

ORDINANCE NO. 84

AN ORDINANCE OF THE CITY OF WILMONT ANNEXING LAND ABUTTING THE CITY OF WILMONT, WILMONT TOWNSHIP, NOBLES COUNTRY, MINNESOTA, PURSUANT TO MINNESOTA STATUTE §414.033, SUBD. 2(3), PERMITTING ANNEXATION BY ORDINANCE

WHEREAS, a petition signed by Charles Loosbrock, requesting that property owned by him and legally described on the attached exhibit located within the Township of Wilmont, County of Nobles, State of Minnesota be annexed to the City of Wilmont, was duly presented to the Council of the City of Wilmont on the 15th day of July 2008; and

WHEREAS, said property is unincorporated and abuts corporate limits of the City of Wilmont; 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 not located within a flood plain or shoreland area; and

WHEREAS, the City of Wilmont held a public hearing pursuant to Minnesota Statutes §414.033 Subd. 2b, on July 15th, 2008; and

WHEREAS, provisions of Minn. Stat. § 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.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WILMONT HEREBY ORDAINS AS FOLLOWS:

1. The City Council hereby determines that the property as hereinafter described abuts the city limits and is or is about to become urban or suburban in nature.
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 Wilmont, Minnesota are hereby extended to include the following described property, said land abutting the City of Wilmont and being 120 acres or less in area, and is not presently served by public sewer facilities or 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:

Commencing at the Southwest Corner of Lot Two (2), Block Two (2) of Bremer's Addition to the Village (now City) of Wilmont; thence West 25 feet to the intersection of the West line of the public street and this as the point of beginning; thence North 200 feet along the West line of said public street; thence West 80 feet; thence South and parallel to the West line of said public street a distance of 200 feet; then East 80 feet more or less to the point of beginning.

The above described property consists of a total of .37 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 legally described (herein or attached exhibit) and hereby annexed is 0.

5. The City of Wilmont, pursuant to Minn. Stat. §414.036, that with respect to the property taxes payable on the area legally described (herein or attached exhibit), hereby annexed, shall be:

a. *Property taxes shall continue to be paid to Wilmont Township in the year of annexation.*

b. *In the following years, the city may levy on the annexed area.*

6. That pursuant to Minn. Stat. §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 legally described (herein or attached exhibit) there are no special assessments or debts incurred by the Town on the subject for which reimbursement is required.

7. That the City Administrator-Clerk of the City of Wilmont 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 Nobles County Auditor, and the Wilmont Township Clerk.

8. That this Ordinance shall be in full force and effect and final upon the date this Ordinance is approved by the Office of Administrative Hearings.


PASSED AND ADOPTED by the City Council of the City of Wilmont, Minnesota this 15th day of July, 2008.

ATTEST:

Mayor


Daryl Behrends

City Clerk


Rita L. Cowan

*Wilmont Township
12171 Erickson Ave
Wilmont, MN 56185
Mary Brake, Clerk*

REC'D BY
AMB

OCT 27 2008

October 20, 2008

Christine M. Scotillo
MN Office of Administrative Hearings
600 North Robert Street
St. Paul, MN 55101

Re: A-7654 Wilmont/Wilmont Township Annexation

Dear Ms. Scotillo:

This letter is in regard to the annexation by ordinance that the City of Wilmont has submitted to your office. We, the Township of Wilmont, have had a chance to review Ordinance #84 drafted by the City of Wilmont and their city attorney. We understand that the township will receive the property taxes on this annexed area in the year of the annexation and that the city will levy on the taxes in the following years.

Sincerely,

Mary Brake

Mary Brake
Township Clerk
Wilmont Township

RECTD BY
JAM B

OCT 01 2008

WILMONT

NOBLES COUNTY

POP. 332

FELLOWS AVE.

150th ST.

26 25
35 36
T104N R42W

T104N R42W
35 36
2 1
T103N R42W

(16)

(34)

(34)

69

1st ST.

3rd

ST.

4th

AVE.

AVE.

(29)

ST.

5th

AVE.

ST.

3rd

4th

(29)

5th

6th

7th

(16)

8th

ST.

(25)

6th AVE.

ST.

(25)