

ORDINANCE NO. 501

**AN ORDINANCE OF THE CITY OF LA CRESCENT, MINNESOTA ANNEXING
LAND LOCATED IN LA CRESCENT TOWNSHIP, HOUSTON COUNTY,
MINNESOTA PURSUANT TO MINNESOTA STATUTES § 414.033 SUBDIVISION 3,
PERMITTING ANNEXATION BY ORDINANCE**

WHEREAS, the territory described below is not presently within the corporate limits of any incorporated city;

WHEREAS, the area proposed for annexation is 40 acres or less in size, is 60% or more bordered by land already within the corporate limits of the City of La Crescent, and is not appropriate for annexation by ordinance pursuant to Minnesota Statutes § 414.033, Subd. 2(3);

WHEREAS, the area proposed for annexation is described as follows:

SEE EXHIBIT A and EXHIBIT B

WHEREAS, said property is urban or suburban in nature;

WHEREAS, the area proposed for annexation abuts upon the corporate limits of the City of La Crescent, Minnesota;

WHEREAS, the area proposed for annexation is approximately 5.6 acres in size;

WHEREAS, the nature of the area proposed for annexation is residential;

WHEREAS, the area proposed for annexation is not included in any area that has already been designated for orderly annexation pursuant to Minnesota Statutes § 414.0325, nor in any other proceeding currently pending before the Office of Administrative Hearings - Municipal Boundary Adjustment Unit;

WHEREAS, the City of La Crescent served a Notice of Intent for Annexation on the La Crescent Township Board and the Chief Administrative Law Judge at the Office of Administrative Hearings by Certified Mail on November 12, 2015;

WHEREAS, 90 days have passed since La Crescent Township was served the Notice of Intent and no objections have been served with the Chief Administrative Law Judge or the City of La Crescent; 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 LA CRESCENT HEREBY ORDAINS AS FOLLOWS:

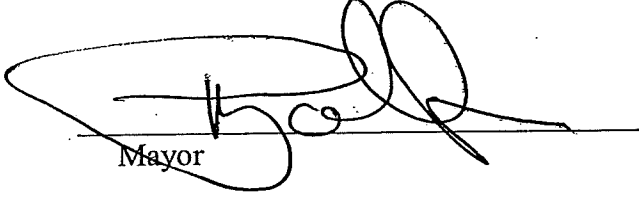
1. The City Council hereby determines that the property as hereinafter described abuts the city limits, is 60% bordered by the City of La Crescent, and is or is about to become urban or suburban in nature in that residential use is being proposed for said property.
2. None of the property is now included 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 La Crescent, Minnesota, are hereby extended to include the following described property, said land abutting the City of La Crescent and being 60% bordered by the City of La Crescent and is 40 acres or less, to wit:

SEE EXHIBIT A and EXHIBIT B

The above described property consists of a total of 5.6 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.

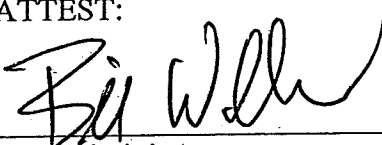
4. The City of La Crescent, pursuant to Minnesota Statutes § 414.036, that with respect to the property taxes payable on the area legally described herein, hereby annexed, shall make a cash payment to the Town of La Crescent in accordance with the following schedule:
 - a. In the first year following the year in which the City of La Crescent could first levy on the annexed area, an amount equal to \$2,884.17; and
 - b. In the second and final year, an amount equal to \$2,884.17.
5. 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 there are no special assessments or debt incurred by the Town on the subject are for which reimbursement is required.
6. That the City Administrator of the City of La Crescent 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 Houston County Auditor, and the La Crescent Township Clerk.
7. 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 La Crescent, Minnesota,
this 22nd day of February, 2016.



