

ORDINANCE NO. 713

AN ORDINANCE ANNEXING CERTAIN LANDS INTO THE CITY OF WASECA, MINNESOTA
AND ESTABLISHING ZONING THEREOF

WHEREAS, Gary S. Deml and Laurie L. Deml have filed a *Petition for Annexation* dated January 5, 1998, requesting that certain lands, as described in **Exhibit A** and depicted in **Exhibit B** and **Exhibit C**, be annexed to the City of Waseca; and,

WHEREAS, Gary S. Deml and Laurie L. Deml represent that they are the sole owners of the property, that the property is unincorporated, abuts the limits of the City of Waseca, is not included within any other municipality, is not included in any area that has already been designated for orderly annexation pursuant to Minnesota Statutes 414.0325, and is 8.86 acres in size; and,

WHEREAS, Gary S. Deml and Laurie L. Deml filed with the City of Waseca a *Notification of Intent to File Petition for Annexation* pursuant to Minn. Stat. §414.033, Subd. 13, dated November 4, 1998, appended as **Exhibit D**; and,

WHEREAS, the City of Waseca sent by certified mail an Electric Utility Service Notice pursuant to Minn. Stat. §414.033, Subd. 13, received on December 5, 1997 by Gary S. Deml and Laurie L. Deml, appended as **Exhibit E**;

**NOW, THEREFORE, THE CITY COUNCIL OF WASECA, MINNESOTA DOES HEREBY
ORDAIN:**

Section 1. The City Council determines and finds that the property abuts the municipality, that the area to be annexed is sixty (60) acres or less, that the property is not included in any area that has already been designated for orderly annexation pursuant to Minnesota Statutes 414.0325, that the municipality has received a properly prepared Petition for Annexation from all of the owners of the property, and that the Petition complies with all of the provisions of Minnesota Statute 414.033.

Section 2. The lands described in Exhibit A are urban in character or about to become so.


Section 3. The corporate limits of the City of Waseca are extended to include the property.

Section 4. The lands described in Exhibit A shall be zoned B-2 Highway Commercial.

Section 5. Certified copies of this ordinance shall be filed with the Minnesota Municipal Board, the Minnesota Secretary of State, the Waseca County Auditor, the Waseca County Recorder, and the Clerk of the Woodville Township Board.


Section 6. This ordinance shall be effective upon passage and legal publication and the filing of the certified copies as described in Section 5 and approval of the Ordinance by the Minnesota Municipal Board.

Adopted by the City Council of Waseca, Minnesota, this 17th day of February, 1998.



JOHN CLEMONS
MAYOR

ATTEST:



~~MARY BUENZOW~~ LINDA SPOONER
~~RECORDS SECRETARY~~ ADMINISTRATIVE SECRETARY

Introduction	January 6, 1998
Adoption	February 17, 1998
Published	February 24, 1998
Effective	_____

Exhibit A

Ordinance No. 713 Annexing Certain Lands
Regarding Deml Property at 1901-1921 North State Street

- Legal Description of Property -

That part of the south half of the southeast quarter (S $\frac{1}{2}$ of SE $\frac{1}{4}$) of Section 6, Township 107 North, Range 22 West, Waseca County, Minnesota, described as follows:

Commencing at the Southeast Corner of Section Six (6), Township One Hundred Seven (107) North, Range Twenty-two (22) West; thence on an assumed bearing of North along the East line of said Section a distance of Three Hundred Thirty (330) feet to the point of beginning of the tract to be described; thence on a bearing of West, a distance of One Thousand (1,000) feet; thence on a bearing of North, a distance of Three Hundred Eighty-six (386) feet; thence on a bearing of East, a distance of One Thousand (1,000) feet to said East line of said Section Six (6); thence on a bearing of South along said East line of said Section Six (6) a distance of Three Hundred Eighty-six (386) feet to the point of beginning. This tract contains Eight and Eighty-six Hundredths (8.86) acres, more or less.

Exhibit B

Ordinance No. 713 Annexing Certain Lands
Regarding Deml Property at 1901-1921 North State Street

