

**CITY OF WINTHROP  
ORDINANCE NUMBER  
269**

REC'D BY  
MMB

APR 15 2005

**AN ORDINANCE OF THE CITY OF WINTHROP  
ANNEXING LAND LOCATED IN THE TOWN OF CORNISH,  
SIBLEY COUNTY, MINNESOTA  
TO THE CITY OF WINTHROP, SIBLEY COUNTY,  
MINNESOTA PURSUANT TO  
MINN. STAT. § 414.033, SUBD. 2 (3), PERMITTING  
ANNEXATION BY ORDINANCE  
(EUGENE M. AND MARLENE I. KUEHN)**

**WHEREAS**, A CERTAIN PETITION DATED OCTOBER 29<sup>TH</sup>, 2004, HEREINAFTER DESCRIBED WAS DULY PRESENTED TO THE CITY COUNCIL ON THE FIRST (1<sup>ST</sup>) DAY OF NOVEMBER, 2004; AND

**WHEREAS**, THE PETITION WAS SIGNED BY ALL OWNERS SEEKING PUBLIC SEWER FACILITIES, WHICH ARE NOT NOW AVAILABLE; AND

**WHEREAS**, PURSUANT TO MINN. STAT. § 414.033, SUBD. 13, THE PETITIONER(S) WERE DULY NOTIFIED OF ANY CHANGES IN THEIR ELECTRIC UTILITY COSTS; AND

**WHEREAS**, ON DECEMBER 6<sup>TH</sup>, 2004 A HEARING WAS DULY HELD BY THE GOVERNING BODY OF THE CITY OF WINTHROP, MINNESOTA, ON THE PROPOSED ANNEXATION AFTER AT LEAST 30 DAYS' MAILED NOTICE BY CERTIFIED MAIL TO THE TOWN AND ALL LANDOWNERS WITHIN AND CONTIGUOUS TO THE AREA TO BE ANNEXED; AND

**WHEREAS**, THE LAND DESCRIBED IN THE PETITION ABUTS UPON THE CITY LIMITS AT THE WEST BOUNDARY THEREOF; THE AREA TO BE ANNEXED IS 60 ACRES OR LESS; THE AREA TO BE ANNEXED IS NOT PRESENTLY SERVED BY THE PUBLIC SEWER FACILITIES; THE PROPERTY IS UNINCORPORATED UNPLATTED LAND, .285 ACRES IN AREA, AND DOES NOT LIE IN A FLOOD PLAIN OR SHORE LAND AREA.

**NOW, THEREFORE, THE CITY COUNCIL ORDAINS:**

**SECTION I.** THE CITY COUNCIL HEREBY DETERMINES THAT THE TERRITORY DESCRIBED HEREIN ABUTS UPON THE CITY LIMITS AND IS (IS ABOUT TO BECOME) URBAN OR SUBURBAN IN CHARACTER DUE TO COMMERCIAL AND RESIDENTIAL EXPANSION .

**SECTION II.** THE POPULATION OF THE TERRITORY IS TWO (2).

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**SECTION III. TERRITORY ANNEXED.** THE CORPORATE LIMITS OF THE CITY ARE HEREBY EXTENDED TO INCLUDE THE UNPLATTED LAND DESCRIBED IN ATTACHMENT "A", AND THE SAME IS HEREBY ANNEXED TO AND INCLUDED WITHIN THE CITY AS EFFECTUALLY AS IF IT HAD ORIGINALLY BY A PART THEREOF.

**SECTION IV. FILING.** THE CITY CLERK IS HEREBY DIRECTED TO FILE CERTIFIED COPIES OF THIS ORDINANCE WITH A) MINNESOTA PLANNING (OFFICE OF STRATEGIC AND LONG RANGE PLANNING)/MUNICIPAL BOUNDARIES ADJUSTMENT SECTION, B) THE SECRETARY OF STATE, C) THE CORNISH TOWN CLERK, AND D) THE SIBLEY COUNTY AUDITOR.

**SECTION V. EFFECTIVE DATE.** THIS ORDINANCE TAKES EFFECT UPON ITS PASSAGE AND PUBLICATION AND THE FILING OF THE CERTIFIED COPIES AS DIRECTED IN SECTION 3, AND APPROVAL OF THE ORDINANCE BY THE MINNESOTA PLANNING.