Mayor

ATTEST:



City Administrator

(City Seal)

EXHIBIT A

Parcel 08.0123.001:

PART OF LOT NINE (9) OF BLOCK H, OF AUDITORS SUBDIVISION OF SECTION NINE (9), TOWNSHIP ONE HUNDRED FOUR (104) NORTH, RANGE FOUR (4) WEST, LOCATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE ¼ SE ¼) OF SECTION NINE (9), TOWNSHIP ONE HUNDRED FOUR (104) NORTH, RANGE FOUR (4) WEST, LA CRESCENT TOWNSHIP, HOUSTON COUNTY, MINNESOTA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SECTION NINE (9), TOWNSHIP ONE HUNDRED FOUR (104) NORTH, RANGE FOUR (4) WEST; THENCE SOUTH 00°07'50" WEST, 1137.59 FEET ALONG THE EAST LINE OF THE SOUTHEAST QUARTER (SE ¼) OF SAID SECTION NINE (9), TO THE NORTHERLY RIGHT-OF-WAY LINE OF COUNTY STATE AID HIGHWAY 6; THENCE SOUTHWESTERLY ALONG SAID RIGHT-OF-WAY LINE, 345.61 FEET, ALONG THE ARC OF A 1942.86 FOOT RADIUS CURVE, CONCAVE TO THE SOUTHEAST, THE CHORD OF WHICH BEARS SOUTH 78°40'58" WEST, AND MEASURES 345.16 FEET, TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING SOUTHWESTERLY ALONG SAID RIGHT-OF-WAY LINE, 83.77 FEET ALONG THE ARC OF A 1942.86 FOOT RADIUS CURVE, CONCAVE TO THE SOUTHEAST, THE CHORD OF WHICH BEARS SOUTH 72°21'05" WEST, AND MEASURES 83.77 FEET; THENCE SOUTH 71°06'58" WEST, 47.95 FEET ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF COUNTY STATE AID HIGHWAY 6, TO THE SOUTHWESTERLY LINE OF THE PARCEL OF LAND DESCRIBED IN HOUSTON COUNTY DOCUMENT NO. 197968; THENCE NORTH 14°45'52" WEST, 669.79 FEET ALONG THE SOUTHWESTERLY LINE OF THE PARCEL DESCRIBED IN DOCUMENT NO. 197968; THENCE SOUTH 89°52'10" EAST, 301.91 FEET; THENCE SOUTH 11°10'46" EAST, 265.19 FEET; THENCE SOUTHERLY, 112.58 FEET ALONG THE ARC OF A 129.87 FOOT RADIUS CURVE, CONCAVE TO THE WEST, THE CHORD OF WHICH BEARS SOUTH 13°39'18" WEST, AND MEASURES 109.09 FEET; THENCE SOUTHERLY, 216.07 FEET ALONG THE ARC OF A 229.56 FOOT RADIUS CURVE, CONCAVE TO THE EAST, THE CHORD OF WHICH BEARS SOUTH 11°31'29" WEST, AND MEASURES 208.18 FEET; THENCE SOUTH 15°26'24" EAST, 37.28 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF COUNTY STATE AID HIGHWAY 6, AND THE POINT OF BEGINNING OF THIS DESCRIPTION.

INCLUDING ALL THAT PART OF SOUTH 7TH STREET LYING SOUTHERLY AND ADJACENT TO THE ABOVE DESCRIBED PARCEL.

Parcel 08.0419.000:

LOT TWO (2) OF CRESCENT HEIGHTS FIRST ADDITION TO THE TOWNSHIP OF LA CRESCENT, HOUSTON COUNTY, MINNESOTA.

Parcel 08.0420.000:

LOT THREE (3) OF CRESCENT HEIGHTS FIRST ADDITION, TOWNSHIP OF LA CRESCENT, HOUSTON COUNTY, MINNESOTA.

Parcel 08.0554.000

A TRACT OF PARCEL OF LAND IN THE SOUTHEAST QUARTER OF SECTION 9, IN TOWNSHIP 104 NORTH OF RANGE 4 WEST OF THE FIFTH PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE¼ SE¼) OF SECTION 9, TOWNSHIP 104 NORTH, OF RANGE 4 WEST, THENCE WEST 1024.3 FEET, THENCE NORTH 8°30' EAST 14.8 FEET TO AN IRON STAKE, THENCE NORTHWESTERLY ALONG SOUTHERLY RIGHT OF WAY LINE OF PINE CREEK HIGHWAY 129.7 FEET TO AN IRON STAKE, THENCE NORTH 8°30' EAST 34.5 FEET TO CENTER LINE OF PINE CREEK HIGHWAY, WHICH IS THE PLACE OF BEGINNING, THENCE SOUTH 8°30' WEST 439.3 FEET TO AN IRON STAKE, THENCE NORTH 81°31' WEST 96 FEET TO AN IRON STAKE, THENCE NORTH 8°30' EAST TO CENTER LINE OF PINE CREEK HIGHWAY, THENCE SOUTHEASTERLY ALONG THE CENTER LINE OF PINE CREEK HIGHWAY 100.25 FEET TO THE PLACE OF BEGINNING, EXCEPT EASEMENT FOR HIGHWAY PURPOSES.

