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Certified, Filed and or Recorded on
OCT. 03, 2007 AT 01:48PM

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

BENTON COUNTY ORDINANCE NO. 415

AN ORDINANCE AMENDING THE OFFICIAL BENTON COUNTY ZONING MAP

WHEREAS, Benton County has been made an application pursuant to Sections 11.8.1, 7.1 and 7.2A of the Benton County Development Code to rezone the property described herein from R-2 Residential, Business (B) and Agricultural (A) Districts to Rural Service (R-S) and Agricultural Districts; and,

WHEREAS, September 18th and 19th, 2007, Notice of Public Hearings to Consider Amending the Benton County Development Code and Benton County Zoning Map was published in the official newspapers 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 September 6, 2007 and October 2, 2007; 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 Sections 11.8, 7.1 and 7.2A of the Benton County Development Code, the official Benton County Zoning Map is hereby amended to reflect that the following described property is zoned Rural-Service and Agricultural.

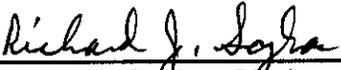
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See attached Exhibit A

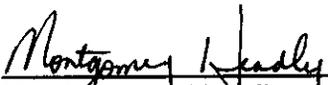
Approved and adopted by the Board of Commissioners this 2nd day of October, 2007.

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



Richard J. Soyka, Chair
Benton County Board of Commissioners

ATTEST:



Montgomery Headley
Benton County Administrator

Exhibit A

Novak's Corner:

The S330 feet of the W330 feet of the SW1/4 of the SW1/4 in Sect. 13, the S330 feet of the E330 feet of the SE1/4 of the SE1/4 in Sect. 14, the N330 feet of the E330 feet of the NE1/4 of the NE1/4 in Sect. 23 except for the N12 rods 5 feet of the E13 rods, and the N330 feet of the W330 feet of the NW1/4 of the NW1/4 in Sect. 24, all in Township 38 North, Range 30 West, Graham from the R-2 Residential District to the Rural Service District.

The N12 rods 5 feet of the E13 rods of the NE1/4 of the NE1/4 in Section 23, Township 38 North, Range 30 West, Graham from the Business District to the Rural Service District.

The N330 feet of the S660 feet of the W660 feet and the E330 feet of the W660 feet of the S660 feet in the SW1/4 of the SW1/4 in Sect. 13, the N330 feet of the S660 feet of the E660 feet and the W330 feet of the E660 feet of the S660 feet in the SE1/4 of the SE/14 in Sect. 14, the S330 feet of the N660 feet of the E660 feet and the W330 feet of the E660 of the N660 feet in the NE1/4 of the NE1/4 in Sect. 23, and the S330 feet of the N660 feet of the W660 feet and the E330 feet of the W660 feet of the N660 feet in the NW1/4 of the NW1/4 in Sect. 24, all in Township 38 North, Range 30 West, Graham from the R-2 Residential District to the Agricultural District.

Silver Corners:

The S660 feet of the W660 feet lying east of the centerline of Highway 25 of the SW1/4 of the SW/14 in Sect. 28, the N660 feet of the E660 feet of the NE1/4 of the NE1/4 in Sect. 32, the N660 feet of the W660 feet of the NW1/4 of the NW1/4 in Sect. 33, Township 38 North, Range 30 West, Graham from the R-2 Residential District to the Agricultural District.

The S660 feet of the E660 feet except for the S20 Roads of the E8 Rods in the SE1/4 of the SE1/4 in Sect. 29, Township 38 North, Range 30 West, Graham from the R-2 Residential District to the Rural Service District.

The S20 Rods of the E8 Rods of the SE1/4 of the SE1/4 in Sect. 29, and that part of the SW1/4 of the SW1/4 lying west of the centerline of Highway 25 and north of County Road 2 in Section 28, Township 38 North, Range 30 West, Graham from the Business District to the Rural Service District.

Mayhew:

The S660 feet of the E660 feet of the SE1/4 of the NE1/4 in Sect. 7, the N660 feet of the E660 feet of the NE1/4 of the SE1/4 in Sect. 7, the N660 feet of W660 feet of the NW1/4 of the SW1/4 in Sect. 8, and the S660 feet of the W660 feet of the SW1/4 of the NW1/4 in Sect. 8 except for the area described as Business below, all in Township 37 North, Range 30 West, Mayhew Lake from the R-2 Residential District to the Rural Service District.

The E10 Rods of the W12 Rods of the S660 feet of the SW1/4 of the NW1/4 in Sect. 8, Township 37 North, Range 30 West, Mayhew Lake from the Business District to the Rural Service District.

The E10 Rods of the W12 Rods of the N132 feet of the S794 feet of the SW1/4 of the NW1/4 in Sect. 8, Township 37 North, Range 30 West, Mayhew Lake from the Business District to the Agricultural District.

Popple Creek:

The SW1/4 of the SW1/4 lying west of County State Aid Road 3 except for the area described below as Business in Sect. 25, Township 37 North, Range 30 West, Mayhew Lake from the Agricultural District to the Rural Service District.

All that part of the SW1/4 of the SW1/4 in Sect. 25, Township 37 North, Range 30 West, Mayhew Lake, described as follows: Commencing at the intersection of County State Aid Road 3 with the southern line of Sect. 25, thence from said point of beginning westerly on the south line of said Sect. 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; thence easterly on the south line of the Lutheran Church parsonage property

200 feet, more or less, to the centerline of County State Aide Road 3, thence in a southwesterly along County Road 3 to the point of beginning from the Business District to the Rural Service District.

The SE1/4 of the SW1/4 and the SW1/4 of the SE1/4 in Sect. 25, Township 37 North, Range 30 West, Mayhew Lake from the Agricultural District to the Rural Service District.

The N500 feet of the NE1/4 of the NW1/4 and the N500 feet of the NW1/4 of the NE1/4, all in Sect. 36, Township 37 North, Range 30 West, Mayhew Lake from the Agricultural District to the Rural Service District.

Patricia Moore:

A one acre in the SE1/4 of the SW1/4 in Sect. 18, Township 37 North, Range 29 West, Gilmanton Township beginning at the intersection of the west line of County State Aid Road 3 with the north line of 85th Street NE, thence 10 rods in a northeasterly direction along said westerly line of County State Aid Road 3, thence west and parallel to the north line of 85th Street NE 16 rods, thence southerly and parallel to the west line of County State Aid Road 3 a distance of 10 rods to the north line of 85th Street NE, thence east on the north line of 85th Street NE 16 rods to the point of beginning from the Business District to the Rural Service District.

MN Pipeline Substation:

That part of the NE1/4 of the SW1/4 and the NW1/4 of the SE1/4 in Sect. 18, Township 37 North, Range 29 West, Gilmanton described as beginning at a point of the north line of the NW1/4 of the SE1/4 that intersects the centerline of County State Aid Road 3, thence east along the north line 413.2 feet, thence south at a right angle 435 feet, thence west at a right angle 566.8 feet to the centerline of County State Aid Road 3, thence northeasterly along the centerline of County State Aid Road 3 to the point of beginning, from the Business District to the Agricultural District.