

ORDINANCE NO. 189 3RD SERIES**AN ORDINANCE OF THE CITY OF WADENA, MINNESOTA ANNEXING
LAND LOCATED IN COMPTON TOWNSHIP, OTTER TAIL COUNTY, MINNESOTA
PURSUANT TO MINNESOTA STATUTES § 414.033 SUBDIVISION 2(3),
PERMITTING ANNEXATION BY ORDINANCE**

WHEREAS, a petition signed by all the property owners, requesting that property legally described (herein) be annexed to the City of Wadena Minnesota, was duly presented to the Council of the City of Wadena on the 12th day of June, 2012; and

WHEREAS, said property is unincorporated and abuts the City of Wadena on its west and north boundary; 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, said property is currently zoned R-2 and annexation is requested to facilitate the extension of city services for the residential development of the property; and

WHEREAS, the City of Wadena held a public hearing pursuant to Minnesota Statutes § 414.033 Subd. 2b, on July 24, 2012, following thirty (30) days written notice by certified mail to the Town of Compton and to all landowners within and contiguous to the area legally described, to be annexed; and

WHEREAS, provisions of Minnesota Statutes § 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 WADENA 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 in that an apartment complex with R-2 land use is being proposed for said property the construction of which requires or will need city services, including public sewer facilities.
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 Wadena, Minnesota, are hereby extended to include the following described property, said land abutting the City of Wadena 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 property owners of the land, to wit:

All that part of the North Half of the Southeast Quarter of Section 12, Township 134, Range 36, Otter Tail County, Minnesota, described as follows:

Beginning at the northeast corner of OAK RIDGE, according to the recorded plat thereof; thence on an assumed bearing of North 89 degrees 57 minutes 47 seconds West along the north line of said OAK RIDGE, a distance of 539.00 feet; thence North 0 degrees 17 minutes 55 seconds West a distance of 400.00 feet; thence South 89 degrees 57 minutes 47 seconds East a distance of 539.00 feet to the east line of said Section 12; thence South 0 degrees 17 minutes 55 seconds East along said east line of Section 12, a distance of 400.00 feet to the point of beginning. Containing 4.95 acres more or less.

The above described property consists of a total of 4.95 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.

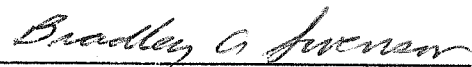
4. That the population of the area legally described and hereby annexed is 0.
5. The City of Wadena, pursuant to Minnesota Statutes § 414.036, that with respect to the property taxes payable on the area legally described, hereby annexed, shall make a cash payment to the Town of Compton in accordance with the following schedule:
 - a. In the first year following the year in which the City of Wadena could first levy on the annexed area, an amount equal to \$125.00; and
 - b. In the second and final year, an amount equal to \$125.00.
6. That pursuant to Minnesota Statutes § 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 area legally described there are no special assessments or debt incurred by the Town on the subject area for which reimbursement is required.
7. That the City Administrator of the City of Wadena is hereby authorized and directed to file a copy of this Ordinance with the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, the Minnesota Secretary of State, the Otter Tail County Auditor, and the Compton 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 Wadena, Minnesota, this 15th day of August, 2012.



Mayor

ATTEST:



City Administrator

(City Seal)

