

## ORDINANCE NO. 05-13-13

AN ORDINANCE OF THE CITY OF HADLEY, MINNESOTA,  
ANNEXING LAND LOCATED IN LEEDS TOWNSHIP, MURRAY  
COUNTY, MINNESOTA, PURSUANT TO MINNESOTA STATUTES  
SECTION 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 be annexed to the City of Hadley, Minnesota, was duly presented to the Council of the City of Hadley, Minnesota, on the 28th day of March, 2013; and

WHEREAS, said property is unincorporated and abuts the City of Hadley on its west boundary; is less than 120 acres; and public sewer facilities are not otherwise available; and

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

WHEREAS, the property is urban or suburban in character; and

WHEREAS, the Leeds Township Board has passed a Resolution waiving its rights pursuant to Minnesota Statutes Section 414.036 for reimbursement from the City of Hadley, Minnesota, for lost real estate tax revenues for all or part of the taxable property being annexed to the City of Hadley, Minnesota; and

WHEREAS, the City of Hadley held a public hearing pursuant to Minnesota Statutes Section 414.033, Subdivision 2b, on May 13th, 2013 following thirty (30) days written notice by certified mail to Leeds Township and all landowners within and contiguous to the area legally described in the attached exhibit; and

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

NOW, THEREFORE, the City Council of Hadley, Minnesota, hereby ordains as follows:

Section 1. The City Council hereby determines (1) that the annexation will be in the best interests of the City and of the property affected; (2) that the property described in the attached exhibit abuts upon the City limits and is urban or suburban in character; and (3) that none of said property is now included within the limits of any city, village or borough.

Section 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 Statutes Section 414.0325.

Section 3. The corporate limits of the City of Hadley, Minnesota, are hereby extended to include the land legally described in the attached exhibit, said land abutting the City of Hadley, Minnesota, and being 120 acres or less in area, and public sewer facilities are not otherwise available, and the City of Hadley, Minnesota, having received a petition for annexation from all the property owners of the land legally described in the attached exhibit.

The land being annexed and legally described in the attach exhibit contains a total of 2.18 acres, more or less, and copies of the survey and map showing the land to be annexed and its relationship to the corporate boundaries and all other appropriate maps are attached.

Section 4. The population of the area legally described in the attached exhibit and hereby annexed is zero.

Section 5. The Leeds Township Board has passed a Resolution waiving its rights pursuant to Minnesota Statutes Section 414.036 for reimbursement from the City of Hadley, Minnesota, for lost real estate revenues for all or part of the taxable property being annexed to the City of Hadley, Minnesota.

Section 6. That pursuant to Minnesota Statutes Section 414.036 with respect to any special assessments assigned by Leeds Township to the annexed property and any portion of debt incurred by Leeds Township prior to the annexation and attributable to the property being annexed, there are no outstanding special assessments for the annexed property legally described in the attached exhibit and there are no special assessments or debt incurred by Leeds Township on the annexed property for which reimbursement is required.

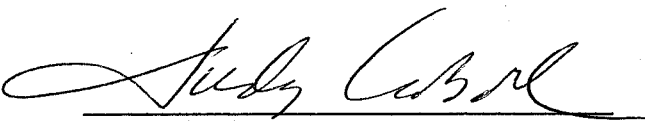
Section 7. The City Clerk of Hadley, Minnesota, is hereby authorized and directed to file copies of this Ordinance with the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, the Minnesota Secretary of State, the Auditor/Treasurer of Murray County, Minnesota, and the Clerk of Leeds Township, Murray County, Minnesota.

Section 8. Effective Date. This Ordinance shall be in full force and effect and final upon its passage and publication and the filing of the certified copies as directed in Section 7, and the approval of the Ordinance by the Office of Administrative Hearings.

Passed and adopted by the City Council of the City of Hadley, Minnesota, this 13th day of May, 2013.

