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TAMM FEB 06 2009

**CITY OF FARIBAULT
ORDINANCE NO. 2009-01**

**ANNEXING CERTAIN LANDS
FROM CANNON CITY TOWNSHIP**

WHEREAS, municipalities may annex unincorporated property by ordinance pursuant to Minnesota Statutes, Section 414.033, subdivision 3 if the perimeter of the area to be annexed is 60 percent or more bordered by the municipality and if the area to be annexed is 40 acres or less;

WHEREAS, the property described in Exhibit A, and shown on the map contained in Exhibit B (the "Property"), which are attached hereto and made part of this Ordinance, contains approximately 16.89 acres and is located within Cannon City Township (the "Town");

WHEREAS, the City hereby finds and determines the Property is surrounded by at least 60 percent by the City, it contains less than 40 acres, and is urban or suburban in character, or is about to become so; and

WHEREAS, the City served notice of its intent to annex the Property upon the Town Board and the Chief Administrative Law Judge; and

WHEREAS, the Town Board filed an objection with the Chief Administrative Law Judge within the prescribed 90 day period; however, after negotiating an agreement with the City, withdrew such objection.

NOW, THEREFORE, BE IT RESOLVED, that, based upon the above findings and determinations,

THE CITY COUNCIL OF THE CITY OF FARIBAULT HEREBY ORDAINS:

Section 1. Pursuant to Minnesota Statutes, section 414.033, subdivision 3, the City Council hereby annexes the Property described in Exhibit A, and shown in Exhibit B, into the City.

Section 2. The City Council hereby directs that the City's zoning map be amended to include the Property as shown on the attached Exhibit C.

Section 3. The City Administrator is directed to promptly file a copy of this Ordinance with the Chief Administrative Law Judge, the Town Clerk, the Rice County Auditor, and the Minnesota Secretary of State.

Section 4. The City shall begin levying taxes on the annexed Property starting in the year following annexation.

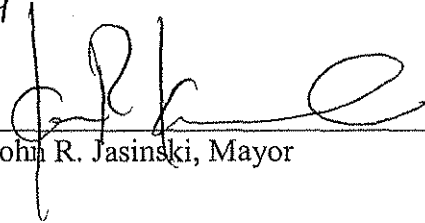
payments to the Town for such purposes. However, the City shall make reimbursement payments to the Town for the taxable portions of the Property annexed pursuant to this Ordinance. The payments shall be based upon the amount of property taxes payable to the Town from the Property in the year of annexation ("Town Taxes"). The City shall make five annual payments to the Town, each payment totaling 55% of the Town Taxes, beginning in the first year after the annexation is effective, as demonstrated in the attached Exhibit D. The City shall make its payment to the Town by September 1 each year.

Section 6. This Ordinance is effective pursuant to City Charter Section 3.09 and the annexation is final on the date of approval by the Chief Administrative Law Judge.

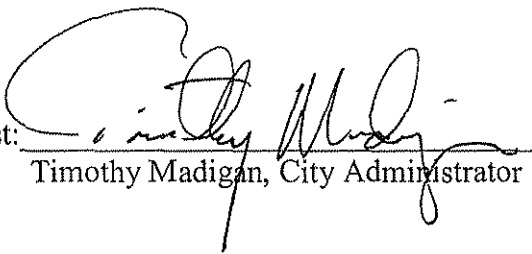
First Reading: January 13, 2009

Second Reading: January 27, 2009

Published: February 5, 2009



John R. Jasinski, Mayor

Attest: 

