

REC'D BY
MMS

MAR 11 2009

**ORDINANCE NO. 635
2ND SERIES**

AN ORDINANCE AMENDING ORDINANCE NO. 632 ANNEXING PROPERTY LOCATED ADJACENT TO CROSS COUNTRY LANE IN LAKE MARY TOWNSHIP (ZAVADIL DEVELOPMENT) TO THE CORPORATE LIMITS OF THE CITY OF ALEXANDRIA FOR THE PURPOSES OF MODIFYING REIMBURSEMENT TO LAKE MARY TOWNSHIP

WHEREAS, the City Council of the City of Alexandria did adopt Ordinance No. 632, annexing property to the City of Alexandria, and

WHEREAS, the City did transmit said Ordinance to the State of Minnesota for review and approval, and

WHEREAS, the State of Minnesota has reviewed said Ordinance and directed the City to modify the reimbursement provisions contained therein,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ALEXANDRIA, MINNESOTA, HEREBY ORDAINS that Ordinance No. 632 is deleted in its entirety and is replaced by the following:

WHEREAS, a majority (100%) of the property owners of the lands described below have petitioned the Alexandria City Council to annex this territory to the City of Alexandria, pursuant to Minnesota Statutes Section 414.033, Subdivision 5, and

WHEREAS, the property abuts upon the southerly boundaries of the Alexandria City Limits along the northerly boundaries of the subject property, and

WHEREAS, the property is not presently part of any incorporated city, and

WHEREAS, the property consists of unplatted land in Lake Mary Township, Douglas County, containing approximately 184.2 acres in three (3) parcels owned by one (1) property owner, and

WHEREAS, the Alexandria City Council finds that the property is suburban in character by surrounding development and usage and is not currently served by municipal water services, and

WHEREAS, the existing and proposed uses of the subject property are residential in nature, and

WHEREAS, the City of Alexandria has not received an Objection to Annexation Petition from Lake Mary Township after the passage of 90 days from notification to the Township of the City's receipt of aforementioned petition,

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NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF ALEXANDRIA HEREBY ORDAINS:

SECTION I: That the Corporate Limits of the City of Alexandria are hereby extended to include land as described and the same is hereby annexed and included within the City.

SECTION II: That the territory to be annexed is described as:

See Attached Exhibits "A", "B" and "C".

SECTION III: That the lands hereby annexed are to be zoned as R-1, "Single Family Residential".

SECTION IV: That this Ordinance provides for reimbursement to Lake Mary Township of the property taxes payable to said Township in the following manner: The Township share of property taxes as of the effective date of this Ordinance is \$557.22, which the Township shall retain for 2009. The City shall provide reimbursement in equal installments of \$278.61 annually for each of the years 2010, 2011, 2012, 2013, and 2014, which shall be the final year of such reimbursement.

SECTION V: That this ordinance provides for reimbursement to Lake Mary Township of all special assessments assigned to the property by the Township prior to the effective date of this Ordinance and any portion of debt incurred by the Township prior to the annexation and attributable to the property to be annexed but for which no special assessments are outstanding. Such reimbursement to be made in equal installments in 2010, 2011, 2012, 2013 and 2014 and be based upon an accounting of such assessments or debt attributable to the property as provided to the City by the Township, such accounting to be made not less than 90 days following the effective date of this Ordinance.

SECTION VI: That the City Clerk is directed to file copies of this Ordinance with the State of Minnesota, the Douglas County Auditor, and the Lake Mary Township Board of Supervisors.

SECTION VII: This Ordinance shall be in full force and effect from and after its passage, publication and approval by the State of Minnesota.

