

# RECEIVED

by OAH on October 1, 2018

## **ORDINANCE NO. 16, THIRD SERIES**

### **AN ORDINANCE OF THE CITY OF GLENWOOD, MINNESOTA, ANNEXING LAND LOCATED IN MINNEWASKA TOWNSHIP, POPE COUNTY, MINNESOTA, PURSUANT TO MINNESOTA STATUTES § 414.033, SUBDIVISION 3, PERMITTING ANNEXATION BY ORDINANCE**

**WHEREAS**, a Notice of Intent for the Annexation of Certain real property to the City of Glenwood pursuant to Minn. Stat. § 414.033, Subd. 3, was served by mail on March 9, 2018, and the City of Glenwood has not received any objections to the annexation; and

**WHEREAS**, said property is unincorporated and abuts the City of Glenwood and is bordered more than 60% by the City of Glenwood; is less than 40 acres; is not presently served by public sewer facilities; and

**WHEREAS**, said property is not located within a flood plain or shore land area; and

**WHEREAS**, said property is currently zoned commercial and annexation is requested to facilitate the extension of city services for the commercial development of the property and the land is urban or suburban in character and no part of the land included is within the limits of an incorporated city; and

**WHEREAS**, provisions of Minn. Stat. § 414.033, Subd. 13, are not applicable in that there will be no change in the electric utility service provider resulting from the annexation of the territory to the municipality;

### **NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF GLENWOOD ORDAINS:**

1. The City Commission hereby determines that the property as hereinafter described abuts the city limits and its perimeter of the area to be annexed by the City of Glenwood is 60% or more bordered by the City of Glenwood and is or is about to become urban or suburban in nature and that commercial use is being proposed for said property, the construction of which requires or will require city services, including public sewer facilities.

2. None of the property is now included within the limits of any city, or in any area that has already been designated for orderly annexation pursuant to Minn. Stat. § 414.0325.

3. The corporate limits of the City of Glenwood, Minnesota, are hereby extended to include the following described property, said land abutting the City of Glenwood and being 40 acres or less in area. The land to be annexed is legally described as follows:

**SEE ATTACHED EXHIBIT A**

The above-described property consists of a total of 25.85 acres, more or less.

4. The population of the area legally described in Exhibit A and hereby annexed is zero.

5. The City of Glenwood, pursuant to Minn. Stat. § 414.036, with respect to property taxes payable on the area legally described in Exhibit A, hereby annexed, shall make a cash payment to Minnewaska Township in accordance with the following schedule:

a. In the first year following the year in which the City of Glenwood could first levy on the annexed area, an amount equal to \$748.49; and

b. In the second and final year, an amount equal to \$748.50. There are no outstanding assessments against the land.

6. The City Administrator of the City of Glenwood is hereby authorized and directed to file a copy of this Ordinance with the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, the Minnesota Secretary of State, The Pope County Auditor, and the Minnewaska Township Clerk.

7. This Ordinance shall be in full force and effect upon the date this Ordinance is approved by the Office of Administrative Hearings.

PASSED AND ADOPTED by the City Commission of the City of Glenwood, Minnesota, this  
25<sup>th</sup> day of July, 2018.

THE CITY OF GLENWOOD

A handwritten signature in black ink, appearing to read "Scott A. Formo", is written over a horizontal line.

Scott A. Formo, Mayor

## **EXHIBIT "A"**

**Parcel:** 08-0001-000  
**Owner:** Darin Anderson

That part of the Northeast Quarter of the Northeast Quarter (NE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ) of Section 1, Township 125 North, Range 38 West, Pope County, Minnesota, described as follows:

Commencing at the southwest corner of Lot 4, Block One, NORTHGLEN, according to the recorded Plat thereof;

thence North 00 degrees 17 minutes 55 seconds West, assumed bearing, along the west line of said NORTHGLEN, and its northerly extension thereof, 597.00 feet to the point of beginning of the land to be described;

thence South 89 degrees 29 minutes 35 seconds West 483.18 feet to the east line of the West 10.00 acres of said Northeast Quarter of the Northeast Quarter (NE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ) of Section 1;

thence North 01 degrees 32 minutes 09 seconds East, along said east line, 411.84 feet to the north line of said Section 1;

thence North 89 degrees 35 minutes 47 seconds East, along said north line, 990.45 feet to the east line of said Section 1;

thence South 00 degrees 10 minutes 46 seconds East, along said east line of Section 1, a distance of 446.88 feet to the north line of aforesaid NORTHGLEN;

thence South 89 degrees 29 minutes 35 seconds West, along said north line of NORTHGLEN, 519.53 feet to the west line of said NORTHGLEN;

thence North 00 degrees 17 minutes 55 seconds West, along the northerly extension of the west line of said NORTHGLEN, 37.08 feet to the point of beginning.