**SECTION VI. TAXATION.** (1) IF THE ANNEXATION BECOMES EFFECTIVE ON OR BEFORE AUGUST 1<sup>ST</sup> OF A LEVY YEAR, THE CITY OF WINTHROP MAY LEVY ON THE ANNEXED AREA BEGINNING (WITH THIS SAME LEVY YEAR); OR (2) IF THE ANNEXATION BECOMES EFFECTIVE AFTER AUGUST 1<sup>ST</sup> OF A LEVY YEAR, CORNISH TOWNSHIP MAY LEVY CONTINUE TO LEVY ON THE ANNEXED AREA FOR THIS LEVY YEAR. IN THE FIRST YEAR FOLLOWING THE YEAR IN WHICH THE CITY OF WINTHROP CAN FIRST LEVY ON THE ANNEXED AREA, AND THEREAFTER, PROPERTY TAXES SHALL BE PAID TO THE CITY, WHICH SHALL THEN MAKE CASH PAYMENTS TO CORNISH TOWNSHIP FOR THE PERIOD AND IN ACCORDANCE WITH THE FOLLOWING SCHEDULE:

- I. IN THE FIRST YEAR FOLLOWING THE YEAR THE CITY OF WINTHROP CAN FIRST LEVY ON THE ANNEXED AREA, AN AMOUNT EQUAL TO 90% OF THE PROPERTY TAXES DISTRIBUTED TO CORNISH TOWNSHIP IN REGARD TO THE ANNEXED AREA IN THE LAST YEAR THE PROPERTY TAXES FROM ANNEXED AREA WERE PAYABLE TO CORNISH TOWNSHIP;
- II. IN THE SECOND YEAR, AN AMOUNT EQUAL TO 70%;
- III. IN THE THIRD YEAR, AN AMOUNT EQUAL TO 50%;
- IV. IN THE FOURTH YEAR, AN AMOUNT EQUAL TO 30%; AND
- V. IN THE FIFTH YEAR, AN AMOUNT EQUAL TO 10%

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**ADOPTED** BY THE CITY COUNCIL OF THE CITY OF WINTHROP,  
MINNESOTA, THIS ELEVENTH (11<sup>TH</sup>) DAY OF APRIL 2005.

**AYES:** TREBELHORN, ROIGER, MACHAIEK, MUTH

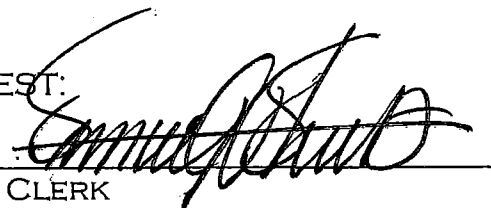
**NAYS:** NONE

**PRESENT-NOT VOTING:** NONE

**ABSENT:** O'CONNOR

  
MAYOR

ATTEST:

  
CITY CLERK

FIRST READING: NOVEMBER 15<sup>TH</sup>, 2004

SECOND READING/ADOPTION: APRIL 11<sup>TH</sup>, 2005

PUBLICATION: APRIL 20<sup>TH</sup>, 2005

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**EXHIBIT "A"**

PARCEL A:

A PARCEL OF LAND SITUATED IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER, SECTION ONE (1), TOWNSHIP ONE HUNDRED TWELVE (112) NORTH OF RANGE THIRTY (30), MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EAST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER, SEC. 1, TWP. 112, RANGE. 30, WHICH POINT IS 840 FEET NORTH OF THE SOUTHEAST CORNER OF SAID FORTY ACRE TRACT; THENCE DUE NORTH ON SAID EAST LINE 60 FEET; THENCE DUE WEST 175 FEET; THENCE DUE SOUTH PARALLEL WITH THE AFORESAID EAST LINE FOR A DISTANCE OF 60 FEET AND THENCE DUE EAST 175 FEET TO AND TERMINATING AT THE GIVEN POINT OF BEGINNING.

