

**CITY OF FARIBAULT  
ORDINANCE NO. 2008-19**

REC'D BY  
MAM B

SEP 08 2008

**ANNEXING AND ZONING CERTAIN LANDS  
FROM WELLS TOWNSHIP  
(Lorentson/Matejcek)**

**WHEREAS**, municipalities may annex unincorporated property pursuant to Minnesota Statutes, section 414.033, subdivision 2(3) in certain circumstances involving 120 acres or less of land;

**WHEREAS**, all of the owners of the property described in Exhibit A, and shown on the map contained in Exhibit B (the "Property"), which are attached and made part of this Ordinance, have petitioned the City requesting annexation of such Property into the corporate limits of the City of Faribault;

**WHEREAS**, the City Council hereby finds, determines, and deems the Property: is urban or suburban in character or about to become so; abuts the City boundary; the parcels included in the Property to be annexed, including those previously annexed under Minnesota Statutes, section 414.033, subd. 2(3), do not cumulatively exceed 120 acres per owner; and the Property is not presently served by public wastewater facilities and such services are not otherwise available;

**WHEREAS**, the City of Faribault (the "City") provided at least 30 days written notice by certified mail to the Town and all landowners within and contiguous to the Property and conducted a public hearing on the 12<sup>th</sup> day of August, 2008 regarding the proposed annexation of the Property; and

**WHEREAS**, the petitioning owners received notice of the cost of electric utility service or waived the notice requirement;

**NOW, THEREFORE, BE IT RESOLVED**, that

**THE CITY COUNCIL OF THE CITY OF FARIBAULT HEREBY ORDAINS:**

Section 1. Pursuant to Minnesota Statutes, section 414.033, subdivision 2(3) the City Council hereby annexes the Property described in Exhibit A and shown in Exhibit B into the City.

Section 2. The Property shall be zoned C-2, Highway Commercial District. 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 in the Office of Administrative Hearings, the Wells Township Clerk, the Rice County Auditor, and the Minnesota Secretary of State.

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

Section 5. As the Town has not disclosed the existence of any special assessments on, or any portion of debt attributable to, the Property, the City will not make any reimbursement 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. The City shall make its payment to the Town by September 1 each year.

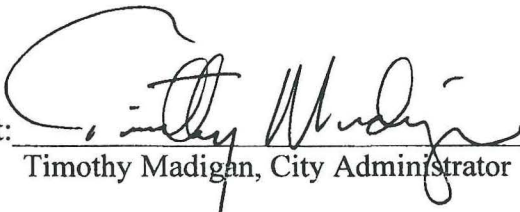
Section 6. This Ordinance is effective pursuant to City Charter Section 3.09 and the annexation is final on the date of approval by the Office of Administrative Hearings.

First Reading: August 12, 2008

Second Reading: August 26, 2008

Published: August 30, 2008

  
\_\_\_\_\_  
Charles Ackman, Mayor

Attest:   
\_\_\_\_\_  
Timothy Madigan, City Administrator

REC'D BY  
A.M.B.  
SEP 08 2008

**PROPOSED ANNEXATION DESCRIPTIONS:**

Paul T. Matejcek and adjacent right of way, Highway Commercial. (Total Area = 593,339 sq. ft. or 13.621 acres)

That part of the Southwest Quarter of the Southwest Quarter of Section 35, Township 110, Range 21, Rice County, Minnesota, described as follows:

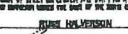
Beginning at the Southwest Corner of said SW ¼ of SW ¼; thence easterly, along the south line of said SW ¼ (for purposes of this description bearing of said south line is assumed N90°00'00"E), a distance of 530.84 feet; thence N028°19'E, 1283.57 feet to a point in the centerline of Minnesota Trunk Highway 60; thence S56°29'35"W, along said centerline of Highway 60, a distance of 219.53 feet to the beginning of a tangential curve; thence southwesterly, along said curve, concave southeasterly (curve data: radius equals 5729.58 feet; delta angle equals 4°09'38"; chord bearing and distance equal S56°24'47"W, 415.96 feet). An arc distance of 415.05 feet to a point in the west line of said SW ¼; thence S0°28'19"W, along said west line 938.72 feet to said point of beginning; subject to a township road over the westerly side and subject to said Highway 60 over the westerly side and subject to said Highway 60 over the northwesterly side of the herein described parcel; containing 13.602 acres, more or less, including said road and highway rights of way.

