

MARILYN J. NOVAK  
COUNTY RECORDER

BY CK DEPUTY *xm*

OFFICE OF  
BENTON COUNTY RECORDER  
BENTON COUNTY, MN  
CERTIFIED TO BE FILED  
AND/OR RECORDED ON

313679

2004 APR 23 P 1:24

BENTON COUNTY ORDINANCE NO.376

**AN ORDINANCE AMENDING THE OFFICIAL BENTON COUNTY ZONING MAP**

WHEREAS, New PiratesCove, LLC. has made an application pursuant to Section 11.8 of the Benton County Development Code to rezone the property described herein; and,

WHEREAS, March 16<sup>th</sup>, 2004, Notice of Public Hearings to Consider Amending the Benton County Development Code and Benton County Zoning Map was published in the official newspaper and mailed to the governing bodies of all towns and municipalities located within two miles of the effected property within Benton County; and,

WHEREAS, public hearings regarding said proposal have been conducted by the Benton County Planning Commission and the Benton County Board of Commissioners on March 30<sup>th</sup>, 2004 and April 20<sup>th</sup>, 2004;and,

WHEREAS, the Benton County Board of Commissioners find that the rezoning of the property described herein comports with the Benton County Comprehensive Land Use Plan and is appropriate.

NOW, THEREFORE, pursuant to Section 11.8 of the Benton County Development Code, the official Benton County Zoning Map is hereby amended to reflect that the following described property is zoned "B" Business District:

That part of Government Lot 1, Section, 27, Township 37 North, Range 31 West, Benton County, Minnesota described as follows:

*Dept of Dev*

Commencing at the northeast corner of said Section 27; thence South 88 degrees 23 minutes 18 seconds West, assumed bearing, along the north line of said Section 27, a distance of 1486.35 feet to the point of beginning of said line; thence southwesterly, a distance of 182.21 feet, along a non-tangential curve concave to the northwest, having a radius of 2000.00 feet, a central angle of 05 degrees 13 minutes 12 seconds, and a chord bearing of South 11 degrees 42 minutes 55 seconds West; thence South 14 degrees 19 minutes 31 seconds West, tangent to last described curve, a distance of 480.15 feet; thence North 75 degrees 40 minutes 29 seconds West, a distance of 59.97 feet; thence westerly, a distance of 224.85 feet, along a tangential curve, concave to the south, having a radius of 280.00 feet and a central angle of 46 degrees 00 minutes 37 seconds; thence South 58 degrees 18 minutes 54 seconds West, tangent to last described curve, a distance of 26.34 feet; thence North 58 degrees 26 minutes 10 seconds West, a distance of 110.16 feet to the point of beginning of the tract of land to be described; thence South 58 degrees 26 minutes 10 seconds East, a distance of 110.16 feet; thence North 58 degrees 18 minutes 54 seconds East, a distance of 26.34 feet; thence easterly, a distance of 224.85 feet, along a tangential curve, concave to the south, having a radius of 280.00 feet and a central angle of 46 degrees 00 minutes 37 seconds; thence South 75 degrees 40 minutes 29 seconds East, a distance of 59.97 feet; thence South 14 degrees 19 minutes 31 seconds West, a distance of 570.16 feet; thence North 75 degrees 40 minutes 29 seconds West, a distance of 140.46 feet; thence North 30 degrees 50 minutes 23 seconds West, a distance of 126.96 feet; thence northerly, a distance of 125.84 feet, along a non-tangential curve, concave to the west, having a radius of 67.00 feet, a central angle of 107 degrees 36 minutes 55 seconds and a chord bearing of North 04 degrees 05 minutes 49 seconds West; thence North 58 degrees 36 minutes 50 seconds West, tangent to last described curve, a distance of 108.88 feet; thence North 81 degrees 25 minutes 52 seconds West, a distance of 174.96 feet; thence South 13 degrees 29 minutes 53 seconds West, a distance of 104.55 feet; thence North 76 degrees 30 minutes 07 seconds West, 20 feet, more or less to said center of Goodhue Creek; thence northerly along said center of Goodhue Creek to the intersection with the waters edge of the Mississippi River; thence northerly, along said waters edge to the intersection with a line bearing North 35 degrees 00 minutes 00 seconds West from said point of beginning; thence South 35 degrees 00 minutes 00 seconds East, a distance of 45 feet more or less to the point of beginning.

