

SPECIAL ORDINANCE 235
ORDINANCE ANNEXING PROPERTY
(DENNIS T. WURM AND DONNA J. WURM ANNEXATION)

RECITALS

WHEREAS, the City of Cold Spring has received a Petition for Annexation by Ordinance from Dennis T. Wurm and Donna J. Wurm for the annexation of 43.55 acres into the City of Cold Spring.

WHEREAS, the property is described and owned as follows:

That part of the South Half of the Southwest Quarter (S ½ of SW ¼) of Section Twenty-three (23), Township One Hundred Twenty-three(123), Range Thirty (30) Stearns County, Minnesota, described as follows:

Commencing at the Southwest corner of said Section Twenty-three (23), thence North 00 degrees 32 minutes 49 seconds East 473.15 feet; thence North 89 degrees 57 minutes 52 seconds East 33 feet for the point of beginning of the tract to be described; thence North 00 degrees 32 minutes 49 seconds East 358.45 feet; thence South 89 degrees 45 minutes 32 seconds East 392 feet; thence North 00 degrees 32 minutes 49 seconds East 484.63 feet; thence South 89 degrees 45 minutes 32 seconds East 2,216.85 feet; thence South 00 degrees 24 minutes 43 seconds West 691.61 feet; thence West 695.72 feet; thence South 139.27 feet; thence South 89 degrees 57 minutes 52 seconds West 1,916.18 feet to the point of beginning and there terminating. Said tract containing 43.55 acres more or less.

WHEREAS, the City Council by Resolution ordered the City Clerk/Coordinator to publish notice of a public hearing on the Request for Annexation by Ordinance and to give notice by certified mail of the affected township and all property owners within and contiguous to the area to be annexed.

WHEREAS, all appropriate notices have been given pursuant to statute.

WHEREAS, the matter came on before the Cold Spring City Council by public hearing at 8:00 p.m. on November 14, 2000.

FINDINGS OF FACT

Based upon the information contained in the Petition and presented at the public hearing, the Cold Spring City Council makes the following FINDINGS OF FACT.

1. Petitioner's, Dennis T. Wurm and Donna J. Wurm are the owner's of:

That part of the South Half of the Southwest Quarter (S ½ of SW ¼) of Section Twenty-three (23), Township One Hundred Twenty-three(123), Range Thirty (30) Stearns County, Minnesota, described as follows:

Commencing at the Southwest corner of said Section Twenty-three (23), thence North 00 degrees 32 minutes 49 seconds East 473.15 feet; thence North 89 degrees 57 minutes 52 seconds East 33 feet for the point of beginning of the tract to be described; thence North 00 degrees 32 minutes 49 seconds East 358.45 feet; thence South 89 degrees 45 minutes 32 seconds East 392 feet; thence North 00 degrees 32 minutes 49 seconds East 484.63 feet; thence South 89 degrees 45 minutes 32 seconds East 2,216.85 feet; thence South 00 degrees 24 minutes 43 seconds West 691.61 feet; thence West 695.72 feet; thence South 139.27 feet; thence South 89 degrees 57 minutes 52 seconds West 1,916.18 feet to the point of beginning and there terminating. Said tract containing 43.55 acres more or less.

2. The total amount of acreage for the property comprises 43.55 acres.
3. The property is contiguous to and abuts the city limits of the City of Cold Spring. See Exhibits A and B (maps of City of Cold Spring and area annexed).
4. The area to be annexed is not presently served by public sewer facilities, or public sewer facilities are not otherwise available.
5. Dennis T. Wurm and Donna J. Wurm submitted a Petition to the City of Cold Spring on or about August 4, 2000 seeking the property's annexation to the City of Cold Spring by ordinance.
6. All owners of the Property subject to the Petition for Annexation have requested that the City of Cold Spring annex the Property by ordinance. See Exhibit C (Petition for Annexation by Ordinance).
7. The Town of Wakefield's annual tax revenue which will be lost if the Property is annexed will be about \$ 108,70.
8. The Property's annexation would result in an increase in the Property's value.
9. The Property's annexation will not create a burden on the City of Cold Spring.
10. Proper notice of the public hearing was given in accordance with Minn. Stat. § 414.033, Subd. 2b. See Exhibit D (Resolution ordering public hearing and mailing by certified mail and publication of the notice of hearing); Exhibit E (Affidavit of certified mailing to Township, affected property owners, and property owners who are contiguous to the area to be annexed); and Exhibit F (Printer's affidavit of publication with notice of public hearing).
11. In accordance with Minn. Stat. § 414.033, Subd. 2(3), the Property is deemed about to become urban or suburban in character.

THEREFORE, the City Council of the City of Cold Spring hereby ORDAINS:

That the real property, legally described as follows:


That part of the South Half of the Southwest Quarter (S ½ of SW ¼) of Section Twenty-three (23), Township One Hundred Twenty-three(123), Range Thirty (30) Stearns County, Minnesota, described as follows:


Commencing at the Southwest corner of said Section Twenty-three (23), thence North 00 degrees 32 minutes 49 seconds East 473.15 feet; thence North 89 degrees 57 minutes 52 seconds East 33 feet for the point of beginning of the tract to be described; thence North 00 degrees 32 minutes 49 seconds East 358.45 feet; thence South 89 degrees 45 minutes 32 seconds East 392 feet; thence North 00 degrees 32 minutes 49 seconds East 484.63 feet; thence South 89 degrees 45 minutes 32 seconds East 2,216.85 feet; thence South 00 degrees 24 minutes 43 seconds West 691.61 feet; thence West 695.72 feet; thence South 139.27 feet; thence South 89 degrees 57 minutes 52 seconds West 1,916.18 feet to the point of beginning and there terminating. Said tract containing 43.55 acres more or less.

is annexed to the City of Cold Spring pursuant to Minn. Stat. § 414.033, Subd. 2(3).

