
City of Jackson

ORDINANCE NO. 107, FIFTH SERIES

**AN ORDINANCE ANNEXING 4.14 ACRES OWNED BY
MICHAEL LEV AND JUDITH LEV AND LOCATED IN THE
NW $\frac{1}{4}$ NW $\frac{1}{4}$ OF SECTION 23, DES MOINES TOWNSHIP**

WHEREAS, the City Council finds:

- A. That Michael Lev and Judith Lev ("Levs") are the owners of 4.14 acres of real property in Des Moines Township, Jackson County, Minnesota, as hereinafter described, upon which they have built a residence and other improvements ("Annexation Area");
- B. That the Annexation Area abuts the corporate limits of the City on its west side;
- C. That the Annexation Area is served by public utility services provided by the City;
- D. That the Annexation Area is now urban or suburban in character;
- E. That a "JOINT RESOLUTION FOR ORDERLY ANNEXATION" for the orderly annexation of the Annexation Area ("Joint Resolution") was adopted by the City on January 19, 1993, and by Des Moines Township on February 9, 1993;
- F. That an "AGREEMENT" for the orderly annexation of the Annexation Area ("Agreement") was made and entered into by the City, Des Moines Township, and Levs in 1993;
- G. That both the Agreement and the Joint Resolution provide that the Annexation Area would be annexed into the City as of December 1, 1998, and that immediately upon annexation the mill levy on the Annexation Area would be increased to equality with the mill levy on property already within the City;

H. That the Agreement and the Joint Resolution were not timely filed with the Municipal Board, and the Municipal Board went out of existence as of July 1, 1999;

I. That when such omission was discovered the Agreement and the Joint Resolution were filed with the office of Minnesota Planning in September, 1999;

J. That the Acting Director of Minnesota Planning has declined to issue an order approving of annexation of the Annexation Area because the Agreement and Joint Resolution were not timely filed;

K. That the Annexation Area continues to be taxed at Des Moines Township rates;

L. That Des Moines Township will receive - and the City will not receive - the tax revenues from the Annexation Area for year 2000;

M. That the Annexation Area now adjoins the City on three of its sides;

N. That the Annexation Area may be annexed by ordinance;

O. That by resolution dated October 12, 1999, the Board of Supervisors of Des Moines Township [a] consented to the proposed annexation by ordinance, [b] agreed that immediately upon annexation the mill levy on the Annexation Area may be increased to equality with the mill levy on property already within the City; and [c] agreed that the City shall not be required to make any payment in lieu of taxes to the Township after the City can first levy on the Annexation Area;

P. That following notice as required by law, a public hearing on the proposed annexation by ordinance of the Annexation Area was held before the City Council on December 21, 1999; and

Q. That the immediate annexation of the Annexation Area is consistent with the City's Comprehensive Plan and is in the best interests of the City and the landowners, as evidenced by the Agreement and Joint Resolution,

Now, therefore, **THE CITY OF JACKSON ORDAINS:**

SECTION 1. Annexation Area. The corporate limits of the City of Jackson are hereby extended to include the 4.14 acre tract described as follows:

Part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 23 in Township 102, North of Range 35, West of the Fifth Principal Meridian, described as follows: beginning at an existing railroad spike on the east line of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 23 and the centerline of Springfield Parkway as per Rolling Hills Addition plat, thence North 00°00'10" East, assumed bearing, along said east line, and

along and near the existing fence line 846.62 feet to the existing centerline of the Des Moines River as of March, 1992; thence North 56°48'44" West 248.53 feet along the existing centerline of the Des Moines River; thence South 00°00'10" West 885.51 feet along a line parallel with the east line of the NW¼NW¼ of said Section 23 to the centerline of Springfield Parkway as existing in March, 1993; thence South 64°57'50" East 229.56 feet along the centerline of Springfield Parkway as existing as of March, 1993, to the point of beginning; including street right-of-way and subject to easements of record, if any;

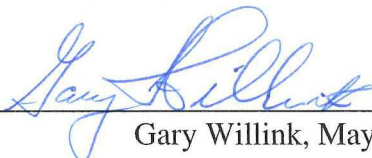
and the same is hereby annexed to and included within the City as effectually as if it had originally been a part thereof.

SECTION 2. **Initial zoning.** The area so annexed is designated as an "Agricultural Residence District - R-A" pursuant to the City's zoning ordinance and upon the City's zoning map, subject to amendment as provided by said ordinance.

SECTION 3. **Filing.** The City Administrator is hereby directed to file certified copies of this ordinance with the office of Minnesota Planning, the Secretary of State, the Jackson County Auditor, and the Clerk of Des Moines Township in Jackson County, Minnesota.

SECTION 4. **Effective date.** This ordinance takes effect 14 days after its posting or publication and after its filing has been approved by Minnesota Planning.

CITY OF JACKSON

By: 
Gary Willink, Mayor







Attest:


Dean Albrecht, City Administrator

Introduced:	<u>October 5, 1999</u>
Public hearing held:	<u>December 21, 1999</u>
Adopted:	<u>December 21, 1999</u>
Posted:	<u>December 22, 1999</u>
Published:	<u>January 6, 2000</u>
Effective:	<u>January 5, 2000</u>

REC'D. BY
MAMB JAN 10 2000

ZONING MAP

-  Agriculture Residence District (RA)
-  One & Two Family Residence District (R2)
-  Multiple Family Residence District (R3)
-  Service Business District (B1)
-  General Business District (B2)
-  General Industrial District (I2)

CITY OF JACKSON, MINNESOTA

