

COPY

Lisa Heinen
Avon City Clerk
Avon City Hall
P.O. Box 69
140 Stratford Street East
Avon, MN 56310

April 4, 1997

Docket Number: A-5753

City of Avon
M.S. 414.033, Subd. 5

Ordinance Number: 123

Dear Ms. Heinen:

The Minnesota Municipal Board has now processed and approved the above ordinance in accordance with Minnesota Statutes, Chapter 414, and the Rules of Procedure.

The law requires that a copy of the annexation ordinance must be delivered immediately by the governing body of the municipality to the appropriate county auditor or auditors, and filed with the township and the Secretary of State. We recommend that you also file the annexation ordinance with the County Recorder.

The annexation is final upon the date the ordinance is approved by the Board, which is the date of this letter.

Sincerely,

MUNICIPAL BOARD

Patricia D. Lundy
Assistant Director

PDL:ry

cc: Stearns County Auditor
Avon Township Clerk
Marcus Miller, Attorney at Law
Secretary of State

9904547



ORDINANCE NO: 123



**AN ORDINANCE EXTENDING THE CORPORATE LIMITS
OF THE CITY OF AVON TO INCLUDE CERTAIN
UNINCORPORATED PLATTED LAND NOT EXCEEDING 200 ACRES IN
AREA ABUTTING UPON THE CITY LIMITS**

WHEREAS, The City of Avon intends to annex certain land (known as the Van Heel Subdivision hereinafter described), pursuant to authority granted under Minn. Stat. Sect. 414.033 Subd. 5; and

WHEREAS, A certain Petition requesting annexation of the Van Heel Subdivision was duly presented to and accepted by the Council on the 6th day of January, 1997; and

WHEREAS, The quantity of land within the area described in the petition and bounded as described is less than 200 acres of platted land, no part of which is included within the limits of an incorporated city; and

WHEREAS, The petition includes eleven out of fourteen of the owners of said lands; and

WHEREAS, No objections to the annexation have been received from the County Board, or the governing body of any municipality whose boundaries abut upon the boundaries of the land to be annexed; and the town board has waived its right to object; and

WHEREAS, A public hearing was duly noticed and held on March 3, 1997, as required by Minn. Stat. Sect. 414.033 Subd. 5.; and

WHEREAS, The land described in the petition, Van Heel Subdivision, abuts upon and is bordered on three sides by the City of Avon.

NOW THEREFORE, THE CITY COUNCIL OF AVON, MINNESOTA ORDAINS:

SECTION 1 Findings. The City Council hereby determines (1) that the annexation will be to the best interest of the city and the territory affected; (2) that the territory described herein abuts upon the City limits and is urban or suburban in character; and (3) that none of said territory is now included within the limits of any city.

SECTION 2 Territory Annexed. The corporate limits of the City are hereby extended to include the platted land described

as follows and the same is hereby annexed to and include within the City of Avon as effectually as if it had originally been a part thereof:

All of Van Heel Subdivision (Lots 1-20 inclusive) according to the plat and survey on file and of record in the Office of the Stearns County Recorder, including all dedicated roads and right-of-ways.

SECTION 3 Filing. The City Clerk is hereby directed to file certified copies of this Ordinance with the Minnesota Municipal Board, the Secretary of State, Stearns County Auditor, Avon Township Clerk, and Stearns County Recorder.

SECTION 4 Effective Date. This Ordinance takes effect upon its passage and publication and the filing of the certified copies as directed by law and after approval by the Minnesota Municipal Board.

Adopted this 3rd day of March, 1997.

Norbert Waletzko
Norbert Waletzko
Mayor

ATTEST:

Carolyn L. Blonigan
Carolyn Blonigan
City Clerk

Published in the St. Cloud Times this 15th day of March, 1997.

Donohue Novak

At Law

April 17, 1997

Ms. Renee Coffey
Election Division
Secretary of State
180 State Office Building
100 Constitution Avenue
St. Paul, MN 55155

Re: City of Avon -- Van Heel Subdivision

Dear Ms. Coffey:

Please find enclosed a copy of the Annexation Ordinance from the City of Avon. This Ordinance has been approved by the Minnesota Municipal Board as of April 4, 1997, and has been previously forwarded to you. Nonetheless, per the request of the Board in its April 4 letter, I am forwarding this Ordinance to you again.

Please call if you have questions or concerns regarding this matter. I thank you for your kind attention.

Yours truly,

DONOHUE NOVAK AT LAW

By

Marcus Miller

MM:vmd

Enclosure: Annexation Ordinance

Peter A. Donohue • Michael E. Novak
Associate Marcus W. Miller

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