

REC'D BY
M M B

OCT 20 2008

CITY OF LONSDALE, MINNESOTA

ORDINANCE 2008-224

**AN ORDINANCE EXTENDING THE CORPORATE LIMITS &
AMENDING THE OFFICIAL ZONING MAP**

WHEREAS, Michael & Sandra Kroyer have filed a petition and submitted a land use application (dated August 1, 2008) requesting annexation by the City of Lonsdale of certain real property located at 8295 70th Street West, PID: 0123475002, (hereinafter "Property") and described as:

The West one-half of the West 198 feet of the South 315 feet of the West 12 rods of the Southeast Quarter of Southeast Quarter of Section 23, Township 112 North, Range 22 West of the Fifth Principal Meridian, Rice County, Minnesota; and

WHEREAS, the Property is approximately 0.72 acres in size and located within the boundaries of Wheatland Township, County of Rice, State of Minnesota; and

WHEREAS, the population of the Property is four (4), and all Property owners (Michael & Sandra Kroyer) have signed the Petition; and

WHEREAS, the Property is unincorporated, abuts on the City's north boundary, and is not included in any other municipalities; and

WHEREAS, the Property owners have waived any notice concerning Minnesota Statute §414.033 Subd. 13 (Electric Utility Service Notice; Cost Impact); and

WHEREAS, the Property is not presently hooked-up to City water and sewer service, and the Property is about to become urban or suburban in character; and

WHEREAS, the City and petitioners agreed that the Property shall be officially zoned as "R-2, Single Family Detached Residential"; and

WHEREAS, City staff provided a detailed staff report (dated August 12, 2008) pertaining to said request; and

WHEREAS, the Planning & Zoning Commission of the City of Lonsdale held their regular meeting on August 21, 2008 and discussed said request; and

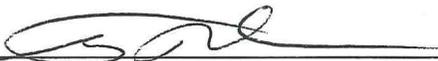
WHEREAS, the Planning & Zoning Commission recommended approval of said annexation request and officially zoning the Property as "R-2, Single Family Detached Residential".

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Lonsdale, Rice County, Minnesota that:

1. The City Council hereby determined and finds that the Property abuts the municipality, that the area to be annexed is one hundred twenty (120) acres or less, that the area to be annexed is not presently served by public wastewater facilities or public wastewater facilities are not otherwise available, that the municipality received a petition for annexation from all the owners of the Property, that the area is appropriate for annexation under Minnesota Statute §414.033 Subd. 2 (3), and that the Petition complies with all the provisions of Minnesota Statute §414.033.
2. The Property is urban in nature or about to become so.
3. The Property owners have waived any notice concerning Minnesota Statute §414.033 Subd. 13 (Electric Utility Service Notice; Cost Impact).
4. The Property owners shall pay \$25,000.00 upon approval of this ordinance to the City of Lonsdale for water and sewer connection fees and also the special assessment associated with the CSAH 96 (Fig Street) Street & Utility Improvement Project. The Property owner hereby waives any rights to a hearing or notice of a hearing relating to the special assessments and also expressly waives any right to object to such assessments, as provided for under Minnesota Statute §429.081.
5. Pursuant to law, a public hearing was scheduled, with proper notifications given, and held on September 11, 2008 prior to Council consideration of the ordinance for annexation.
6. The corporate limits of the City of Lonsdale are hereby extended to include the Property (described above). Said property shall be officially zoned as "R-2, Single Family Detached Residential".
7. The City Administrator or City Planner is directed to file copies of this ordinance with Municipal Boundary Adjustments, Wheatland Township, and Rice County.

8. This ordinance shall become effective upon its passage and publication and filing of the copies directed in # 6 herein and approval of the ordinance by the Director of Municipal Boundary Adjustments.

Adopted by the City Council of the City of Lonsdale this 11th day of September, 2008.