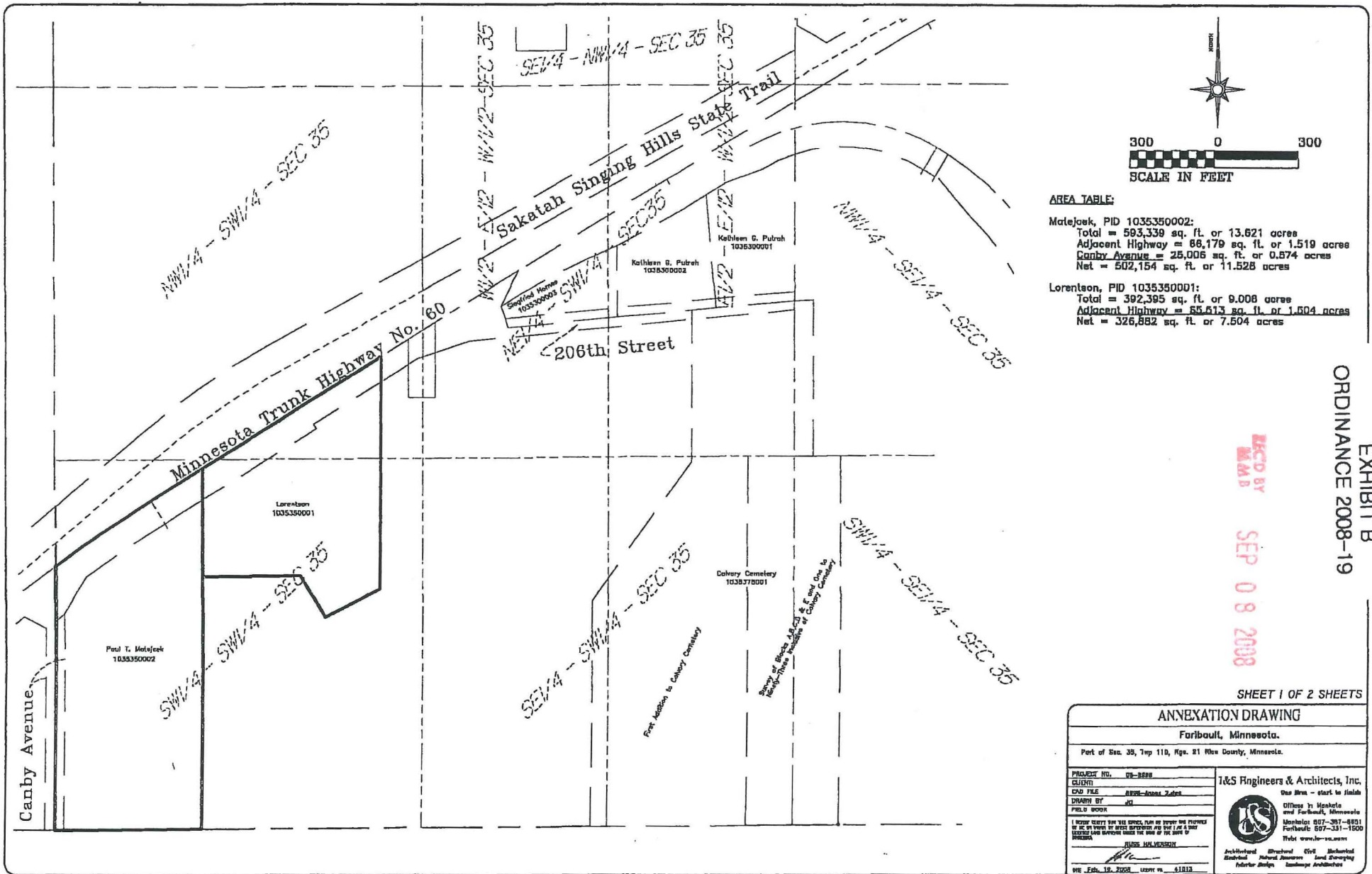
Lorentson and adjacent right of way, Highway Commercial. (Total Area = 392,395 sq. ft. or 9.008 acres)

That part of the Southwest Quarter of Section 35, Township 110, Range 21, Rice County, Minnesota, described as follows:

Beginning at the southwest corner of said SW ¼; thence easterly, along the south line of said SW ¼ (for purposes of this description, bearings are assumed and based on said south line being N89°33'42"E) a distance of 530.84 feet; thence N0°02'01"E, 384.05 feet to the true point of beginning of the parcel to be herein described; thence N0°02'01"E, 384.05 feet to a point in the centerline of Minnesota Trunk Highway 60; thence N58°03'39"E, along said highway centerline 700.52 feet; thence S31°56'21"E, 75.00 feet to a point in the southeasterly right of way line of said Highway 60; thence S0°17'59"W, 737.24 feet; thence S62°53'27"W, 218.42 feet; thence N30°54'01"W, 173.27 feet, thence S80°31'09"W 347.12 feet to said true point of beginning; subject to right of way for said Minnesota Trunk Highway 60 over the northwesterly side of the herein described parcel; containing 8.964 acres, more or less, including said highway right of way.