ADOPTED by the City Council of the City of Alexandria, Minnesota, this 9th day of March, 2009, by the following vote:

YES: BIGGER, MILLER, BENSON, FRANK

NO: NONE

ABSENT: CARLSON


H. Dan Ness, Mayor


ATTEST: 
Jim Taddei, City Administrator

EXHIBIT "A"

#20-0011-400
#20-0015-000

1st #
That part of the North Half of the Southwest Quarter, that part of the Northwest Quarter of the Southeast Quarter, the Southeast Quarter of the Southwest Quarter, and the Southwest Quarter of the Southeast Quarter, all within Section 1, and that part of the Northeast Quarter of the Southeast Quarter, Section 2, all within Township 127 North, Range 38 West, Douglas County, Minnesota, described as follows: 2nd

Beginning at the west quarter corner of said Section 1;

thence North 89 degrees 27 minutes 10 seconds East, Douglas County HARN Coordinate System, along the north line of said North Half of the Southwest Quarter of Section 1, a distance of 1063.00 feet;

thence South 02 degrees 29 minutes 10 seconds West 544.50 feet;

thence North 89 degrees 27 minutes 10 seconds East 200.00 feet;

thence South 02 degrees 29 minutes 10 seconds West 85.50 feet;

thence North 89 degrees 27 minutes 10 seconds East 415.44 feet;

thence North 02 degrees 29 minutes 10 seconds East 446.74 feet to Point "A", said point being on the south line of the North 183.00 feet of the Northeast Quarter of the Southwest Quarter of said Section 1;

thence North 89 degrees 27 minutes 10 seconds East, along said south line, 933.26 feet;

thence South 00 degrees 32 minutes 50 seconds East 189.10 feet;

thence North 89 degrees 27 minutes 10 seconds East 230.00 feet;

thence North 00 degrees 32 minutes 50 seconds West 189.10 feet to the south line of the North 183.00 feet of said Northwest Quarter of the Southeast Quarter;

thence North 89 degrees 27 minutes 10 seconds East, along said line, 813.02 feet to the west line of ELTERA LANE, according to the recorded plat thereof;

thence South 00 degrees 30 minutes 34 seconds East, along said west line, 125.00 feet to the south line of said ELTERA LANE;

thence North 89 degrees 27 minutes 10 seconds East, along said south line, 300.00 feet to the west line of "SOUTHGATE", according to the recorded plat thereof;

thence South 00 degrees 30 minutes 34 seconds East, along said west line, 219.99 feet to the south line of said "SOUTHGATE";

thence North 89 degrees 27 minutes 10 seconds East, along said south line, 3.23 feet to the east line of said Northwest Quarter of the Southeast Quarter;

thence South 00 degrees 28 minutes 11 seconds East, along said east line and along the east line of said Southwest Quarter of the Southeast Quarter, 2113.17 feet to the south line of said Southwest Quarter of the Southeast Quarter;

thence South 88 degrees 36 minutes 15 seconds West, along said south line, 1320.01 feet to the south quarter corner of said Section 1;

thence South 89 degrees 45 minutes 18 seconds West, along the south line of said Southeast Quarter of the Southwest Quarter, 1307.35 feet to the west line of said Southeast Quarter of the Southwest Quarter;

thence North 00 degrees 43 minutes 10 seconds West, along said west line, 1326.91 feet to the south line of said North Half of the Southwest Quarter;

EXHIBIT "A"

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thence South 89 degrees 36 minutes 13 seconds West, along said south line, 1308.67 feet to the southeast corner of said Northeast Quarter of the Southeast Quarter of Section 2; thence to the point of beginning.

That part of the South Half of the Northeast Quarter of Section 1, Township 127 North, Range 38 West, Douglas County, Minnesota, described as follows:

Commencing at the northeast corner of said South Half of the Northeast Quarter;

thence South 89 degrees 30 minutes 26 seconds West, Douglas County HARN Coordinate System, along the north line of said South Half of the Northeast Quarter, 700.00 feet;

thence South 00 degrees 17 minutes 04 seconds East 275.00 feet;

thence North 89 degrees 30 minutes 26 seconds East 459.57 feet to the point of beginning of the land to be described;

thence South 07 degrees 00 minutes 50 seconds East 108.87 feet;

thence southerly, along a tangential curve concave to the west, radius 3653.72 feet, central angle 05 degrees 51 minutes 15 seconds, 373.32 feet;

