

ORDINANCE NUMBER 132

BENTON COUNTY, MINNESOTA

WHEREAS, The Benton County Planning Commission on its own motion instituted proceedings to rezone the following areas, presently nonconforming uses, from R-2 (Residential) to "B" (Business); and

WHEREAS, on December 31, 1980, Notice of Intent to Adopt Ordinance Map Amendment and Notice of Public Hearing was published in the official newspaper and mailed to the governing bodies of all towns and municipalities located within Benton County; and

WHEREAS, on January 15, 1981, the Planning Commission held a public hearing thereon and recommended same to the Benton County Board of Commissioners for approval and passage; and

WHEREAS, on January 20, 1981, the Board of County Commissioners held a public hearing thereon and approved the proposed zoning amendment,

NOW, THEREFORE, BE IT ORDAINED by the county board of commissioners that Ordinance Number 114 (Benton County Zoning Map) be and hereby is amended changing the following described parcels of land situated in the County of Benton and State of Minnesota, from R-2 (Residential) to "B" (Business):

1. That part of the Townsite of Oak Park described as follows: Lots One (1) through Twelve (12) of Blocks One (1), Two (2) and Three (3); And that part of Fouquette's Subdivision of Block "B" in Oak Park, described as follows: Lots One (1) through Six (6), Block Seven (7), and Lots Two (2) through Six (6), Block Eight (8), all according to the plats and surveys thereof now on file and of record in the office of the Benton County Recorder.

2. The South 20 rods of the West 24 rods of the South Half of the Southwest Quarter (S-1/2 of SW-1/4) of Section Three (3), Township Thirty-eight (38), Range Twenty-eight (28).

3. All that part of the Southwest Quarter of the Southwest Quarter (SW-1/4 of SW-1/4) of Section Five (5) Township Thirty-eight (38) North of Range Twenty-eight (28) West of the Fourth Principal Meridian, described as follows, to-wit: Commenc-

ing at the Southwest corner of said Section thence North along the West line of said Section 5 a distance of 150 feet; thence East at right angles a distance of 12 rods to a point; thence North and parallel with the West line of said Section 5 a distance of 13.25 rods to a point; thence East and parallel with the South line of said Section 5 a distance of 5.89 rods to a point; thence South and parallel with the West line of said Section 5 a distance of 368.625 feet to the South line of said Section 5; thence West along the South line of said Section 5 a distance of 17.89 rods to the point of beginning and there terminating.

4. A tract of land in the Northeast Quarter of the Northeast Quarter (NE-1/4 of NE-1/4) Section Thirty-one (31), Township Thirty-eight (38), Range Twenty-nine (29) West of the fourth principal Meridian, described as follows, to-wit: Beginning at the Northeast corner of said section; thence westerly along the North line of said section a distance of Twelve (12) Rods; thence South along a line parallel to the East line of said section a distance of Thirteen (13) Rods; thence east on a line parallel to the North line of said section a distance of Twelve (12) Rods to the East line of said section; thence North along the East line of said section a distance of Thirteen (13) Rods to the point of beginning.

5. All that part of the Northwest Quarter of Northwest Quarter (NW-1/4 of NW-1/4), Section Twelve (12), Township Thirty-eight (38), Range Twenty-nine (29), West, Fourth Principal Meridian, described as follows: Commencing at a point which is 35 rods south of the Northwest Corner of said NW-1/4 of NW-1/4, Section 12, Township and Range aforesaid, thence due east and parallel with the north line of Section 12, Twelve (12) rods to a point, thence south and parallel with the west line of Section 12, 114.5 feet, thence west and parallel with the first mentioned line 12 rods to the west line of Section 12, thence north along the west line of Section 12, for 114.5 feet to the place of beginning.