Tim Rud, Mayor

ATTEST:



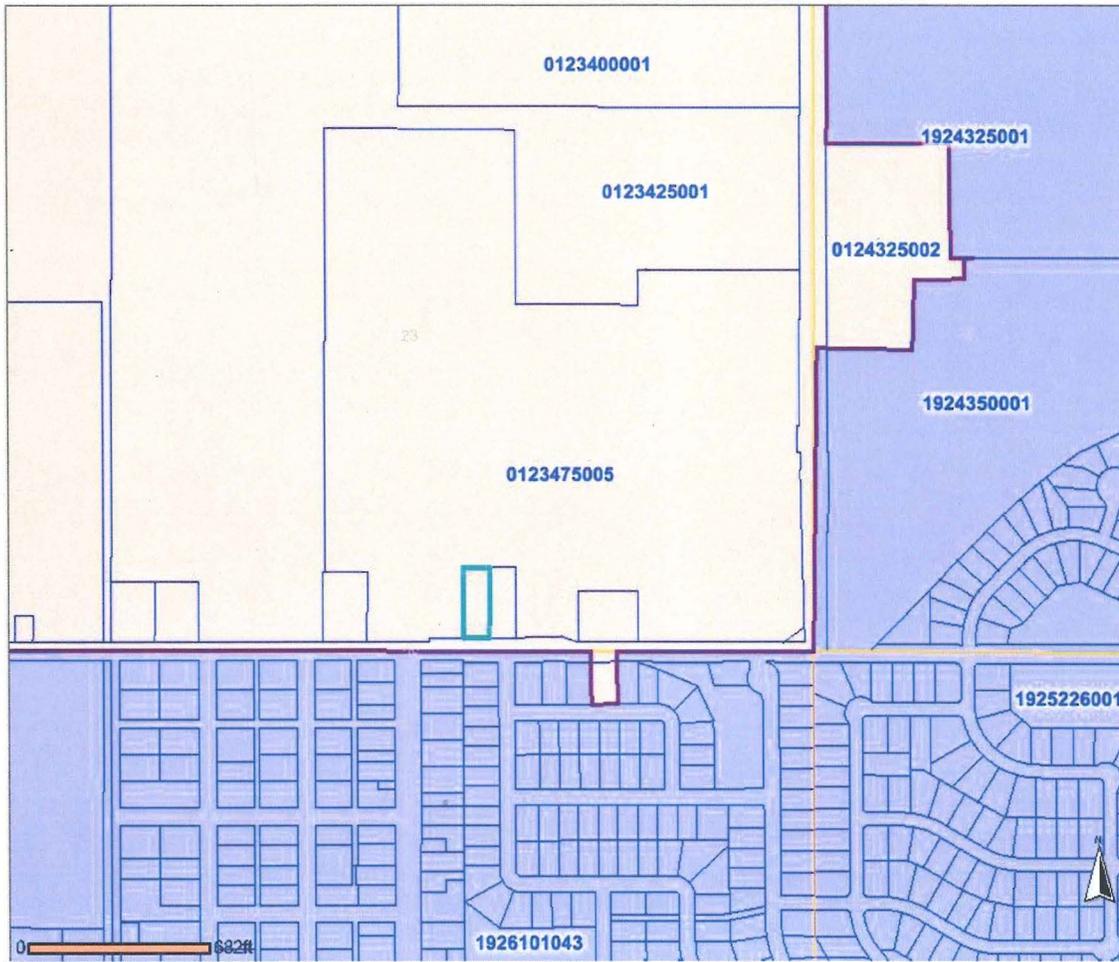
Joel Erickson, City Administrator

(SEAL)

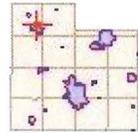
This instrument was drafted by:

City of Lonsdale
415 Central Street West
Lonsdale, MN 55046

Date Created: 10/21/2008
Map Scale: 1in=682ft



Overview



Legend

-  Parcels
-  Leased Properties
-  Roads
-  Railroad
-  Sections
-  Townships
-  Corporate Limits

Parcel ID 0123475002
Sec/Twp/Rng 23-112-22
Property Address 8295 70TH ST W
LONSDALE

Alternate ID 01.2697.000
Class 201 - RESIDENTIAL
Acreage 0.00

Owner Name MICHAEL P & SANDRA M KROYER
Owner Address MICHAEL P & SANDRA M KROYER
8295 70TH ST W
LONSDALE, MN 55046

