

**ORDINANCE NO. 12-05
EXTENDING THE CORPORATE LIMITS
OF THE CITY OF ELGIN
TO INCLUDE CERTAIN UNINCORPORATED LAND
ABUTTING THE CITY OF ELGIN**

WHEREAS, Minnesota Statute §414.033, Subd. 2 (3) allows a city to annex land into the city limits by ordinance when the land abuts the municipality, the area to be annexed is 120 acres or less, and the area to be annexed is not presently served by public wastewater facilities, and

WHEREAS, the City of Elgin received vendee's title to the real property described on the attached Exhibit A by contract for deed from Glenda Hoenk, a single person, said contract dated August 5, 2011, and

WHEREAS, the land is less than 120 acres in area (27.85 acres) and abuts the City of Elgin, and

WHEREAS, the property to be annexed is not presently served by public sewer facilities, and

WHEREAS, the City has received a petition from the contract vendor along with the City requesting annexation, and

WHEREAS, the City has not annexed any property contiguous to this land during the preceding 12 months, and

WHEREAS, the City believes the land is about to become urban or suburban in character because the area in which the property is located is near a school and property zoned for a single-family residential subdivision of the City and the city will use the property for a new park for City residents, and

WHEREAS, a public hearing was held on July 16, 2012 pursuant to Minnesota Statutes

Section 414.033, Subd.2(b), and 30 days' written notice was given by certified mail to Elgin Township and to all landowners within and contiguous to the area to be annexed, and

WHEREAS, the City feels that annexation of the property by ordinance is in the best interests of the citizens of the City of Elgin;

NOW THEREFORE, IT IS ORDAINED BY THE CITY OF ELGIN, MINNESOTA AS FOLLOWS:

1. The land described on Exhibit A hereto is declared annexed to the City of Elgin, and the corporate limits of the City of Elgin are hereby extended to include said land.
2. A certified copy of this ordinance shall be immediately forwarded by the City Attorney to the Wabasha County Auditor and to the Chief Administrative Judge, together with appropriate filing fees. A certified copy shall also be forwarded to the Elgin Township Clerk, Secretary of State, and the petitioners.
3. The City shall reimburse Elgin Township for the Township's share of real property taxes for the affected property. Such reimbursement shall be made in equal payments over a period of 8 years or until the property is fully owned by the City when the contract for deed is paid off and full title is in the City's name thus rendering the property as non-taxable..
3. This ordinance shall take effect upon the latest of date of passage, approval by the State Chief Administrative Law Judge, and publication according to law.

Dated: July 16, 2012

/s/ Richard G. Hall
Richard G. Hall, Mayor

/s/ Sue Cain
Sue Cain, City Clerk

EXHIBIT A

That part of Outlots 2, 3, and 4 of Gillooly's Addition to the City of Elgin and of the Southwest Quarter of the Southwest Quarter of Section 27, Township 108 North, Range 12 West, Wabasha County, Minnesota described as follows:

Beginning at the southwest corner of the Southwest Quarter of said Section 27; thence $N00^{\circ}00'22''E$, Wabasha County Coordinate System NAD83, (1996 Adjustment), along the west line of said Southwest Quarter, 1524.46 feet to a point being 207.50 feet north of the northwest corner of the Southwest Quarter of said Southwest Quarter; thence $S89^{\circ}49'29''E$, parallel with the north line of the Southwest Quarter of said Southwest Quarter (also being the south line of said Outlots 2, 3, and 4), a distance of 1159.76 feet to the westerly right of way line of the Minnesota State Recreational Trail; thence $S25^{\circ}33'49''W$, along said westerly right of way line, 1687.45 feet to the south line of said Southwest Quarter; thence, $N89^{\circ}49'21''W$, along said south line, 431.76 feet to the point of beginning. Being subject to an easement for the County Road No. 2 right of way over the westerly boundary thereof.

Containing 27.85 acres, more or less.

