

CITY OF LAKEVILLE  
DAKOTA, COUNTY, MINNESOTA

**AN ORDINANCE ANNEXING LAND LOCATED IN THE  
TOWN OF EUREKA, DAKOTA COUNTY, MINNESOTA  
PURSUANT TO MINNESOTA STATUTES § 414.033 SUBDIVISION 2(3),  
PERMITTING ANNEXATION BY ORDINANCE**

**SECTION 1. PREAMBLE.**

**WHEREAS**, the City of Lakeville received a petition dated April 23, 2008, signed by all the property owners, requesting that property legally described as the NW ¼ of Section 3, Township 112, Range 20, Dakota County Minnesota, except the south 1000 feet thereof, as shown on the attached exhibit, be annexed to the City of Lakeville, Minnesota, was said petition was duly presented to the Council of the City of Lakeville on the 5<sup>th</sup> day of May, 2008, and;

**WHEREAS**, said property is unincorporated and abuts the City of Lakeville on its southern boundary; is less than 120 acres; is not presently served by public sewer facilities or public sewer facilities are not otherwise available, and;

**WHEREAS**, said property is within the South Creek Drainage Area and within the Vermillion River Watershed District but does not encompass any designated trout stream area, and the City has adopted or amended its land use controls to conform with chapter 103F, and;

**WHEREAS**, said property is currently unimproved agricultural land and annexation is requested to facilitate the extension of city services for the urban industrial development of the property, and;

**WHEREAS**, the City of Lakeville held a public hearing pursuant to Minnesota Statutes § 414.033 Subd. 2b, on June 16, 2008, following thirty (30) days written notice by certified mail to the Town of Eureka and to all landowners within and contiguous to the area legally described herein to be annexed, and;

**WHEREAS**, provisions of Minnesota Statutes § 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.

**SECTION 2. ENACTMENT.**

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEVILLE,  
MINNESOTA HEREBY ORDAINS AS FOLLOWS:**

1. The City Council hereby determines that the property as described herein abuts the city limits and is or is about to become urban or suburban in nature in that urban industrial use is being proposed for said property, the construction of which requires or will need city services, including public sewer facilities.

2. None of the property is now included within the limits of any city, or in any area that has already been designated for orderly annexation pursuant to Minnesota Statute § 414.0325.

3. The corporate limits of the City of Lakeville, Minnesota, are hereby extended to include the following described property, said land abutting the City of Lakeville and being 120 acres or less in area, which is not presently served by public sewer facilities or and for which public sewer facilities are not otherwise available, and the City having received a petition for annexation from all the property owners of the land, to wit:

*The Northwest ¼ of the Section 3, Township 113, Range 20, Dakota County Minnesota, except the South 1000 feet thereof.*

The above described property consists of a total of 96.71 acres, more or less. Copies of the corporate boundary map showing the property to be annexed and its relationship to the corporate boundaries and all appropriate plat maps are attached hereto.

4. That the population of the area hereby annexed is zero.

5. The City of Lakeville, pursuant to Minnesota Statutes § 414.036, shall provide reimbursement to Eureka Township with respect to the property taxes payable on the area hereby annexed, by making a lump sum cash payment to the Town of five thousand and no dollars (\$5,000.00) no later than December 31, 2008.

6. That pursuant to Minnesota Statutes § 414.036 with respect to any special assessments assigned by the Town to the annexed property and any portion of debt incurred by the Town prior to the annexation and attributable to the property to be annexed, but for which no special assessments are outstanding, for the area annexed, there are no special assessments or debt incurred by the Town on the subject are for which reimbursement is required.

7. That the City Clerk of the City of Lakeville is hereby authorized and directed to file a copy of this Ordinance with the Municipal Boundary Adjustment Unit of the Minnesota Office of Administrative Hearings, the Minnesota Secretary of State, the Dakota County Auditor, and the Eureka Township Clerk.

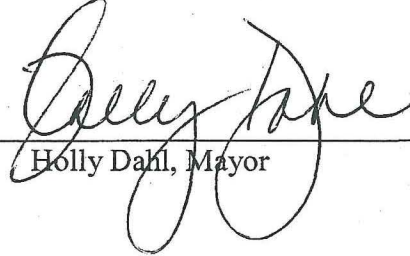
8. That the Office of Administrative Hearings is hereby requested to issue its order approving this annexation no earlier than August 1, 2008.

**SECTION 3. EFFECTIVE DATE.** This ordinance shall be effective immediately upon its passage and publication, and approval by the Office of Administrative Hearings, Boundary Adjustments, State of Minnesota.