SHEET 2 OF 2 SHEETS

ANNEXATION DRAWING											
Faribault, Minnesota.											
Part of Sec. 35, Twp 110, Rgs. 21 Rice County, Minnesota.											
<table border="1"> <tr><td>PROJECT NO.</td><td>08-0008</td></tr> <tr><td>CLIENT</td><td></td></tr> <tr><td>CAD FILE</td><td>0808-Johns 2.dwg</td></tr> <tr><td>DRAWN BY</td><td>JG</td></tr> <tr><td>FIELD NOTES</td><td></td></tr> </table>	PROJECT NO.	08-0008	CLIENT		CAD FILE	0808-Johns 2.dwg	DRAWN BY	JG	FIELD NOTES		<p><b>I&amp;S Engineers &amp; Architects, Inc.</b>          Our firm - start to finish</p> <p>Office in Monkahe and Faribault, Minnesota          Mainline 887-387-8831          Faribault 887-311-1900          Web: www.i-s-ea.com</p> <p>Architectural Structural Civil Mechanical          Electrical Mechanical Surveying          Planning/Design Landscape Architecture</p>
PROJECT NO.	08-0008										
CLIENT											
CAD FILE	0808-Johns 2.dwg										
DRAWN BY	JG										
FIELD NOTES											
<p>I HEREBY CERTIFY THAT THIS DRAWING WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A LICENSED PROFESSIONAL ENGINEER UNDER THE STATE OF MINNESOTA.</p> <p style="text-align: right;">JAMES W. JOHNSON            P.E., E.C. No. 10, 8008 License No. 41812</p>											



**AREA TABLE:**

Matejcek, PID 1035350002:  
 Total = 593,339 sq. ft. or 13.621 acres  
 Adjacent Highway = 66,179 sq. ft. or 1.519 acres  
 Canby Avenue = 25,006 sq. ft. or 0.574 acres  
 Net = 502,154 sq. ft. or 11.528 acres

Lorenson, PID 1035350001:  
 Total = 392,395 sq. ft. or 9.008 acres  
 Adjacent Highway = 65,613 sq. ft. or 1.504 acres  
 Net = 326,882 sq. ft. or 7.504 acres