REC'D BY
MBA

NOV 19 2012

STATE OF MINNESOTA)
COUNTY OF WABASHA) ss
CITY OF ELGIN)

CERTIFICATION

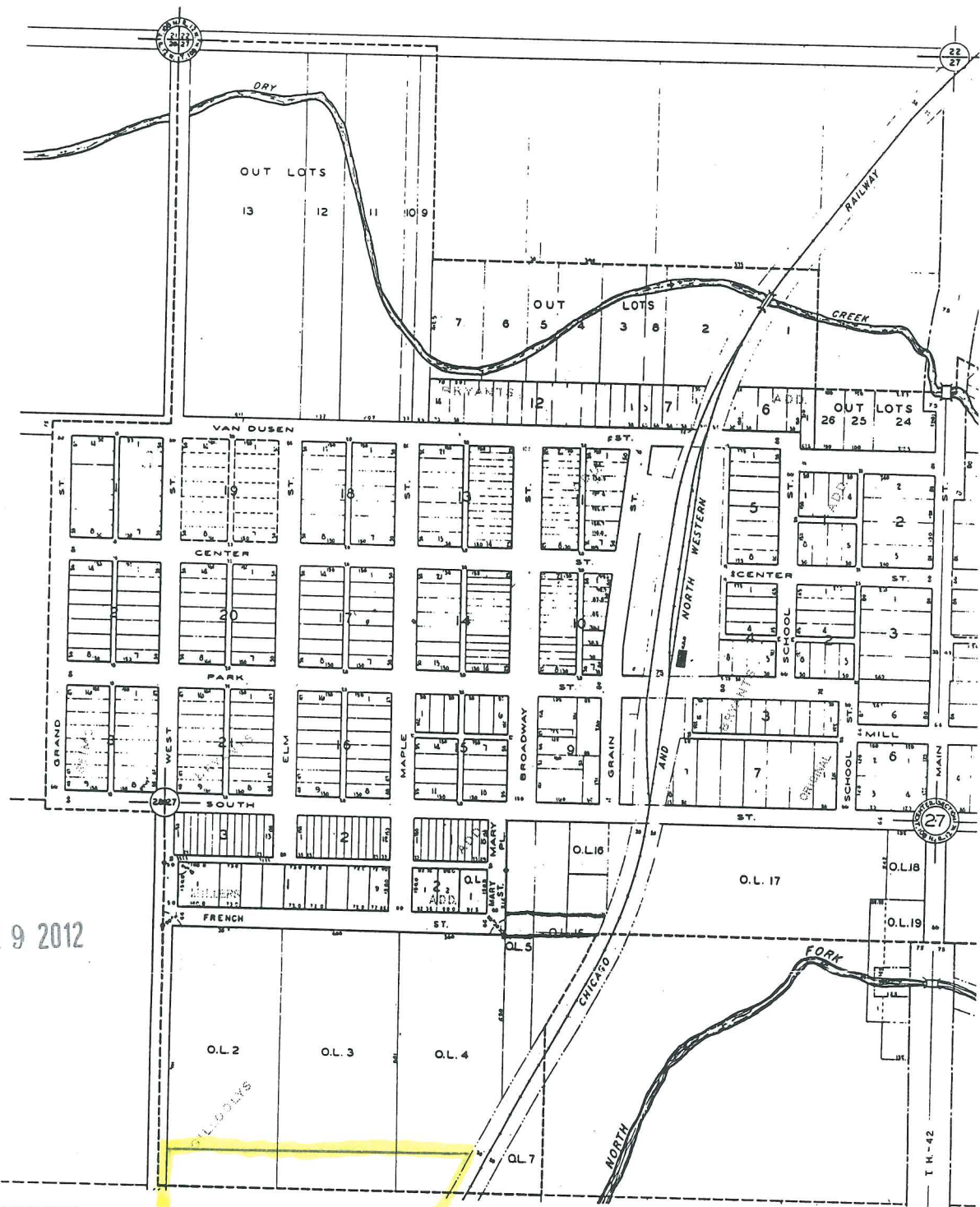
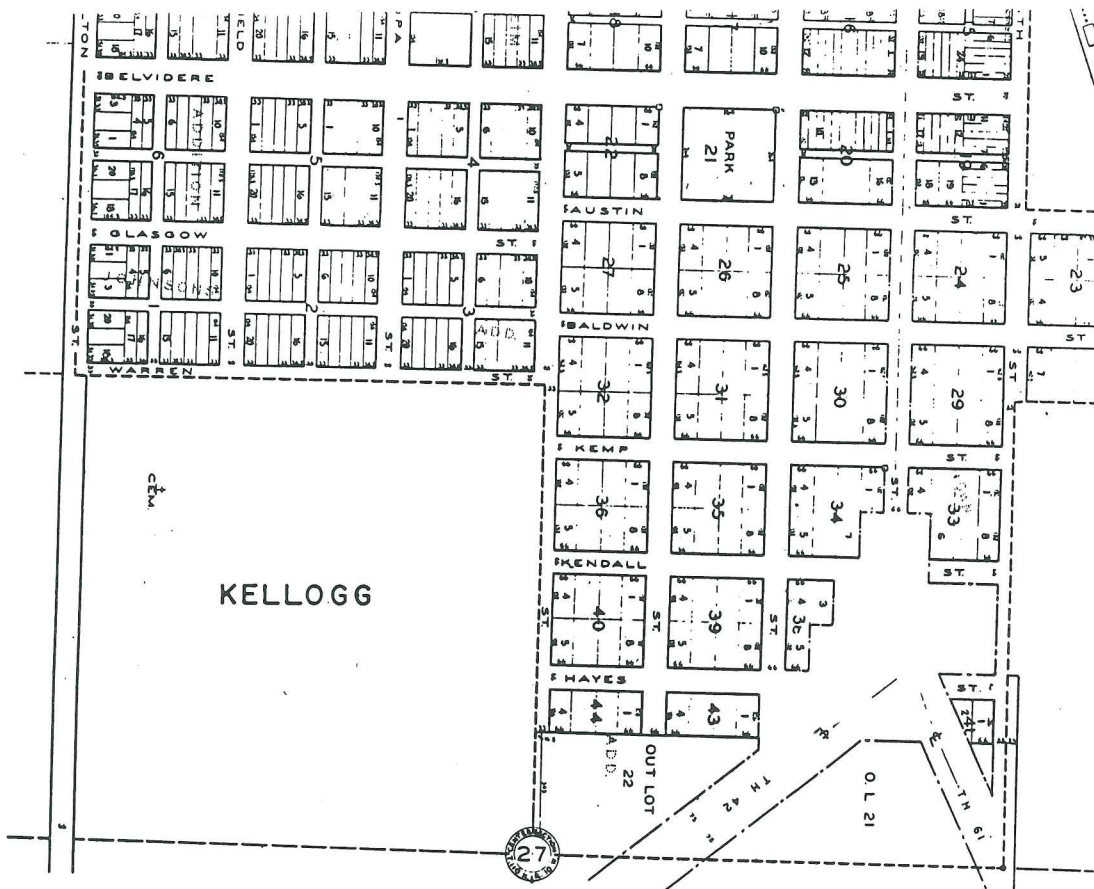
This is to certify that the foregoing copy of Elgin City Ordinance 12-05 constitutes a certified copy of the original Ordinance approving the annexation of certain real property into the city limits of Elgin, Minnesota, approved by the City Council of Elgin on July 16, 2012.

