

AN ORDINANCE APPROVING THE PETITION OF EVERARDO BOTELLO RAMIREZ AND MARIA BOTELLO RAMIREZ FOR THE ANNEXATION OF UNPLATTED LAND NOT EXCEEDING 120 ACRES TO THE CITY OF MELROSE, UNDER MINNESOTA STATUTES SECTION 414.033, SUBD. 2(3).

THE CITY COUNCIL OF THE CITY OF MELROSE ORDAINS AS FOLLOWS:

Section 1. Findings.

- A. On July 21, 2014, Everardo Botello Ramirez and Maria Botello Ramirez ("Ramirez") filed a Petition for Annexation pursuant to Minnesota Statutes Section 414.033, Subd. 2(3) with the City of Melrose; said petition identified the Ramirez' as all of the owners of real property described as follows:

Part of the Northeast Quarter (NE $\frac{1}{4}$) of Section Thirty-five (35), Township One Hundred Twenty-six (126) North of Range Thirty-three (33) West, Stearns County, Minnesota as follows: Beginning at the Southwest corner of the NE $\frac{1}{4}$ of said Section 35; thence running Easterly on and along the South line of the NE $\frac{1}{4}$ a distance of 535 feet to the point of beginning of the tract herein described; thence running Easterly on and along said South line of the NE $\frac{1}{4}$ a distance of 150 feet; thence running Northerly on a line parallel with the West line of said NE $\frac{1}{4}$ a distance of 206 feet; thence running Westerly at a right angle 150 feet; thence running Southerly approximately 206 feet to the point of beginning (the "Subject Premises")

Parcel No. 21.12551.0000

and requested that the City Council annex the Subject Premises;

- B. On August 7, 2014, the City of Melrose notified the Ramirez' that the cost of electrical utility service may change and provided the Ramirez' with an estimate of the cost of electrical utility service following annexation as required by Minnesota Statutes Section 414.033, Subd. 13;
- C. On August 7, 2014, the City of Melrose, as required by Minnesota Statutes Section 414.033, Subd. 2b, gave written notice by certified mail to Melrose Township and all of the owners of property contiguous to the Subject Premises that a public hearing on the Ramirez' petition would be held on September 11, 2014;
- D. On August 6, 2014, the City of Melrose published notice of the public hearing on the Ramirez' petition in the St. Cloud Times;
- E. On August 13, 2014, the City of Melrose published notice of the public hearing on the Ramirez' petition in the Melrose Beacon;

F. On September 11, 2014, the City of Melrose held a public hearing, at which the City Council considered the Ramirez' petition; persons attending said public hearing included Everardo Botello Ramirez and Maria Botello Ramirez, Stearns County Environmental Services Officer Mark Latterell, members of the Melrose Township Board of Supervisors, owners of property contiguous to the Subject Premises, and other members of the public;

G. The Ramirez' petition recites that:

1. the Ramirez' are all of the owners of the Subject Premises,
2. the Subject Premises abuts the City of Melrose and is not included within any other municipality,
3. the Subject Premises is 120 acres or less, and
4. the Subject Premises is not presently served by public sewer facilities or public sewer facilities are not otherwise available;

H. The City Planning and Development Director testified at the public hearing that:

1. Stearns County Environmental Services has determined that the existing individual sewage treatment system on the Subject Premises has failed,
2. Stearns County Environmental Services has determined that the soil conditions and use of the Subject Premises do not permit replacement of the existing individual sewage treatment system,
3. annexation will permit the Subject Premises to be served by City of Melrose public sewer facilities,
4. the Ramirez' have been notified that their current use of the Subject Premises does not conform with Melrose City Ordinances concerning the keeping of farm animals and property maintenance,
5. the Ramirez' have agreed to bring the Subject Premises in to compliance with Melrose City Ordinances,
6. the Ramirez' own real property in the City of Melrose described as follows:

Outlot A of Daylight Court, according to the plat and survey thereof, now on file and of record in the office of the Stearns County Recorder, Stearns County, Minnesota

Parcel No. 66.36668.0022

that is adjacent to the Subject Property (the "Adjoining Premises"), and

7. reviewed applicable portions of the City's Comprehensive Plan;