EXHIBIT B  
 ORDINANCE 2008-19

RECD BY  
 MMB  
 SEP 08 2008

SHEET 1 OF 2 SHEETS

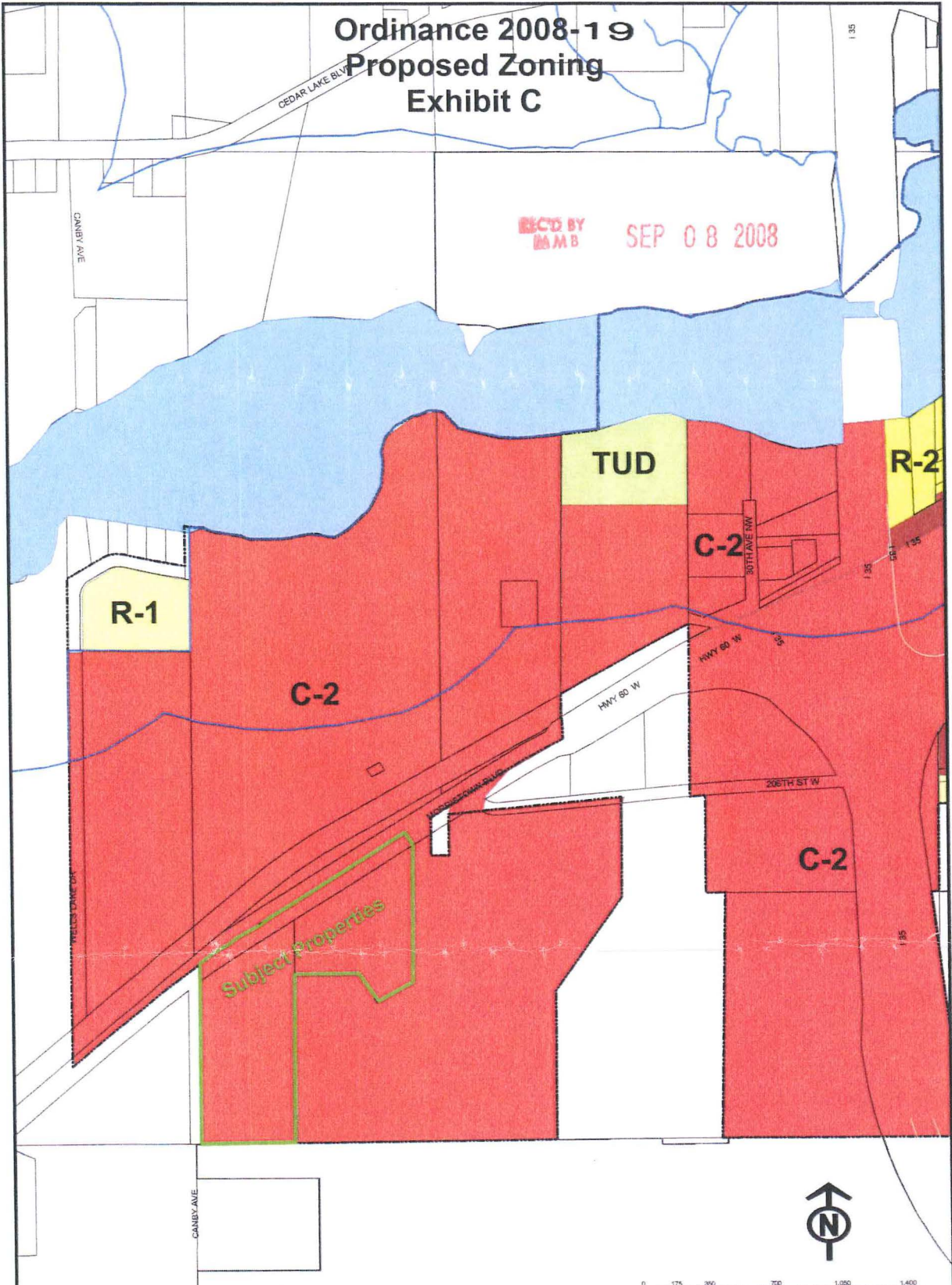
ANNEXATION DRAWING	
Faribault, Minnesota.	
Part of Sec. 35, Twp 110, Rgs. 21 Rice County, Minnesota.	
PROJECT NO. 08-0008 CLIENT CVD FILE 8828-Annex 2401 DRAWN BY JH FILE # 0008 <small>I HEREBY CERTIFY THAT THIS DRAWING WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A LICENSED SURVEYOR UNDER THE STATE OF MINNESOTA.</small> DATE: 08/15/08 	<b>T&amp;S Engineers &amp; Architects, Inc.</b> One Drive - start to finish  Office in Menota and Faribault, Minnesota Menota: 612-987-4831 Faribault: 657-1311-1500 Web: www.t-s.com Architectural Structural Civil Mechanical Electrical Surveying Land Surveying Interior Design Landscape Architecture
<small>8/6 Feb. 19, 2008 Issue no. 41812</small>	

# City of Faribault Official Zoning Map

February 28, 2008

## Ordinance 2008-19 Proposed Zoning Exhibit C

REC'D BY  
MAM B SEP 08 2008



Legend	
<b>Overlay Zoning Districts</b>	<b>Zoning Classification</b>
<ul style="list-style-type: none"> <li>RUD-C</li> <li>RUD-M</li> <li>RUD-R</li> <li>DL</li> <li>Heritage Preservation District</li> <li>Shoreland Overlay District</li> </ul>	<ul style="list-style-type: none"> <li>Office</li> <li>Neighborhood Commercial</li> <li>Highway Commercial</li> <li>Community Commercial</li> <li>Central Business District</li> <li>Light Industrial</li> <li>Heavy Industrial</li> </ul>
<ul style="list-style-type: none"> <li>LP</li> <li>Open Space / Agricultural</li> <li>Single-Family Residential</li> <li>Single &amp; Two-Family Residential</li> <li>Low Density Residential</li> <li>Medium Density Residential</li> <li>High Density Residential</li> <li>Residential Medium-Density District</li> <li>Transitional Urban Development</li> </ul>	<ul style="list-style-type: none"> <li>Industrial Park</li> <li>Office</li> <li>Single-Family Residential</li> <li>Single &amp; Two-Family Residential</li> <li>Low Density Residential</li> <li>Medium Density Residential</li> <li>High Density Residential</li> <li>Residential Medium-Density District</li> <li>Transitional Urban Development</li> </ul>

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.