

**CITY OF DELANO
ORDINANCE 0-07-06**

AN ORDINANCE ANNEXING CERTAIN PROPERTY ABUTTING THE CITY OF DELANO

Section 1. The City of Delano has received a petition for annexation by ordinance from the property owners, John and Valerie Donahue, of the land described on Exhibit A (the "Property").

Section 2. The Property abuts the City of Delano, is 120 acres or less, and is not presently served by public waste water facilities or public waste water facilities are not otherwise available.

Section 3. The Property is deemed to be urban or suburban in character or about to become so.

Section 4. The City of Delano has held a public hearing regarding annexation of the Property and given 30 days written notice of the public hearing by certified mail to Franklin Township and to all land owners within and contiguous to the Property.

Section 5. The Property is appropriate for annexation to the City of Delano pursuant to Minnesota Statutes §414.033, subd. 2(3).

Section 6. The Property is hereby annexed to the City of Delano.

Section 7. Property taxes payable on the Property shall continue to be paid to Town of Franklin for the year in which this annexation becomes effective. If this annexation becomes effective on or before August 1, 2007, the City of Delano shall levy on the Property beginning in 2007. If this annexation becomes effective after August 1, 2007, the City of Delano shall levy on the Property beginning in 2008.

Section 8. In the first year following the year when the City of Delano levies on the Property pursuant to Section 7 herein, and thereafter, property taxes on the Property shall be paid to the City of Delano. The City of Delano will reimburse the Town of Franklin for all property taxes attributable to the property to be annexed in substantially equal payments of over a period of two years. The first of such payments shall be made on or before December 31, 2008; and the second payment shall be made on or before December 31, 2009.


The City of Delano will also reimburse the Town of Franklin for all special assessments assigned by the Town of Franklin to the annexed property and any portion of debt incurred by the Town of Franklin prior to the annexation and attributable to the property to be annexed but for which no special assessments are outstanding in substantially equal payments.

Section 9. The City Clerk shall file this Ordinance with the State of Minnesota, Department of Administration; Franklin Township; the Wright County Auditor; and the Minnesota Secretary of State; and a copy of this Ordinance shall be delivered immediately to the Wright County Auditor.

Section 10. This Annexation Ordinance shall be final on the date of Ordinance is approved by the State of Minnesota, Department of Administration.


Section 11. This Ordinance shall be published in accordance with law.

ADOPTED BY THE MAYOR AND COUNCIL OF THE CITY OF DELANO, MINNESOTA THIS 17TH DAY OF JULY, 2007.



 Joseph McDonald, Mayor

ATTEST:



 Marlene E. Kittock, City Clerk

Motion By:	Bartels
Second By:	Hotchkiss
McDonald:	Aye
Schrupp	Absent
Hotchkiss	Aye
Bartels	Aye
Plese	Aye

Exhibit A

Parcel A
208 200 112101

That part of Lot B of Lot 5 according to the survey by W.W. Strong Company, dated February 23, 1880, as recorded in Book 9 of Deeds, page 191, described as follows: Commencing at the Northwest corner of Section 11, Township 118, Range 25; thence North 89 degrees 42 minutes 14 seconds East, on an assumed bearing along the North line of the Northwest Quarter, 1906.50 feet to the point of beginning, said point also being on the Northeasterly right of way line of U.S. Highway No. 12; thence continuing North 89 degrees 42 minutes 14 seconds East along the North line of the Northwest Quarter, a distance of 370.82 feet to the Easterly line of Lot B of Lot 5 according to the survey by W.W. Strong Company, the Easterly line of Lot B of Lot 5 also being the centerline of Buffalo Street as traveled; thence South 5 degrees 47 minutes 38 seconds West along the Easterly line of Lot B of Lot 5 and the centerline of Buffalo Street, a distance of 399.63 feet; thence South 10 degrees 00 minutes 42 seconds East along the Easterly line of Lot B of Lot 5 and the centerline of Buffalo Street, a distance of 370.58 feet to the Northeasterly right of way line of U.S. Highway No. 12; thence Northwesterly along the Northeasterly right of way line of U.S. Highway No. 12 on a curve concave to the Northeast, not tangent to the last described line, a distance of 531.68 feet, said curve having a central angle of 10 degrees 51 minutes 33 seconds, a radius of 2805.29 feet and the chord of said curve bears North 29 degrees 30 minutes 25 seconds West; thence North 24 degrees 04 minutes 39 seconds West along the Northeasterly right of way line of U.S. Highway No. 12 and tangent to the last described curve, a distance of 327.04 feet to the point of beginning.

Parcel B
208 200 023401

The South 297.02 feet of the Southeast Quarter of the Southwest Quarter, as measured at right angles to the South line of the Southeast Quarter of the Southwest Quarter, of Section 2, Township 118, Range 25, Wright County, Minnesota, lying Easterly of the Easterly right of way line of U.S. Highway No. 12, excepting therefrom the East 5.41 chains of the South 3.18 chains of said Southeast Quarter of the Southwest Quarter and lying Westerly of the following described line: Commencing at the Southeast corner of the Southeast Quarter of the Southwest Quarter of said Section 2; thence West along the South line of the Southeast Quarter of the Southwest Quarter, a distance of 357.06 feet; thence Northerly deflecting to the right 88 degrees, a distance of 209.88 feet to the point of beginning of the line to be described; thence Northerly deflecting to the right 2 degrees, a distance of 175 feet and there terminating.

Note: The last update in the abstracts is in 1986 and 1996. The MNDOT Right of way plats were filled in 1996 and do not show up in the abstract.



CITY OF DELANO, MINNESOTA

Donahue Annexation