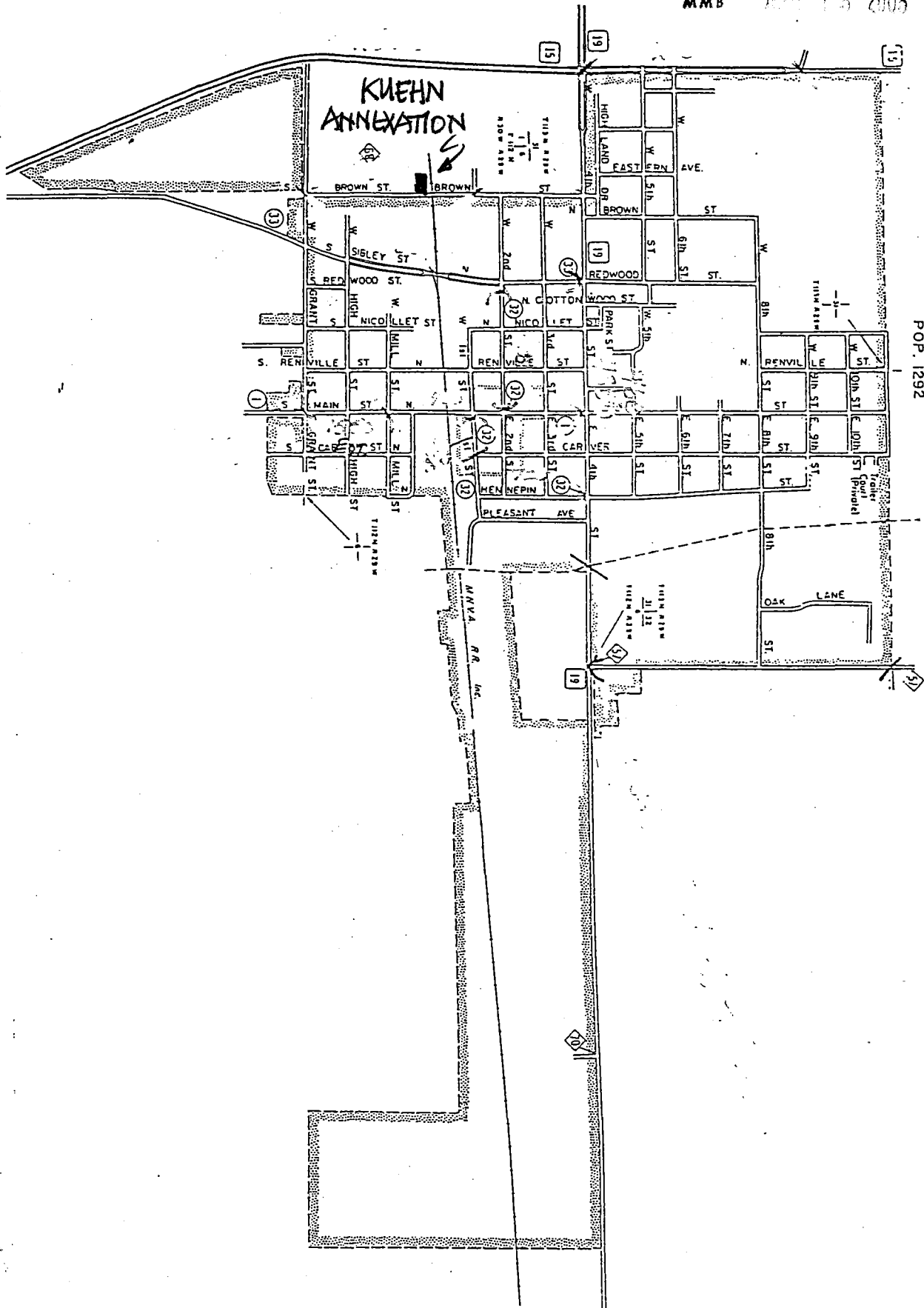
PARCEL B:

A PARCEL OF LAND SITUATED IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 1, TWP. NO. 112 NORTH OF RANGE NO. 30 WEST, SIBLEY COUNTY, MINNESOTA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT THAT IS 840 FEET NORTH AND 131 FEET WEST OF THE SOUTHEAST CORNER OF THE SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION ONE (1), TOWNSHIP NUMBER ONE HUNDRED TWELVE (112) NORTH OF RANGE NUMBER THIRTY (30) WEST; THENCE RUNNING DUE SOUTH 30 FEET; THENCE RUNNING DUE WEST 64 FEET; THENCE RUNNING DUE NORTH 30 FEET; AND THENCE RUNNING DUE EAST 64 FEET TO AND TERMINATING AT THE GIVEN POINT OF BEGINNING.



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WINTHROP  
SIBLEY COUNTY  
POP. 1292