

REC'D BY
MAM

JUN 05 2007

ORDINANCE NO. 2007-E

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF JANESVILLE TO INCLUDE CERTAIN UNINCORPORATED UNPLATTED LANDS NOT TO EXCEED 120 ACRES IN AREA ABUTTING UPON THE CITY LIMITS.

WHEREAS, a petition received March 19th, 2007 requesting annexation of the territory (the "Territory") hereinafter described (Parcel Descriptions A and B attachments) was duly presented to the council on the 14th day of May, 2007; and

WHEREAS, said petition was signed by all owners of the property comprising the Territory; and

WHEREAS, the Territory is unincorporated and abuts upon the City limits at the easterly and southeasterly boundary of the Territory;

WHEREAS, the Territory is dedicated as Urban Reserve on the City Land Use Map and is about to become urban or suburban in nature,

WHEREAS, the population of the area to be annexed is one (1), consisting of the applicant;

WHEREAS, the area to be annexed contains approximately 116 acres;

WHEREAS, the area to be annexed does not lie within a designated FEMA flood plain area, nor does it lie within a designated DNR shoreland management area, nor does it lie within a designated agricultural preserve restrictive covenant designated by the State of Minnesota Department of Agriculture nor the County of Waseca;

WHEREAS, in accordance with Minnesota State Statute Section 414.036, as amended, the City will submit a municipal tax reimbursement to Janesville Township consistent with the provisions of said statute and identical to the terms of duration and return previously negotiated and agreed upon by the Janesville Township Board of Supervisors and the Councilors of the City of Janesville contained within previous orderly annexation agreements.

The Council of the City of Janesville, Minnesota does hereby find as fact and ordain:

Section 1. Determination. In accordance with Minnesota Statutes 414.033 and 414.036 and its subdivisions thereof (as amended) the City Council hereby determines:

- (i) The Territory described herein abuts upon the City limits, is not platted, and comprises an area less than 120 acres.
- (ii) The Territory is about to become urban or suburban in character.
- (iii) That none of the Territory is served by public wastewater facilities nor is now included within the limits of any city.

9. The area proposed for annexation is not included in any other boundary adjustment proceeding pending before the Department of Administration - Municipal Boundary Adjustments.
10. The area proposed for annexation is not included in any area that has already been designated for orderly annexation pursuant to M.S.414.0325.

PETITIONERS REQUEST That pursuant to M.S.414.033, the property described herein be annexed to and included within the City of Janesville, County of Waseca, State of Minnesota.

I certify that I am familiar with applicable state and local codes and ordinances, the procedural requirements of the City of Janesville, and have submitted all the required information. Furthermore, I certify that I understand that obtaining approval of this Annexation does not absolve the applicant from obtaining all other applicable platting and subdivision requirements, nor permits, such as Building Permits, MnDOT access permits, Waseca County access permits, etc.

PETITIONER:



Marvin W. Pearson
38962 West Elysian Lake Road
Janesville, MN 56048
Business Phone: 507-234-5696
Business Email:

Dated: January 22, 2007
Home Phone: 507-234-6735
Fax:
Home Email:
PID: 06.028.0705, 06.033.0300,
14.028.0200, and 14.033.1000

RECEIVED
3/19 8:00AM

DESCRIPTION
ANNEXATION PARCEL A

That part of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of Section 28 and that part of Government Lot 5 of Section 28, all in Township 108 North Range 24 West, Waseca County, Minnesota, and that part of Lots "D", "E", "F" and "G", Plat of a Part of Sections 28 and 33 in Township 108 North Range 24 West in Waseca County, Minnesota, according to the plat thereof on file and of record with the Waseca County Recorder, all more particularly described as:

Beginning at the North Quarter corner of Section 33, Township 108 North Range 24 West; thence South $00^{\circ} 25' 29''$ West, (Minnesota County Coordinate System - Waseca County Zone - HARN NAD83 -1996), along the North - South center line of said Section 33, a distance of 1034.58 feet; thence North $88^{\circ} 34' 31''$ West, 960.69 feet to a point on the west line of said Lot "G"; thence North $06^{\circ} 40' 57''$ West, along said west line, 404.36 feet; thence North $13^{\circ} 49' 33''$ West, along said west line, 141.00 feet; thence North $36^{\circ} 31' 2''$ West, along said west line, 383.00 feet; thence North $16^{\circ} 27' 24''$ West, along said west line, 146.00 feet to the northwesterly corner of said Lot "G"; thence North $00^{\circ} 35' 04''$ East, 1086.14 feet to a point on the center line of County Road No. 18; thence North $89^{\circ} 57' 11''$ East, along said center line, 36.93 feet to the southwesterly corner of the 7 acres parcel shown as A Part Of Lot 5 according to the Plat of a Part of Sections 28 and 33 in Township 108 North Range 24 West in Waseca County, Minnesota; thence North $12^{\circ} 45' 38''$ West, along the westerly line of said 7 acres parcel, 160.00 feet; thence North $00^{\circ} 35' 04''$ East, along the westerly line of said 7 acres parcel, 135.00 feet; thence North $27^{\circ} 18' 34''$ East, along the westerly line of said 7 acres parcel, 140.00 feet; thence North $39^{\circ} 08' 34''$ East, along the westerly line of said 7 acres parcel, 95.00 feet to the northwesterly corner of said parcel; thence South $89^{\circ} 50' 26''$ East, along the northerly line of said 7 acres parcel, 524.40 feet to the northeasterly corner of said parcel; thence South $00^{\circ} 11' 31''$ West, along the easterly line of said 7 acres parcel, 491.00 feet to the southeasterly corner of said parcel; thence South $89^{\circ} 47' 11''$ East, 436.69 feet to the point of intersection with the center line of County Road No. 18, said point being on a circular curve which center of radius bears South $07^{\circ} 15' 59''$ West; thence southeasterly, along said center line, along a 716.29 foot radius curve, central angle = $85^{\circ} 11' 23''$, an arc distance 1065.01 feet to the point of tangency of said curve; thence South $02^{\circ} 27' 21''$ West, along said center line, along the tangent of said curve, 320.12 feet to the point of intersection with the south line of the Southeast Quarter (SE 1/4) of said Section 28; thence North $89^{\circ} 22' 39''$ West, along said south line, 390.91 feet to the point of beginning.

Said Annexation Parcel A contains 71.92 acres, subject to an easement for County Road No. 18 purposes over and across the northerly and easterly boundaries. ALSO subject to any other easements of record.

DESCRIPTION
ANNEXATION PARCEL B

REC'D BY
MAM B

JUN 05 2007

That part of Government Lots 3 and 4 in Section 28, Township 108 North Range 24 West, Waseca County, Minnesota, described as:

Beginning at a point 2705.84 feet (163.99 rods) south of the northwest corner of said Section 28, said point being 59.69 feet south of the northwest corner of said Government Lot 3; thence South $00^{\circ} 39' 12''$ West, (Minnesota County Coordinate System - Waseca County Zone - HARN NAD83 - 1996), along the center line of County Road No. 18, the same being the west line of said Government Lot 3, a distance of 752.47 feet to the point of curvature of a circular curve to the left; thence southeasterly, along the center line of County Road No. 18, along a 716.21 foot radius curve, central angle = $73^{\circ} 17' 49''$, an arc distance 916.22 feet to the point of intersection with the westerly extension of the northerly right of way line of the road, according to the Plat of a Part of Sections 28 and 33 in Township 108 North Range 24 West in Waseca County, Minnesota, according to the plat thereof on file and of record with the Waseca County Recorder; thence South $89^{\circ} 57' 14''$ East, along said extension and along said northerly right of way line, 745 feet, more or less, to a point on the westerly water's edge of the Lake Elysian outlet; thence northerly, along said water's edge, to the point of intersection with the south line of the North 59.69 feet of said Government Lot 3; thence South $89^{\circ} 38' 55''$ West, along said south line, 1590 feet, more or less, to the point of beginning.

