

ORDINANCE NO. 35

**AN ORDINANCE OF THE CITY OF WELCOME, MINNESOTA ANNEXING
LAND LOCATED IN ROLLING GREEN TOWNSHIP, MARTIN 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 on the attached Exhibit A be annexed to the City of Welcome Minnesota, was duly presented to the Council of the City of Welcome on the 16 day of October, 2012; and

WHEREAS, said property is unincorporated and abuts the City of Welcome on its eastern 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 agricultural and annexation is requested to facilitate the extension of city services for the commercial development of the property; and

WHEREAS, the City of Welcome held a public hearing pursuant to Minnesota Statutes § 414.033 Subd. 2b, on March 19, 2013, following thirty (30) days written notice by certified mail to the Town of Rolling Green and to all landowners within and contiguous to the area legally described on the attached 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 WELCOME 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 commercial use is being proposed for said property, the construction of which requires the construction of facilities on property currently within the City of Welcome and on the property, legally described on Exhibit A, which requires city services and annexation so that petitioner's property can be consolidated.
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 Welcome, Minnesota, are hereby extended to include the following described property, said land abutting the City of Welcome 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:

A tract of land in the East Half of the Northwest Quarter of Section 6, Township 102 North, Range 31 West in the City of Welcome, Martin County, Minnesota, described as follows:

Commencing at the intersection of a line lying parallel with and 200.00 feet northerly (measured at right angles) of the centerline of the main track of the Chicago and North Western Railway Company (now Canadian Pacific) with the east right-of-way line of Hobart Street (now vacated) as per Bunn's Addition to the Village of Welcome according to the recorded plat thereof on file and of record in the office of the County Recorder; thence South 68 degrees 24 minutes 48 seconds East, parallel with said main track centerline, a distance of 612.37 feet; thence continuing South 68 degrees 24 minutes 48 seconds East, parallel with said main track centerline, a distance of 697.12 feet to the west line of the East Half of the Northwest Quarter of said Section 6 and the point of beginning; thence continuing South 68 degrees 24 minutes 48 seconds East, parallel with said main track centerline, a distance of 349.28 feet to a west line of a tract of land deeded to Watonwan Farm Service Co. and recorded and described in the office of the County recorder in Document No. 315713 (page 5 of Exhibit A); thence North 21 degrees 35 minutes 12 seconds East, a distance of 350.00 feet; thence North 68 degrees 24 minutes 48 seconds West, parallel with said main track centerline, a distance of 478.77 feet to the west line of the East Half of the Northwest Quarter of said Section 6; thence South 01 degrees 17 minutes 01 seconds West, along said west line, a distance of 373.19 to the point of beginning.

The above described property consists of a total of 3.33 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 the attached Exhibit A and hereby annexed is zero.
5. The City of Welcome, 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, shall make a cash payment to the Town of Rolling Green in accordance with the following schedule:

Reimbursement of the property taxes to the Town shall be based on the property taxes collected by the Town in the last year it collected taxes on the annexed area, in a total amount equivalent to that payable under the former law, but adjusted to be paid in substantially equal payments over two to eight years in accordance with the 2006 amendments to Minn. Stat. §414.036.

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 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.

Hearings, the Minnesota Secretary of State, the Martin County Auditor, and the Rolling Green Township Clerk.

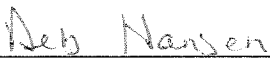
8. That this Ordinance shall be in full force and effect and final upon the date this Ordinance is approved by the Office of Administrative Hearings.

PASSED AND ADOPTED by the City Council of the City of Welcome, Minnesota, this 19th day of March, 2013.



Mayor

ATTEST:



City Clerk

(City Seal)