**ADOPTED** this 7th day of July, 2008, by the City Council of the City of Lakeville, Minnesota.

CITY OF LAKEVILLE

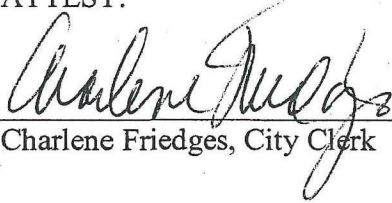
BY:



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Holly Dahl, Mayor

ATTEST:



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Charlene Friedges, City Clerk



# Hat Trick Investments, LLC Property Proposed to be Annexed to the City of Lakeville

REC'D BY  
M M B

AUG 25 2008

County Road 50

Cedar Avenue  
(CSAH 23)

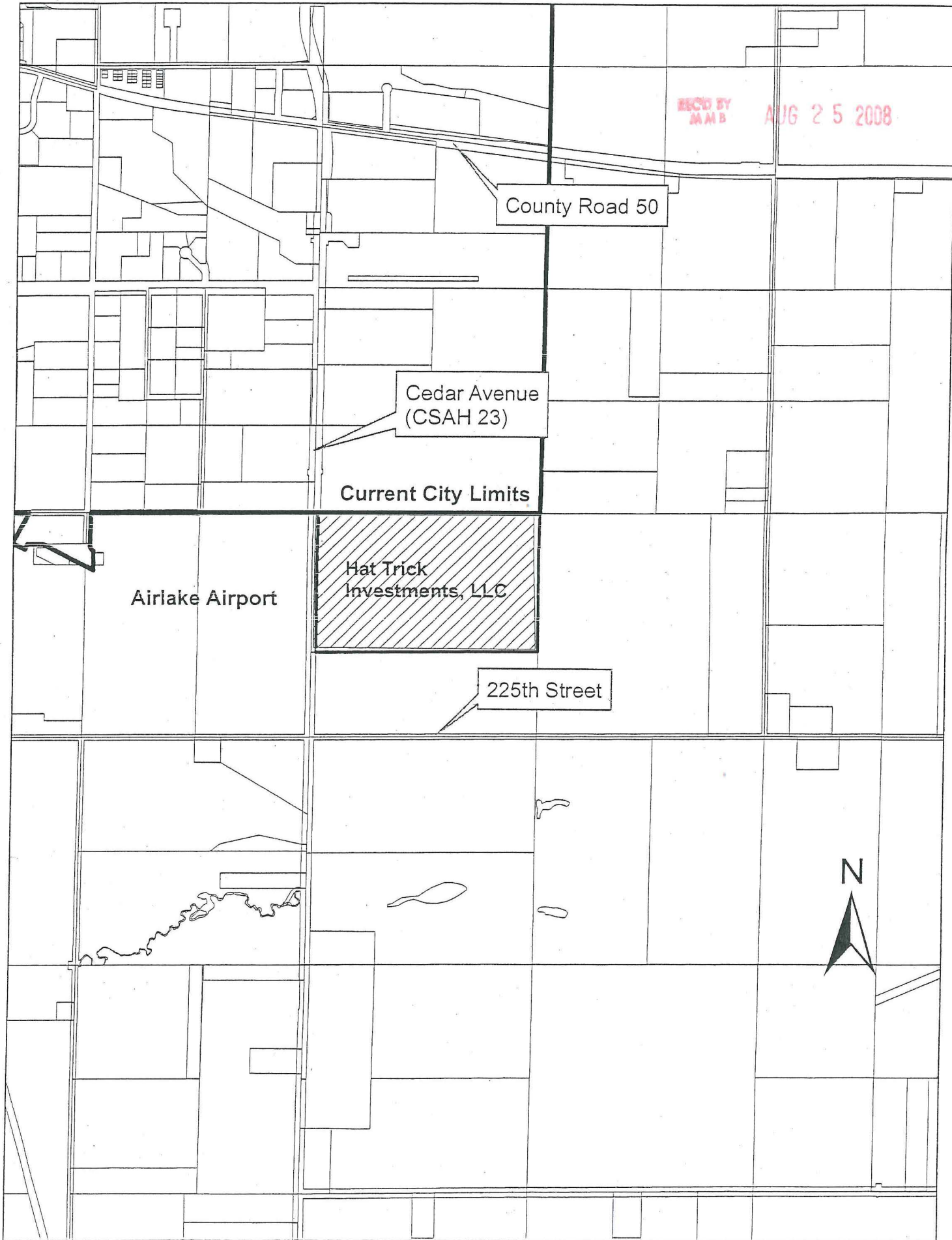
Current City Limits

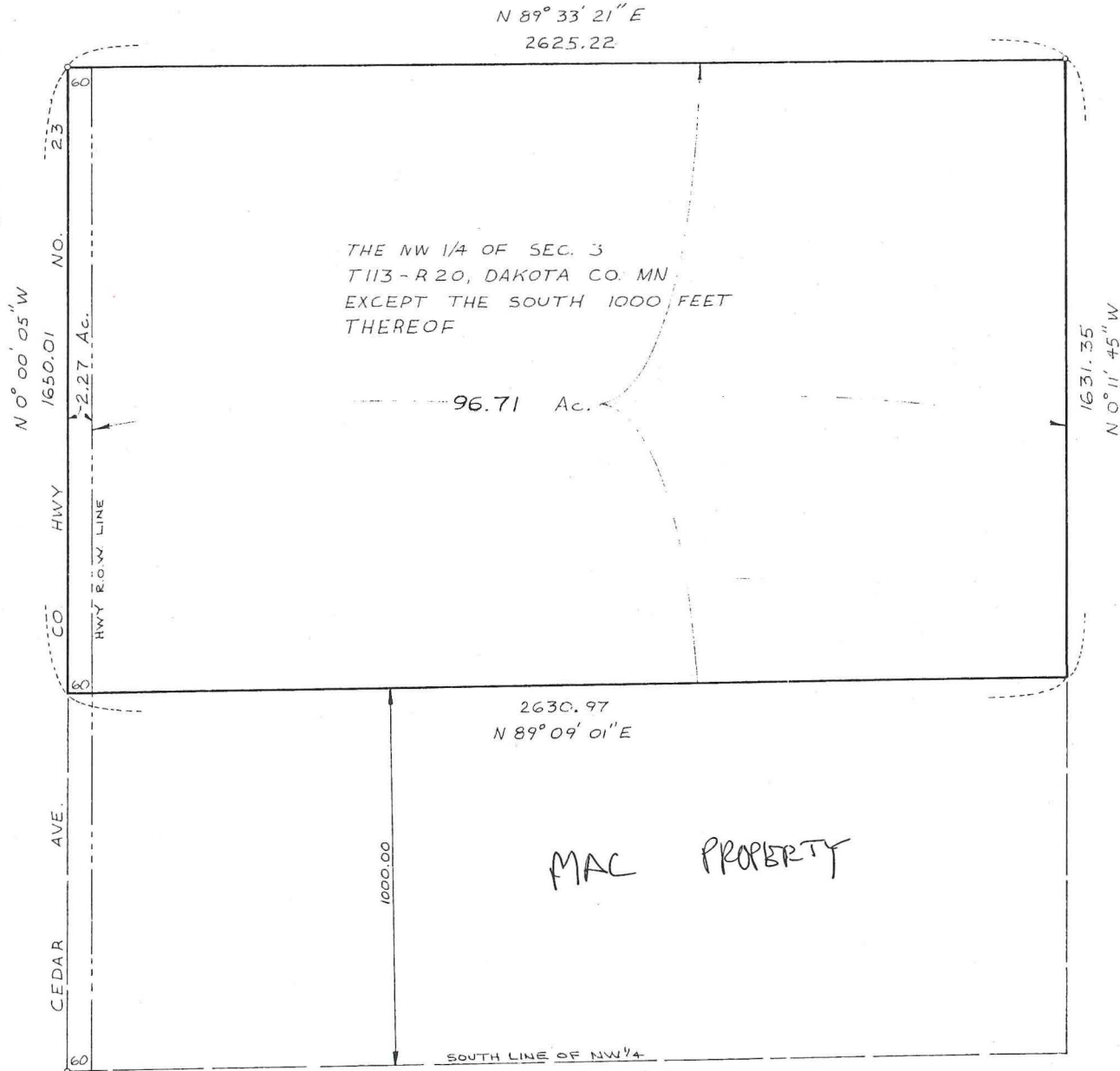
Airlake Airport

Hat Trick  
Investments, LLC

225th Street

N





THE NW 1/4 OF SEC. 3  
T113-R20, DAKOTA CO. MN  
EXCEPT THE SOUTH 1000 FEET  
THEREOF

96.71 Ac.

2630.97  
N 89° 09' 01" E

MAC PROPERTY

1000.00

SOUTH LINE OF NW 1/4

I hereby certify that this is a correct representation of  
a survey of:  
The NW 1/4 of Section 3, Township 113, Range 20, Dakota County,  
Minnesota, except the south 1000 feet thereof,  
and that I am a duly registered land surveyor under the laws  
of the State of Minnesota.

