

RESOLUTION NO. 516, SECOND SERIES

JOINT RESOLUTION OF THE TOWNSHIP OF LAKE MARSHALL AND THE TOWNSHIP OF FAIRVIEW AND THE CITY OF MARSHALL DESIGNATING AN UNINCORPORATED AREA AS IN NEED OF ORDERLY ANNEXATION AND CONFERRING JURISDICTION OVER SAID AREA TO AND UPON THE MINNESOTA MUNICIPAL COMMISSION

WHEREAS, Certain property now located within the Township of Lake Marshall and the Township of Fairview is in need of orderly annexation to the City of Marshall pursuant to the provisions of M.S.A., Chapter 414, as amended; and

WHEREAS, The property is shown on the plat attached hereto, marked Exhibit 'A' and made a part hereof, and situated in the County of Lyon, State of Minnesota, and described as follows, to-wit:

The $\frac{N}{2}$ of the $\frac{NE}{4}$ of Section 7, T111N, R41W.

The $\frac{SE}{4}$ of the $\frac{NE}{4}$ of Section 7, T111N, R41W.

The $\frac{S}{2}$ of the $\frac{SE}{4}$ of the $\frac{NE}{4}$ of Section 7, T111N, R41W, except that part lying West of the following described line: Commencing at the intersection of the North line of the above-described property and the center of the Redwood River; thence upstream on the center of the Redwood River to a point of intersection with the South line of said $\frac{S}{2}$ of the $\frac{SE}{4}$ of the $\frac{NE}{4}$ of Section 7, T111N, R41W.

The $\frac{SE}{4}$ of Section 7, T111N, R41W.

That portion of the $\frac{SW}{4}$ of Section 8, T111N, R41W, lying southerly and easterly of the South right-of-way line of Country Club Drive.

The $\frac{S}{2}$ of the $\frac{SE}{4}$ of Section 8, T111N, R41W.

The $\frac{N}{2}$ of the $\frac{NW}{4}$ of Section 17, T111N, R41W.

The $\frac{N}{2}$ of the $\frac{NE}{4}$ of Section 17, T111N, R41W.

The $\frac{NE}{4}$ of the $\frac{NE}{4}$ of Section 18, T111N, R41W.

That part of the $\frac{E}{2}$ of the $\frac{NW}{4}$ of Section 9, T111N, R41W, described as follows: Beginning at the center of said Section 9; thence North to a point 33 feet East of the Southeast corner of Lot 2, Block 7, Viking Addition; thence West 313.8 ft; thence South 38.0 ft; thence West 130.0 ft. to the Northeast of Lot 3, Block 6, Viking Addition, Plat Two; thence South 572.41 ft; thence West 135 ft; thence South 48 ft. thence West 390 ft; thence South to the East-West Quarter line; thence East to the point of beginning.

The $\frac{E}{2}$ of the $\frac{SW}{4}$ of Section 9, T111N, R41W.

The $\frac{SW}{4}$ of the $\frac{SW}{4}$ of Section 9, T111N, R41W.

That part of the $\frac{NW}{4}$ of the $\frac{SW}{4}$ of Section 9, T111N, R41W, described as follows: Beginning at a point 43 ft. East of the Southeast corner of Lot 8, Block 3, Nielsen's 8th Addition; thence West 742.92 ft; thence North 78.0 ft. to the Southeast corner of Freedom Park; thence West along the South line of Freedom Park 592 ft. to the section line; thence South to the South line of said $\frac{NW}{4}$ of the $\frac{SW}{4}$ of Section 9; thence East to the Southeast corner of said $\frac{NW}{4}$ of the $\frac{SW}{4}$ of Section 9; thence North to the point of beginning.

The $\frac{NE}{4}$ of the $\frac{SE}{4}$ of Section 9, T111N, R41W, lying southerly and easterly of the Southeasterly right-of-way line of Trunk Highway No. 23.

That part of the $\frac{SE}{4}$ of the $\frac{NE}{4}$ of Section 9, T111N, R41W, described as follows: Commencing at a point of intersection of the East-West Quarter line of said Section 9 and the Westerly right-of-way line of the Chicago & Northwestern

Railroad; thence Northwesterly along the Westerly right-of-way line of said railroad 339 ft; thence at right angles 192 ft; thence southerly 126 ft; thence Easterly 345 ft. to the Point of Beginning.

The $N\frac{1}{2}$ of the $NE\frac{1}{4}$ of Section 16, T111N, R41W, except the North 260.0 ft. of the West 1,717.40 ft.