REC'D. BY
MMB FEB 23 1998

- Relationship of Property to City Boundaries -

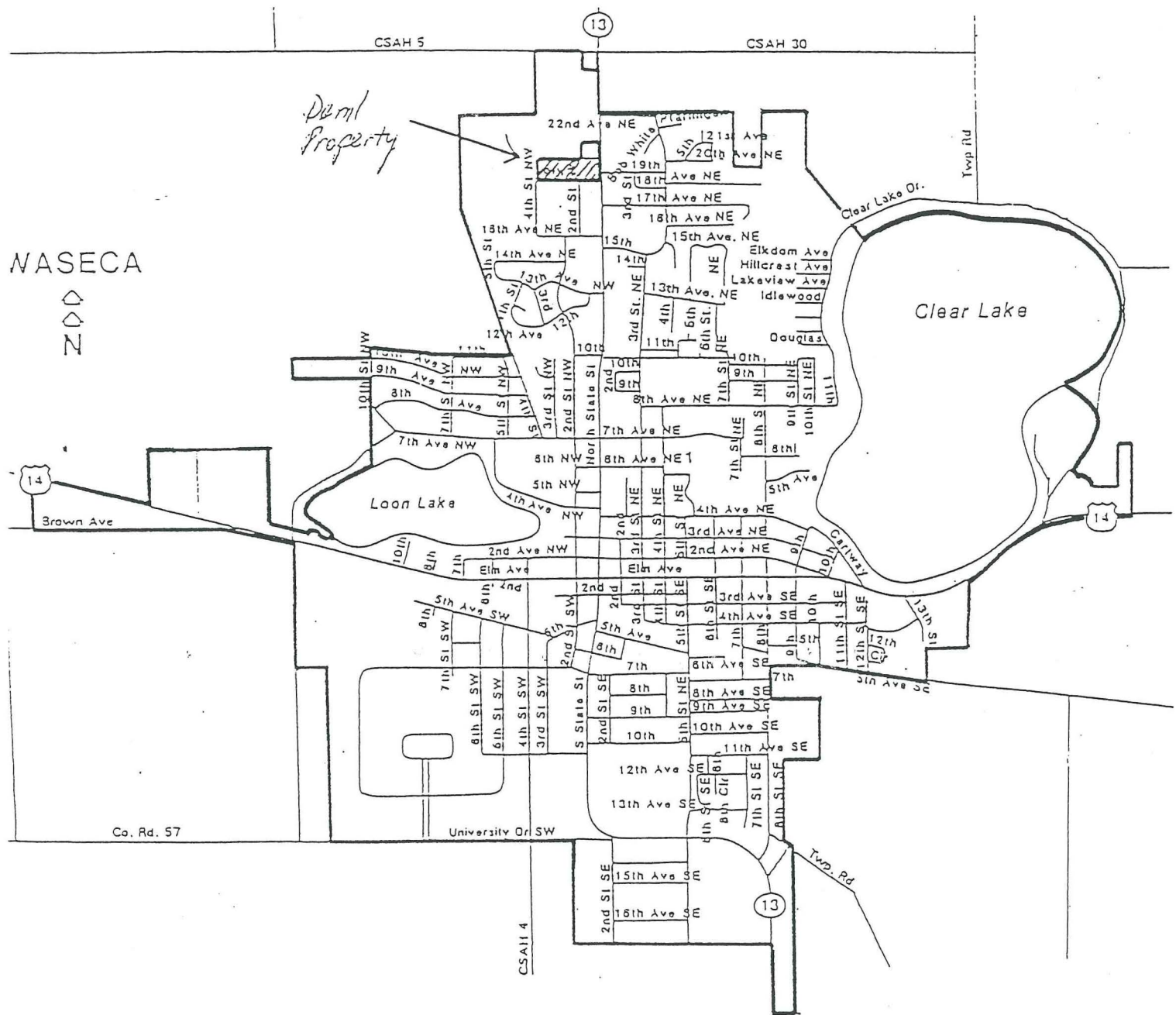


Exhibit C

Ordinance No. 713 Annexing Certain Lands
Regarding Deml Property at 1901-1921 North State Street