Said Annexation Parcel B contains 44 acres, more or less, subject to an easement for County Road No. 18 purposes over and across the southerly and westerly boundaries. ALSO subject to any other easements of record.

IN THE MATTER OF THE PETITION FOR ANNEXATION
OF MARVIN W. PEARSON FOR ANNEXATION PURSUANT
TO MINNESOTA STATUTES 414.033

TO: Council of the City of Janesville, Minnesota
c/o City Administrator
P. O. Box O
Janesville, MN 56048

REC'D BY
M M B

JUN 05 2007

AND,

Supervisors of the Township of Janesville
c/o Mr. Jim Williams
2244 440th Avenue
Elysian, MN 56028

It is hereby requested by the undersigned petitioner, who is the sole owner of the area proposed for annexation to annex certain property described herein lying in the Township of Janesville, to the City of Janesville, County of Waseca, State of Minnesota.

The area proposed for annexation is described as follows:

See attached Exhibit A

1. There is 1 property owner, of the area proposed for annexation.
2. The sole property owner has signed this petition.
3. Said property is unincorporated, abuts on the City's West boundary, and is not within any other municipality.
4. The area of land proposed for annexation is 116 acres, and is unplatted.
5. The reason for the requested annexation is to gain access to city water, city sewer and related infrastructure.
6. The area proposed for annexation is designated as Urban Reserve on the City's Land Use Map and will be zoned residential.
7. The petitioners have complied with M.S.414.033, Subd.13; or, waived any notice concerning M.S.414.033, Subd.13.
8. All of the area proposed for annexation is, or is about to become urban or suburban in character.

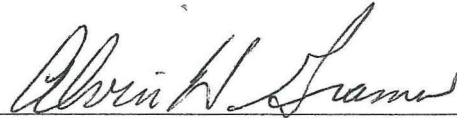
- (iv) The City has not received an application for annexation from the current nor previous owner(s) of the Territory in the past year nor years previous.
- (v) The Councilors of the City of Janesville and the Supervisors of Janesville Township have agreed upon a municipal reimbursement schedule for a period of six years (attached) and the Township hereby serves notice not to contest the annexation via ordinance (attached).

Section 2. Territory Annexed. The corporate limits of the City of Janesville are hereby extended to include the unplatted lands located in Waseca County, Minnesota described as follows in Parcel Descriptions A & B and the same is hereby annexed to and included within the City as effectually as if it had originally been a part thereof.

Section 3. Filing. The Mayor and City Administrator are hereby directed to sign and file certified copies of this ordinance with the Minnesota Department of Administration - Office of Administrative Hearings / Municipal Boundary Adjustments, the Secretary of State, the Town Clerk for Janesville Township, and the County Auditor and County Recorder for Waseca County.

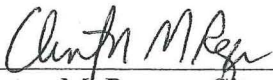
Section 4. Effective Date. This ordinance takes effect upon its passage and publication, and shall become effective as of the date on which the City's ordinance annexing the Property is approved by the Municipal Boundary Adjustments Office of the Department of Administration.

Adopted by the Council this 14th day of May, 2007.



Alvin H. Grams, Mayor

Attest:



Clinton M. Rogers, City Administrator

Marvin Pearson
(Subdivision yet to be named) Municipal Tax Reimbursement Structure

Parcel: R06.033.0300
Acres: 27.14
Net Tax: \$232.00
Township portion less school, county, specials: \$35.50
Annual Tax Reimbursement from City to Township:
CY 2007: 100% \$35.50
CY 2008: 90% \$31.95
CY 2009: 70% \$24.85
CY 2010: 50% \$17.75
CY 2011: 30% \$10.65
CY 2012: 10% \$3.55
CY 2013 and later: 0% \$0

