

ORDINANCE NO.2013-100**AN ORDINANCE OF THE CITY OF RICHMOND, MINNESOTA ANNEXING
LAND LOCATED IN MUNSON TOWNSHIP, STEARNS 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 in the attached **Exhibit A** be annexed to the City of Richmond Minnesota, was duly presented to the Council of the City of Richmond on the 9th day of January, 2013;

WHEREAS, said property is unincorporated and abuts the City of Richmond (the "City") on its northern boundary, is less than 120 acres, and is presently served by public sewer facilities;

WHEREAS, said property is not located within a flood plain or shore land area;

WHEREAS, said property is currently owned by Independent School District #750 (the "School District") and annexation is requested by the School District;

WHEREAS, the City of Richmond held a public hearing pursuant to Minnesota Statutes § 414.033 Subd. 2b, on January 9, 2013 following thirty (30) days written notice by certified mail to the Township of Munson and to all landowners contiguous to the area to be annexed whose names are attached in **Exhibit B**; AND

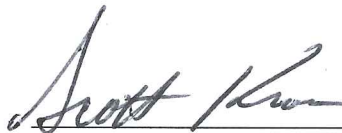
WHEREAS, provisions of Minnesota Statutes § 414.033 Subd. 13 are not applicable in that there will be no change in the electric utility service provider resulting from the annexation of the territory to the municipality.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RICHMOND 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 Richmond, Minnesota, are hereby extended to include the following property described in the attached **Exhibit A**, said land abutting the City of Richmond and being 120 acres or less in area, and is presently served by public sewer facilities, and the City having received a petition for annexation from all the property owners of the land.
4. The property consists of a total of 10.1 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 as **Exhibit C**.

5. That the population of the area legally described in the attached **Exhibit A** and hereby annexed is zero (0).
6. The City of Richmond pursuant to Minnesota Statutes § 414.036, that with respect to the property taxes payable on the area legally described in the attached **Exhibit A**, hereby annexed, is non-residential school property classified as 5E: Exempt Properties for property tax purposes and therefore a property tax schedule is not applicable.
7. That pursuant to Minnesota Statutes § 414.036 with respect to any special assessments assigned by the Township to the annexed property 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, for the area legally described in the attached **Exhibit A** there are no special assessments or debt incurred by the Town on the subject are for which reimbursement is required.
8. That the City Clerk of the City of Richmond 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 Stearns County Auditor, and the Munson Township Clerk.
9. 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 Richmond, Minnesota, this 9th day of January, 2013.



Scott Kron, Mayor

ATTEST:



Martin M. Bode, Administrator/Clerk/Treasurer

(City Seal)

Exhibit A
Legal Description of Annexed Property

The North 410 feet of the South 710 feet of the East 763 ft. of South East quarter of South West quarter (SE1/4 SW1/4) of section 13 Township 123 Range 31, containing 7.195 acres more or less.

AND

The West Six (6) feet of the East Three hundred ninety-nine (399) feet of the South Three hundred thirty-three (333) feet of the Southwest quarter (SW 1/4) of Section Thirteen (13), Township One Hundred Twenty-three (123) North, Range Thirty-one (31) West, subject to street right-of-way.

AND

Part of the Southeast quarter of the Southwest quarter (SE1/4 SW1/4) of Section Thirteen (13), Township One Hundred Twenty-three (123) North, Range Thirty-one (31) West described as follows:

Beginning at a point on the South line of Section 13, Township 123 North, Range 31 West, which is 393.5 feet West of the South quarter corner of said Section 13; thence West on said South line of Section 13 a distance of 369.5 feet; thence deflect right $89^{\circ} 47'$ parallel to the East line of the Southwest quarter of said Section 13 a distance of 341.0 feet to an existing fence line; thence deflect right $90^{\circ} 55' 25''$ on said fence line 375.36 feet to an existing fence corner; thence deflect right $90^{\circ} 03' 56''$ on an existing fence line 336.4 feet to point of beginning, subject to road right-of-way over the South 33 feet thereof.