The tract contains 9.84 acres, more or less, subject to existing public roadway easements of record over the northerly portion thereof (Township Roadway) and the easterly portion thereof (Trunk Highway No. 29), and also being subject to an existing ingress and egress easement over the West 66.00 feet thereof (Document No. 211891).

**EXCEPTING** any right-of-way already within the City of Glenwood.

**Parcel:** 08-0571-000  
08-0572-000  
08-0001-006

**Owner:** Scott D. Pederson and Christine A. Pederson

Lots 8 and 9, Block One, NORTHGLEN; according to the recorded Plat thereof on file and of record in the Office of the Pope County Recorder.

**AND**

That part of the Northeast Quarter of the Northeast Quarter (NE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ) of Section 1, Township 125 North, Range 38 West, Pope County, Minnesota, described as follows:

Commencing at the Southwest corner of Lot 4, Block One, NORTHGLEN, according to the recorded Plat thereof;

thence North 00 degrees 17 minutes 55 seconds West, assumed bearing, along the west line of said NORTHGLEN, 359.92 feet to the southwest corner of Lot 8, Block One, said NORTHGLEN, said point being the point of beginning of the land to be described;

thence continuing North 00 degrees 17 minutes 55 seconds West, along said westerly line of NORTHGLEN and its northerly extension thereof, 237.08 feet;

thence South 89 degrees 29 minutes 35 seconds West 483.18 feet to the east line of the West 10.00 acres of aforesaid Northeast Quarter of the Northeast Quarter (NE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ) of Section 1;

thence South 01 degrees 32 minutes 09 seconds West, along said east line, 237.23 feet to the westerly extension of the south line of aforesaid Lot 8, Block One, NORTHGLEN;

thence North 89 degrees 29 minutes 35 seconds East, along said extension, 490.77 feet to the point of beginning.

**Parcel:** 08-0001-003  
08-0001-004  
**Owner:** The County of Pope

Lots 4, 5, 6, and 7, Block One, NORTHGLEN

**AND**

That part of the Northeast Quarter of the Northeast Quarter (NE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ), except the West 10 acres thereof, Section 1-125-38, described as follows, to-wit:

Commencing at the Southwest corner of Lot 1, Block 1, Plat of NORTHGLEN;

thence North 00 degrees 07 minutes 41 seconds West, along the West line of said Lot 1, a distance of 112.00 feet to a point on the South line of Lot 2, Block 1, Plat of NORTHGLEN;

thence South 89 degrees 29 minutes 35 seconds West along the South line of said Lot 2, Block 1, Plat of NORTHGLEN, a distance of 62.05 feet to the Southwest corner of said Lot 2;

thence North 00 degrees 17 minutes 55 seconds West along the West line of the Plat of NORTHGLEN a distance of 335.00 feet;

thence South 89 degrees 29 minutes 35 seconds West a distance of 471.95 feet, more or less, to the West line of said Northeast Quarter of the Northeast Quarter (NE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ), except the West 10 acres thereof, Section 1-125-38;

thence South along the West line of said Northeast Quarter of the Northeast Quarter (NE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ), except the West 10 acres thereof a distance of 447 feet, more or less, to the Southwest corner of the said Northeast Quarter of the Northeast Quarter (NE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ), except the West 10 acres thereof;

thence East along the South line of the said Northeast Quarter of the Northeast Quarter (NE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ), except the West 10 acres thereof, to the place of beginning and there terminating.

**EXCEPT** that part of the Northeast Quarter of the Northeast Quarter (NE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ), Section 1-125-38, described as follows:

Commencing at the Southwest corner of Lot 2, Block 1, Plat of NORTHGLEN, said point being the point of beginning of the land to be described:

thence North 89 degrees 29 minutes 35 seconds East, along the South line of said Lot 2, Block 1, 62.05 feet;

thence South 00 degrees 07 minutes 41 seconds East, 112.00 feet to the South line of the Northeast Quarter of the Northeast Quarter (NE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ), Section 1-125-38;

thence South 89 degrees 29 minutes 35 seconds West, along said South line 62.05 feet;

thence North, 112.00 feet, more or less, to the point of beginning.