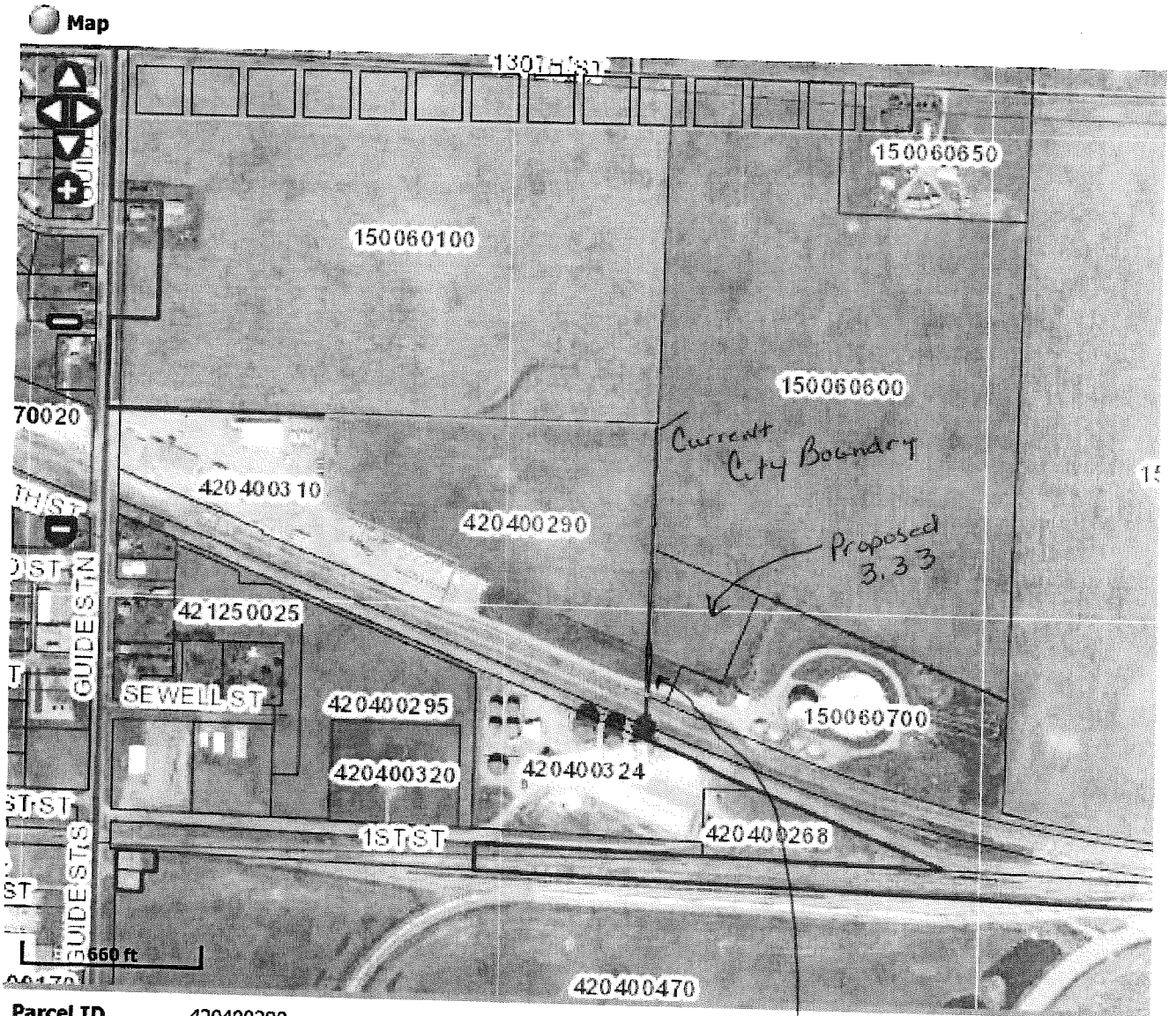
EXHIBIT A

A tract of land in the East Half of the Northwest Quarter of Section 6, Township 102 North, Range 31 West in the City of Welcome, Martin County, Minnesota, described as follows:

Commencing at the intersection of a line lying parallel with and 200.00 feet northerly (measured at right angles) of the centerline of the main track of the Chicago and North Western Railway Company (now Canadian Pacific) with the east right-of-way line of Hobart Street (now vacated) as per Bunn's Addition to the Village of Welcome according to the recorded plat thereof on file and of record in the office of the County Recorder; thence South 68 degrees 24 minutes 48 seconds East, parallel with said main track centerline, a distance of 612.37 feet; thence continuing South 68 degrees 24 minutes 48 seconds East, parallel with said main track centerline, a distance of 697.12 feet to the west line of the East Half of the Northwest Quarter of said Section 6 and the point of beginning; thence continuing South 68 degrees 24 minutes 48 seconds East, parallel with said main track centerline, a distance of 349.28 feet to a west line of a tract of land deeded to Watonwan Farm Service Co. and recorded and described in the office of the County recorder in Document No. 315713 (page 5 of Exhibit A); thence North 21 degrees 35 minutes 12 seconds East, a distance of 350.00 feet; thence North 68 degrees 24 minutes 48 seconds West, parallel with said main track centerline, a distance of 478.77 feet to the west line of the East Half of the Northwest Quarter of said Section 6; thence South 01 degrees 17 minutes 01 seconds West, along said west line, a distance of 373.19 to the point of beginning.

Said tract contains 3.33 acres of land.

