

**CITY OF FARIBAULT
ORDINANCE NO. 2008-18**

**ANNEXING AND ZONING CERTAIN LANDS
FROM WELLS TOWNSHIP
(Trunk Highway 60 West)**

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 Council further finds and determines the orderly annexation agreement entered into by the City and Town in 1982, which included a portion of the Property in the area designated for orderly annexation and whose conditions for annexation expired more than 15 years ago, does not preclude this annexation;

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 12th 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. 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.

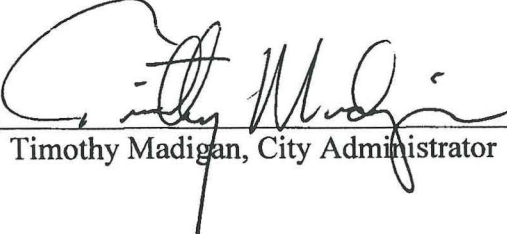
First Reading: August 12, 2008

Second Reading: August 26, 2008

Published: August 30, 2008



Charles Ackman, Mayor

Attest: 

Timothy Madigan, City Administrator

EXHIBIT A
ORDINANCE 2008-18

REC'D BY
MMB

SEP 08 2008

PROPOSED ANNEXATION DESCRIPTIONS:

Calvary Cemetery and adjacent 206th Street right of way, Open Space. (Total Area = 1,294,380 sq. ft. or 29.715 acres)

All of the First Addition to Calvary Cemetery and all of the Survey of Blocks A,B,C,D and E and One to Ninety-Three inclusive of Calvary Cemetery, according to the recorded plats as filed in the office of the County Recorder, Rice County, Minnesota.

Siegfried Homes, Kathleen G. Putrah and adjacent 206th Street right of way, Highway Commercial. (Total Area = 321,987 sq. ft. or 7.391 acres)

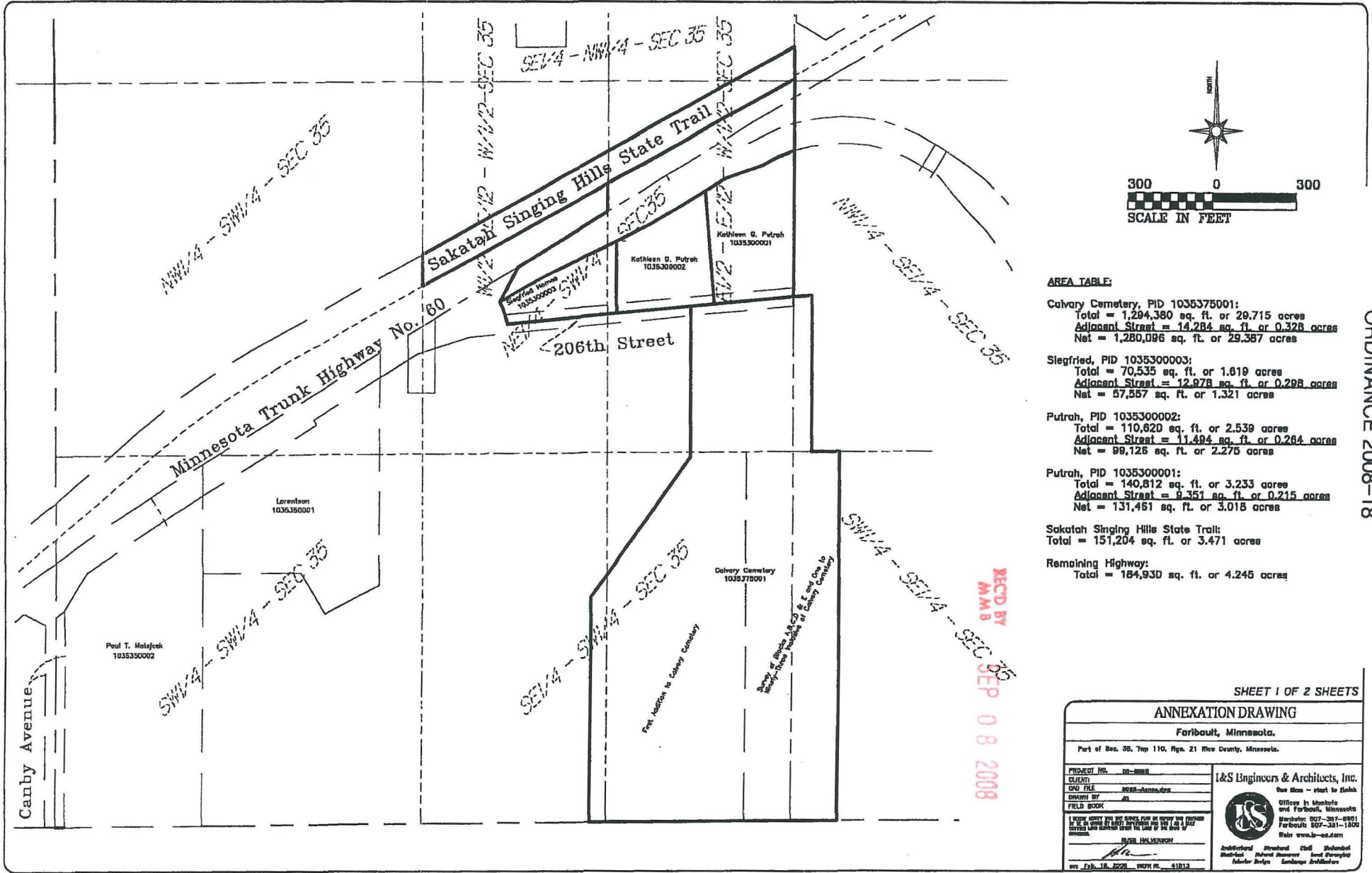
That part of the Northeast Quarter of the Southwest Quarter of Section 35, Township 110, Range 21, Rice County, Minnesota, that lies north of 206th Street and South of Minnesota Trunk Highway Number 60.

