

ORDINANCE NO. 2020-03

**STATE OF MINNESOTA)
COUNTY OF MARTIN) ss
CITY OF FAIRMONT)**

**ORDINANCE AMENDING CITY OF FAIRMONT ZONING MAP: REZONING
PARCELS OF LAND AT 924 LAKE AVENUE IN THE CITY OF FAIRMONT, MARTIN
COUNTY, MINNESOTA, FROM I-2 HEAVY INDUSTRIAL TO B-3 GENERAL
BUSINESS**

THE CITY OF FAIRMONT DOES ORDAIN:

SECTION 1. Upon the recommendation of the Fairmont Planning Commission and pursuant to Fairmont City Code, Chapter 26, Division 2, the real property located at 924 Lake Avenue in the City of Fairmont, County of Martin, State of Minnesota, and legally described in Exhibit A, which is attached hereto and incorporated herein by reference, is hereby rezoned from I-2 Heavy Industrial to B-3 General Business.

SECTION 2. The official zoning map of the City of Fairmont, as set forth by authority of Fairmont City Code, Chapter 26, Division 2, shall be amended accordingly.

SECTION 3. This Ordinance shall take effect immediately after its publication.

Passed by the City Council of the City of Fairmont, Minnesota, this 10th day of February 2020.

Motion by: Council Member Wayne Hasek
Seconded by: Council Member Tom Hawkins
All in Favor: Council Members Tom Hawkins, Randy Lubenow, Ruth Cyphers and Wayne Hasek
Opposed: None
Abstained: None
Absent: Council Member Bruce Peters

/s/ Deborah J. Foster
Deborah J. Foster, Mayor

ATTEST:

/s/ Patricia J. Monsen
Patricia Monsen, City Clerk

1st Reading: January 27, 2020
2nd Reading: February 10, 2020

DRAFTED BY:

Peter M. Bode
Planner/Code Enforcement Technician
City of Fairmont
100 Downtown Plaza
Fairmont, MN 56031
507-238-3940

EXHIBIT A

LEGAL DESCRIPTION

A tract of land in Government Lot 14 of Section 6, Township 102 North, Range 30 West in the City of Fairmont, Martin County, Minnesota described as follows:

Commencing at the Southeast corner of Government Lot 14 of Section 6, Township 102 North, Range 30 West in the City of Fairmont, Martin County, Minnesota; thence North 89 degrees 55 minutes 47 seconds West (assumed bearing) along the South line of Government Lot 14 a distance of 253.00 feet; thence North 0 degrees 32 minutes 44 seconds West parallel with the East line of Government Lot 14 a distance of 45.96 feet to the northerly right-of-way line of Lake Avenue (formerly Trunk Highway No. 16) and point of beginning; thence continuing North 0 degrees 32 minutes 44 seconds East parallel with the East line of Government Lot 14 a distance of 266.09 feet to the southerly railroad right-of-way line of the former Chicago, Milwaukee, St. Paul and Pacific Railway and nontangential circular curve concave southerly, having a radius of 8086.94 feet and a center of radius which bears South 21 degrees 39 minutes 38 seconds West; thence northwesterly along said circular curve and southerly railroad right-of-way line through a central angle of 2 degrees 15 minutes 46 seconds an arc length of 319.36 feet to a line lying parallel with and 551.00 feet West of the East line of Government Lot 14; thence South 0 degrees 32 minutes 44 seconds East parallel with the East line of Government Lot 14 a distance of 377.77 feet to the northerly right-of-way line of Lake Avenue; thence South 89 degrees 56 minutes 21 seconds East along said northerly right-of-way line a distance of 298.00 feet to the point of beginning.

HISTORICALLY DESCRIBED AS:

Tract I

All that part of Government Lot Fourteen (14), of Section Six (6), in Township One Hundred Two (102) North, Range Thirty (30) West of the Fifth Principal Meridian, bounded by lines as follows: Beginning at an iron stake 46 feet North and 253 feet West of the Southeast corner of said Lot 14; thence West 100 feet, along the North boundary line of Trunk Highway No. 16; thence North 303 feet, parallel to the Quarter line, to the South boundary of the Chicago, Milwaukee & St. Paul right-of-way; thence Southeasterly 107½ feet, along said boundary to an iron stake; thence South 264½ feet, parallel to the Quarter line, to the place of beginning
AND, ALSO,

Tract II

Beginning Forty-six (46) feet North and 427 feet West of the said Southeast corner of said Lot Fourteen (14); thence North 330½ feet, parallel to the said Quarter line, to the said railway right-of-way line; thence Northerly 78.81 feet, along said boundary; thence South 357 and ¾ feet to an iron stake on the North boundary of the State Road; thence East 74 feet to the place of beginning
AND, ALSO,

Tract III

Beginning 46 feet North and 353 feet West of the Southeast corner of said Lot Fourteen (14); thence North 303 feet; parallel to said Quarter line, to the said railway right-of-way; thence Northwesterly, along said boundary line 79½ feet; thence South 331½ feet, parallel to said Quarter line, to an iron stake; thence East 74 feet to the place of beginning

Tract IV

The Easterly fifty (50) feet of the following described property: All that part of Government Lot Fourteen (14), in Section Six (6) of Township One Hundred Two (102) North, of Range Thirty (30) West of the Fifth Principal Meridian, bounded and described as follows, to-wit: Beginning at a point 501 feet West of the Southeast corner of said Government Lot 14, running thence North a distance of 402.4 feet to an iron stake in the South boundary line of the railroad right-of-way, running thence Westerly and Northwesterly along the South boundary line of the right-of-way of the Chicago, Milwaukee, St. Paul and Pacific Railway Company, a distance of 255.6 feet to an iron stake, running thence South a distance of 486.67 feet, more or less, to the section line on the South boundary line of said Section 6, running thence East on the section line a distance of 240.6 feet to the place of beginning, EXCEPTING THEREFROM, the land taken for trunk highway purposes for Minnesota Trunk Highway No. 16.