  
Mayor

ATTEST:

  
City Clerk

All of the following described tract located in Leeds Township, Murray County, Minnesota:

All that part of Lot 2 of the Northwest Quarter of the plat entitled Section 11, T.106, R42, as filed and recorded in the office of the County Recorder in and for Murray County, Minnesota, and also a part of the Minnesota and Black Hills Railroad Company (later the Chicago, St. Paul, Minneapolis and Omaha Railway Company, now the Chicago and North Western Transportation Company), as right of way over and across said Section 11, being more particularly described as follows:

Commencing at the North Quarter corner of said Section 11; thence on an assumed bearing of South 00 degrees 00 minutes 00 seconds West, along the North-South Quarter line of said Section 11, a distance of 1500.65 feet; thence North 87 degrees 30 minutes 00 seconds West a distance of 61.39 feet to an iron monument; thence South 90 degrees 00 minutes 00 seconds West a distance of 96.00 feet to an iron monument; thence North 00 degrees 32 minutes 00 seconds West a distance of 106.66 feet to an iron monument; thence South 90 degrees 00 minutes 00 seconds West a distance of 304.82 feet, to a point on the east line of said Lot 2, said point also being the point of beginning; thence continuing South 90 degrees 00 minutes 00 seconds West a distance of 175.20 feet; thence South 00 degrees 32 minutes 00 seconds East a distance of 322.57 feet to an iron monument; thence South 81 degrees 31 minutes 00 seconds West a distance of 145.40 feet to an iron monument located on the northerly extension of the west line of West 2<sup>nd</sup> Street as shown on the plat of Summit Lake, in the City of Hadley, as filed and recorded in the office of said County Recorder; thence North 00 degrees 32 minutes 00 seconds West, along the northerly extension of said west line a distance of 49.97 feet to the center line of said railroad (now removed), thence South 82 degrees 52 minutes 58 seconds West along said center line, a distance of 212.12 feet; thence North 03 degrees 46 minutes 42 seconds West a distance of 380.14 feet; thence South 90 degrees 00 minutes 00 seconds East a distance of 552.00 feet, to a point on the east line of said Lot 2; thence South 00 degrees 00 minutes 21 seconds West, along said east line, a distance of 59.00 feet to the point of beginning,

EXCEPTING THEREFROM the following described tract:

Commencing at the North Quarter corner of said Section 11; thence on an assumed bearing of South 00 degrees 00 minutes 00 seconds West, along the North-South Quarter line of said Section 11, a distance of 1500.65 feet; thence North 87 degrees 30 minutes 00 seconds West a distance of 61.39 feet to an iron monument; thence South 90 degrees 00 minutes 00 seconds West a distance of 96.00 feet to an iron monument; thence North 00 degrees 32 minutes 00 seconds West a distance of 106.66 feet to an iron monument; thence South 90 degrees 00 minutes 00 seconds West a distance of 480.02 feet to an iron monument, said iron monument being the point of beginning; thence South 00 degrees 32 minutes 00 seconds East a distance of 322.57 feet to an iron monument; thence South 81 degrees 31 minutes 00 seconds West a distance of 145.40 feet to an iron monument located on the northerly extension of the west line of West 2<sup>nd</sup> Street as shown on the plat of Summit Lake, in the City of Hadley, as filed and recorded in the office of said County Recorder; thence North 00 degrees 32 minutes 00 seconds West, along the northerly

extension of said west line a distance of 49.97 feet to the center line of said railroad (now removed), thence South 82 degrees 52 minutes 58 seconds West along said center line, a distance of 18.12 feet; thence North 00 degrees 32 minutes 00 seconds West a distance of 296.29 feet; thence South 90 degrees 00 minutes 00 seconds East a distance of 162.00 feet to the point of beginning.

RESOLUTION WAIVING RIGHT TO REIMBURSEMENT FROM THE  
CITY OF HADLEY FOR LOST REAL ESTATE TAXES RESULTING  
FROM ANNEXATION OF PROPERTY TO THE CITY OF HADLEY

WHEREAS, the Township Board of Leeds Township, Murray County, Minnesota, has received a copy of a Petition for Annexation filed with the City Council of the City of Hadley, Murray County, Minnesota, which was signed by the sole owner of the land proposed to be annexed; and

WHEREAS, said land proposed to be annexed abuts on the City of Hadley's west boundary, and is not included within any other municipality, and public wastewater facilities are not otherwise available; and

WHEREAS, said land is urban or suburban in character; and

WHEREAS, The County Assessor's Office of Murray County, Minnesota, has computed that Leeds Township will lose very little real estate tax revenue if the land proposed to be annexed is annexed by the City of Hadley;

NOW, THEREFORE, the Township Board of Leeds Township hereby waives its right pursuant to M.S. 414.036 for reimbursement from the City of Hadley for lost real estate tax revenues for all or part of the taxable property proposed to be annexed so that the City of Hadley can proceed to annex the following described land:

All of the following described tract located in Leeds Township, Murray County, Minnesota:

All that part of Lot 2 of the Northwest Quarter of the plat entitled Section 11, T.106,R42, as filed and recorded in the office of the County Recorder in and for Murray County, Minnesota, and also a part of the Minnesota and Black Hills Railroad Company (later the Chicago, St. Paul, Minneapolis and Omaha Railway Company, now the Chicago and North Western Transportation Company), as right of way over and across said Section 11, being more particularly described as follows:

Commencing at the North Quarter corner of said Section 11; thence on an assumed bearing of South 00 degrees 00 minutes 00 seconds West, along the North-South Quarter line of said Section 11, a distance of 1500.65 feet; thence North 87 degrees 30 minutes 00 seconds West a distance of 61.39 feet to an iron monument; thence South 90 degrees 00 minutes 00 seconds West a distance of 96.00 feet to an iron monument;


thence North 00 degrees 32 minutes 00 seconds West a distance of 106.66 feet to an iron monument; thence South 90 degrees 00 minutes 00 seconds West a distance of 304.82 feet, to a point on the east line of said Lot 2, said point also being the point of beginning; thence continuing South 90 degrees 00 minutes 00 seconds West a distance of 175.20 feet; thence South 00 degrees 32 minutes 00 seconds East a distance of 322.57 feet to an iron monument; thence South 81 degrees 31 minutes 00 seconds West a distance of 145.40 feet to an iron monument located on the northerly extension of the west line of West 2nd Street as shown on the plat of Summit Lake, in the City of Hadley, as filed and recorded in the office of said County Recorder; thence North 00 degrees 32 minutes 00 seconds West, along the northerly extension of said west line a distance of 49.97 feet to the center line of said railroad (now removed), thence South 82 degrees 52 minutes 58 seconds West along said center line, a distance of 212.12 feet; thence North 03 degrees 46 minutes 42 seconds West a distance of 380.14 feet; thence South 90 degrees 00 minutes 00 seconds East a distance of 552.00 feet, to a point on the east line of said Lot 2; thence South 00 degrees 00 minutes 21 seconds West, along said east line, a distance of 59.00 feet to the point of beginning,

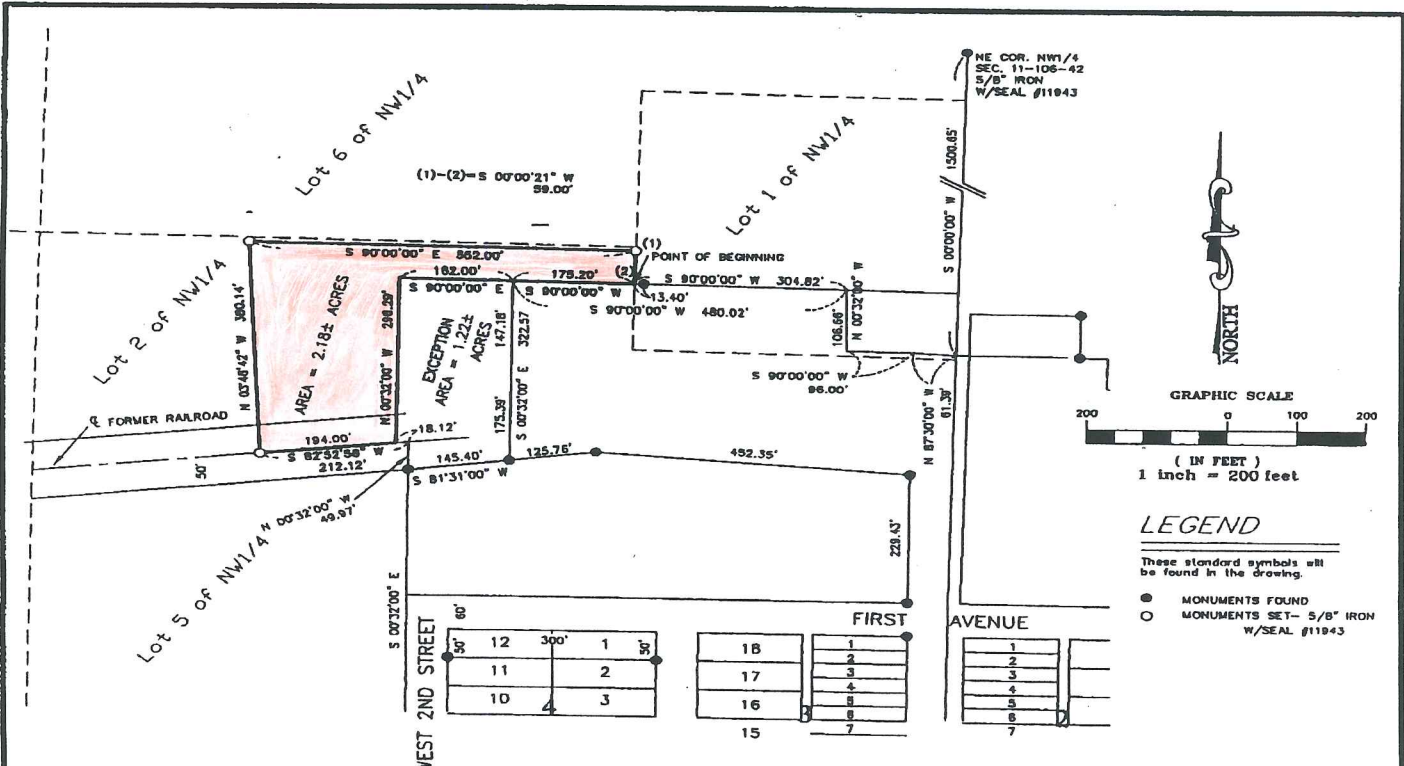
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Adopted by the Township Board of Leeds Township, Murray County, Minnesota, this 4th day of April, 2013.