6. Beginning at a point Thirty-three (33) feet East and Thirty-three (33) feet North of the Southwest corner of Southwest Quarter of the Southwest Quarter (SW-1/4 of SW-1/4) of Section Fifteen (15) Township Thirty-eight (38); Range Twenty-nine (29), a distance of two hundred eight and seventy-one hundredths feet (208.71) North and parallel with West line of Section Fifteen (15) Township Thirty-eight, Range Twenty-nine to a point, thence East and at right angles with said Section line a distance of two hundred eight and seventy-one one hundredths (208.71) feet to a point thence south and at right angles with last mentioned line a distance of two hundred eight and seventy-one one hundredths (208.71) feet to a point; thence West and parallel with North line of said tract of land to the point of beginning, containing one acre.

7. One acre of land in the northeast corner of the East half of the Northeast Quarter (E-1/2 of NE-1/4), Section 23, Township 38, Range 30, described by metes and bounds as follows: Beginning at the Northeast corner of the Northeast Quarter of the Northeast Quarter (NE-1/4 of NE-1/4), Section 23, Township 38, Range 30, thence West on the North line of said section, a distance of 13 rods to a point; thence South and parallel with the east line of said section 12 rods 5 feet to a point; thence East on a line parallel with said North line of said section 13 rods to the East line of said Section 23; thence North on the East line of said section, 12 rods 5 feet to the point of beginning.

8. One acre (1) of the Southeast Quarter of the Southeast Quarter (SE-1/4 of SE-1/4), described as follows: Commencing at the Southeast Corner of the Southeast Quarter (SE-1/4), Section Twenty-nine (29); thence North on East line of said Southeast Quarter (SE-1/4) Twenty rods (20); thence West eight rods (8) to a point, thence South and parallel with first mentioned line Twenty rods (20) to a point; thence East eight rods (8) to a point of beginning, all of said land being in Section Twenty-nine (29), Township Thirty-eight (38), Range Thirty (30).

9. Commencing at a point 2 rods East of the West Quarter Corner of Section Eight (8), Township Thirty-seven (37) North,

Range Thirty (30) West, thence running East along the East-West center line of said Section a distance of Ten (10) rods; thence running North a distance of Forty-eight (48) rods; thence running West a distance of Ten (10) rods; thence running South a distance of Forty-eight (48) rods to the point of beginning containing a calculated area of three (3) acres of land, subject to the road on said center line of said section.

10. All that part of the Southwest Quarter of the Southwest Quarter (SW-1/4 of SW-1/4), Section Twenty-five (25), Township Thirty-seven (37), North of Range Thirty (30), West of the Fourth Principal Meridian described as follows: Commencing at the point of intersection of the northwestern boundary line of the Gilmanton State Road, running in a northeasterly direction through said Section Twenty-five (25), with the southerly line of said Section Twenty-five (25), thence from said point of beginning westerly on the south line of said Section Twenty-five (25) 460 feet, thence in a northeasterly direction 1052 feet, more or less, to a point on the south boundary line of a tract of land owned by the Lutheran Church congregation of Mayhew Lake and known as the "parsonage property" 200 feet west from the said northwestern boundary line of the said Gilmanton State Road; thence easterly on the south line of the Lutheran Church parsonage property 200 feet, more or less, to the northwestern boundary line of the said Gilmanton State Road, thence in a southwesterly direction along the northwestern boundary line of the said Gilmanton State Road to the point of beginning, and there terminating.

11. The East 208.708 feet of the West 241.708 feet of the South 208.708 feet of the Southwest Quarter of the Northwest Quarter (SW-1/4 of NW-1/4) of Section Twenty-nine (29), Township Thirty-eight (38) North, of Range Twenty-eight (28) West of the Fourth Principal Meridian, Benton County, Minnesota.

BE IT FURTHER ORDAINED that this Ordinance 132 shall be added to Appendix I of Ordinance 113.

APPROVED AND ADOPTED by the Board of County Commissioners this 3rd day of February, 1981.

ATTEST:

Ray Cariveau
Ray Cariveau, Clerk

Roy Herbst
Roy Herbst, Chairman