

**AN ORDINANCE OF THE CITY OF WINSTED, MINNESOTA ANNEXING  
LAND LOCATED IN WINSTED TOWNSHIP, MCLEOD 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 attached Exhibit "A" be annexed to the City of Winsted, Minnesota, was duly presented to the Council of the City of Winsted on the 15th day of January 2013; and

**WHEREAS**, said property is unincorporated and abuts the City of Winsted on its boundary; is less than 120 acres; is not presently served by public sewer facilities or public sewer facilities are not otherwise available, and said lands are contiguous to industrial buildings used by the property owner and upon which the property owner intends to construct additional industrial buildings; and

**WHEREAS**, said property is not located within a flood plain or shoreland area; and

**WHEREAS**, said property is currently in use for industrial purposes and annexation is requested to facilitate the extension of city services for the industrial development of the property; and

**WHEREAS**, the City of Winsted held a public hearing pursuant to Minnesota Statutes § 414.033 Subd. 2b, on January 15, 2013 following thirty (30) days written notice by certified mail to the Town of Winsted and to all landowners within and contiguous to the area legally described in Exhibit "A", 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 WINSTED HEREBY  
ORDAINS AS FOLLOWS:**

1. The City Council hereby determines that the property legally described in Exhibit "A" abuts the city limits and is or is about to become urban or suburban in nature in that industrial 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 Winsted, Minnesota, are hereby extended to include the following described property, said land abutting the City of Winsted 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:

**As Per Attached Exhibit "A" which is incorporated herein by reference as  
though fully set forth in full.**

The above described property consists of a total of 11.88 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 in attached Exhibit "A" and hereby annexed is used for a large industrial building within which no one permanently resides.

5. The City of Winsted pursuant to Minnesota Statutes § 414.036, with respect to the property taxes payable on the area legally described (herein or attached exhibit), hereby annexed, shall make a cash payment to the Town of Winsted in accordance with the following schedule:

Property taxes payable on the Property shall continue to be paid to Winsted Township for the year in which this annexation becomes effective. If this annexation becomes effective on or before August 1, 2013, the City of Winsted shall levy on the Property beginning in 2013. If this annexation becomes effective after August 1, 2013, the City of Winsted shall levy on the Property beginning in 2014.

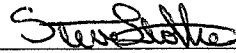
In the first year following the year when the City of Winsted levies on the Property pursuant to Paragraph 5 herein, and thereafter, property taxes and special assessments (if any) on the Property shall be paid to the City of Winsted. In each of the eight years following the year when the City of Winsted first levies on the Property, the City of Winsted shall make a cash payment to Winsted Township in an amount equal to one-eighth of the property taxes and special assessments (if any) attributed to Winsted Township in regard to the Property in the last year the property taxes from the Property were payable to Winsted Township; in lieu of making said reimbursement for taxes as indicated above the City may, if the Township agrees, pay same in one lump sum payment on or before August 1, 2013.

6. That pursuant to Minnesota Statutes § 414.036 certain special assessments and/or debt incurred by the Town prior to the annexation and attributable to the property needs to be reimbursed by the City. There are no such special assessments or debt against the premises described in Exhibit "A" attached hereto.

7. That the City Clerk of the City of Winsted 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 McLeod County Auditor, and the Winsted 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 Winsted Minnesota, this 15<sup>th</sup> day of January, 2013.



\_\_\_\_\_  
Steve Stotko, Mayor

ATTEST:

  
\_\_\_\_\_  
Raquel Kirchoff, Deputy City Clerk

(City Seal)

EXHIBIT "A" (Page1 of 2)

The South Half of the Southeast Quarter of the Northeast Quarter of Section 10, Township 117, Range 27, McLeod County, Minnesota, together with the North 14 rods of the Northeast Quarter of the Southeast Quarter of Section 10, Township 117, Range 27,

AND ALSO

The North Half of the Southeast Quarter of the Northeast Quarter of Section Ten (10) in Township One Hundred Seventeen (117) North of Range Twenty-seven (27) West, excepting therefrom the following described tracts, to-wit:

Tract A:

Beginning at a point on the East line of the Southeast Quarter of the Northeast Quarter of Section 10, Township 117, Range 27, 190 feet South from the Northeast corner thereof; thence West on a line parallel with the North line of said Southeast Quarter of the Northeast Quarter, 200 feet; thence South on a line parallel with the East line of said tract, 150 feet; thence East on a line parallel with the North line of said tract, 200 feet to the East line of said tract; thence North along the East line of said tract to the point of beginning.

