

**BENTON COUNTY ORDINANCE** 325

**WHEREAS**, Walter and Dorothy Burton have made an application for an amendment of Ordinance Number 185 (Benton County Development Code), and any other ordinance, if any, amending Ordinance Number 185 and Ordinance Number 114 (Benton County Zoning Map), and any other ordinance, if any, amending Ordinance Number 114, proposing to rezone the property hereinafter described from "A-2" Agriculture to "R-2" Single Family Residential.

**WHEREAS**, on May 23, 2000, Notice of Public Hearings to Consider Amending the Benton County Development Code was published in the official newspaper and mailed to the governing bodies of all towns and municipalities located within Benton County; and,

**WHEREAS**, on June 8, 2000, the Benton County Planning Commission held a public hearing and recommended to the Benton County Board of Commissioners that said application be tabled; and,

**WHEREAS**, on June 20, 2000, the Benton County Board of Commissioners held a public hearing and table said application; and,

**WHEREAS**, on September 26, 2000, Notice of Public Hearings to Consider Amending the Benton County Development Code was published in the official newspaper and mailed to the governing bodies of all towns and municipalities located within Benton County; and,

**WHEREAS**, on October 12, 2000, the Benton County Planning Commission held a public hearing and recommended to the Benton County Board of Commissioners that said application be approved; and,

**WHEREAS**, on October 17, 2000, the Benton County Board of Commissioners held a public hearing and tabled said application; and,

Dept of Dev

**WHEREAS**, on October 26, 2000, Notice of Public Hearings to Consider Amending the Benton County Development Code was published in the official newspaper and mailed to the governing bodies of all towns and municipalities located within Benton County; and,

**WHEREAS**, on November 9, 2000, the Benton County Planning Commission held a public hearing and recommended to the Benton County Board of Commissioners that said application be approved; and,

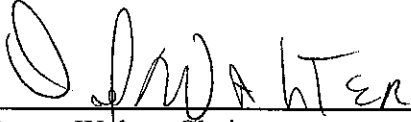
**WHEREAS**, November 21, 2000, the Benton County Board of Commissioners held a public hearing thereon and approved the proposed zoning amendment; and.

**NOW, THEREFORE, BE IT ORDAINED**, by the Board of Commissioners of Benton County, Minnesota, that Ordinance Number 114 (Benton County Zoning Map), and any other ordinance, if any, amending the Ordinance Number 114, be and hereby is amended as follows, to-wit:


The following described property situated in the County of Benton and State of Minnesota is zoned "R-2" Single Family Residential:

A tract in the North Half of the Southwest Quarter (N1/2 SW1/4) E'ly of Hwy. 10, Section Fourteen (14), Township Thirty-seven (37) North, Range Thirty-one (31) West, Watab Township, Benton County. See Attachment "A"

Approved and adopted by the Benton County Board of Commissioners this 21<sup>st</sup> day of November 2000.

  
\_\_\_\_\_  
Duane Walter, Chair  
Benton County Board of Commissioners

ATTEST:

  
\_\_\_\_\_  
Rick Speak, Clerk of the Board

Attachment "A"

That part of the North Half of the Southwest Quarter of Section Fourteen (14), Township Thirty-seven (37) North, Range Thirty-one (31) West of the Fourth Principal Meridian, Benton County, Minnesota, described as follows:

Commencing at the southwest corner of said Section 14; thence North  $88^{\circ}47'31''$  East on an assumed bearing along the south line of the Southwest Quarter of said Section 14, a distance of 864.58 feet to the easterly right-of-way line of U.S. Highway 10, said right-of-way line being 100.00 feet easterly of the center line of the west bound lane of said U.S. Highway 10; thence North  $05^{\circ}54'00''$  East, along said right-of-way line a distance of 1345.18 feet to the point of beginning of the land to be described; thence continuing North  $05^{\circ}54'00''$  East, along said right-of-way line, a distance of 761.63 feet; thence North  $89^{\circ}25'11''$  East, a distance of 371.00 feet; thence South  $00^{\circ}24'48''$  East, a distance of 751.84 feet, more or less to the south line of said North half of the Southwest Quarter; thence westerly, along said south line, a distance of 456.98 feet, more or less, to the point of beginning. Subject to easements of record, if any.

Subject to and together with an easement over and across said North Half of the Southwest Quarter ( $N\frac{1}{2}$  of  $SW\frac{1}{4}$ ), which lies contiguous to and 66.00 feet easterly of, as measured at a right angle to the following described line: Commencing at the above said point of beginning; thence continuing North  $05^{\circ}54'00''$  East, along said right-of-way line to the north line of said North half of the Southwest Quarter and said described line there terminating.

Witness my hand and seal of office this 2nd day of August 1944.

Notary Public

191044  
D  
2 - 2