- I. Stearns County Environmental Services Officer Mark Latterell testified at the public hearing, confirming that:
 - 1. the existing individual sewage treatment system on the Subject Premises has failed,
 - 2. Stearns County Environmental Services has determined that the soil conditions and use of the Subject Premises do not permit replacement of the existing individual sewage treatment system, and
 - 3. Stearns County has grant funds available from the State of Minnesota that can be contributed towards the cost of connecting the Subject Premises to City of Melrose public sewer facilities;
- J. Adjoining property owner Allan Wiechmann testified that:
 - 1. the existing individual sewage treatment system on the Subject Premises has failed,
 - 2. the failure of the existing individual sewage system on the Subject Premises causes effluent to flow onto his property, and
 - 3. he supported the Ramirez' petition and connection of the Subject Premises to City of Melrose public sewer facilities;
- K. No testimony was presented by the Melrose Township officers present at the hearing;
- L. The Subject Premises is not included in any other boundary proceeding pending before the Department of Administration – Municipal Boundary Adjustments; and
- M. The Subject Premises is not included in any area that has already been designated for orderly annexation pursuant to Minnesota Statutes Section 414.0325;

Section 2. Conclusions. Based upon the notices and petitions filed with the City of Melrose, and the information presented at the public hearing, the City Council of the City of Melrose concludes that:

- A. Pursuant to Minnesota Statutes Section 414.033, subd. 2(3) the Subject Premises is deemed urban or suburban in character or is about to become so, and
- B. The City Council may declare by ordinance that the Subject Premises are annexed to the City of Melrose.

Section 3. Approval of Petition. Pursuant to Minnesota Statutes Section 414.033, subd. 2(3), the City Council of the City of Melrose hereby:

- A. Approves the Petition for Annexation of Everardo Botello Ramirez and Maria Botello Ramirez, and,
- B. Annexes to the City of Melrose and extends the City's boundaries to include the real property described as follows:

Part of the Northeast Quarter (NE¼) of Section Thirty-five (35), Township One Hundred Twenty-six (126) North of Range Thirty-three (33) West, Stearns County, Minnesota as follows: beginning at the Southwest corner of the NE¼ of said Section 35; thence running Easterly on and along the South line of the NE¼ a distance of 535 feet to the point of beginning of the tract herein described; thence running Easterly on and along said South line of the NE¼ a distance of 150 feet; thence running Northerly on a line parallel with the West line of said NE ¼ a distance of 206 feet; thence running Westerly at a right angle 150 feet; thence running Southerly approximately 206 feet to the point of beginning.

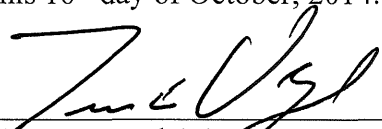
Parcel No. 21.12551.0000

Section 4. Zoning District Assignment. Pursuant to Section 203 of Melrose City Ordinance No. 1989-A, as amended, the City Council of the City of Melrose hereby by assigns the Subject Premises to the R-2 Residential District.

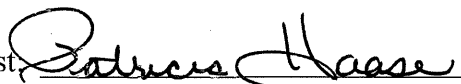
Section 5. Attachment to Adjoining Premises. That hereafter the Subject Premises shall not be considered a separate tract, lot, parcel, or subdivision of land for purposes of conveyance, but rather a part of the Adjoining Premises to which it is being attached, unless said tract shall become part of a duly recorded plat.

Section 6. Effective Date. This Ordinance shall take effect upon its passage and publication.

Adopted by the City Council of the City of Melrose this 16th day of October, 2014.

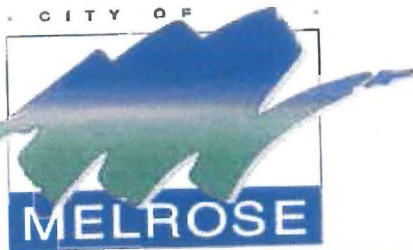


Tim E. Vogel, Mayor
City of Melrose

Attest: 

Patricia Haase, City Clerk

Published in the Melrose Beacon on the 22nd day of October, 2014.