WITNESS my hand and seal of said City this 17th day of September, 2012.

(Seal)



Sue Cain, City Clerk



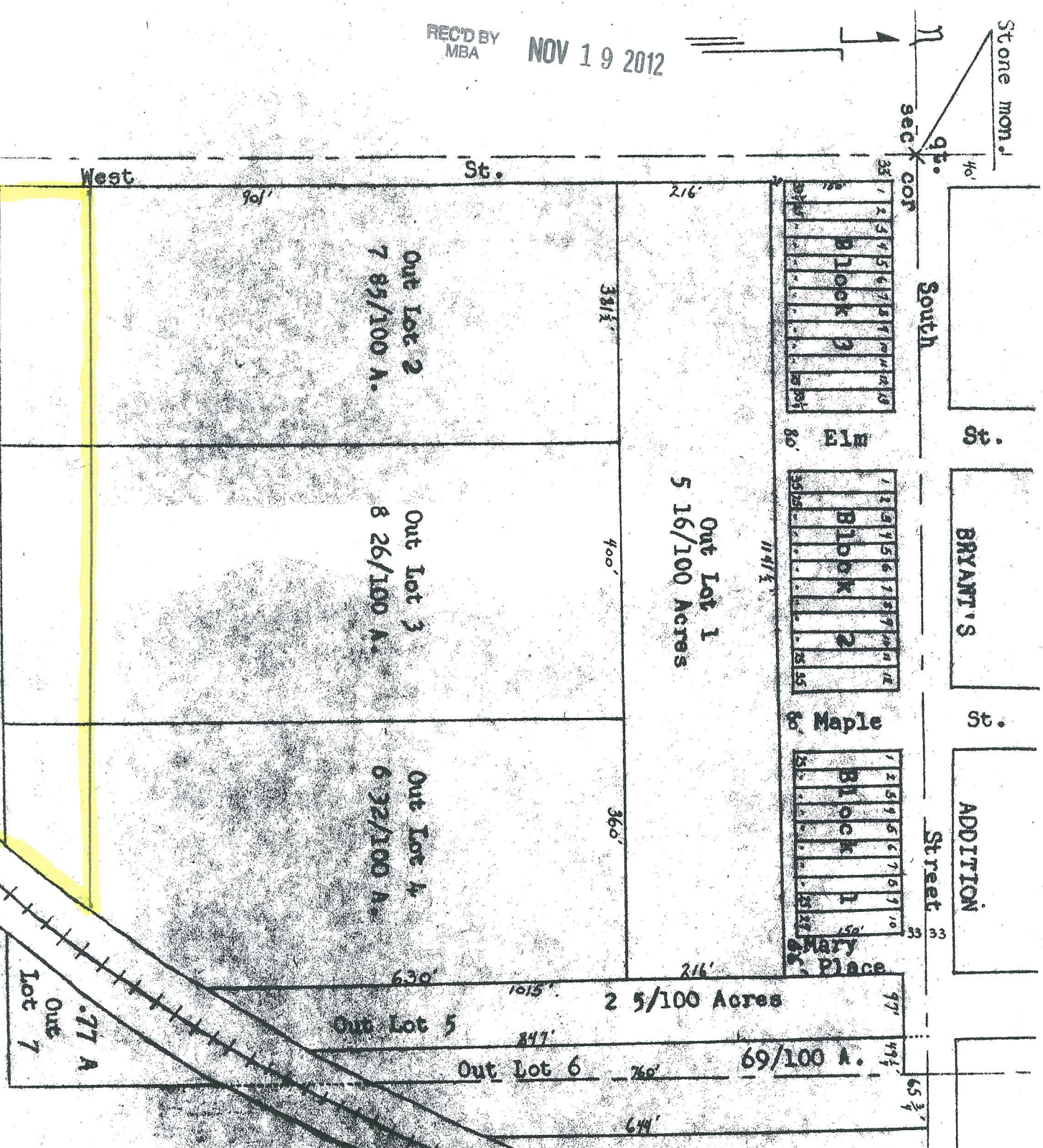
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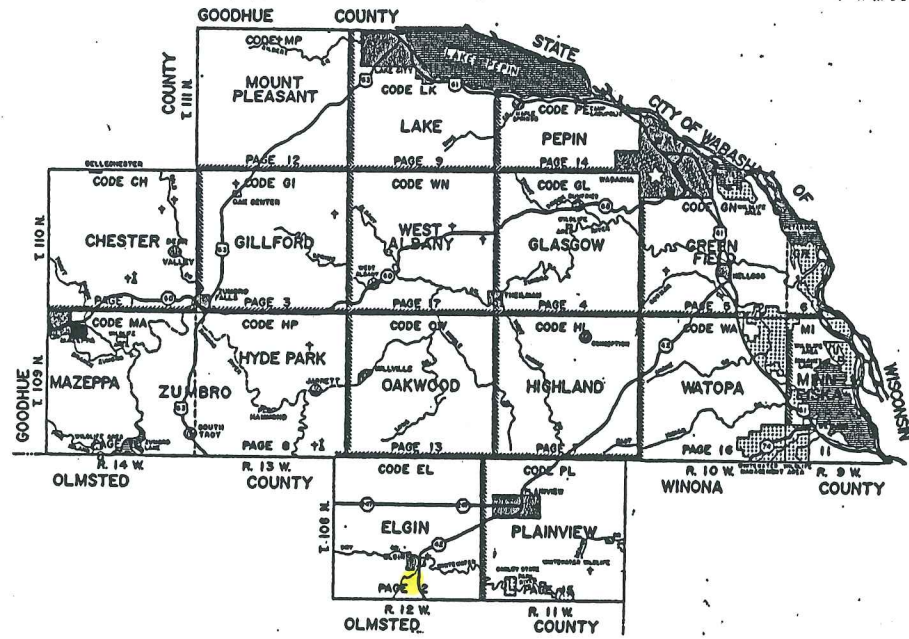
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GILGOLY'S Addition
to
Village of Elgin
NW 1/4 SW 1/4 Sec. 27-108-12

Scale: 1 inch = 200 feet

Stone mon.
40'
9 1/2'
sec. cor.
South
St.
BRYANT'S
St.
ADDITION
Street
33
33
Mary
Place



10 Annexed Property

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