Adopted unanimously by the Cold Spring City Council on November 14, 2000

CITY OF COLD SPRING

By 
Mayor

By 
City Clerk/Coordinator

REC'D. BY JAN 05 2001
MMB

EXHIBIT B

STATE HWY-23

1ST AVE S.E.

LOOKOUT

Park

Granite South

Granite South

Chapel

Chapel Hill Road

CITY LIMIT

SAUK RIVER

Wagon

HERB HESSE

GENE HESSE

GENE & GORDON HESSE

TOWNSEdge ACRES 36.19

GENE HESSE

RAY'S Construction

Cold Spring 14.93 AC

Soft Ball Assoc.

STEP

DENNIS WURM 43.55 ACRES

50' x 50' x 50' x 50'

FIRE LIGHT ROAD

STEP CITY OF COLD SPRING =

15 ACRES AREA TO BE APPRAXD =

ELROY, THIS

SPORTSMAN'S PARK

CTV-RD

REC'D. BY JAN 05 2001

CITY OF COLD SPRING = AREA TO BE ANNEXED =

WAKEFIELD

Midland Atlas Co., Inc. Copyright 1997



TOWNSHIP: 123 N

RANGE: 30 W

CODE: WA

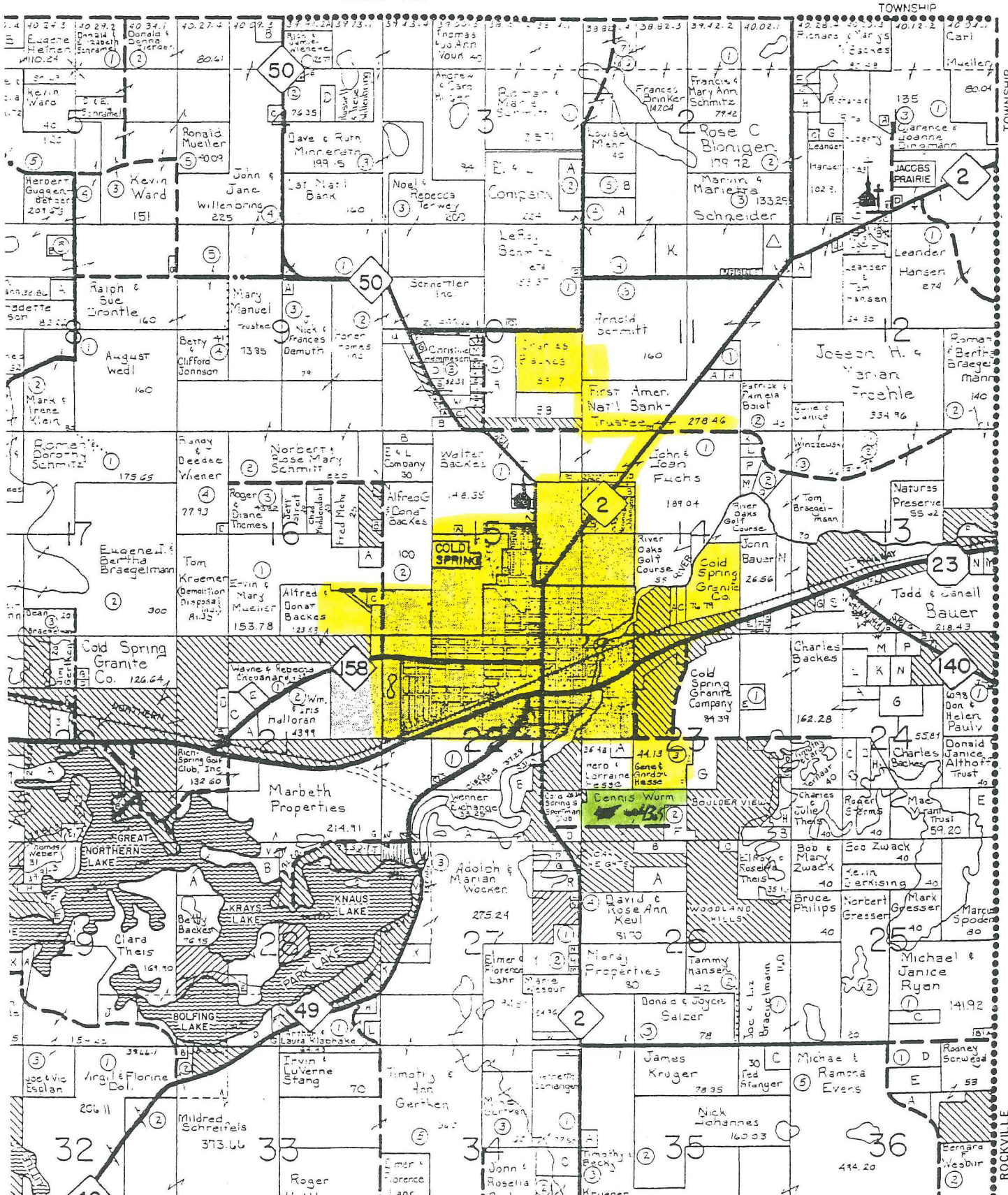


EXHIBIT A