

Phone: 221-2428



STATE OF MINNESOTA  
MUNICIPAL COMMISSION

610 Capitol Square Building  
10th & Cedar Streets  
St. Paul, Minnesota 55101  
May 14, 1971

Mr. John Nugent, Clerk  
Village Hall 261 4th Ave.  
Foley, Minnesota

Re: Docket Number A-1913 Ordinance Number 121

Dear Sir:

The Minnesota Municipal Commission acknowledges receipt and filing of the above Ordinance and filing fee in accordance with Minn. Session Laws 1969, Chapter 1146, Section 12 and the Rules of Procedure.

According to law, this annexation is final upon filing a copy of the ordinance with the Town Clerk, County Auditor and Secretary of State in addition to the Municipal Commission.

Please refer to the above docket and ordinance numbers in any future reference to this annexation.

Very truly yours,

MUNICIPAL COMMISSION

A handwritten signature in cursive script that reads "Bruce Rasmussen".

Bruce Rasmussen  
Executive Secretary

BR/mg

c.c. Secretary of State  
County Auditor  
Township  
Attorney  
Municipality

22513

Foley

Village of Foley  
BENTON COUNTY  
Foley, Minnesota  
56329

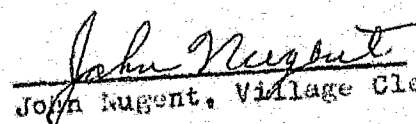
I, John Nugent, being the duly appointed and acting Clerk of the Village of Foley, Minnesota, do hereby certify that I have examined and compared the attached copy of Ordinance Number 121 to the original Ordinance Number 121 which is on file in my office, and that the attached copy is a true and correct copy of said original.

Further, I certify that on this date I did send a certified copy of said Ordinance Number 121 to the following persons and places:

- a) Minnesota Municipal Commission  
610 Capitol Square Building  
St. Paul, Minnesota 55101
- b) Joseph Donovan  
Minnesota Secretary of State  
State Office Building  
St. Paul, Minnesota 55101
- c) August Machula Jr.  
Benton County Auditor  
Benton County Courthouse  
Foley, Minnesota 56329
- d) Leonard Smiglewski  
Clerk of Gilmanton Town Board  
Route 3  
Foley, Minnesota 56329

Dated: December 23<sup>rd</sup>, 1970.

Respectfully submitted,

  
John Nugent, Village Clerk

(SEAL)

ORDINANCE NUMBER 121  
VILLAGE OF FOLEY  
BENTON COUNTY, MINNESOTA

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF  
THE VILLAGE OF FOLEY

WHEREAS, the territory described below is not presently within the corporate limits of any incorporated city, village or borough; and

WHEREAS, the territory described in Tract I abuts upon the corporate limits of the village at the westerly boundary thereof and is deemed to be urban in character; and

WHEREAS, the territory described in Tract II abuts upon the corporate limits of the village at the westerly boundary thereof and approximately 400 feet on the northerly boundary thereof, and approximately 160 feet at the southerly boundary thereof; and

WHEREAS, Tract I and Tract II are owned in fee by the village; and

WHEREAS, Sixty percent (60%) or more of the perimeter of the territory described in Tract III is bordered by lands already included within the corporate limits of the village and is deemed to be urban in character; and

WHEREAS, a certain petition requesting annexation of the territory hereinafter described at Tracts IV, V and VI, were duly presented to the council on the 13th day of October, 1970; and

WHEREAS, the quantity of land embraced within the area described in the petition and bounded as described is 2.50 acres, more or less, of unplatted land, no part of which is within the limits of an incorporated city, village or borough; and

WHEREAS, said petition was signed by all owners; and

WHEREAS, no objections to the annexation have been received from the town board, the county board, or the governing body of any municipality whose boundaries abut upon the boundaries of the land to be annexed; and

WHEREAS, the land described in the petition and hereafter described as Tract IV abuts upon the village limits at the northerly and the westerly boundaries thereof; and

WHEREAS, the land described in the petition and hereafter described as Tract V abuts upon the village limits at the northerly and the easterly boundaries thereof; and

WHEREAS, the land described in the petition and hereafter described as Tract VI abuts upon the village limits at the northerly boundary thereof;

THE COUNCIL OF THE VILLAGE OF FOLEY MINNESOTA ORDAINS AS FOLLOWS:

That the 1967 Code of Ordinances of the Village of Foley be amended by adding Section 100:06 to read as follows:

Section 100:06(1). The corporate limits of the Village of Foley are hereby extended to include the unplatted property above referred to as Tract I, now owned by the Village, and described as follows:

That part of the Northeast Quarter (NE $\frac{1}{4}$ ) of Section Thirty-five (35), Township Thirty-seven (37), Range Twenty-nine (29), and that part of the West Half of Northwest Quarter (W $\frac{1}{2}$  of NW $\frac{1}{4}$ ), Section Thirty-six (36), Township Thirty-seven (37), Range Twenty-nine (29), described as beginning at the SW corner of Lot Twelve (12), Block Six (6) FOLEY DEVELOPMENT PLAT; thence North, parallel with the West line of the Northeast Quarter of said Section Thirty-five, Township Thirty-seven, Range Twenty-nine, a distance of 1,500 feet; thence east parallel with the south lines of said Northeast Quarter of Section Thirty-five and said Northwest Quarter of Section Thirty-six to the east line of the West Half of the Northwest Quarter of said section Thirty-six, Township Thirty-seven, Range Twenty-nine; thence south along the east line of said West Half of Northwest Quarter, to the south line of said Northwest Quarter; thence west along the south lines of said Northwest Quarter of Section Thirty-six, and Northeast Quarter of Section Thirty-five to the point of beginning, EXCEPTING

Lots One (1), Two (2), Three (3), Four (4) and Five (5), in Block One (1); Lots Six (6) and Seven (7) in Block Two (2); and Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11), and Twelve (12), Block Six (6); all being part of FOLEY DEVELOPMENT PLAT, which is in the Northeast Quarter (NE $\frac{1}{4}$ ), of Section Thirty-five (35), Township Thirty-seven (37) North, Range Twenty-nine (29) West. The herein excepted property has previously been annexed.