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Parcel: R06.028.0705
Acres: 30.4
Net Tax: \$474.00
Township portion less school, county, specials: \$72.53
Annual Tax Reimbursement from City to Township:
CY 2007: 100% \$72.53
CY 2008: 90% \$65.28
CY 2009: 70% \$50.77
CY 2010: 50% \$36.26
CY 2011: 30% \$21.76
CY 2012: 10% \$7.25
CY 2013 and later: 0% \$0

Parcel: R06.028.0700
Acres: 50.38
Net Tax: \$4,957.00
Township portion less school, county, specials: \$592.66
Annual Tax Reimbursement from City to Township:
CY 2007: 100% \$592.66
CY 2008: 90% \$533.39
CY 2009: 70% \$414.86
CY 2010: 50% \$296.33
CY 2011: 30% \$177.80
CY 2012: 10% \$59.27
CY 2013 and later: 0% \$0

Annual Total Reimbursement from City to Township:
CY 2007: \$700.69
CY 2008: \$630.62
CY 2009: \$490.48
CY 2010: \$350.34
CY 2011: \$210.21
CY 2012: \$70.07
CY 2013 and later: \$0.00

Total tax reimbursement for six year term: \$2,452.41

DESCRIPTION
ANNEXATION PARCEL A

That part of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of Section 28 and that part of Government Lot 5 of Section 28, all in Township 108 North Range 24 West, Waseca County, Minnesota, and that part of Lots "D", "E", "F" and "G", Plat of a Part of Sections 28 and 33 in Township 108 North Range 24 West in Waseca County, Minnesota, according to the plat thereof on file and of record with the Waseca County Recorder, all more particularly described as:

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Said Annexation Parcel A contains 71.92 acres, subject to an easement for County Road No. 18 purposes over and across the northerly and easterly boundaries. ALSO subject to any other easements of record.

DESCRIPTION
ANNEXATION PARCEL B

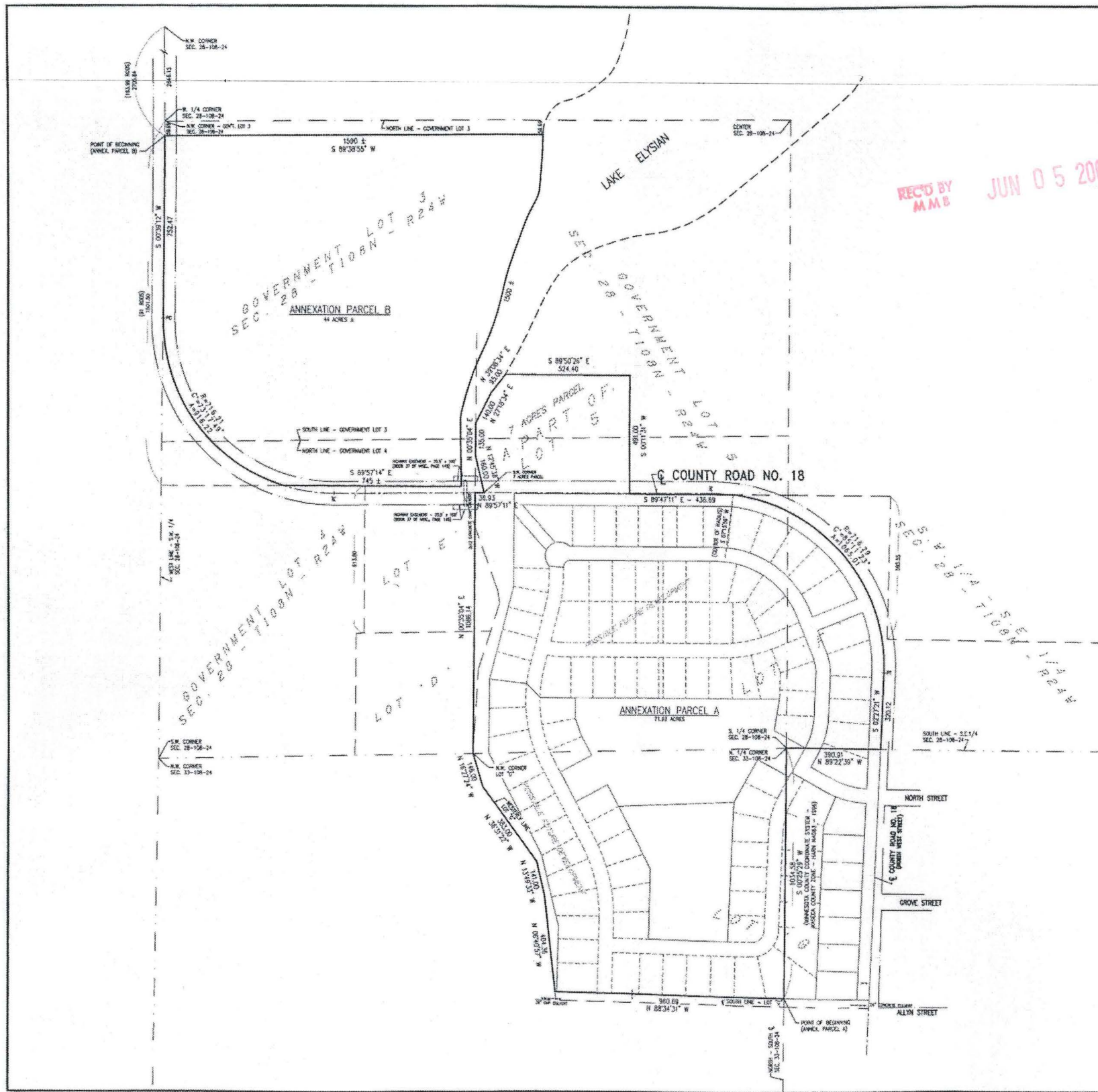
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That part of Government Lots 3 and 4 in Section 28, Township 108 North Range 24 West, Waseca County, Minnesota, described as:

Beginning at a point 2705.84 feet (163.99 rods) south of the northwest corner of said Section 28, said point being 59.69 feet south of the northwest corner of said Government Lot 3; thence South $00^{\circ} 39' 12''$ West, (Minnesota County Coordinate System - Waseca County Zone - HARN NAD83 - 1996), along the center line of County Road No. 18, the same being the west line of said Government Lot 3, a distance of 752.47 feet to the point of curvature of a circular curve to the left; thence southeasterly, along the center line of County Road No. 18, along a 716.21 foot radius curve, central angle = $73^{\circ} 17' 49''$, an arc distance 916.22 feet to the point of intersection with the westerly extension of the northerly right of way line of the road, according to the Plat of a Part of Sections 28 and 33 in Township 108 North Range 24 West in Waseca County, Minnesota, according to the plat thereof on file and of record with the Waseca County Recorder; thence South $89^{\circ} 57' 14''$ East, along said extension and along said northerly right of way line, 745 feet, more or less, to a point on the westerly water's edge of the Lake Elysian outlet; thence northerly, along said water's edge, to the point of intersection with the south line of the North 59.69 feet of said Government Lot 3; thence South $89^{\circ} 38' 55''$ West, along said south line, 1590 feet, more or less, to the point of beginning.

Said Annexation Parcel B contains 44 acres, more or less, subject to an easement for County Road No. 18 purposes over and across the southerly and westerly boundaries. ALSO subject to any other easements of record.



DESCRIPTION
(ANNEXATION PARCEL A)

That part of the Southwest Quarter of the Southeast Quarter of Section 28 and that part of Government Lot 5 of Section 28, all in Township 108 North Range 24 West, Waseca County, Minnesota, and that part of Lots "U", "V", "W" and "X", that part of a Part of Sections 28 and 33 in Township 108 North Range 24 West in Waseca County, Minnesota, according to the plat thereof on file and of record with the Waseca County Recorder, all more particularly described as:

Beginning of the North Quarter corner of Section 33, Township 108 North Range 24 West; thence South 00 degrees 25 minutes 29 seconds West, (Minnesota County Coordinate System - Waseca County Zone - NAD83 - 1996), along the North - South center line of said Section 33, a distance of 1024.28 feet; thence North 88 degrees 34 minutes 31 seconds West, 960.69 feet to a point on the west line of said Lot "U"; thence North 06 degrees 40 minutes 57 seconds West, along said west line, 404.36 feet; thence North 13 degrees 49 minutes 33 seconds West, along said west line, 141.00 feet; thence North 36 degrees 31 minutes 22 seconds West, along said west line, 383.00 feet; thence North 16 degrees 27 minutes 24 seconds West, along said west line, 146.00 feet to the northwesterly corner of said Lot "U"; thence North 00 degrees 33 minutes 04 seconds East, 1055.14 feet to a point on the center line of County Road No. 18; thence North 89 degrees 57 minutes 11 seconds East, along said center line, 35.93 feet to the southeasterly corner of the 7 acres parcel shown as a Part of Lot 5 according to the Plat of a Part of Sections 28 and 33 in Township 108 North Range 24 West in Waseca County, Minnesota; thence North 12 degrees 45 minutes 38 seconds West, along the westerly line of said 7 acres parcel, 160.00 feet; thence North 00 degrees 35 minutes 04 seconds East, along the westerly line of said 7 acres parcel, 135.00 feet; thence North 27 degrees 18 minutes 34 seconds East, along the westerly line of said 7 acres parcel, 140.00 feet; thence North 39 degrees 08 minutes 34 seconds East, along the westerly line of said 7 acres parcel, 95.00 feet to the northwesterly corner of said parcel; thence South 89 degrees 50 minutes 26 seconds East, along the northern line of said 7 acres parcel, 524.40 feet to the northwesterly corner of said parcel; thence South 00 degrees 11 minutes 31 seconds West, along the easterly line of said 7 acres parcel, 491.00 feet to the southeasterly corner of said parcel; thence South 89 degrees 47 minutes 11 seconds East, 438.69 feet to the point of intersection with the center line of County Road No. 18, said point being on a circular curve which center of radius bears South 87 degrees 15 minutes 59 seconds West; thence southeasterly, along said center line, along a 716.29 foot radius curve, central angle = 85 degrees 11 minutes 23 seconds, on arc distance 1065.01 feet to the point of tangency of said curve; thence South 02 degrees 27 minutes 21 seconds West, along said center line, along the longest of said curve, 320.12 feet to the point of intersection with the south line of the Southeast Quarter of said Section 28; thence North 88 degrees 22 minutes 39 seconds West, along said south line, 300.91 feet to the point of beginning.

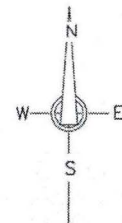
Said Annexation Parcel A contains 71.22 acres, subject to an easement for County Road No. 18 purposes over and across the northerly and easterly boundaries. ALSO subject to any other easements of record.

DESCRIPTION
(ANNEXATION PARCEL B)

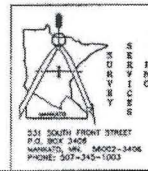
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Said Annexation Parcel B contains 44 acres, more or less, subject to an easement for County Road No. 18 purposes over and across the southerly and westerly boundaries. ALSO subject to any other easements of record.



I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.
 Marvin Pearson
 Date 4/14/07 License No. 14701



ANNEXATION DRAWING
 JAMESVILLE, MINNESOTA
 PART OF SECTIONS 28 & 33,
 ALL IN T108N - R24W
 FOR: PEARSON, MARVIN
 SCALE: 1"=200' DATE: APRIL, 2007 F.B. FILE 10565 ANNE