Timothy Madigan, City Administrator

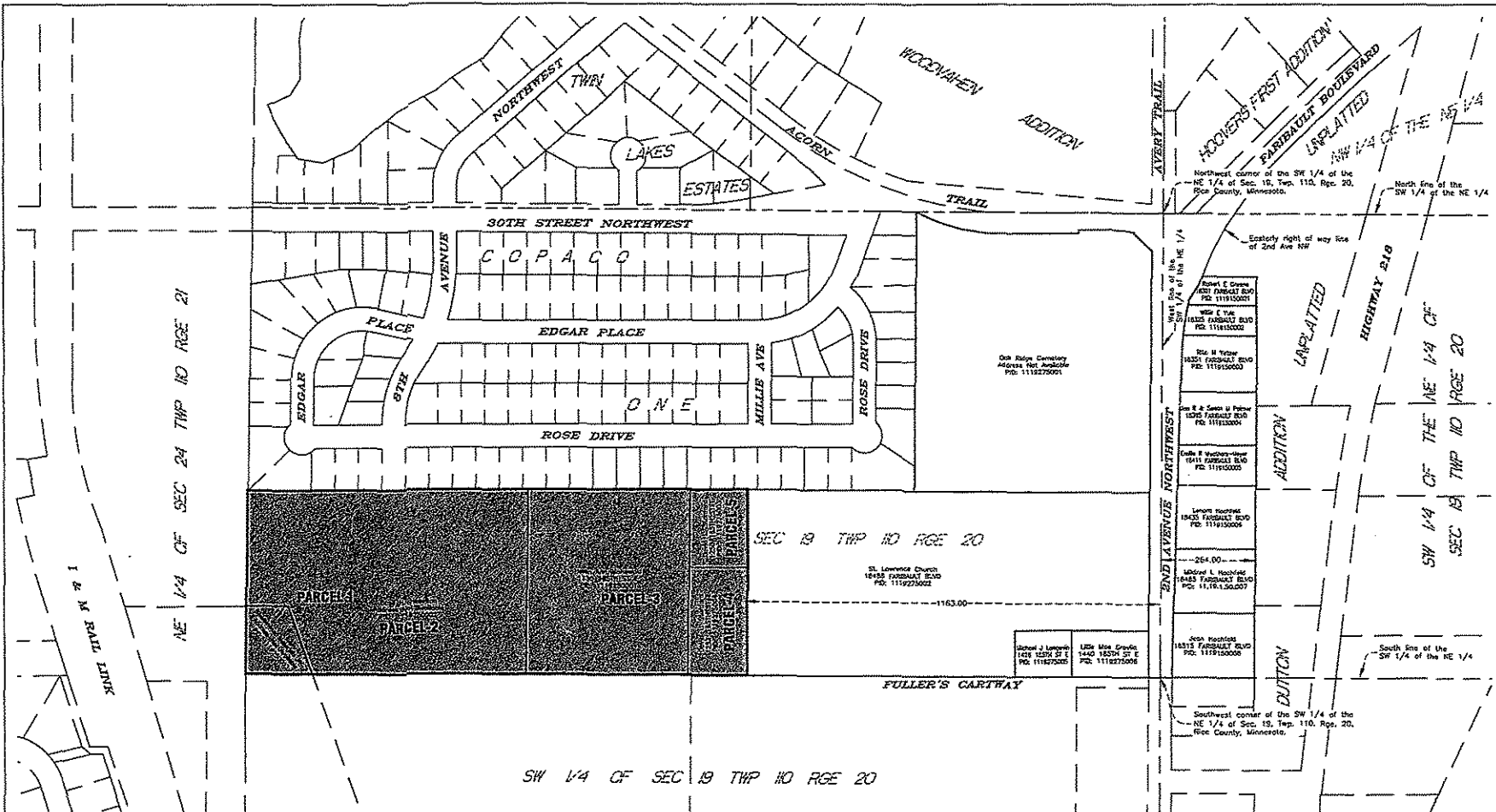
EXHIBIT A
ORDINANCE 2009-01

RECORDED
BY
SMF

FEB 06 2009

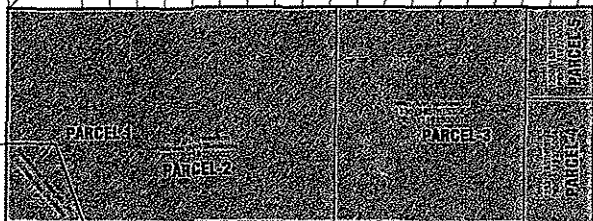
ANNEXATION DESCRIPTION:

That part of the South Half of the Northwest Quarter of Section 19, Township 110 North, Range 20 West, of the Fifth Principal Meridian, Rice County, Minnesota, which lies westerly of the east 1163.00 feet thereof and southerly of the plat of COPACO ONE, according to the recorded plat thereof, Rice County, Minnesota.



NE 1/4 OF SEC 24 TWP 10 RGE 21

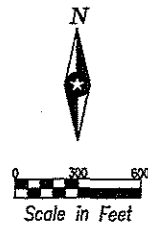
SW 1/4 OF SEC 19 TWP 10 RGE 20



AREA TABLE:

Parcel 1 = 29,503 sq.ft. 0.677 acres, more or less
 Parcel 2 = 381,897 sq.ft. 8.789 acres, more or less
 Parcel 3 = 237,942 sq.ft. 5.452 acres, more or less
 Parcel 4 = 50,220 sq.ft. 1.153 acres, more or less
 Parcel 5 = 38,180 sq.ft. 0.831 acres, more or less
 Total Area = 732,133 sq.ft. 16.807 acres, more or less

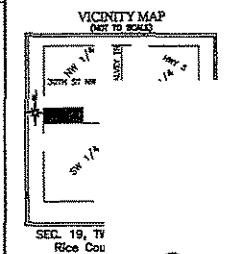
PROPOSED ANNEXATION DESCRIPTION:
 That part of the South Half of the Northwest Quarter of Section 19, Township 110 North, Range 20 West, of the Fifth Principal Meridian, Rice County, Minnesota, which lies westerly of the east 1163.00 feet thereof and southerly of the plot of COPAGO ONE, according to the recorded plat thereof, Rice County, Minnesota.



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KEY PLAN

I HEREBY CERTIFY THAT THIS MAP WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED SURVEYOR OF THE STATE OF MINNESOTA.

DATE: 07-06-08

PROJECT: CITY OF CANBY ANNEXA

DESCRIPTION: Part of Sec. 19, Twp. 10, Rge. 20, Rice County, Minnesota.