District

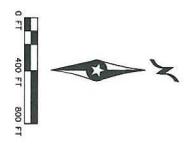
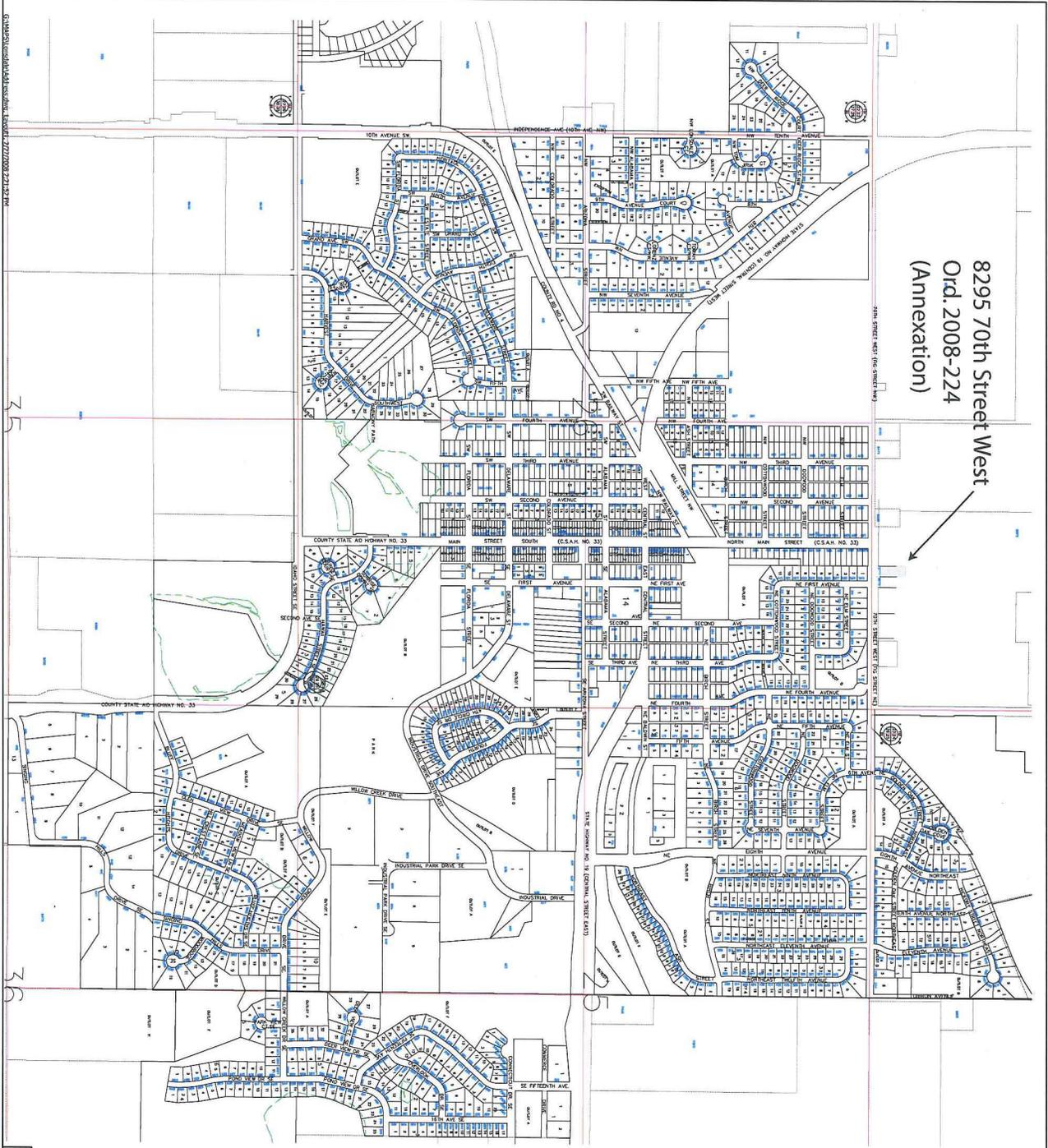
Brief Tax Description Sect-23 Twp-112 Range-022 W2 W198FT S315FT W12R SE4 SE4
(Note: Not to be used on legal documents)

Last Data Upload: 10/21/2008 11:01:35 AM



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The Schneider Corporation
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8295 70th Street West
 Ord. 2008-224
 (Annexation)



CITY LIMITS _____ 100
 LOT ADDRESS _____ 11
 BLOCK NUMBER _____ 3
 WETLAND _____

PROJECT NUMBER 01586-27 SHEET 1 OF 1 SHEETS



WSB
 Associates, Inc.
 737 Xenia Avenue South, Suite 300
 Memphis, TN 38116
 www.wsbang.com
 (901) 400-7400 Fax (901) 400-1070
 INFRASTRUCTURE ENGINEERING PLANNING CONSTRUCTION

Local Address
 City of Lonsdale

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MISSISSIPPI.

