

**CITY OF ZUMBROTA ORDINANCE NO. 2015-01****AN ORDINANCE OF THE CITY OF ZUMBROTA, MINNESOTA ANNEXING  
LAND LOCATED IN MINNEOLA TOWNSHIP, GOODHUE 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 herein and attached exhibit be annexed to the City of Zumbrota Minnesota, was duly presented to the Council of the City of Zumbrota on the 27<sup>th</sup> day of March, 2015; and

**WHEREAS**, said property is unincorporated and abuts the City of Zumbrota on its northerly 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 shore land area; and

**WHEREAS**, said property is currently used for agricultural production and annexation is requested to facilitate the extension of city services for industrial development of the property; and

**WHEREAS**, the City of Zumbrota held a public hearing pursuant to Minnesota Statutes §414.033 Subd. 2b, on May 21, 2015, following thirty (30) days written notice by certified mail to the Town of Minneola and to all landowners within and contiguous to the area legally described herein and attached exhibit, 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 ZUMBROTA 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 in nature in that industrial use is being proposed for said property, the construction of which requires city services, including public sewer facilities. Upon annexation the property will be zoned I1 Limited Industrial.
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 Zumbrota, Minnesota, are hereby extended to include the following described property, said land abutting the City of Zumbrota 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:

That part of the south 548.10 feet of the Northeast Quarter of the Northeast Quarter of Section 26, Township 110, Range 16, Goodhue County, Minnesota, which lies southwesterly of the southwesterly right of way line of State Highway Number 52, as platted and designated on MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 25-80, as filed in the Goodhue County Recorder's Office. Containing 11.103 acres, more or less. Subject to all easements and restrictions of record.

The above described property consists of a total of 11.103 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 (herein or attached exhibit) and hereby annexed is zero.

5. The City of Zumbrota, pursuant to Minnesota Statutes § 414.036, that with respect to the property taxes payable on the area legally described herein and attached exhibit, hereby annexed, shall make a cash payment to the Town of Minneola 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.

Specifically, the parcel from which a portion is to be annexed is approximately 108 acres, and the total 2014 township property taxes payable is \$845.40. This amounts to approximately \$7.82 per acre. Since the parcel proposed for annexation is 11 acres the City will therefore reimburse the township \$86.82.

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 herein or attached exhibit there are no special assessments or debt incurred by the Town on the subject are for which reimbursement is required.

7. That the City Clerk of the City of Zumbrota 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 Goodhue County Auditor, and the Minneola 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 Zumbrota, Minnesota, this 21<sup>st</sup> day of May, 2015.



\_\_\_\_\_  
Mayor Richard Bauer

ATTEST:



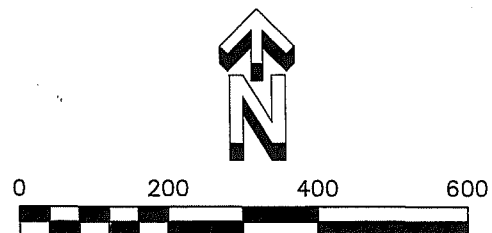
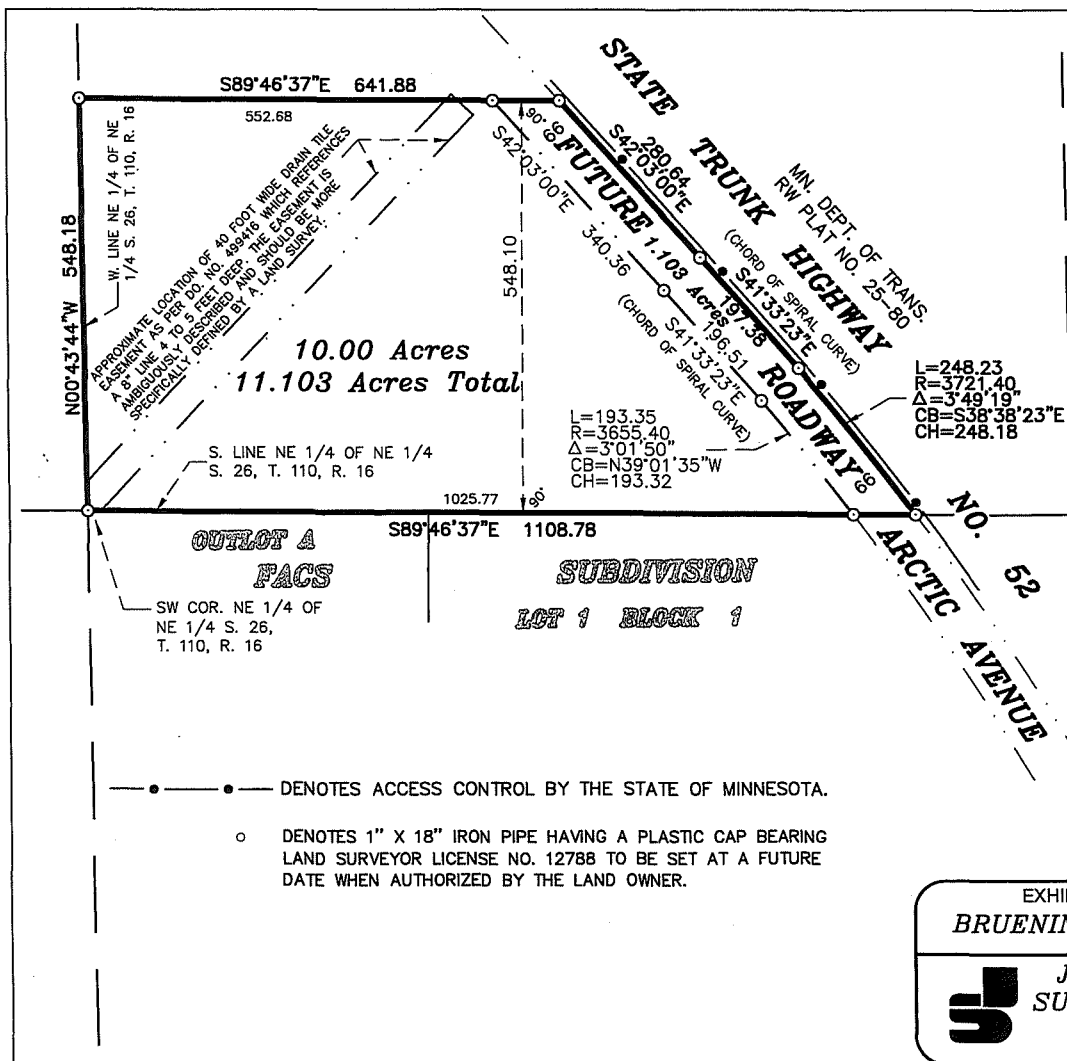
\_\_\_\_\_  
City Administrator Neil Jensen

(City Seal)



REC'D BY  
MBA

JUN 01 2015



BEARINGS SHOWN HEREON ARE ORIENTED TO THE GOODHUE COUNTY COORDINATE SYSTEM, NAD 83, 1996 ADJUSTMENT (HARN).

Description of Land to be Annexed

That part of the south 548.10 feet of the Northeast Quarter of the Northeast Quarter of Section 26, Township 110, Range 16, Goodhue County, Minnesota, which lies southwesterly of the southwesterly right of way line of State Highway Number 52, as platted and designated on MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 25-80, as filed in the Goodhue County Recorder's Office. Containing 11.103 acres, more or less.

Subject to all easements and restrictions of record.

EXHIBIT FOR:  
**BRUENING ROCK PRODUCTS INC.**

**JOHNSON & SCOFIELD INC.**  
**SURVEYING AND ENGINEERING**

1203 MAIN STREET, RED WING, MN 55066  
(651) 388-1558

I hereby certify that this survey, plan 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.

*David A. Johnson*  
David A. Johnson  
Minnesota License No. 12788  
Date: April 8, 2015

BK. NA	PG. NA	W.O.#	DRAWING NUMBER
SHEET 1 OF 1 SHEETS	15-241-		S-5689