Together with:

That part of said Government Lot 1 and the Northeast Quarter of the Northeast Quarter of said Section 27 lying west of the west right of way line of the Burlington Northern Railroad and easterly and northerly of the following described line:

Commencing at the northeast corner of said Section 27; thence South 88 degrees 23 minutes 18 seconds West, assumed bearing, along the north line of said Section 27, a distance of 1486.35 feet to the point of beginning of said line; thence southwesterly, a distance of 182.21 feet, along a non-tangential curve, concave to the northwest, having a radius of 2000.00 feet, a central angle of 05 degrees 13 minutes 12 seconds, and a chord bearing of South 11 degrees 42 minutes 55 seconds West; thence South 14 degrees 19 minutes 31 seconds West, tangent to last described curve, a distance of 480.15 feet; thence South 75 degrees 40 minutes 29 seconds East, a distance of 123.22 feet; thence southeasterly, a distance of 143.28 feet, along a tangential curve, concave to the southwest, having a radius of 163.00 feet and a central angle of 50 degrees 21 minutes 50 seconds; thence South 89 degrees 55 minutes 35 seconds east, not tangent to last described curve, a distance of 119.02 feet to said west right of way line of the Burlington Northern Railroad and there terminating.

Together with:

That part of the Northwest Quarter of the Northeast Quarter of said Section 34 lying southeasterly of the southeasterly right of way line of said Burlington Northern Railroad and northwesterly of the following described line:

Commencing at the northwest corner of said Northwest Quarter of the Northeast Quarter; thence North 89 degrees 32 minutes 11 seconds East, along the north line of said Northwest Quarter of the Northeast Quarter, a distance of 1040.23 feet to the point of beginning of said line; thence South 51 degrees 26 minutes 13 seconds West, a distance of 790.25 feet to said southeasterly right of way line and there terminating.

Together with:

That part of the said East Half of the Northeast Quarter and that part of the Southeast Quarter of said Section 27 lying easterly and southeasterly of the easterly and southeasterly right of way line of said Burlington Northern Railroad and westerly of the westerly right of way line of U.S. Highway No. 10.

All in Township 37 North, Range 31 West, Benton County, Minnesota

Except:

Lot 1, Block 1, Lots 1 and 2, Block 2, Lot 2, Block 3, Lot 3, Block 4 and Lots 3 and 4, Block 5, CAMPBELL OAKWOOD KNOLL, according to the recorded plat thereof, said Benton County and Lot 7, Block 1, FIRST ADDITION TO CAMPBELL OAKWOOD KNOLL, according to the recorded plat thereof, said Benton County.

Also except:


That part of said East Half of the Northeast Quarter described as follows:

Commencing at the northeast corner of said East Half of the Northeast Quarter; thence South 88 degrees 23 minutes 18 seconds West, along the north line of said East Half of the Northeast Quarter, a distance of 595.51 feet; thence South 01 degrees 36 minutes 48 seconds East, a distance of 33.00 feet to the south right of way line of County Road No. 79, being the point of beginning of said exception; thence continuing South 01 degrees 36 minutes 48 seconds East, a distance of 250.01 feet; thence South 88 degrees 23 minutes 12 seconds West, a distance of 408.18 feet; thence North 00 degrees 03 minutes 45 seconds East, a distance of 250.11 feet to said south right of way line; thence North 88 degrees 23 minutes 18 seconds East, along said south right of way line, a distance of 400.87 feet to the point of beginning.



Earl M. Bukowski, Chair  
Benton County Commissioners

ATTEST:

  
Montgomery Headley  
Benton County Administrator