The $N\frac{1}{2}$ of the $NW\frac{1}{4}$ of Section 16, T111N, R41W.

The $N\frac{1}{2}$ of the $NW\frac{1}{4}$ of Section 15, T111N, R41W.

That part of the $SW\frac{1}{4}$, Section 10, T111N, R41W described as follows: Beginning at the intersection of the North-easterly right-of-way line of the Chicago and Northwestern Railroad and the West line of said Section 10; thence Southeasterly on the Northeasterly right-of-way line of the Chicago and Northwestern Railroad for a distance of 1,698.59 ft; thence easterly 424.53 ft. to the Easterly right-of-way line of Trunk Highway 59; thence Northerly on the Easterly right-of-way line of Trunk Highway 59 for a distance of 815 ft; thence Easterly to a point 920 ft. Westerly of the North-South quarter line of said Section 10; thence Northerly to the North line of the $SW\frac{1}{4}$ of said Section 10; thence Easterly on the East-West quarter line for a distance of 920.0 ft. to the center of said Section 10; thence Southerly on the North-South quarter line to the South line of said Section 10; thence West on the South line of said Section 10 to the Southwest corner of the $SW\frac{1}{4}$ of said Section 10; thence North on the West line of said Section 10 to the Point of Beginning.

That part of the $NW\frac{1}{4}$ of Section 10, T111N, R41W described as follows: Beginning at the center of said Section 10; thence Westerly on the East-West quarter line a distance of 920.0 ft; thence Northerly 660.0± ft. to the North line of the South quarter of the Northwest quarter of said Section 10; thence Westerly to the Southeasterly right-of-way line of Trunk Highway 23; thence North-easterly on the Southeasterly right-of-way line of Trunk Highway 23 to the North-South quarter line of said Section 10; thence Southerly to the Point of Beginning.

The $N\frac{1}{2}$ of the $NE\frac{1}{4}$ of Section 10, T111N, R41W, lying Southerly and Easterly of Trunk Highway No. 23.

The $NW\frac{1}{4}$ of the $NW\frac{1}{4}$ of Section 11, T111N, R41W.

The $SE\frac{1}{4}$ of the $SE\frac{1}{4}$ of Section 3, T111N, R41W, lying Southerly and Easterly of Trunk Highway No. 23.

The $NW\frac{1}{4}$ of the $SW\frac{1}{4}$ of Section 2, T111N, R41W; except the North 633.0± ft. thereof.

The $NE\frac{1}{4}$ of the $SW\frac{1}{4}$ of Section 2, T111N, R41W, except the Easterly 700.0 ft. and except the Westerly 307.41 ft. of the Easterly 1,007.41 ft. of the Northerly 641.8 ft.

The $SW\frac{1}{4}$ of the $SW\frac{1}{4}$ of Section 2, T111N, R41W.

The $SE\frac{1}{4}$ of the $NW\frac{1}{4}$ of Section 2, T111N, R41W, except the West 325.0 ft. of the Southerly 754.61 ft.

The $N\frac{1}{2}$ of the $NW\frac{1}{4}$ of Section 2, T111N, R41W.

The $NW\frac{1}{4}$ of the $SE\frac{1}{4}$ of Section 2, T111N, R41W.

The $SW\frac{1}{4}$ of the $NE\frac{1}{4}$ of Section 2, T111N, R41W.

That part of the $SW\frac{1}{4}$ of the $NW\frac{1}{4}$ of Section 2, T111N, R41W described as follows: Beginning at a point 733.19 ft. North and 73.80 ft. East of the West quarter corner of said Section 2; thence Easterly 310.0 ft; thence Northeasterly 365.02 ft; thence Northwesterly 247.00 ft; thence Westerly 363.00 ft; thence Southerly 450.01 ft. to the Point of Beginning.

The $\frac{1}{2}$ of the $\frac{1}{4}$ of Section 35, T112N, R41W.

The $\frac{1}{4}$ of Section 34, T112N, R41W, lying North of County Ditch No. 62 as now located.

That part of the $\frac{1}{4}$ of Section 34, T112 N, R41W, lying Westerly of the Easterly right-of-way line of County Road No. 67.

The North 440 ft. of the South 525 ft. of the West 433 ft. of the $\frac{1}{4}$ of Section 34, T112N, R41W.