**AND**

That part of the Northeast Quarter of the Northeast Quarter (NE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ), except the West 10 acres thereof, Section 1-125-38, described as follows, to-wit:

Commencing at the Southwest corner of Lot 4, Block 1, Plat of NORTHGLEN;

thence North 00 degrees 17 minutes 55 seconds West, along the West line of said Lot 4, a distance of 135.00 feet to the place of beginning;

thence South 89 degrees 29 minutes 35 seconds West a distance of 471.95 feet, more or less, to the West line of said Northeast Quarter of the Northeast Quarter (NE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ), except the West 10 acres thereof, Section 1-125-38 (hereinafter "Point A");

thence North 89 degrees 29 minutes 35 seconds East a distance of 471.95 feet, more or less, to the place of beginning;

thence North 00 degrees 17 minutes 55 seconds West, along the West line of the Plat of NORTHGLEN and extension thereof, a distance of 462.00 feet;

thence South 89 degrees 29 minutes 35 seconds West a distance of 471.95 feet, more or less, to the West line of said Northeast Quarter of the Northeast Quarter (NE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ), except the West 10 acres thereof, Section 1-125-38;

thence South along the West line of said Northeast Quarter of the Northeast Quarter (NE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ), except the West 10 acres thereof a distance of 462.00 feet, more or less, to said "Point A";

thence North 89 degrees 29 minutes 35 seconds East a distance of 471.95 feet, more or less, to the place of beginning and there terminating.

## **EXCEPT**

That part of the Northeast Quarter of the Northeast Quarter (NE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ) of Section 1-125-38, Pope County, Minnesota, described as follows:

Commencing at the Southwest corner of Lot 4, Block One, NORTHGLEN, according to the recorded Plat thereof;

thence North 00 degrees 17 minutes 55 seconds West, assumed bearing, along the west line of said NORTHGLEN, 359.92 feet, to the southwest corner of Lot 8, Block One; said NORTHGLEN, said point being the point of beginning of the land to be described;

thence continuing North 00 degrees 17 minutes 55 seconds West, along said westerly line of NORTHGLEN and its northerly extension thereof, 237.08 feet;

thence South 89 degrees 29 minutes 35 seconds West 483.18 feet to the east line of the West 10.00 acres of aforesaid Northeast Quarter of the Northeast Quarter (NE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ) of Section 1;

thence South 01 degrees 32 minutes 09 seconds West, along said east line, 237.23 feet to the westerly extension of the south line of aforesaid Lot 8, Block One, NORTHGLEN;

thence North 89 degrees 29 minutes 35 seconds East, along said extension, 490.77 feet, to the point of beginning.

Together with a permanent easement for ingress and egress, appurtenant to the above-described premises, bounded and enclosed within the following described lines, to-wit:

On the West, by the West line of the said Northeast Quarter of the Northeast Quarter (NE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ), except the West 10 acres thereof, Section 1-125-38;

on the East by a line parallel to and 66.00 feet Easterly of the West line of the said Northeast Quarter of the Northeast Quarter (NE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ), except the West 10 acres thereof;

on the North by the North line of the said Northeast Quarter of the Northeast Quarter (NE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ); and

on the South by the North line of the above-described premises.

**Parcel: 08-0566-000**  
**Owner: Stuart Wood**

Lot 3, Block 1, NORTHGLEN, Pope County, Minnesota, according to the recorded Plat on file and of record in the Office of the County Recorder, Pope County, Minnesota.

**Parcel: 08-0565-000**  
**08-0001-005**  
**Owner: RMR of Glenwood, Inc.**

Lot Two (2), Block One (1), NORTHGLEN, according to the Plat thereof on file and of record in the Office of the Pope County Recorder.

AND

That part of the NE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 1, Township 125 North, Range 38 West, described as follows:

Commencing at the southwest corner of Lot 2, Block One, NORTHGLEN, according to the recorded plat thereof on file in the office of the County Recorder Pope County, Minnesota, said point being the point of beginning of the land to be described;

thence North 89 degrees, 29 minutes, 35 seconds East, along the South line of said Lot 2, Block One, 62.05 feet;

thence South 00 degrees, 07 minutes, 41 seconds East, 112.00 feet to the South line of the NE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 1, Township 125 North, Range 38 West;