REC'D. BY
MAB FEB 23 1998

- Vicinity Map -

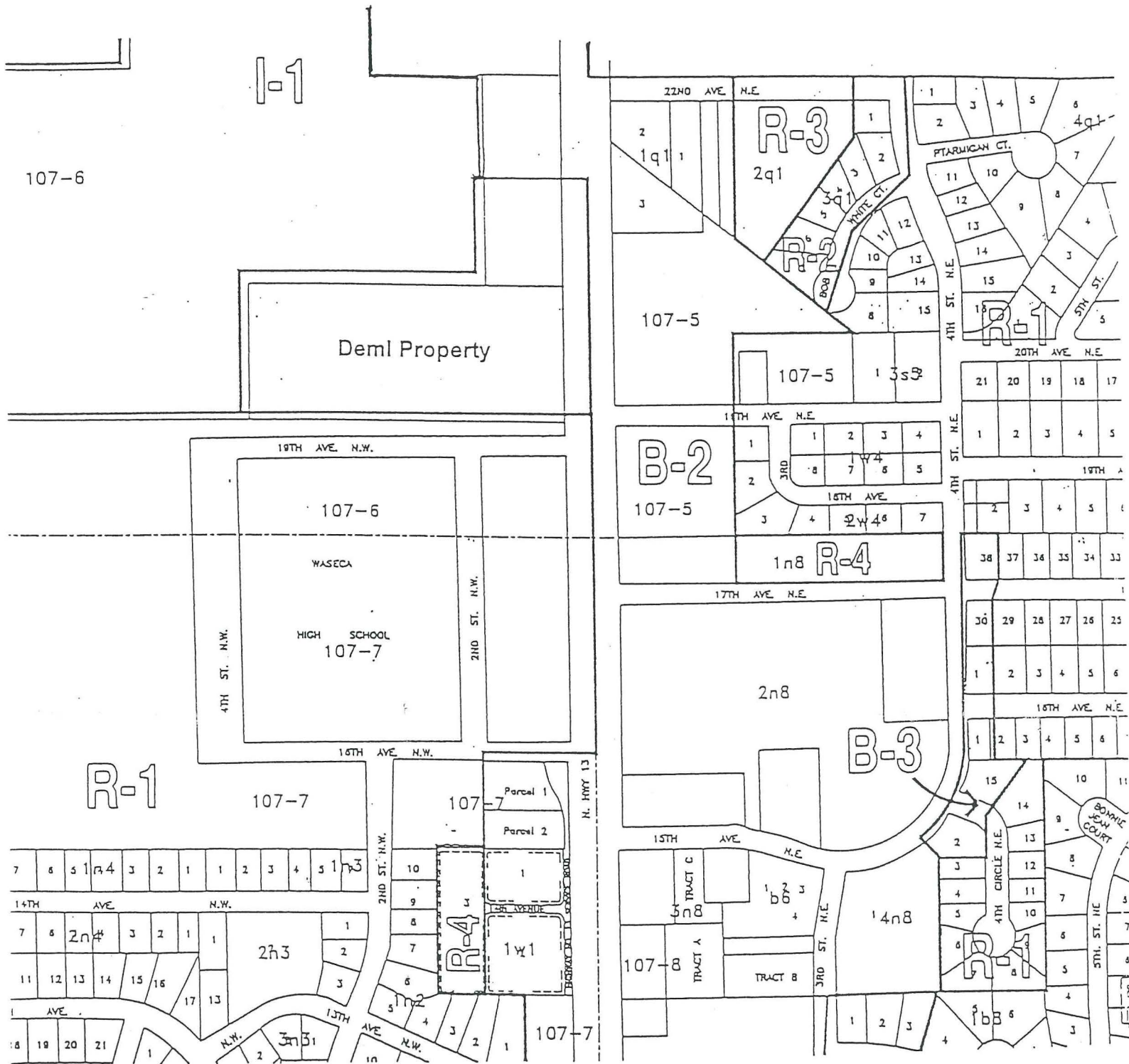


Exhibit D

Ordinance No. 713 Annexing Certain Lands
Regarding Deml Property at 1901-1921 North State Street

REC'D. BY
M/A/B FEB 23 1998

NOTIFICATION
of Intent to File Petition for Annexation
under Minn. Stat. §414.033

We, the undersigned, being the sole owners of the property described in Exhibit "A," certify that we notified the City of Waseca of our intent to file the attached petition with the City for annexation of said property on November 4, 1997.

Gary S. Deml
Gary S. Deml

Date: 11-4-97

Laurie L. Deml
Laurie L. Deml

Date: 11-4-97

Exhibit E
Ordinance No. 713 Annexing Certain Lands
Regarding Deml Property at 1901-1921 North State Street

REC'D. BY
MJB FEB 23 1998



December 4, 1997

BY CERTIFIED MAIL

Gary & Laurie Deml
36364 Clear Lake Drive
Waseca MN 56093

Dear Gary & Laurie:

The City of Waseca has received your notification of intent to file petition for annexation, dated 11-4-97. Your notification was presented to the Waseca City Council at its December 2, 1997 meeting. The City Council indicated that it is receptive to receiving your petition for annexation on or after January 5, 1998 (at least 60 days after your notification of intent to file petition).

In accordance with Minnesota Statutes §414.033, Subd. 2B and 13, the City is required to give you the following notice at least 30 days before a petition is filed with the Minnesota Municipal Board:

Once your property, as described in Exhibit A and depicted in Exhibit B, is annexed into the City of Waseca, the cost of electric utility service to this property may change as a result of annexation. Since this property has been undeveloped and not yet served with electrical service, there is no record of prior utility rates that can be compared as to the estimated future costs of electrical service, including rate changes and assessments, that would result from annexation. It is the City's understanding that Northern States Power (NSP) Company will be the electric utility service provider for your property. The City, therefore, encourages you to contact NSP for information on electrical rates.

Thank you for notifying the City of your intent to file for annexation. Enclosed is the staff report on your request which the City Council reviewed at its December 2, 1997 meeting, as well as a copy of the statutes requiring this notification. I will contact you at the end of December about filing an annexation petition on or after January 5, 1998. In the meantime, please contact me if you have any questions regarding the annexation process.

Sincerely,

Pamela A. Lazaris, AICP
Community Development Director

cc: Kris M. Busse, City Manager
Minnesota Municipal Board
Woodville Township Board
Waseca County Board