The $\frac{1}{4}$ of Section 33, T112N, R41W, lying Easterly of the Westerly right-of-way line of North 7th St. (Township road)

The $\frac{1}{4}$ of Section 33, T112N, R41W, except a parcel of land 3.18 acres in area presently in use as a Natural Gas facility and located at the intersection of North 4th St. and Bruce St.; and except the following described parcel: Beginning at the intersection of the Southeasterly line of North 5th St. extended and the South line of the Southeast quarter of said Section 33; thence North $44^{\circ}52'00''$ East 118.0 $\frac{1}{2}$ ft; thence North $44^{\circ}59'58''$ West parallel with Hudson Ave. to a point on the centerline of the now vacated Redwood River; thence Northwesterly along said centerline to a point on the Northerly right-of-way line of the Redwood River Diversion Channel; thence Westerly to the West line of the $\frac{1}{4}$ of said Section 33; thence southerly to the Southeast corner of the $\frac{1}{4}$ of said Section 33; thence Easterly to the Point of Beginning.

That part of the $\frac{1}{4}$ of Section 33, T112N, R41W, lying North of the North right-of-way line of the Redwood River Diversion Channel and Easterly and Southerly of the centerline of North 7th St.

The North 330.0 ft. of the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section 33, T112N, R41W.

The South 475 ft. of the North 1077 ft. of the West 565.3 ft. and the South 240 ft. of the North 1317 ft. of the West 300 ft. of the $\frac{1}{4}$ of Section 33, T112N, R41W.

The $\frac{1}{4}$ of the $\frac{1}{4}$ of Section 28, T112N, R41W.

The South 33.0 ft. of the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section 29, T112N, R41W.

The $\frac{1}{4}$ of the $\frac{1}{4}$ of Section 29, T112N, R41W.

The $\frac{1}{2}$ of the $\frac{1}{4}$ of Section 32, T112N, R41W.

That part of the $\frac{1}{4}$ of Section 32, T112N, R41W, lying North of the North right-of-way line of the Redwood River Diversion Channel.

That part of the $\frac{1}{4}$ of Section 32, T112N, R41W, lying North and West of the Northwesterly right-of-way line of the Redwood River Diversion Channel.

NOW, THEREFORE, BE IT RESOLVED, That upon adoption of this joint resolution by the Town Board of the Township of Lake Marshall and the Town Board of the Township of Fairview and the Common Council of the City of Marshall (1) jurisdiction to order annexations within the above described area be and the same is hereby conferred upon the Minnesota Municipal Commission and (2) said parties to this resolution hereby agree to review the described area as in need of orderly annexation at the expiration of five years from the execution of this resolution.

PASSED AND ADOPTED by the Town Board of the Township of Lake Marshall this
8th day of January, 1982.

TOWNSHIP OF LAKE MARSHALL

BY Carl A. Johnson
Its Chairman

BY Carol Kniff
Its Clerk

PASSED AND ADOPTED by the Town Board of the Township of Fairview this
Aug 10 day of Aug, 1981.

TOWNSHIP OF FAIRVIEW

BY Maurice Blomne
Its Chairman

BY Donald Kerstec
Its Clerk

PASSED AND ADOPTED by the Common Council of the City of Marshall this
18th day of January, 1982

CITY OF MARSHALL

BY Robert J. Paus
Its Mayor

BY James Diller
Its City Administrator

Attest:

Thomas M. Meulbroeck
City Clerk

IT IS FURTHER RESOLVED, That, in order for the City of Marshall more effectively to exercise planning and zoning authority within the area designated as in need of orderly annexation, (1) The County of Lyon agrees to exclude the designated area from its zoning ordinances; (2) The City of Marshall agrees to extend its planning and zoning regulations to include the entire orderly annexation area as provided in M.S.A. 462.357 Subd. 1, and M.S.A. 414.068; and (3) The Lyon County Board of Commissioners agrees to recommend the appointment of two non-Marshall residents of Lyon County, one from the Township of Lake Marshall, and one from the Township of Fairview, to serve on the Marshall Planning Commission, with full voting rights, when planning and zoning applications are received and reviewed from the area designated as in need of orderly annexation.

PASSED AND ADOPTED by the Board of Commissioners of Lyon County this 16th day of February, 1982.

COUNTY OF LYON

BY George Davis
VICE Chairman of its Board of County Commissioners

BY Catherine Seibert
Its Auditor

PASSED AND ADOPTED by the Common Council of the City of Marshall this 18th day of January, 1982.

CITY OF MARSHALL

BY Robert R. P. P. P.
Its Mayor

BY James M. Miller
Its City Administrator

ATTEST:

Thomas M. Meulbroeck
City Clerk