Sakatah Singing Hills State Trail, Highway Commercial. (Total Area = 151,204 sq. ft. or 3.471 acres)

That part of Sakatah Singing Hills State Trail that lies in the Northeast Quarter of the Southwest Quarter of Section 35, Township 110, Range 21, Rice County, Minnesota.

Remaining Highway, Highway Commercial. (Total Area = 184,930 sq. ft. or 4.245 acres)

That part of Minnesota Trunk Highway Number 60 that lies in the Southwest Quarter of Section 35, Township 110, Range 21, Rice County, Minnesota.




AREA TABLE:

- Calvary Cemetery, PID 1035375001:
 Total = 1,294,380 sq. ft. or 29.715 acres
 Adjacent Street = 14,284 sq. ft. or 0.328 acres
 Net = 1,280,096 sq. ft. or 29.387 acres
- Siegfried, PID 1035300003:
 Total = 70,535 sq. ft. or 1.619 acres
 Adjacent Street = 12,978 sq. ft. or 0.298 acres
 Net = 57,557 sq. ft. or 1.321 acres
- Putrah, PID 1035300002:
 Total = 110,820 sq. ft. or 2.539 acres
 Adjacent Street = 11,494 sq. ft. or 0.264 acres
 Net = 99,126 sq. ft. or 2.275 acres
- Putrah, PID 1035300001:
 Total = 140,812 sq. ft. or 3.233 acres
 Adjacent Street = 9,351 sq. ft. or 0.215 acres
 Net = 131,461 sq. ft. or 3.018 acres
- Sakatah Singing Hills State Trail:
 Total = 151,204 sq. ft. or 3.471 acres
- Remaining Highway:
 Total = 184,930 sq. ft. or 4.245 acres