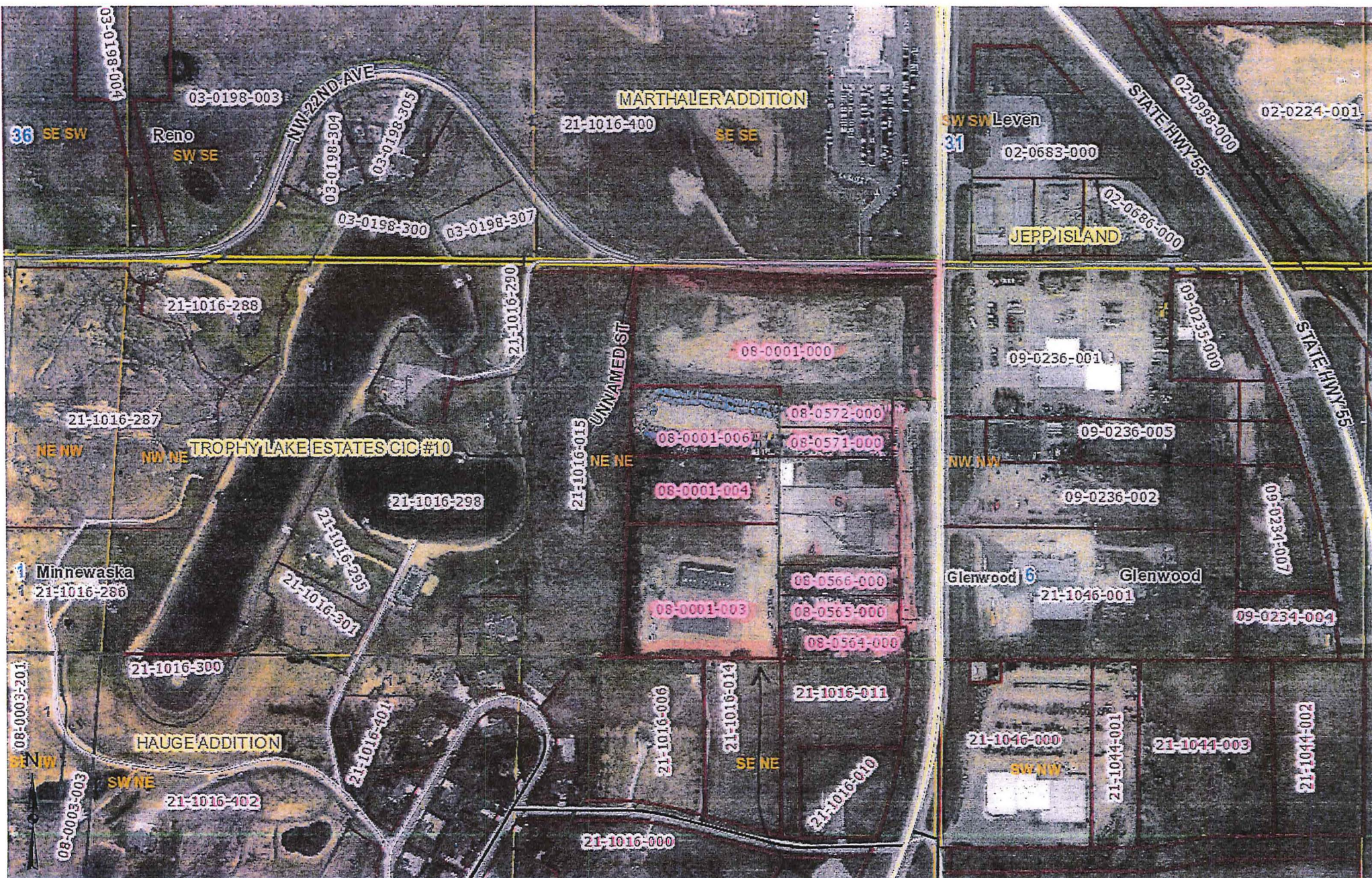
thence South 89 degrees, 29 minutes, 35 seconds West, along said South line 62.05 feet;

thence North 112.00 feet more or less to the point of beginning.

**Parcel: 08-0564-000**  
**Owner: JWJH Properties, LLC**

Lot 1, Block 1, NORTHGLEN, according to the duly recorded Plat thereof and on file in the Office of the Pope County Recorder.





These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

## Glenwood annexation

Area to be annexed

1:5,000

Date: 7/6/2017

This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.

