

ORDINANCE NO. 00-03

AN ORDINANCE EXTENDING THE CORPORATE LIMITS  
OF THE CITY OF WAVERLY  
TO INCLUDE CERTAIN UNINCORPORATED LAND  
ABUTTING THE CITY LIMITS

WHEREAS, on November 16, 1999, the City of Waverly received notice that the Petitioner intended to petition for annexation of the following legally described property; and,

WHEREAS, the City notified the Petitioner of Utility Rate Changes Due to the Petition for Annexation on or about November 23, 1999, and within 30 days of receiving the Petition; and,

WHEREAS, a Petition requesting annexation of the legally described property was presented to the Council on or about January 17, 2000, and at least 60 days after the City received notice of the Petitioner's intent to petition for annexation; and,

WHEREAS, the property is legally described as:

See attached Exhibit A

WHEREAS, the aforementioned legally described land is .48 acres in size; and,

WHEREAS, the petition was signed by all owners of the aforementioned legally described properties; and,

WHEREAS, the aforementioned legally described property abuts the city limits; and,

WHEREAS, a public hearing was duly held on March 14, 2000, by the governing body of the City of Waverly, Minnesota, on the proposed annexation after at least 30 days' notice by certified mail to persons entitled to notice; and,

WHEREAS, no valid objections to the annexation have been received from the town board, or the government body of any municipality whose boundaries abut upon the boundaries of the properties;

NOW, THEREFORE, the Council of the City of Waverly, Minnesota, ordains:

Section 1. Character of the Property. The City Council hereby determines that:

1. the property abuts the City limits of the City of Waverly;
2. that none of the property is presently a part of any populated city, any agricultural preserve, nor is the property in any area designated for orderly annexation;
3. the property is urban or suburban in character, and is ripe for residential development;
4. the existing township government is not adequate to protect the public health, safety and welfare or to provide municipal services required to develop the property;

5. the property presently receives sewer or water services at a rate that is significantly higher than the normal, City of Waverly sewer and water rate and the City of Waverly is capable of providing sewer and water services to the property at a rate lower than the properties current rate in the reasonably foreseeable future;
6. the City of Waverly will make sewer and water, street improvements, administrative services, police protection, park recreation, maintenances and fuel services available to the property at its' discretion and upon the same basis as such services are offered to property which is already part of the City of Waverly through, but not limited to, special assessments, connection fees, access charges, impact fees, and general taxes.

Section 2. Property Annexed. The corporate limits of the City of Waverly are hereby extended to include the aforementioned legally described property, and the same property is hereby annexed to and included within the City of Waverly as effectually as if it had originally been a part thereof.

Section 3. Filing. The City Clerk is hereby directed to file certified copies of this ordinance with the Minnesota Planning Municipal Boundary Adjustments, the Secretary of State, the Town Clerk, and the City Auditor.

Section 4. Effective Date. This Ordinance shall take effect upon its passage and publication, upon the filing of the certified copies as directed in Section 3, and upon approval of the Ordinance by the Minnesota Planning Municipal Boundary Adjustments.

Adopted by the Council this 14th day of March 2000.

CITY OF WAVERLY

By Charles Bush  
Charles Bush,  
Mayor

ATTEST:

Debbie Ryks  
Debbie Ryks,  
Waverly City Clerk

## Legal Description

That part of the Southwest Quarter of the Southeast Quarter of Section 33, Township 119, Range 26, Wright County, Minnesota, described as follows: Commencing at the northeast corner of Lot 14, Block 17, Townsite of Waverly, according to the plat on file and of record in the office of the County Recorder, Wright County, Minnesota; thence East, assuming the east line of said Lot 14 bears South, a distance of 23.00 feet to the east line of First Street; thence continue East, a distance of 94.00 feet to the actual point of beginning; thence continue East, a distance of 95.00 feet; thence South, parallel with the east line of Lot 14, a distance of 211.92 feet to the northerly right-of-way line of Burlington Northern Railroad; thence South 80 degrees 24 minutes 40 seconds West, along said northerly right-of-way line, a distance of 96.34 feet to the intersection of a line bearing South from the actual point of beginning; thence North parallel with the east line of said Lot 14, a distance of 227.97 feet to the actual point of beginning.