Tract B:

Beginning at a point 340 feet South and 240 feet West of the Northeast corner of the Southeast Quarter of the Northeast Quarter of Section 10, Township 117, Range 27; thence West on a line parallel with the North line of said tract to a point 834.8 feet East from the West line of said Southeast Quarter of the Northeast Quarter; thence North on a line parallel with the East line of said tract, 170 feet; thence East on a line parallel with the North line of said tract to a point 240 feet West from the East line of said tract; thence South on a line parallel with the East line of said tract, 170 feet to the point of beginning.

Tract C:

A strip of land 40 feet in width, being Twenty (20) feet on each side of a center line described as follows: Beginning at a point on the East line of the Southeast Quarter of the Northeast Quarter, Section 10, Township 117, Range 27, 170 feet South from the Northeast corner thereof; thence West on a line parallel with the North line of said tract 220 feet; thence South on a line parallel with the East line of said tract, 150 feet to a point and there terminating.

## Tract D:

Beginning at the Northeast corner of the Southeast Quarter of the Northeast Quarter, Section Ten (10), Township One Hundred Seventeen (117), Range Twenty-Seven (27), thence South along the East line of said tract 150 feet, thence West on a line parallel with the North line of said tract 240 feet, thence South on a line parallel with the East line of said tract 20 feet, thence West on a line parallel with the North line of said tract to a point 834.8 feet East from the West line of said tract, thence North on a line parallel with the East line of said tract 150 feet, thence East on a line parallel with the North line of said tract 162 feet, thence North on a line parallel with the East line of said tract 20 feet to the North line of said tract, namely the Southeast Quarter of the Northeast Quarter of Section 10, Township 117, Range 27, thence East along the North line of said tract to the point of beginning.