RECD BY
MWB
SEP 08 2008

SHEET 1 OF 2 SHEETS

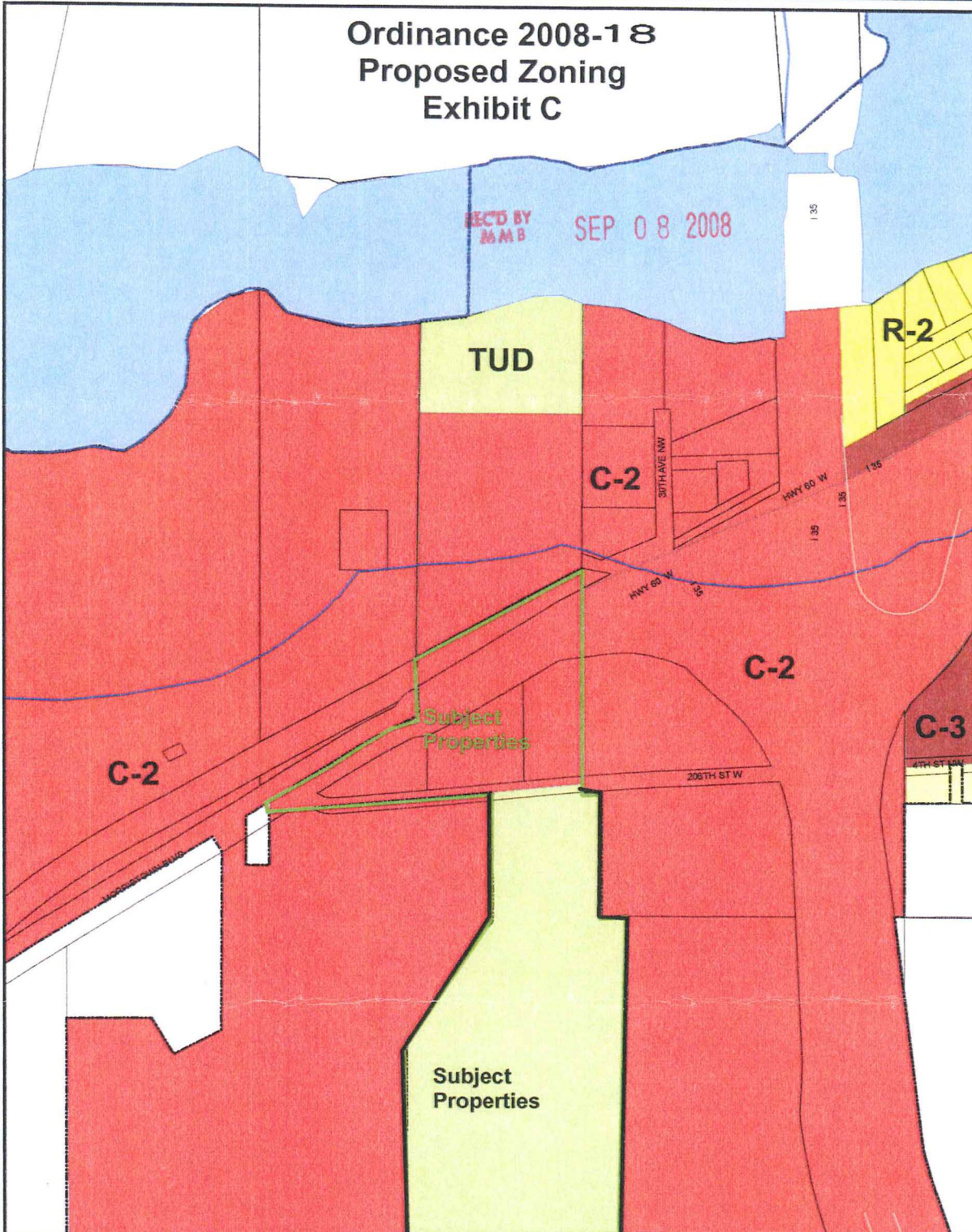
ANNEXATION DRAWING	
Faribault, Minnesota.	
Part of Sec. 35, Twp 110, Rgn. 21 Rice County, Minnesota.	
PROJECT NO. 08-0088	I&S Engineers & Architects, Inc. One Stop - visit to finish Office in Minnesota and Faribault, Minnesota Faribault 507-383-8881 Faribault 507-381-1800 Web www.i-s-a.com
CLIENT	
DATE FILE 0808-Annexation	
DRAWN BY JH	
FIELD BOOK	
<small>I HEREBY CERTIFY THAT THIS SPECIAL PLAN AS SHOWN WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.</small>	
BUSH HILFENBURGH Surveyor	
www.Feb.18.2008 0808 41813	

City of Faribault Official Zoning Map

February 28, 2008

Ordinance 2008-18 Proposed Zoning Exhibit C

REC'D BY
26 AM B SEP 08 2008



Legend	
	PUD-C
	PUD-M
	PUD-R
	Downtown High District
	Heritage Preservation District
	Shoreland Overlay District
	Zoning Classification
	Not in Corporate Limits
	Neighborhood Commercial
	Highway Commercial
	Community Commercial
	Central Business District
	Light Industrial
	Heavy Industrial
	Industrial Park
	Open Space / Agricultural
	Single Family Residential
	Single & Two Family Residential
	Low Density Residential
	Medium Density Residential
	High Density Residential
	Residential Medium Density Home District
	Traditional Urban Development
	Corporate
	Stream City
	Watercourse
	Parcel

0 140 280 560 840 1,120 Feet

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.