Together with an ingress and egress easement 14.00 feet in width, said easement being part of the Southwest Quarter of the Southeast Quarter of Section 33, Township 119, Range 26, Wright County, Minnesota, the South line of said easement being describes as follows: Commencing at the northeast corner of Lot 14 of Block 17, Townsite of Waverly, according to the plat on file and of record in the office of the County Recorder, Wright County, Minnesota; thence East, assuming the east line of Block 17 bears South, a distance of 23.00 feet to the actual point of beginning of the line to be described; thence continue East, a distance of 126.00 feet and there terminating.

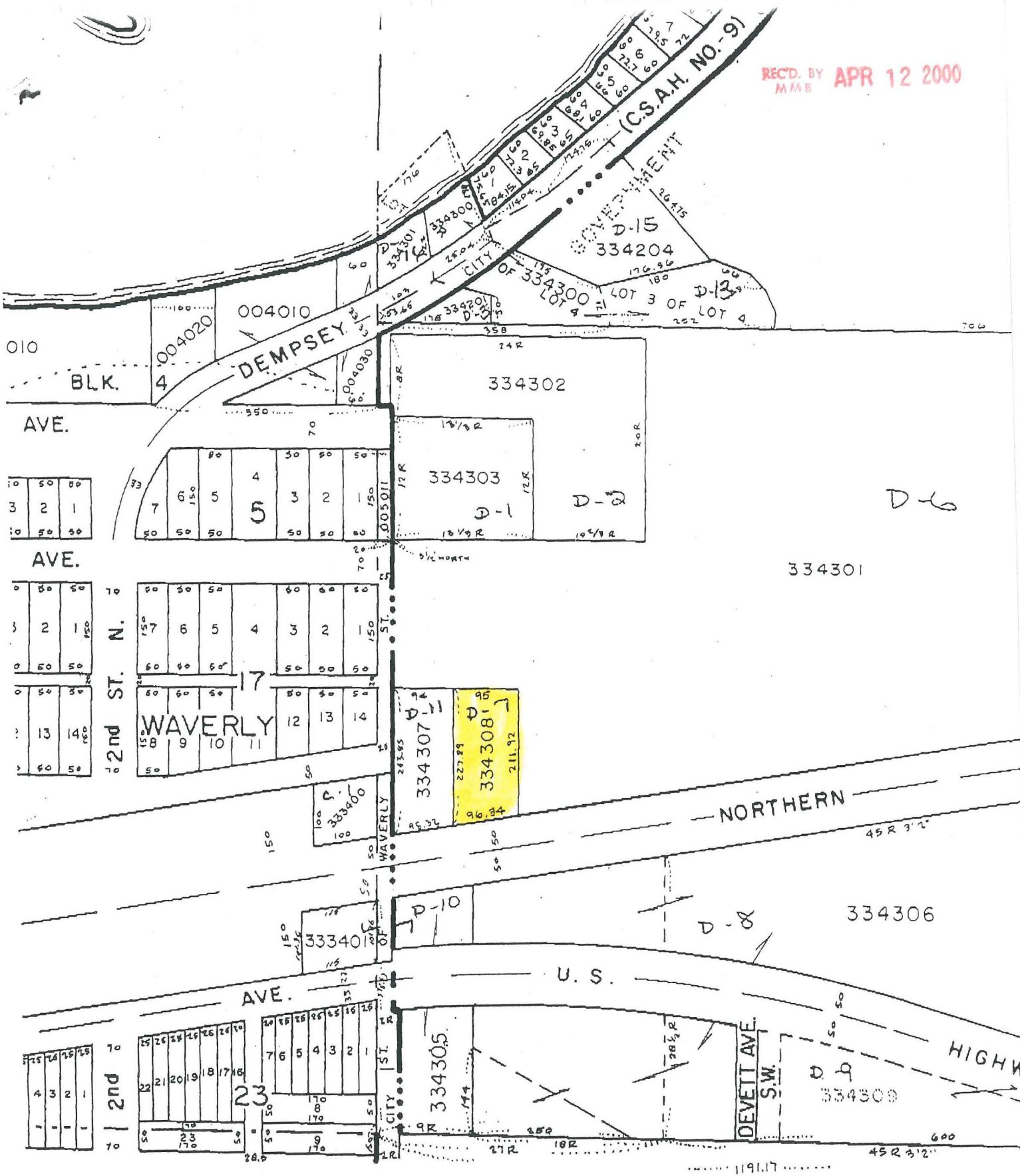
Records of Wright County, Minnesota.

EXHIBIT

A



REC'D. BY  
MMB APR 12 2000



EXHIBIT

C