ENGINEER
 DATE DATE LIC. NO.

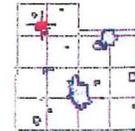
REV#	AS NOTED	EXPLANATION
1	9-1-05	REVISED ADDRESS AND PLATS
2	10-19-06	REVISED ADDRESS AND PLATS

CHECKED BY: _____ DATE: _____
 PROJECT NO.: _____
 DRAWING COPY BY: _____

Date Created: 10/16/2008
Map Scale: 1in=752ft



Overview



Legend

-  Parcels
-  Leased Properties
-  Roads
-  Railroad
-  Sections
-  Townships
-  Corporate Limits

Parcel ID	0123475002	Alternate ID	01.2697.000	Owner Name	MICHAEL P & SANDRA M KROYER
Sec/Twp/Rng	23-112-22	Class	201 - RESIDENTIAL	Owner Address	MICHAEL P & SANDRA M KROYER
Property Address	8295 70TH ST W LONSDALE	Acres	0.00		8295 70TH ST W LONSDALE, MN 55046

District

Brief Tax Description Sect-23 Twp-112 Range-022 W2 W198FT S315FT W12R SE4 SE4
(Note: Not to be used on legal documents)

Last Data Upload: 10/16/2008 7:33:07 AM



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The Schneider Corporation
www.schneidercorp.com



CITY OF
Lonsdale

415 Central Street West, PO Box 357
Lonsdale, Minnesota 55046

October 1, 2008

REC'D BY
M M B

REC'D BY
M M B

OCT 20 2008

Wheatland Township
Attn: Mr. Clarence Salaba, Clerk
9376 60th St. W.
Lonsdale, MN 55046

RE: ANNEXATION OF 8295 70TH ST. W. – MICHAEL & SANDRA KROYER

Dear Clarence,

This letter is in regards to the annexation of 8295 70th St. W., from Wheatland Township to the City of Lonsdale. You and several board members attended the public hearing held on September 11, 2008, at which time the annexation was approved subject to several conditions. One of the conditions was the City come to terms with Wheatland Township regarding reimbursement of taxes back to Wheatland Township. The following is the State Statute, which governs tax reimbursement:

**414.036 CITY REIMBURSEMENT TO TOWN TO ANNEX
TAXABLE PROPERTY.**

Unless otherwise agreed to by the annexing municipality and the affected town, when an order or other approval under this chapter annexes part of a town to a municipality, the order or other approval must provide a reimbursement from the municipality to the town for all or part of the taxable property annexed as part of the order. The reimbursement shall be completed in substantially equal payments over not less than two nor more than eight years from the time of annexation. The municipality must

reimburse the township for all special assessments assigned by the township 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, in substantially equal payments over a period of not less than two or no more than eight years.

History: *1981 c 189 s 1; 2002 c 223 s 15; 2006 c 270 art 2 s 11*

I spoke with the Rice County Auditor/Treasurer's Office this morning and was informed the taxes levied by Wheatland Township for payable 2008 were \$215.57. In past annexations, the City has reimbursed the Township according past law, which was a declining percentage over a ten-year period. This reimbursement was made in a one-time payment. As such, the City is proposing to reimburse Wheatland Township with a one-time payment in 2009 in the amount of \$970.07. The following is a breakdown of the declining payment over a ten-year period:

2009 – \$194.01 - 90%
2010 - \$172.46 – 80%
2011 - \$150.90 – 70%
2012 – \$129.34 – 60%
2013 – \$107.79 – 50%
2014 - \$ 86.23 – 40%
2015 - \$ 64.67 – 30%
2016 - \$ 43.11 – 20%
2017 - \$ 21.56 – 10%

Please review this letter and let me know what your or the Boards thoughts are on this proposal. If you have any questions, do not hesitate to contact me.

Sincerely,



Joel A. Erickson
City Administrator

Cc: Ben Baker, City Planner