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Melrose, Minnesota 56352

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website: www.cityofmelrose.com

November 19, 2014

Star Holman
Office of Administrative Hearings
Municipal Boundary Adjustment Unit
PO Box 64620
St Paul, MN 55164-0620

REC'D BY
MBA

NOV 19 2014

Re: Melrose Township - City of Melrose
Ordinance No. 10-16-2014-1/Annexation of Ramirez Property
Stearns Co. Parcel No. 21.12551.0000

Dear Ms. Holman:

In accordance with Minnesota Statutes Section 414.036, the City of Melrose will reimburse Melrose Township for property taxes on the Ramirez property, Stearns Co. Parcel No. 21.12551.0000, at the rate of \$247.82 per year for 2 years. Melrose Township has not levied any special assessments against the Ramirez property for which reimbursement is required.

If you have any questions or concerns regarding this matter, please contact me our City Attorney, Scott E. Dymoke or City Administrator, Michael Brethorst.

Sincerely,

Michael Brethorst, City Administrator

The above reimbursement plan has been reviewed and approved by the Melrose Township Board of Supervisors November 6, 2014.

Date: 11-19-2014

Township Supervisor, Tom Moorman

cc: G. Walz, Planning Director
S.E. Dymoke, City Attorney

Site Map

EXHIBIT 1 - BOTELLO RAMIREZ

CITY OF MELROSE

MELROSE

TOWNSHIP

32678

0

564

558

REC'D BY
MBA

OCT 30 2014

548

538

530

522

516

510

504

523

509

535

32678

Botello
Ramirez

32892

0

1024

MELROSE

TOWNSHIP

32835

0

32999

806

0

= Botello Ramirez Property

REC'D BY
MBA
OCT 30 2014

MELROSE TOWNSHIP

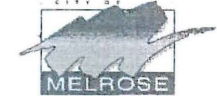
MELROSE TOWNSHIP

GROVE TOWNSHIP

GROVE TOWNSHIP

CITY OF MELROSE
Stearns County, Minnesota

ZONING MAP



UPDATED:
MAY 2006

LEGEND

ZONING LEGEND

- ZONING DESIGNATION**
- R-1 RESIDENTIAL
 - R-2 SINGLE-FAMILY RESIDENTIAL
 - R-3 MULTIPLE-FAMILY RESIDENTIAL
 - R-4 MEDIUM-DENSITY RESIDENTIAL
 - R-5 HIGH-DENSITY RESIDENTIAL
 - C-1 COMMERCIAL DOWNTOWN
 - C-2 COMMERCIAL REGIONAL
 - C-3 COMMERCIAL LIGHT
 - I-1 INDUSTRIAL
 - I-2 LIGHT INDUSTRIAL
 - M-1 MEDICAL OFFICE/CLINIC
 - P PUBLIC UTILITIES

CITY FEATURES

- City Boundary
- Water
- Right of Way
- Exempt Right of Way

OTHER FEATURES

- Section
- Roads - Outside City

POINTS OF INTEREST

- 1 Health Care Services
- 2 Joyce Park
- 3 Lake Wabigoon Regional Trail
- 4 Memorial Park
- 5 Independence Park
- 6 City Hall
- 7 St. Mary's Catholic Church
- 8 St. Mary's School
- 9 State River Park
- 10 Melrose Area Public Schools
- 11 St. Paul's Lutheran Church
- 12 Meadowlark Golf Course
- 13 Meadowlark Park