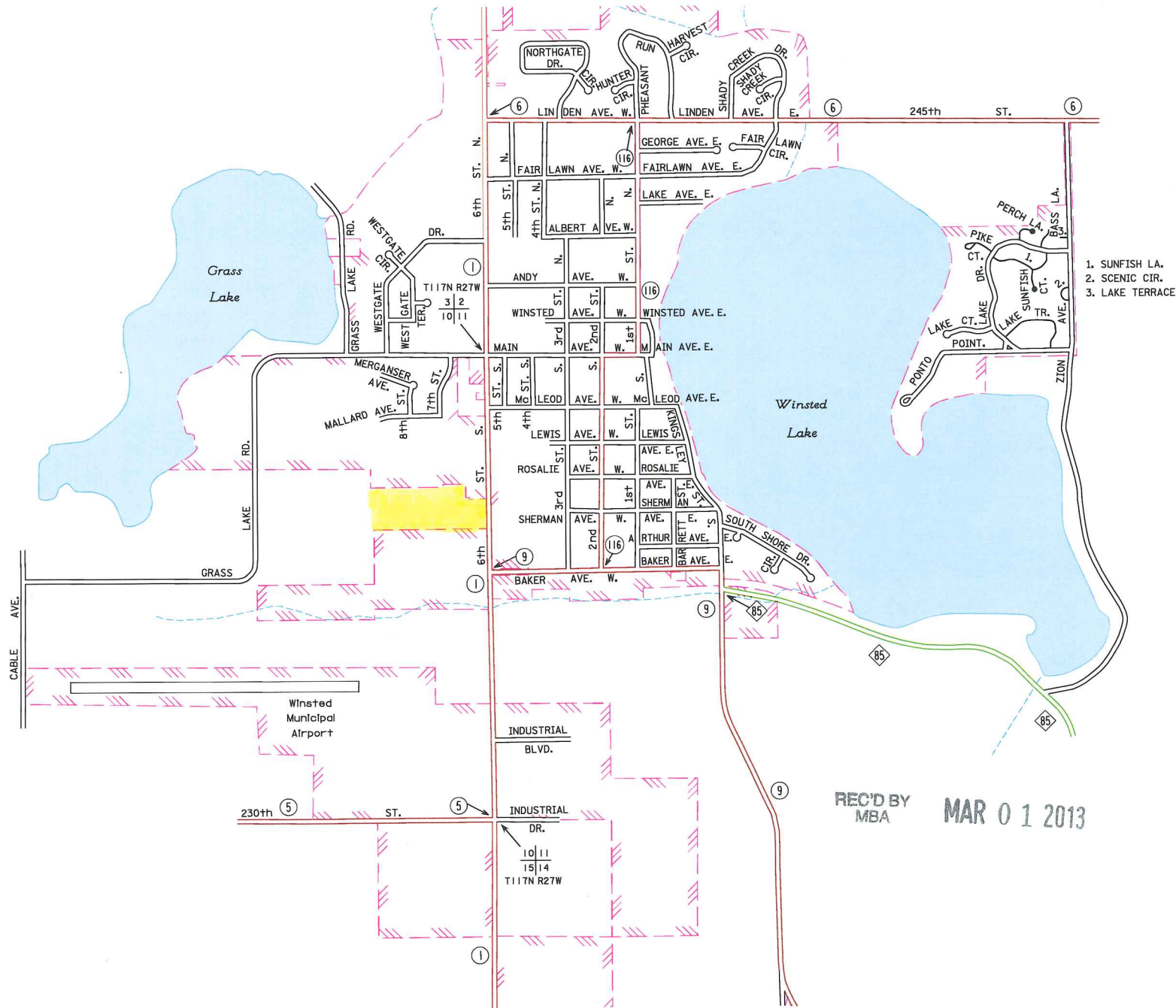
## Tract E:

Beginning at the Northwest corner of the Southeast Quarter of the Northeast Quarter, Section Ten (10), Township One Hundred Seventeen (117), Range Twenty-Seven (27), thence South along the West line of said Southeast Quarter of the Northeast Quarter 208.7 feet to a point, thence East on a line parallel with the North line of said Southeast Quarter of Northeast Quarter 834.8 feet to a point, thence North on a line parallel with the West line of said tract 188.7 feet to a point, thence East on a line parallel with the North line of said tract 162 feet to a point, thence North on a line parallel with the West line of said tract 20 feet to a point on the North line of said tract, thence West along the North line of said tract to the point of beginning.

ALSO except the following described parcel, to-wit:

## Parcel 1:

All that part of the North Half of the Southeast Quarter of the Northeast Quarter of Section 10, Township 117 North, Range 27 West, McLeod County, Minnesota, described as follows: Beginning at a point on the East line of said Southeast Quarter of the Northeast Quarter, 340 feet South from the Northeast corner thereof; thence West on a line parallel with the North line of said Southeast Quarter of the Northeast Quarter, 200.00 feet; thence North on a line parallel with the East line of said Southeast Quarter of the Northeast Quarter, 20.00 feet; thence West on a line parallel with the North line of said Southeast Quarter of the Northeast Quarter, 40.00 feet; thence South on a line parallel with the East line of said Southeast Quarter of the Northeast Quarter, 20.00 feet; thence West on a line parallel with the North line of said Southeast Quarter of the Northeast Quarter to a point 834.8 feet East from the West line of said Southeast Quarter of the Northeast Quarter; thence South on a line parallel with the East line of said Southeast Quarter of the Northeast Quarter, 32.00 feet; thence East on a line parallel with the North line of said Southeast Quarter of the Northeast Quarter to the East line of said Southeast Quarter of the Northeast Quarter; thence North on said East line, 32.00 feet to the point of beginning.



- 1. SUNFISH LA.
- 2. SCENIC CIR.
- 3. LAKE TERRACE

REC'D BY  
MBA  
MAR 01 2013