ALL CORNER
SEC. 28-1188-24

GOVERNMENT LOT 3
SEC. 28-1108N-R24W

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116

A PART OF
LOT 1

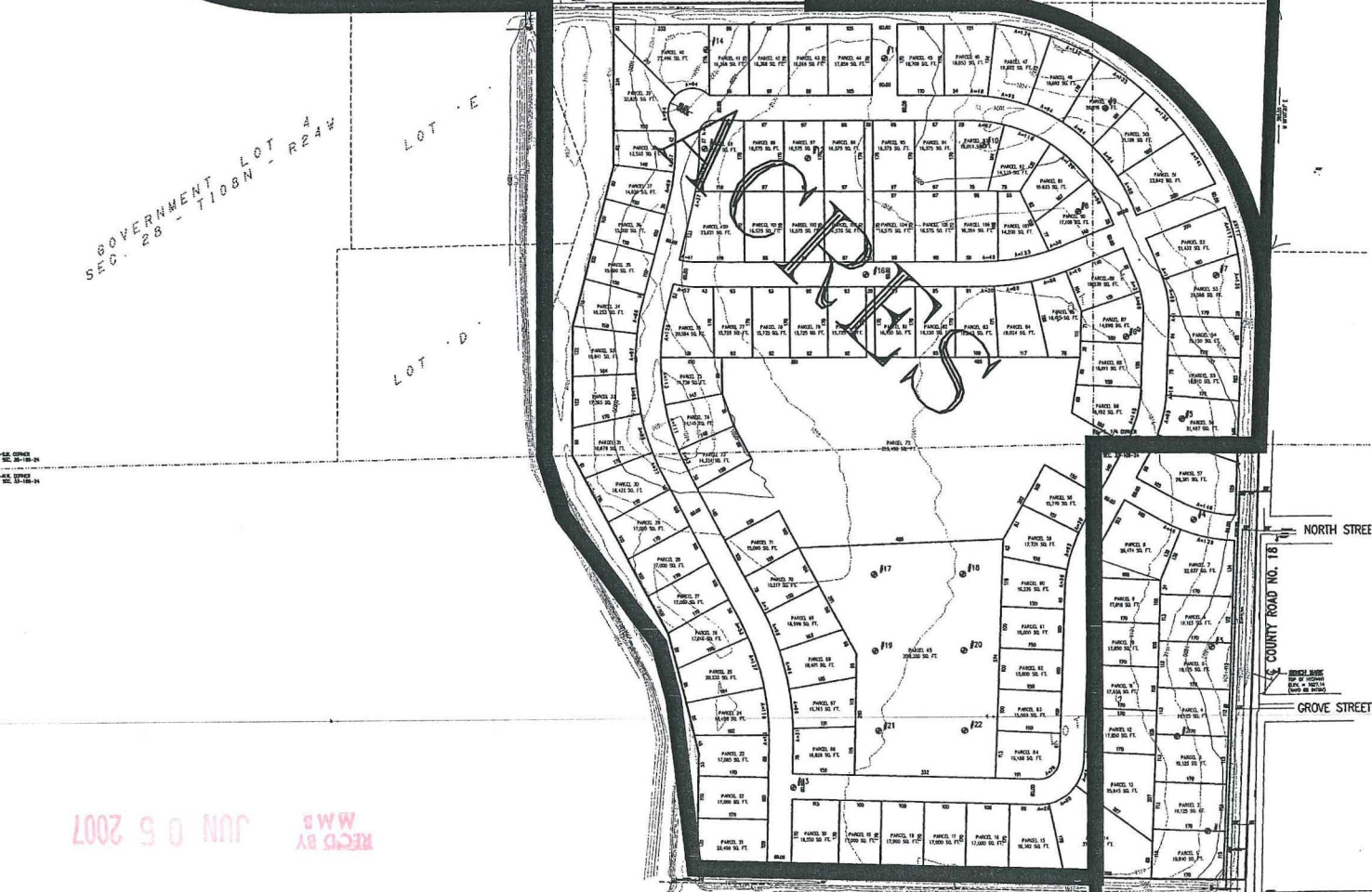
16 COUNTY ROAD NO. 18

GOVERNMENT LOT 4
SEC. 28-1108N-R24W

LOT E

LOT D

ALL CORNER
SEC. 28-1188-24
ALL CORNER
SEC. 28-1188-24