Bonestroo

EXHIBIT 2 - BOTELLO RAMIREZ

32678



REC'D BY
MBA

OCT 30 2014

Aerial View

REC'D BY
MBA

OCT 30 2014

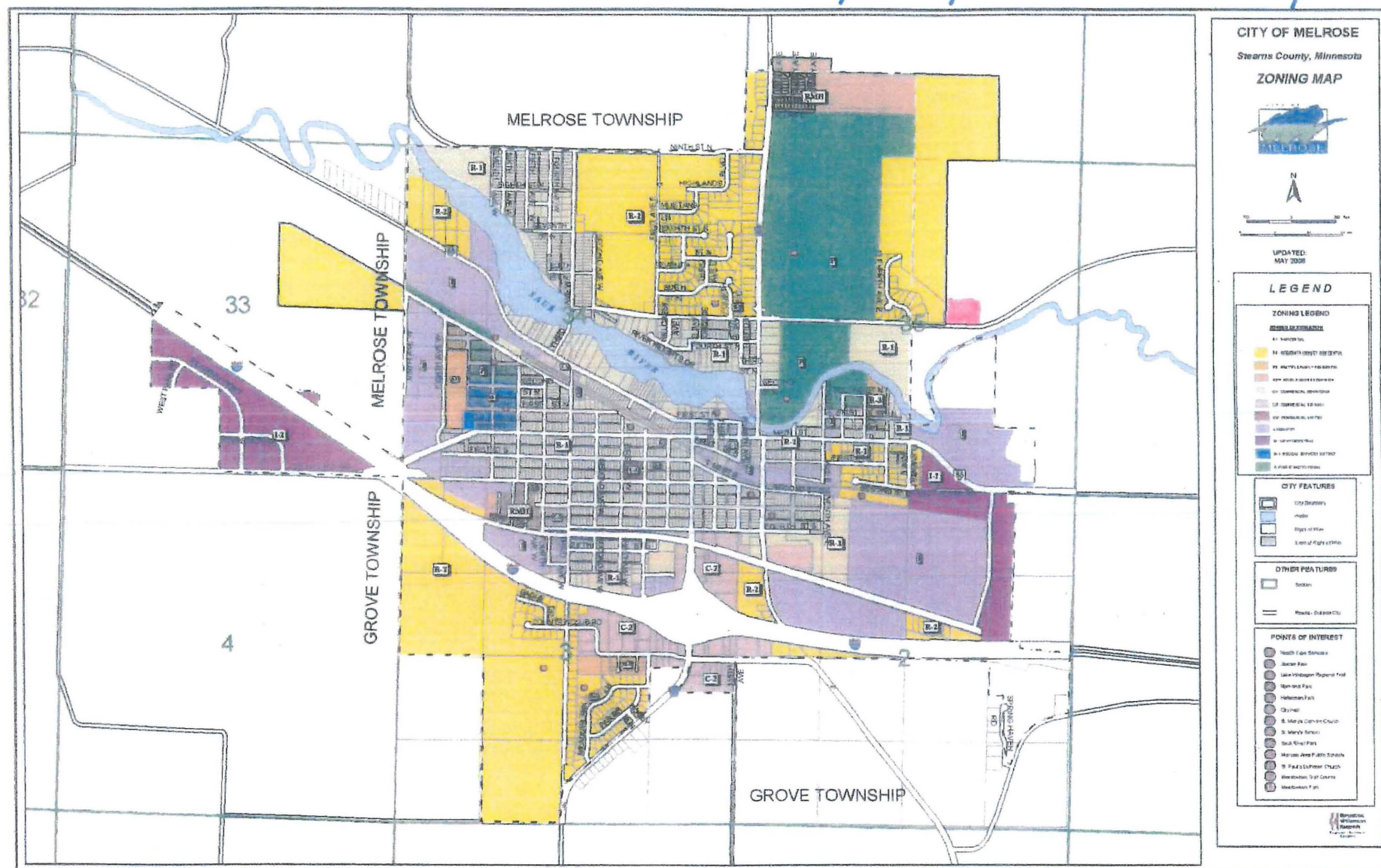
Vicinity Map



OCT 30 2014

Vicinity Map

 = Botello Ramirez Property



Vicinity Map

OCT 30 2014

Vicinity Map

Stearns County, Minnesota

ZONING MAP



UPDATED:
MAY 2008

LEGEND

ZONING LEGEND

- [illegible]

CITY FEATURES

- | | |
|---|------------------------|
|  | City Boundary |
|  | water |
|  | Height of Waves |
|  | Amount of Right of Way |

OTHER FEATURES

- Outline
-  Floated - Outside City

POINTS OF INTEREST

- 1. Health Care Services
- 2. Justice Team
- 3. Latin Village Regional Fr.
- 4. New Hope Park
- 5. Nodding Park
- 6. Olympia
- 7. St. Mary's Catholic Church
- 8. Mary's Center
- 9. South River Park
- 10. Monroe Area Public School
- 11. St. Paul's Lutheran Church
- 12. International Day Center
- 13. Madison Park

RESEARCH
WITNESS
FOOTPRINT

Vicinity Map