTES 414.033, SUBD. 5

WHEREAS, a certain Petition dated December 11, 1995, requesting annexation of the territory hereinafter described, was duly presented to the City Council of the City of Pine Island on the 16th day of January, 1996; and

WHEREAS, the Petition was signed by all owners of the property described in the hereinbefore referred to Petition; and

WHEREAS, the property referred to in said Petition is unplatted and is about to become urban or suburban in character; and

WHEREAS, the property described in said Petition does not exceed 200 acres; and

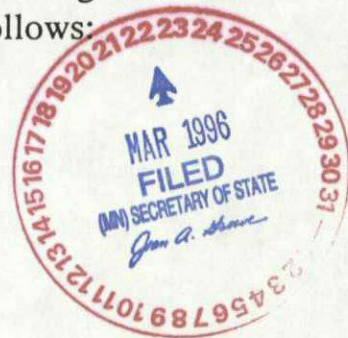
WHEREAS, the property described in said Petition abutts the existing City Limits of the City of Pine Island; and

WHEREAS, No objections to the annexation requested in the aforescribed Petition have been received from the Township of New Haven, being that Township in which the property described in said Petition is currently located; and

WHEREAS, the Town Board of the Township of New Haven, Olmsted County, MN pursuant to a Resolution adopted by the Town Board on the 12th day of March, 1996, stated that it had no objection to the annexation herein described and that it waived the (90) day notice to file any objections to said Petition as provided for by Minnesota Statutes 414.033, Subd. 5; and

WHEREAS, the City Council of the City of Pine Island, having considered all of the foregoing including the Petition herein, determines as follows:

9601324



NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PINE ISLAND, MN, ORDAINS:

Section 1. The City Council Determines:

- (1) That the territory hereinafter described abutts upon the City Limits and is about to become urban or suburban in character;
- (2) That none of the territory is now included within the limits of any City;
- (3) That the Petition for annexation hereinbefore referred to has been signed by all of the owners of the property hereinafter described;
- (4) That the territory described herein to be annexed, does not exceed 200 acres.

Section 2. That the population of the territory is zero.

Section 3. The corporate limits of the City of Pine Island, MN are hereby extended to include the unplatted land described as follows and the same is hereby extended to and included within the City of Pine Island as effectively as if it had originally been a part thereof:

That part of the W-1/2 of the NW-1/4, and of the NE-1/4 of the NW-1/4 of Section 4, Township 108 N, Range 15 W, Olmsted County, MN, described as follows:

Commencing at the NW corner of the NW-1/4 of said Section 4; thence N 89 deg. 18' 31" E, assumed bearing, along the N line of said NW-1/4, 510.29 ft., for a point of beginning; thence continue N 89 deg. 18'31" E, along said N line, 552.66 ft. to the Wly right of way line of the Minnesota State Recreational Trail (formerly the Chicago and Northwestern Railway Company); thence S 39 deg. 17'42" E, along said right of way line, 1234.11 ft.; thence S 83 deg. 59' 00"W, 676.63 ft.; thence S 08 deg. 44'14" W, 356.65 ft. to the center line of the Township Road (said center line being described in the next eight courses); thence N 72 deg. 28' 46" W, along said center line, 703.38 ft.; thence N 65 deg. 02'09" W, 98.08 ft.; thence N 39 deg. 55'05" W, 95.25 ft.; thence N 01 deg. 31'28" E, 88.35 ft.; thence N 19 deg. 46'41" E, 262.68 ft.; thence N 17 deg. 52'11" E, 434.38 ft.; thence N 10 deg. 27'42" E, 133.58 ft.; thence N 11 deg. 59'20"E, 169.03 ft. to the point of beginning. Being subject to an easement for the Township Road right of way line over the South and Westerly boundary thereof.

Section 4. The City Clerk/Administrator is hereby directed to file certified copies of this Ordinance with the Minnesota Municipal Board, the Olmsted County Auditor, the Clerk of the Township of New Haven, and the Secretary of State of the State of Minnesota.

Section 5. This Ordinance takes effect upon its passage and publication and the filing of the certified copies as directed in Section 4 and the approval of this Ordinance by the Minnesota Municipal Board.

Adopted by the Council this 19th day of March, 1996.




Gerald Vettel, Mayor

ATTEST:

BY: Elmer Brocker
Elmer Brocker
City Clerk/Administrator

I DO HEREBY CERTIFY THAT THIS IS A TRUE AND ACCURATE COPY OF AN ORDINANCE ADOPTED BY THE CITY COUNCIL OF THE CITY OF PINE ISLAND AT ITS REGULAR MEETING ON MARCH 19, 1996.



ELMER BROCKER
CITY ADMINISTRATOR

GARTNER & SHULMAN, LTD.

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*Admitted in Minnesota,
Wisconsin and Colorado

March 21, 1996

State of Minnesota
Municipal Board
475 McColl Building
366 Jackson Street
St. Paul, MN 55101-1925

Attn: Christine M. Scotillo, Executive Director

RE: MMB Docket No. A-5617 Pine Island Zwart Petition: 28.26 acres

Dear Ms. Scotillo:

On behalf of the City of Pine Island, Minnesota, with reference to the above Petition for Annexation, herewith enclosed please find a certified copy of the City Ordinance extending the Corporate Limits of the City of Pine Island, a copy of which with this letter is being sent directly to the Minnesota Secretary of State, the Olmsted County Auditor, and the Township of New Haven. We will defer filing a copy with the Olmsted County Recorder until such time as we have received the final approval from the Municipal Board.

I am also enclosing for you a photo copy, the original of which was transmitted by Fax to me but showing the signatures of town officers of the New Haven Township Resolution Waiving the Right to Object to Annexation.

I have previously complied with your requirements set forth in your letter of January 24, 1996 and so I believe, nothing further should be required for approval of this Annexation by the Municipal Board. If however, I am at error in this regard please advise otherwise I would appreciate receiving the Municipal Board's approval. Thank you.

Yours truly,

Philip A. Gartner

PAG/sjf

cc: Olmsted County Board of Commissioners w/enc.

New Haven Township Clerk w/enc.

Minnesota Secretary of State's Office w/enc.

Elmer Brocker, Mayor Gerald Vettel, Mr. and Mrs. Wendell Zwart

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