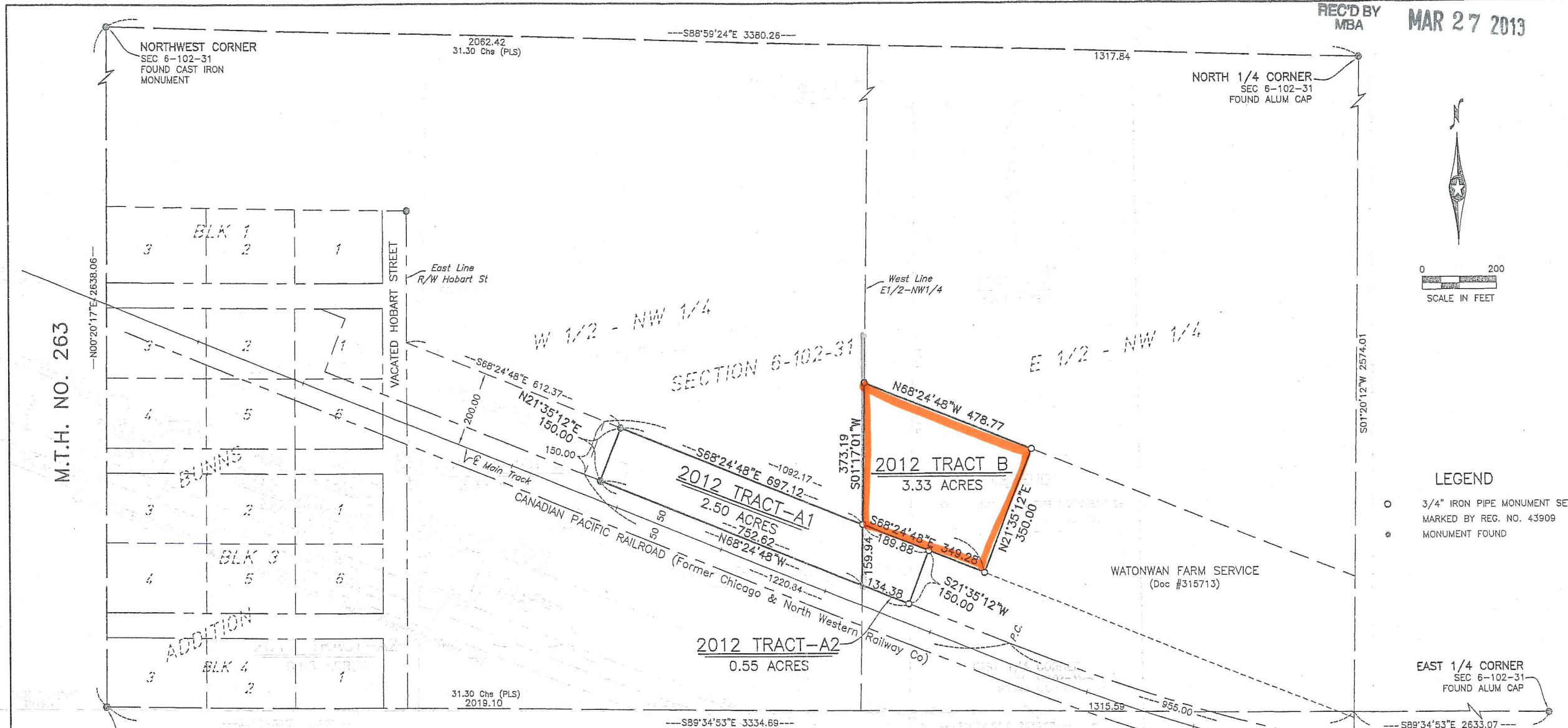
Beacon - Martin County, MN



Parcel ID	420400290	Alternate ID	n/a	Owner Address
Sec/Twp/Rng	6-102-31	Class	234 - INDS LAND & BLDGS	
Property Address		Acres	19.10	
District	n/a			
Brief Tax Description	Sect-06 Twp-102 Range-031 UNPLATTED 19.10 AC N 7.80AC NW1/4SW1/4&SW1/4 NW FR1/4 &(EX 3.963AC) 19.10AC			
	(Note: Not to be used on legal documents)			

Last Data Upload: 3/20/2013 9:13:17 AM

REC'D BY
MBA
MAR 27 2013



M.T.H. NO. 263

**PROPERTY DESCRIPTION
2012 TRACT-A1**

A tract of land in the West Half of the Northwest Quarter of Section 6, Township 102 North, Range 31 West, Martin County, Minnesota, described as follows:

Commencing at the intersection of a line lying parallel with and 200.00 feet northerly (measured at right angles) of the centerline of the main track of the Chicago and North Western Railway Company (now Canadian Pacific) with the east right-of-way line of Hobart Street (now vacated) as per Bunn's Addition to the Village of Welcome according to the recorded plat thereof on file and of record in the office of the County Recorder; thence South 68 degrees 24 minutes 48 seconds East, parallel with said main track centerline, a distance of 612.37 feet to the point of beginning; thence continuing South 68 degrees 24 minutes 48 seconds East, parallel with said main track centerline, a distance of 697.12 feet to the west line of the East Half of the Northwest Quarter of said Section 6; thence South 01 degrees 17 minutes 01 seconds West, along said west line, a distance of 159.94 feet to the northerly railroad right of way line, said right-of-way being parallel with and 50.00 feet northerly (measured at right angles) of said main track centerline; thence North 68 degrees 24 minutes 48 seconds West, along said northerly right-of-way line, a distance of 752.62 feet; thence North 21 degrees 35 minutes 12 seconds East, a distance of 150.00 feet to the point of beginning.