*Lewis L. Jacobson*

Lewis L. Jacobson, Minn. Reg. No. 7734

Dated this 28th day of October, 1985

SCALE - 1" = 200'

Bearings are assumed datum.

o Denotes iron monument.

CERTIFICATE OF SURVEY

Prepared for:  
ATRI-LAKE INDUSTRIAL PARK  
21535 CEDAR AVENUE  
LAKEVILLE, MN 55044

JACOBSON SURVEYORS

LAKEVILLE, MINN. PHONE 469-4328

Drawn by: PSE October 28, 1985

REC'D BY  
MARR AUG 25 2008

***Eureka Township  
Dakota County  
State of Minnesota***



**Eureka Township  
P.O. Box 576  
Lakeville, MN 55044  
952-469-3736  
Eurekatn@frontiernet.net**

REC'D BY  
MMD AUG 25 2008

To: Office of Administrative Hearings/Boundary Adjustments

Subject: Annexation by Ordinance, City of Lakeville/Eureka Township, Hat Trick Investments Property, 97 Acres (app.).

Dear Chief Hearing Officer:

The Board of Supervisors of Eureka Township hereby waive any and all objections to the above-referenced annexation by ordinance and consent to its approval and the issuance of an order consistent with the terms specified in the ordinance adopted by the City of Lakeville.

Sincerely,

Jeff Otto  
Board Chair

cc: City of Lakeville