Pope County  
Minnesota



# MUNICIPALITIES OF POPE CO.

PREPARED BY THE  
MINNESOTA DEPARTMENT OF TRANSPORTATION  
OFFICE OF TRANSPORTATION SYSTEM MANAGEMENT  
IN COOPERATION WITH  
U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL HIGHWAY ADMINISTRATION

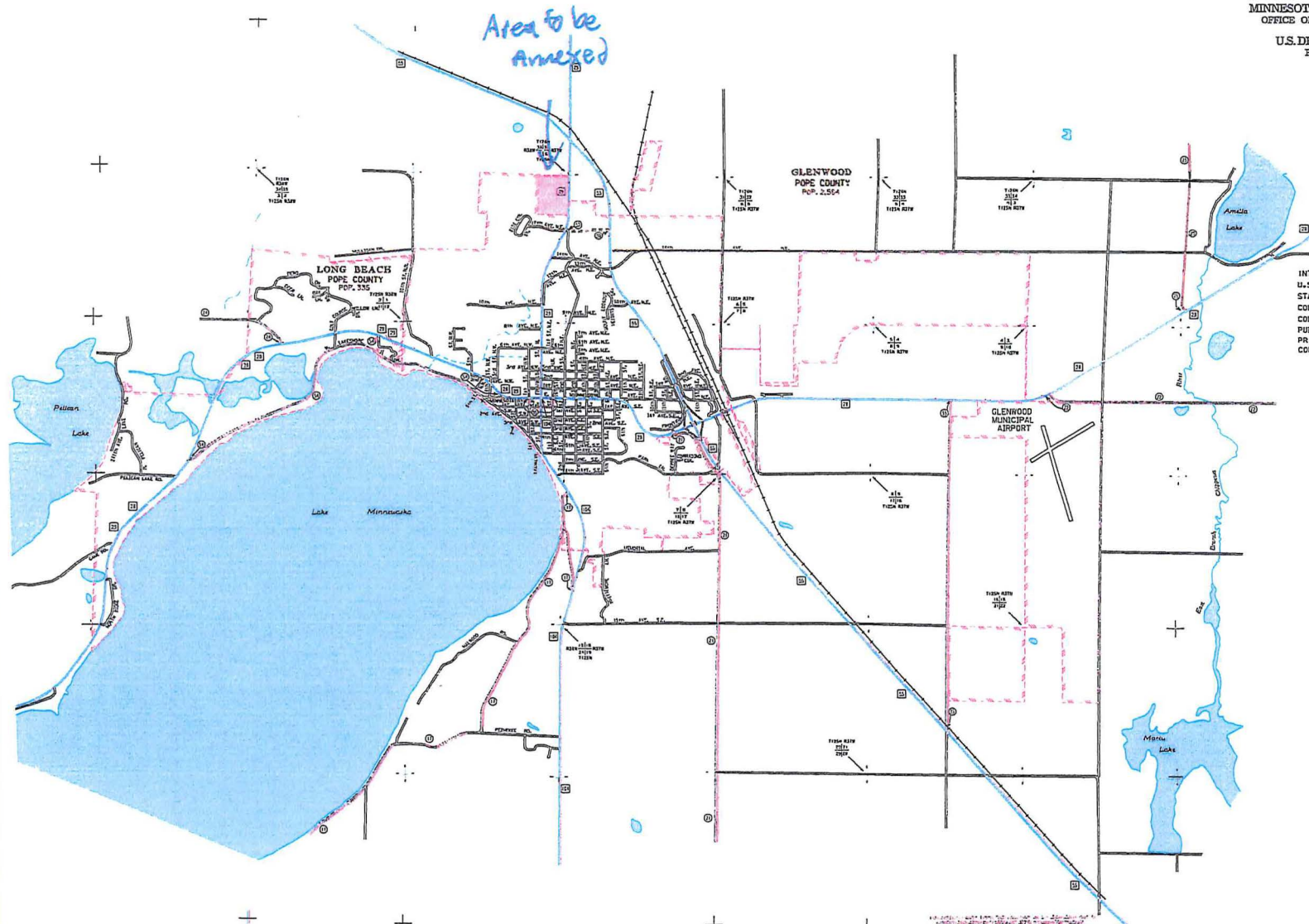
SCALE  
1:62,500  
0 1000 2000 3000 FEET  
0 500 1000 METERS

2015  
BASE DATA - 2010



## LEGEND

- INTERSTATE TRUNK HIGHWAY.....
- U.S. TRUNK HIGHWAY.....
- STATE TRUNK HIGHWAY.....
- COUNTY STATE AID HIGHWAY.....
- COUNTY ROAD.....
- PUBLIC ROAD.....
- PRIVATE ROAD.....
- CORPORATE LIMITS.....



MUNICIPALITIES SHOWN  
ON THIS SHEET  
COLUMBIAN  
LIGHT GREEN

NOTE: 2010 U.S. CENSUS FIGURES SHOWN FOR ALL MUNICIPALITIES UNLESS OTHERWISE STATED.