thence South 01 degrees 09 minutes 35 seconds East, along tangent, 159.30 feet;

thence South 89 degrees 27 minutes 10 seconds West 670.47 feet;

thence South 62 degrees 27 minutes 10 seconds West 482.76 feet;

thence South 00 degrees 32 minutes 50 seconds East 80.83 feet;

thence South 89 degrees 27 minutes 10 seconds West 399.88 feet;

thence South 00 degrees 30 minutes 34 seconds East 99.00 feet to a point on the south line of said South Half of the Northeast Quarter, distant 1698.35 feet from the east quarter corner of said Section 1;

thence North 89 degrees 27 minutes 10 seconds East, along said south line, 465.94 feet to the intersection of the southerly extension of the west line of "NORLING'S ACRES", according to the recorded plat thereof;

thence North 00 degrees 32 minutes 50 seconds West, along said southerly extension and said west line of "NORLING'S ACRES", 139.39 feet to the northwest line of said "NORLING'S ACRES";

thence North 62 degrees 27 minutes 10 seconds East, along said northwest line, 426.47 feet to the north line of said "NORLING'S ACRES";

thence North 89 degrees 27 minutes 10 seconds East, along said north line and said north line extended east, 721.33 feet to the west right-of-way line of Trunk Highway No. 29;

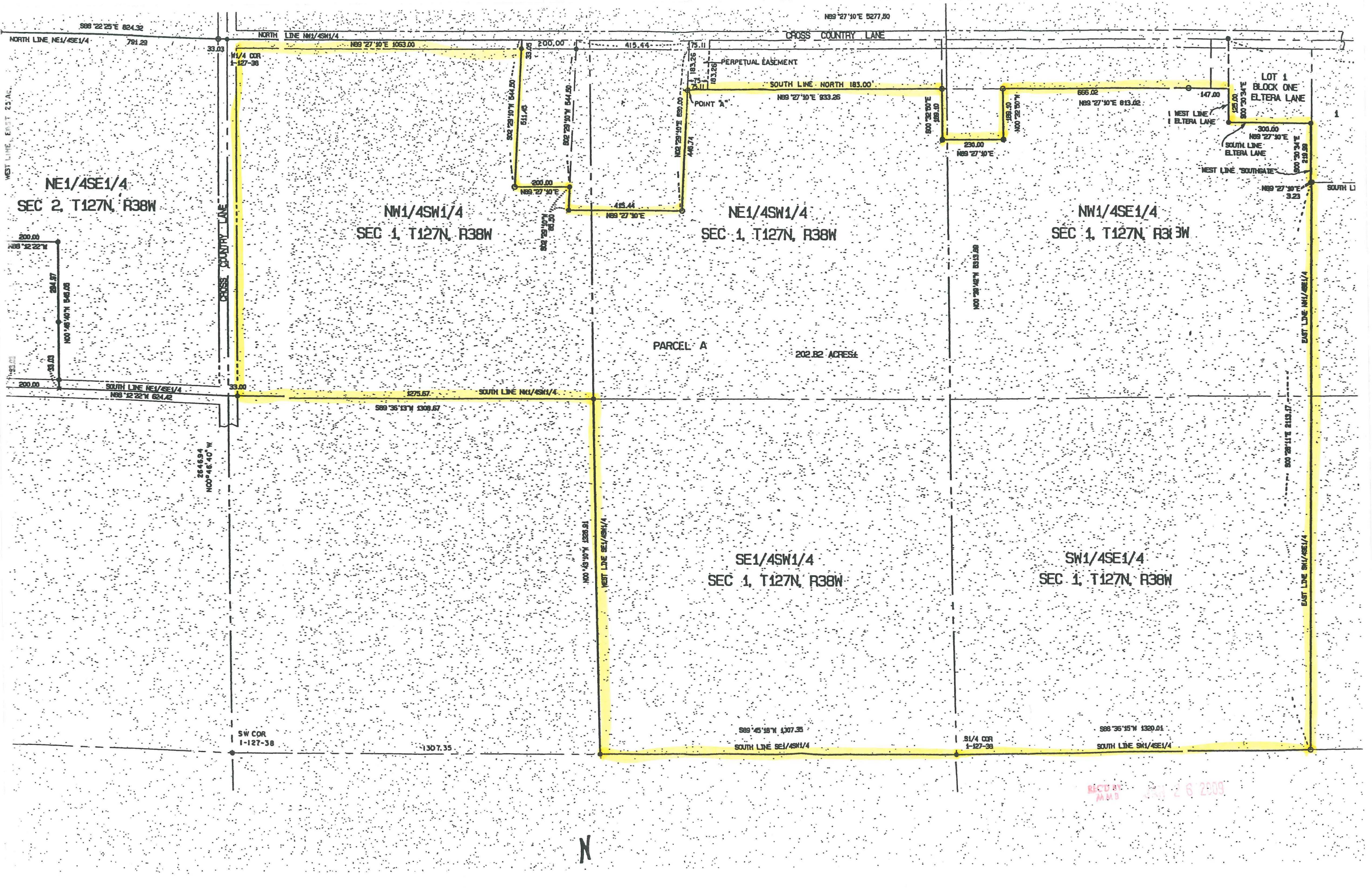
thence North 01 degrees 09 minutes 35 seconds West, along said west right-of-way line, 226.01 feet;