  
LEEDS TOWNSHIP BOARD CHAIRMAN

  
TOWNSHIP CLERK



**LAND DESCRIPTION**

All that part of Lot 2 of the Northwest Quarter of the plat entitled Section 11, T.106, R.42, as filed and recorded in the office of the County Recorder in and for Murray County, Minnesota, and also a part of the Minnesota and Black Hills Railroad Company (later the Chicago, St. Paul, Minneapolis and Omaha Railway Company, now the Chicago and North Western Transportation Company), as right of way over and across said Section 11, being more particularly described as follows:

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EXCEPTING THEREFROM the following described tract.

Commencing at the North Quarter corner of said Section 11; thence on an assumed bearing of South 00 degrees 00 minutes 00 seconds West, along the North-South Quarter line of said Section 11, a distance of 1500.65 feet; thence North 87 degrees 30 minutes 00 seconds West a distance of 61.39 feet to an iron monument; thence South 90 degrees 00 minutes 00 seconds West a distance of 96.00 feet to an iron monument; thence North 00 degrees 32 minutes 00 seconds West a distance of 106.66 feet to an iron monument; thence South 90 degrees 00 minutes 00 seconds West a distance of 480.02 feet to an iron monument, said iron monument being the point of beginning; thence South 00 degrees 32 minutes 00 seconds East a distance of 322.57 feet to an iron monument; thence South 81 degrees 31 minutes 00 seconds West a distance of 145.40 feet to an iron monument located on the northerly extension of the west line of West 2nd Street as shown on the plat of Summit Lake, in the City of Hadley, as filed and recorded in the office of said County Recorder; thence North 00 degrees 32 minutes 00 seconds West, along the northerly extension of said west line a distance of 49.97 feet to the center line of said railroad (now removed), thence South 82 degrees 52 minutes 58 seconds West along said center line, a distance of 18.12 feet; thence North 00 degrees 32 minutes 00 seconds West a distance of 296.29 feet; thence South 90 degrees 00 minutes 00 seconds East a distance of 162.00 feet to the point of beginning.

Said tract is subject to any existing roadways or easements.



**SURVEYOR'S CERTIFICATION**

I hereby certify that this plan, specification, or report 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.

*Daniel L. Bueltel*  
DANIEL L. BUELTEL LICENSE NO: 43844

DATE: OCTOBER 7, 2010

**HADLEY FARMERS  
ELEVATOR**

Prepared by  
**Bueltel-Moseng  
Land Surveying**  
Lyle Moseng - Licensed Land Surveyor  
Daniel Bueltel - Licensed Land Surveyor  
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DRAWN BY DLB SCALE 1" = 200' PROJECT NO. 10-2584