

A 339727

Certified, Filed and or Recorded on
JULY 06, 2006 AT 01:47PM

Signed: CK
MARILYN J NOVAK G V I
BENTON COUNTY MINNESOTA
MARILYN J NOVAK
COUNTY RECORDER

BENTON COUNTY ORDINANCE NO. 401

AN ORDINANCE AMENDING THE OFFICIAL BENTON COUNTY ZONING MAP

WHEREAS, Kelly Winkleman, representing Winkleman Farms Partnership has made an application pursuant to Section 11.8 of the Benton County Development Code to rezone the property described herein; and,

WHEREAS, June 13, 2006, 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 June 27, 2006 and July 5, 2006; 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 "R-S" Rural Service District:

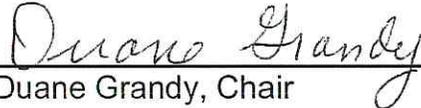
Abbreviated legal description:

That part of the Southwest Quarter of the Southeast Quarter of Section 28, Township 36, Range 29, lying south of County Road Number 48.

The complete legal description adopted is too lengthy to be published in its entirety. The full legal description is attached as Exhibit A.

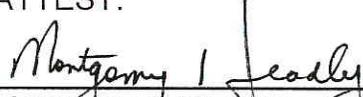
Approved and adopted by the board of commissioners this 5th day of July, 2006.

Upon enactment, this ordinance shall be effective upon the date of its publication as provided by law.



Duane Grandy, Chair
Benton County Board of Commissioners

ATTEST:



Montgomery Headley
Benton County Administrator

Winkleman Tract

That part of the Southwest Quarter of the Southeast Quarter of Section 28, Township 36, Range 29, Benton County, Minnesota, lying south of County Road Number 48.

Together with that part of the Southeast Quarter of the Southeast Quarter of said Section 28 described as follows:

Commencing at the south west corner of the Southeast Quarter of Section 28, Township 36, Range 29; thence easterly bearing South 89 degrees 35 minutes 20 seconds West along the south line of the Southwest Quarter of the Southeast Quarter of Section 28 a distance of 1321.48 feet to the southeast corner of the Southwest Quarter of the Southeast Quarter of Section 28, also being the point of beginning; thence easterly along the south line of the Southeast Quarter of the Southeast Quarter of Section 28 a distance of 18 feet; thence northerly and parallel with the west line of the Southeast Quarter of the Southeast Quarter of Section 28 a distance of 287.36 feet; thence in a northerly in a straight line to a point on the south right of way line of Duelm Road (also known as County Highway 48) which lies 25 feet east of and perpendicular to the west line of the Southeast Quarter of the Southeast Quarter of Section 28; thence in a northwesterly direction along said right of way line to the point of intersection of said right of way line with the west line of the Southeast Quarter of the Southeast Quarter of Section 28; thence in a southerly direction along the west boundary of the Southeast Quarter of the Southeast Quarter of Section 28 to the point of beginning and there terminating.