Section 100:06(2). The corporate limits of the Village of Foley are hereby extended to include the unplatted property above referred to as Tract II, now owned by the Village and described as follows:

All that part of the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$  of NE $\frac{1}{4}$ ), Section Thirty-five (35), Township Thirty-seven (37) North of Range Twenty-nine (29) West, Fourth Principal Meridian, described as follows, to-wit:

Thirty (30) feet on both sides of a line, which line begins at a point on the easterly right of way line of old State Trunk Highway No. 25, 165 feet north of the northwest corner of Lot Eighteen (18), Block One (1), Foley Development Plat; thence running easterly and parallel to the northerly line of the Northeast Quarter of said Section Thirty-five, for a distance of 1,200 feet and there terminating. Being 1.66 acres more or less.

Section 100:06(3). The corporate limits of the Village of Foley Minnesota, are hereby extended to include the unplatted territory herein referred to as Tract III, described as follows, sixty percent (60%) or more of the perimeter of which territory is bordered by territory already included within the village limits:

The West 150 feet of the East 183 feet of the North 427.67 feet of the south 507.67 feet of the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$  of NW $\frac{1}{4}$ ), of Section Thirty-five (35), Township Thirty-seven (37), Range Twenty-nine (29), Benton County, Minnesota; being 1.47 acres more or less.

Section 100:06(4). The village council hereby determines as to Tracts IV, V, and VI, (1) that the annexation will be to the best interests of the village and of the territory affected; (2) that the territories described in Tracts IV, V, and VI, abut upon the village limits and are suburban in character; and (3) that none of said territory is now included within the limits of any city, village or borough.

Section 100:06(5). The corporate limits of the village are hereby extended to include the unplatted lands described as follows and the same are hereby annexed to and included within the village as effectually as if they had originally been a part thereof:

(a) TRACT IV.

All that part of the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$  of NE $\frac{1}{4}$ ), of Section Thirty-five (35), Township Thirty-seven (37) North, Range Twenty-nine (29) West of the Fourth Principal Meridian, described as follows, to-wit:

Commencing at the northwest corner of Lot 18, Block 1, of FOLEY DEVELOPMENT PLAT, as shown on the plat thereof, which is on file and of record in the office of the Register of Deeds in and for Benton County, Minnesota, said point being on the easterly right of way line of old Trunk Highway No. 25; thence northerly on said right of way line 595 feet to the point of beginning; thence continue northerly on said right of way line 100 feet; thence easterly and parallel with the northerly boundary line of said Foley Development Plat 600 feet; thence southerly and parallel with said easterly right of way line of old Trunk Highway No. 25, for 500 feet; thence westerly and parallel with said northerly boundary line of Foley Development Plat a distance of 200 feet; thence northerly and parallel with the easterly right of way line of old Trunk Highway No. 25, a distance of 400 feet; thence westerly and parallel with the northerly boundary line of the Foley Development Plat a distance of 400 feet to the point of beginning and there terminating, being 2.07 acres more or less.

(b) TRACT V.

The east 171 feet of the south 85 feet of the north 118 feet of the Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$  of NW $\frac{1}{4}$ ), of Section Thirty-five (35), Township Thirty-seven (37) North, Range Twenty-nine (29) West, Fourth Principal Meridian being .33 acres more or less.

(c) TRACT VI.

All that part of the Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$  of NW $\frac{1}{4}$ ), of Section Thirty-five (35), Township Thirty-seven (37) North, Range Twenty-nine (29) West, Fourth Principal Meridian, Benton County, Minnesota, being described as follows, to-wit: Commencing at a point 33 feet south and 171 feet west of the northeast corner of said Southeast Quarter of Northwest Quarter (SE $\frac{1}{4}$  of NW $\frac{1}{4}$ ), of Section Thirty-five (35); thence West and parallel to the northerly line of said Southeast Quarter of Northwest Quarter (SE $\frac{1}{4}$  of NW $\frac{1}{4}$ ), of Section Thirty-five (35), 140 feet; thence at right angles south 165 feet; thence at right angles east 86 feet; thence at right angles north 80 feet; thence at right angles east 54 feet; thence at right angles north 85 feet to the point of beginning, being .43 acres more or less.

Section 100:06(6). Filing. The village clerk is hereby directed to file certified copies of this ordinance with the Minnesota Municipal Commission, the Secretary of State and the auditor of Benton County Minnesota, and the town clerk.

Section 100:06(7). Effective Date. This ordinance takes effect upon its passage and publication and the filing of the certified copies as directed in Section 100:06(6).

Adopted by the Council this 15th day of December, 1970.

15/ Verno G. Larson  
Acting Mayor

ATTEST:

15/ JOHN NUGENT  
Village Clerk

#22513  
STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED  
MAY 15 1971  
Arlen D. Edsall  
Secretary of State