

ORDINANCE NO. 59, THIRD SERIES

MBA Docket No. A-6470

AN ORDINANCE OF THE CITY OF REDWOOD FALLS ANNEXING LAND LOCATED IN THE TOWN OF PAXTON, REDWOOD COUNTY, MINNESOTA, TO THE CITY OF REDWOOD FALLS, REDWOOD COUNTY MINNESOTA, PURSUANT TO MINNESOTA STATUTE § 414.033, SUBD. 5, PERMITTING ANNEXATION BY ORDINANCE

Whereas, a certain petition requesting annexation of the property hereinafter described was duly presented to the City Council for the City of Redwood Falls on April 24, 2001; and

Whereas, the property as described therein is unincorporated and abuts upon the City limits at the southeasterly boundary thereof and none of the property is presently included within the corporate limits of any incorporated city; and

Whereas, the property consists of approximately 109.13 acres, more or less, all of which is unplatted; and

Whereas, there are no people currently residing on the property; and

Whereas, the property is presently being used for agricultural production purposes; and

Whereas, the petition was signed by all the property owners of the property; and

Whereas, the property owners requested annexation because development of the property requires governmental services which can only be provided by the City of Redwood Falls; and

Whereas, a copy of the petition was served upon the town board of the affected township, the appropriate county board, and the Minnesota Planning-Municipal Boundary Adjustments; and

Whereas, no objections have been received from the town board; 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 COUNCIL OF THE CITY OF REDWOOD FALLS
HEREBY ORDAINS AS FOLLOWS:**

Section 1. The City Council hereby determines that the property described herein abuts upon the city limits at the southeasterly boundary thereof and is about to become urban or suburban in character due to the desire of the property owners to develop the property; and that none of the property is now included within the limits of any city.

Section 2. Property Annexed. The corporate limits of the City are hereby extended to include the following described unplatted lands and the same is hereby annexed to and included within the City as effectually as if it had originally been a part thereof:

The Southeast Quarter (SE1/4) of Section Six (6), Township One Hundred Twelve (112) North, Range Thirty-five (35) West of the Fifth Principal Meridian lying south of the center of the ditch originally designated as County Ditch No. 4, but **EXCEPTING** therefrom that part thereof lying south of the northerly right-of-way line of the railroad right-of-way of the Chicago and Northwestern Railway, **AND ALSO EXCEPTING** therefrom all that part of the Northwest Quarter of the Southeast Quarter of Section 6, Township 112 North, Range 35 West, in Redwood County, Minnesota, described as follows, to wit: Commencing at the Southwest Corner of the Southeast Quarter of said Section 6; thence on an assumed bearing of North along the west line of the Southeast Quarter of said Section 6 for 1,399.00 feet; thence East at 90° to the west line of the Southeast Quarter of said Section 6 for 726.00 feet to the point of beginning, said last course of 726 feet also being the south line of a 50 foot wide driveway easement; thence continuing East for 475.00 feet; thence North 1°40' West for 310.13 feet; thence West for 465.98 feet; thence South for 310.00 feet to the point of beginning, containing 3.35 acres, more or less,

(the "Property").

Section 3. Acreage Annexation. The Property consists of approximately 109.13 acres, more or less, all of which is unplatted.

Section 4. Population. There are no people residing on the above described land.

Section 5. Special Tax District. In order to alleviate the impact of the City mill levy rate on the Property until such time that it becomes developed, the City establishes a Rural Service Tax District for the Property pursuant to Minn.Stat. § 272.67. The Rural Service Tax District shall be taxed at a mill levy rate

compatible with the appropriate township mill levy rate. The Property shall remain within the established Rural Service Tax District until such time that it is subdivided, in whole or in part, and application is made for a permit for the construction of a commercial, industrial, or urban residential development or improvement to be situated on the Property, or any part thereof. Only that part of the Property on which the development or improvement is to be situated shall be transferred from the rural service district.

Section 6. Zoning. Upon annexation to the City, the Property shall be zoned "A-0", Agricultural-Open Space pursuant to Section 11.21, Redwood Falls Code of Ordinances, which allows for the continued use of the Property for agricultural purposes.

Section 7. Filing. The city clerk is directed to file certified copies of this ordinance with the Secretary of State, the County Auditor of the county in which the property is located, the Town Clerk of the affected township and Minnesota Planning-Municipal Boundary Adjustments.

Section 8. Effective date of annexation. This ordinance takes effect upon passage and publication and the filing of certified copies as directed in Section 7 and approved by Minnesota Planning-Municipal Boundary Adjustments.

PASSED AND ADOPTED by the City Council of the City of Redwood Falls, Minnesota, this 16th day of October, 2001.



Sara A. Triplett
Mayor

Attest:


Jeffrey W. Weldon
City Administrator

(City Seal)

First Reading:	<u>5-15-01</u>
Second Reading:	<u>10-16-01 (9-18-01 tabled)</u>
Publication:	<u>10-22-01</u>