Said tract contains 2.50 acres of land.

**PROPERTY DESCRIPTION
2012 TRACT-A2**

A tract of land in the East Half of the Northwest Quarter of Section 6, Township 102 North, Range 31 West, Martin County, Minnesota, described as follows:

Commencing at the intersection of a line lying parallel with and 200.00 feet northerly (measured at right angles) of the centerline of the main track of the Chicago and North Western Railway Company (now Canadian Pacific) with the east right-of-way line of Hobart Street (now vacated) as per Bunn's Addition to the Village of Welcome according to the recorded plat thereof on file and of record in the office of the County Recorder; thence South 68 degrees 24 minutes 48 seconds East, parallel with said main track centerline, a distance of 612.37 feet; thence continuing South 68 degrees 24 minutes 48 seconds East, parallel with said main track centerline, a distance of 189.88 feet; thence South 21 degrees 35 minutes 12 seconds West, a distance of 150.00 feet to the northerly railroad right of way line, said right-of-way being parallel with and 50.00 feet northerly (measured at right angles) of said main track centerline; thence North 68 degrees 24 minutes 48 seconds West, parallel with said main track centerline, a distance of 134.38 feet to the west line of the East Half of the Northwest Quarter of said Section 6; thence North 01 degrees 17 minutes 01 seconds East, along said west line, a distance of 159.94 feet to the point of beginning.

Said tract contains 0.55 acres of land.

**PROPERTY DESCRIPTION
2012 TRACT-B**

A tract of land in the East Half of the Northwest Quarter of Section 6, Township 102 North, Range 31 West, Martin County, Minnesota, described as follows:

Commencing at the intersection of a line lying parallel with and 200.00 feet northerly (measured at right angles) of the centerline of the main track of the Chicago and North Western Railway Company (now Canadian Pacific) with the east right-of-way line of Hobart Street (now vacated) as per Bunn's Addition to the Village of Welcome according to the recorded plat thereof on file and of record in the office of the County Recorder; thence South 68 degrees 24 minutes 48 seconds East, parallel with said main track centerline, a distance of 612.37 feet; thence continuing South 68 degrees 24 minutes 48 seconds East, parallel with said main track centerline, a distance of 697.12 feet to the west line of the East Half of the Northwest Quarter of said Section 6 and the point of beginning; thence continuing South 68 degrees 24 minutes 48 seconds East, parallel with said main track centerline, a distance of 349.28 feet to a west line of a tract of land deeded to Watonwan Farm Service Co. and recorded and described in the office of the County recorder in Document No. 315713 (page 5 of Exhibit A); thence North 21 degrees 35 minutes 12 seconds East, a distance of 350.00 feet; thence North 68 degrees 24 minutes 48 seconds West, parallel with said main track centerline, a distance of 478.77 feet to the west line of the East Half of the Northwest Quarter of said Section 6; thence South 01 degrees 17 minutes 01 seconds West, along said west line, a distance of 373.19 feet to the point of beginning.

Said tract contains 3.33 acres of land.

LEGEND

- 3/4" IRON PIPE MONUMENT SET MARKED BY REG. NO. 43909
- MONUMENT FOUND

SURVEYOR'S CERTIFICATION

I hereby certify that this survey was prepared by me or under my direct supervision and that I am a duly licensed land surveyor under the laws of the State of Minnesota.

Joseph A. Weisner
License Number 43909

9-13-10
Date

CERTIFICATE OF SURVEY CITY OF WELCOME, MINNESOTA		TRACTS IN S 1/2-NW 1/4 SECTION 6, T102N, R31W ROLLING GREEN TOWNSHIP WELCOME, MARTIN CO., MINNESOTA
BOLTON & MENK, INC. Consulting Engineers & Surveyors 219 NORTH MAIN STREET, FAIRMONT, MN 56031 (507) 238-4738 MANKATO, FAIRMONT, SLEEPY EYE, BURNSVILLE, WILLMAR, CHASKA, RAMSEY, MAPLEWOOD, BAXTER, ROCHESTER, MINNESOTA & AMES, SPENCER, IOWA		
FOR: NUWAY COOPERATIVE (WELCOME SITE)		