thence northerly, along said west right-of-way line and along a tangential curve concave to the west, radius 3719.72 feet, central angle 05 degrees 51 minutes 15 seconds, 380.06 feet;

thence North 07 degrees 00 minutes 50 seconds West, along said west right-of-way line and along tangent, 101.33 feet to a line bearing North 89 degrees 30 minutes 26 seconds East from said point of beginning;

thence South 89 degrees 30 minutes 26 seconds West 66.43 feet to the point of beginning.

RESERVING UNTO THE GRANTORS, THEIR SUCCESSORS AND/OR ASSIGNS, AN EASEMENT FOR INGRESS AND EGRESS, AND FOR UTILITY PURPOSES OVER, ACROSS AND UNDER THE ENTIRE AFORE-DESCRIBED PROPERTY FOR THE BENEFIT OF THE GRANTORS' INTEREST IN THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 127 NORTH, RANGE 38 WEST, DOUGLAS COUNTY, MINNESOTA.



NORTH LINE NE1/4SE1/4
S88°22'25"E 624.32
791.29

NORTH LINE NW1/4SW1/4
N89°27'10"E 1063.00

CROSS COUNTRY LANE

NE1/4SE1/4
SEC 2, T127N, R38W

NW1/4SW1/4
SEC 1, T127N, R38W

NE1/4SW1/4
SEC 1, T127N, R38W

NW1/4SE1/4
SEC 1, T127N, R38W

LOT 1
BLOCK ONE
ELTERA LANE

PARCEL A
202.82 ACRES

SE1/4SW1/4
SEC 1, T127N, R38W

SW1/4SE1/4
SEC 1, T127N, R38W

200.00
N88°22'22"W
204.57
N00°46'40"W 545.00
33.00

SOUTH LINE NE1/4SE1/4
N88°22'22"W 624.42

26469.4
N00°46'40"W

SOUTH LINE NW1/4SW1/4
S89°36'13"W 1308.67

SOUTH LINE NE1/4SW1/4

WEST LINE SE1/4SW1/4
N00°45'10"W 1328.91

S89°45'18"W 1307.35
SOUTH LINE SE1/4SW1/4

S1/4 COR
1-127-38

S88°36'15"W 1320.01
SOUTH LINE SW1/4SE1/4

EAST LINE NW1/4SE1/4
S00°28'11"E 2119.17

EAST LINE SW1/4SE1/4

SW COR
1-127-38

1307.35

200.00
S02°29'10"W 844.00
511.45
S02°29'10"W 844.00
200.00
N89°27'10"E

415.44
N89°27'10"E
415.44
N89°27'10"E

POINT A
N89°27'10"E 833.26
183.26
183.26
75.11

SOUTH LINE NORTH 183.00'
N89°27'10"E 833.26

230.00
N89°27'10"E
230.00
N89°27'10"E

666.02
N89°27'10"E 813.02

147.00
WEST LINE ELTERA LANE

300.00
N89°27'10"E
SOUTH LINE ELTERA LANE

WEST LINE SOUTHWATE

N89°27'10"E 3.23

SOUTH L

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That part of the Northwest Quarter of the Southeast Quarter, Section 1, Township 127 North, Range 38 West, Douglas County, Minnesota, described as follows:

Commencing at the east quarter corner of said Section 1;

thence South 89 degrees 27 minutes 10 seconds West, Douglas County HARN Coordinate System, along the north line of the Southeast Quarter of said Section 1, a distance of 1632.35 feet to the northwest corner of ELTERA LANE, according to the recorded plat thereof, and this being the point of beginning of the land to be described;

thence South 00 degrees 30 minutes 34 seconds East, along the west line of said ELTERA LANE, 183.00 feet to the south line of the North 183.00 feet of said Northwest Quarter of the Southeast Quarter;

thence South 89 degrees 27 minutes 10 seconds West, along said south line, 66.00 feet;

thence North 00 degrees 30 minutes 34 seconds West 183.00 feet to the north line of said Northwest Quarter of the Southeast Quarter;

thence North 89 degrees 27 minutes 10 seconds East, along said north line, 66.00 feet to the point of beginning.

The tract contains 0.28 acre more or less and is subject to easements, reservations or restrictions of record, if any.

SW1/4NE1/4
SEC 1, T127N, R38W

SE1/4NE1/4
SEC 1, T127N, R38W

"1st ADDITION TO
NORLING'S ACRES"

5 6 7 8

BLOCK ONE

PUBLIC ROAD

1 2 3
"NORLING'S ACRES"
Block One

CROSS COUNTRY LANE

NE COR
NW1/4SE1/4

S89°27'10"W 1632.35

TO E1/4 COR

NORTH LINE NW1/4SE1/4

N89°27'10"E

N89°27'10"E 300.00

66.00

NW COR
ELTERA LANE

33.00

N00°30'34"W
183.00

66.00

33.00

183.00

S00°30'34"E

66.00

183.00

S89°27'10"W

125.00

WEST LINE ELTERA LANE

308.00

..... S00°30'34"E

308.00

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SOUTH LINE OF THE NORTHERLY 183 FEET OF THE NE1/4SW1/4, NW1/4SE1/4, SEC. 1

NW1/4SE1/4
SEC 1, T127N, R38W

LOT 1
BLOCK ONE
ELTERA LANE

"SOUTHGATE"
BLOCK ONE

NE1/4SE1/4
SEC 1, T127N, R38W



- INPLACE IRON MONUMENT
- 1/2" PIPE SET WITH CAP STAMPED "RLS 19845"
- () RECORD DATA

Certification applies to only those
copies that bear my embossed seal.

PAGE 2 of 2

Exhibit C



Section 1, T127N, R38W, Douglas County, MN

I hereby certify that this survey, plan or
report was prepared by me or under my
direct supervision and that I am a duly
Registered Land Surveyor under the laws
of the State of Minnesota.

Rodney F. Eldevik
Date: *8/18/06* Registration No. 19845

FILE: 3371 A	REQUESTED BY: Larry Zavadil
DRAWN BY: JR	<p style="text-align: center;">ELDEVIK LAND SURVEYING 1211 Maple Drive SE Alexandria, MN 56308 Telephone: 320-763-7566 Fax: 320-763-7504 Rodney F. Eldevik Registered Land Surveyor</p>
CHECKED: RFE	
DATE: 8/18/06	

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 = City Limits
 = AREA OF ANNEXATION

REC'D BY
JAMB
SEP 25 2008

30-0006-000

30-0011-400

30-0015-000

SUNFISH DRIVE

SUNFISH LANE

FRONT HIGHWAY

COUNCIL ROAD 1000 E

4