NORTH STREET

COUNTY ROAD NO. 18

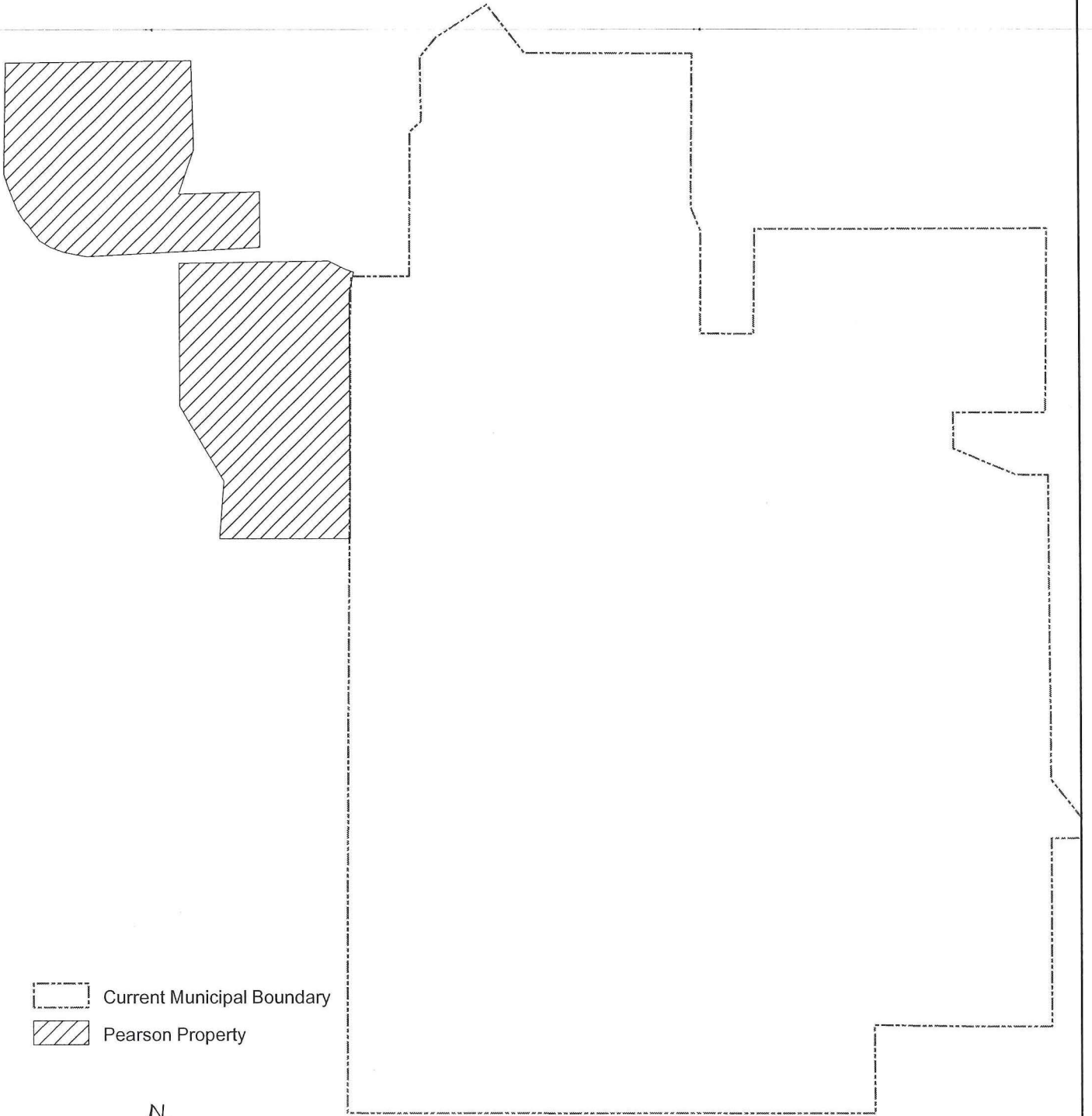
GROVE STREET



ALLEN STREET

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Janesville Annexation General Location Map

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-  Current Municipal Boundary
-  Pearson Property