Exhibit B
Contiguous Property Owners in Munson Township, Stearns County, Minnesota

Paul and Alice Hansen
23017 County Road 9
Richmond, MN 56368-8023

Jerome and Virginia Torborg
19822 2nd Street NE
Richmond, MN 56368-8325

Anton and Amy Schreifels
19864 2nd Street NE
Richmond, MN 56368-8325

Church of St. Peter & Paul
P.O. Box 69
Richmond, MN 56368-0069

Marvin and Sandra Ramler
23157 County Road 9
Richmond, MN 56368-8023

Roy and Shelia Torborg
23038 County Road 9
Richmond, MN 56368-8023

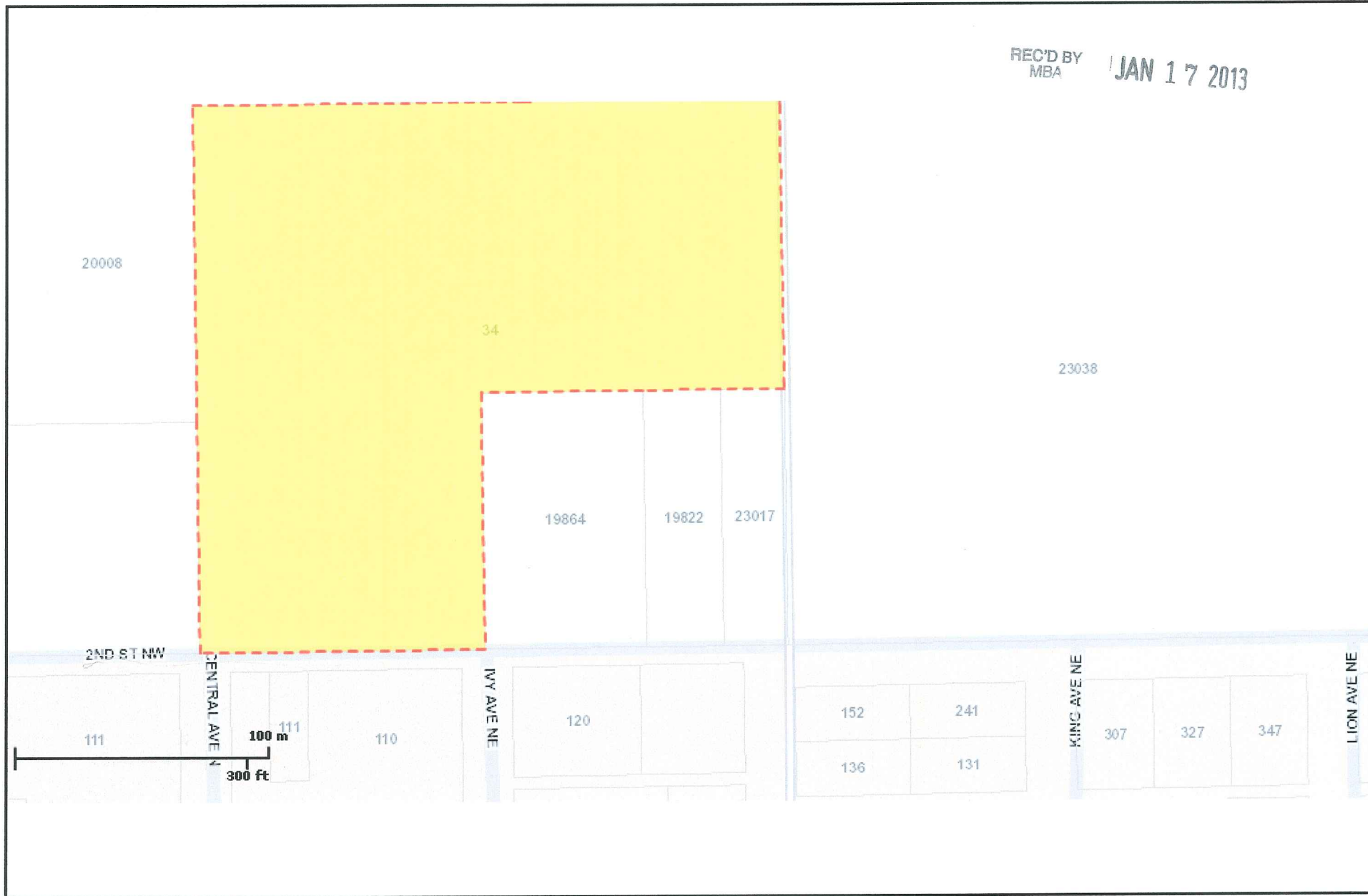
James and Carol Backes
12946 151st Avenue
Sauk Centre, MN 56378

REC'D BY
MBA

JAN 17 2013

Exhibit C
Map

REC'D BY
MBA
JAN 17 2013



School District 750

Monday, Jan. 14, 2013 at 11:30 AM

These data are provided on an 'AS-IS' basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.