MARK	DATE
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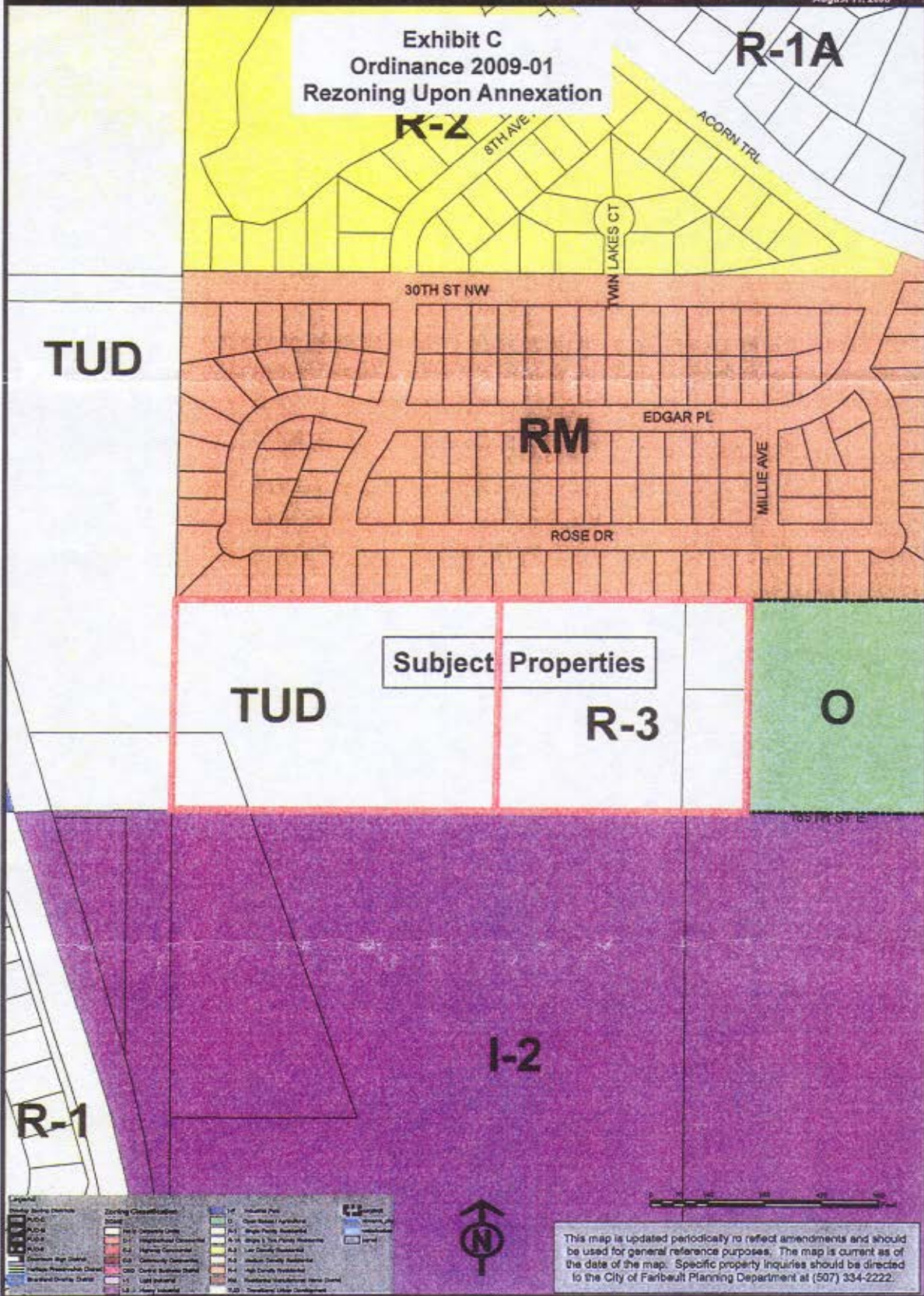
PROJECT NO.	07-11108
CAD FILE NAME	11108 SKETCH2
DRAWN BY	JO
DESIGNED BY	
ISSUE DATE	8-06-08
CLIENT PROJECT NO.	
TITLE	ANNEXATION SKETCH
SHEET	1 OF 1

EXHIBIT B
 ORDINANCE 2009-01

City of Faribault Official Zoning Map

August 11, 2008

**Exhibit C
Ordinance 2009-01
Rezoning Upon Annexation**



REC'D BY: JAM B. FEB 06 2009

Neighborhood District	Zoning Classification	Use	Notes
R-1	R-1	Single-Family Residential	
R-1A	R-1A	Single-Family Residential	
R-2	R-2	Single-Family Residential	
RM	RM	Medium-Density Residential	
R-3	R-3	Single-Family Residential	
O	O	Office	
I-2	I-2	Industrial	
TUD	TUD	Traditional Urban Development	

This map is updated periodically to reflect amendments and should be used for general reference purposes. The map is current as of the date of the map. Specific property inquiries should be directed to the City of Faribault Planning Department at (507) 334-2222.


REC'D
FEB 06 2009

CERTIFICATION

I, Lorri Smith, Administrative Assistant for City of Faribault, do hereby certify that the foregoing Ordinance is a true and exact copy of Ordinance 2009-01 as adopted by the Faribault City Council at a duly authorized meeting on January 27, 2009.



Lorri A. Smith, Administrative Assistant


Jan 30, 2009

Date