REC'D BY
MEA

AUG 24 2012

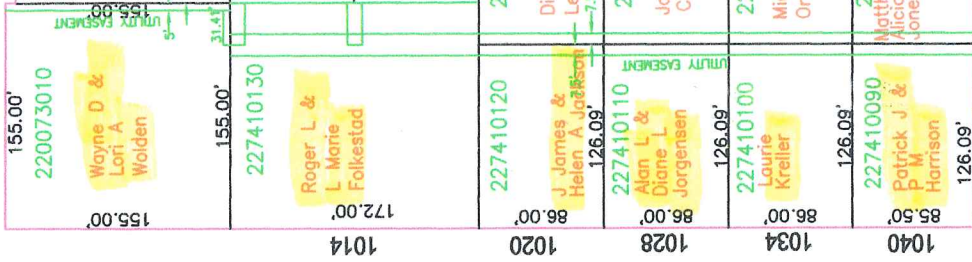
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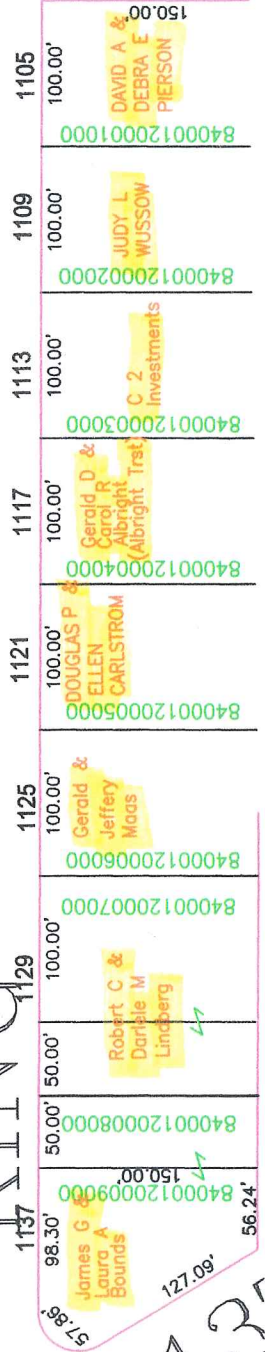
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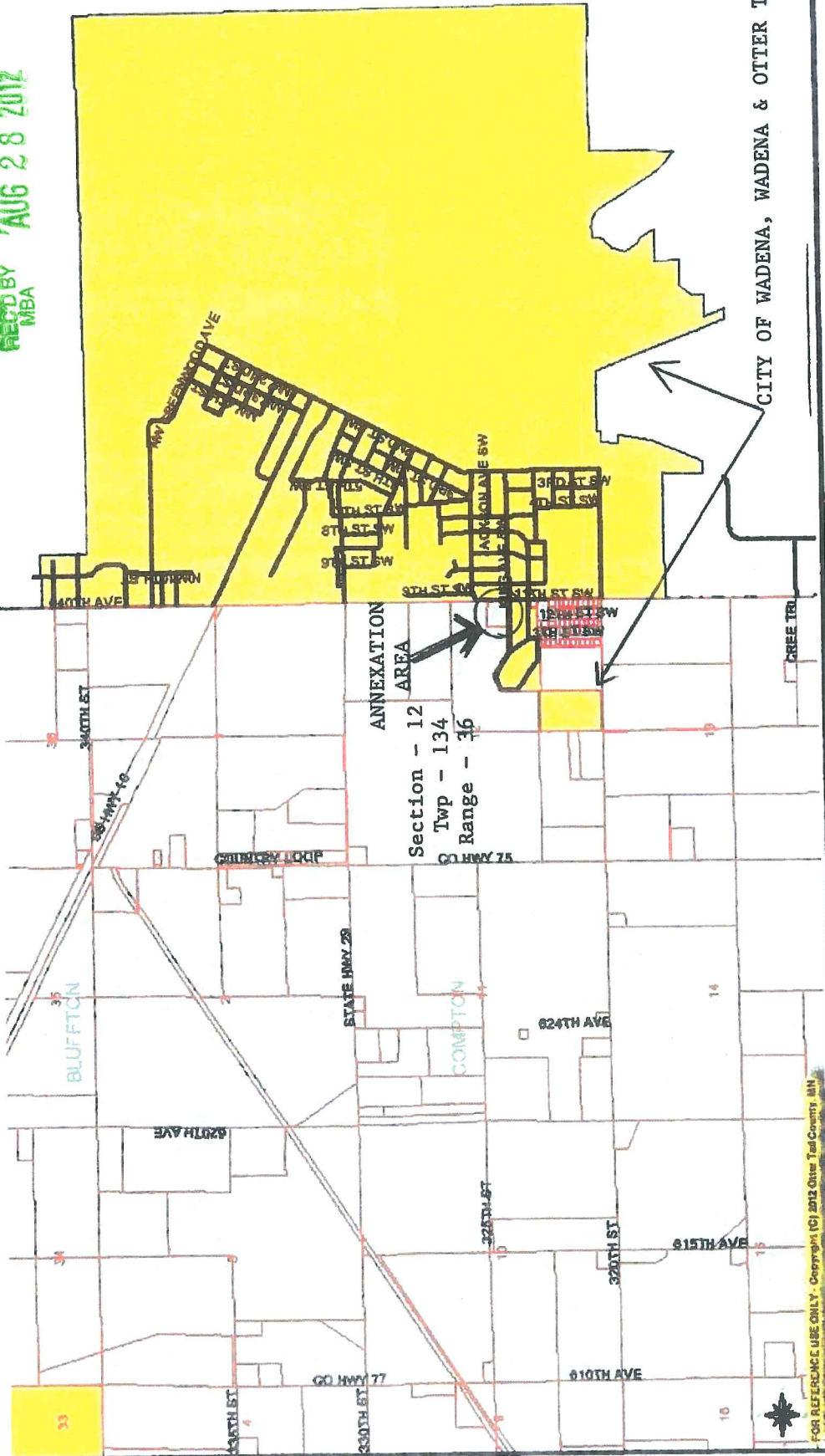


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Otter Tail County, MN

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REC'D BY 'AUG 28 2012
MBA



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AUG 23 2012