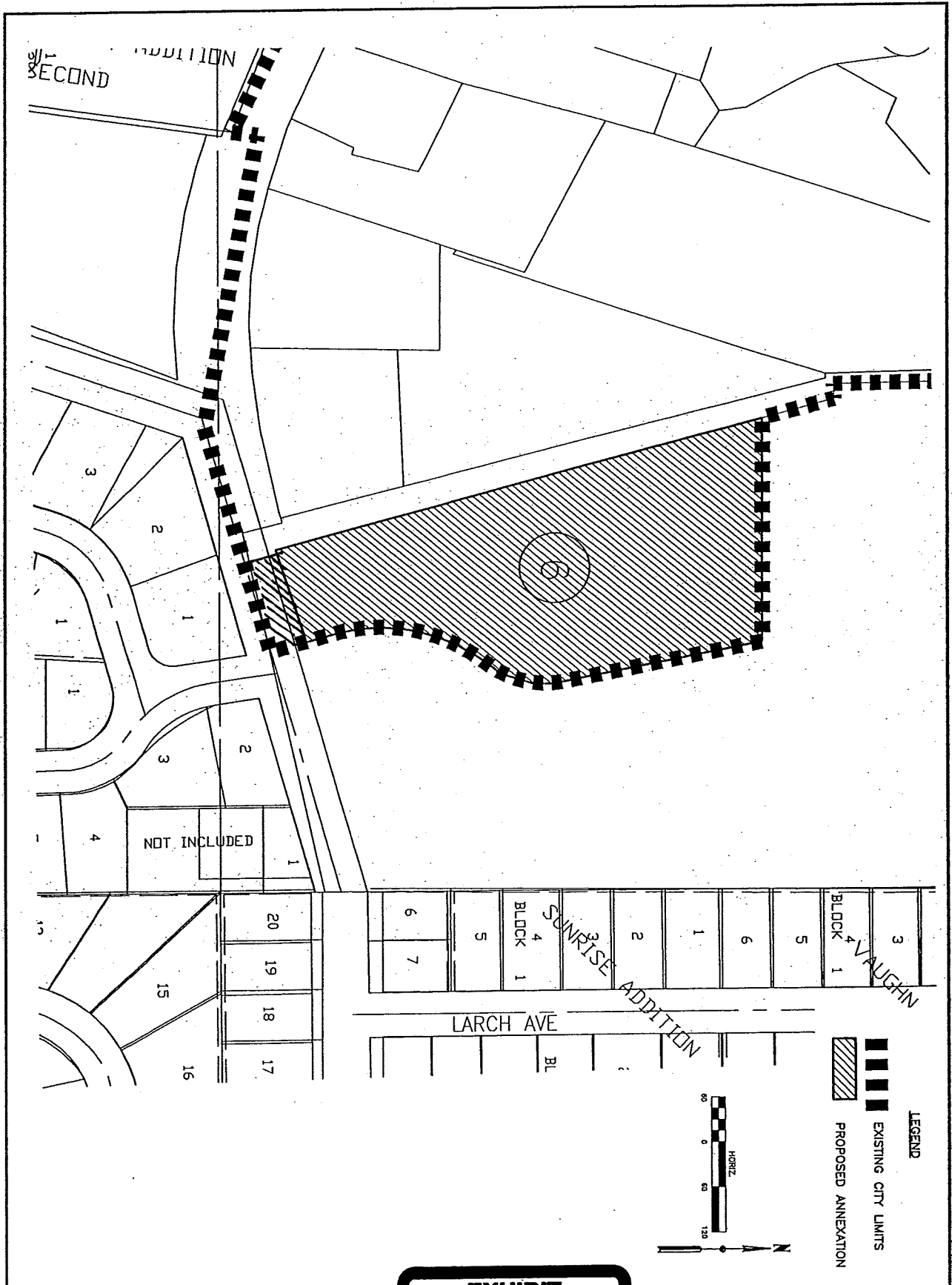


EXHIBIT
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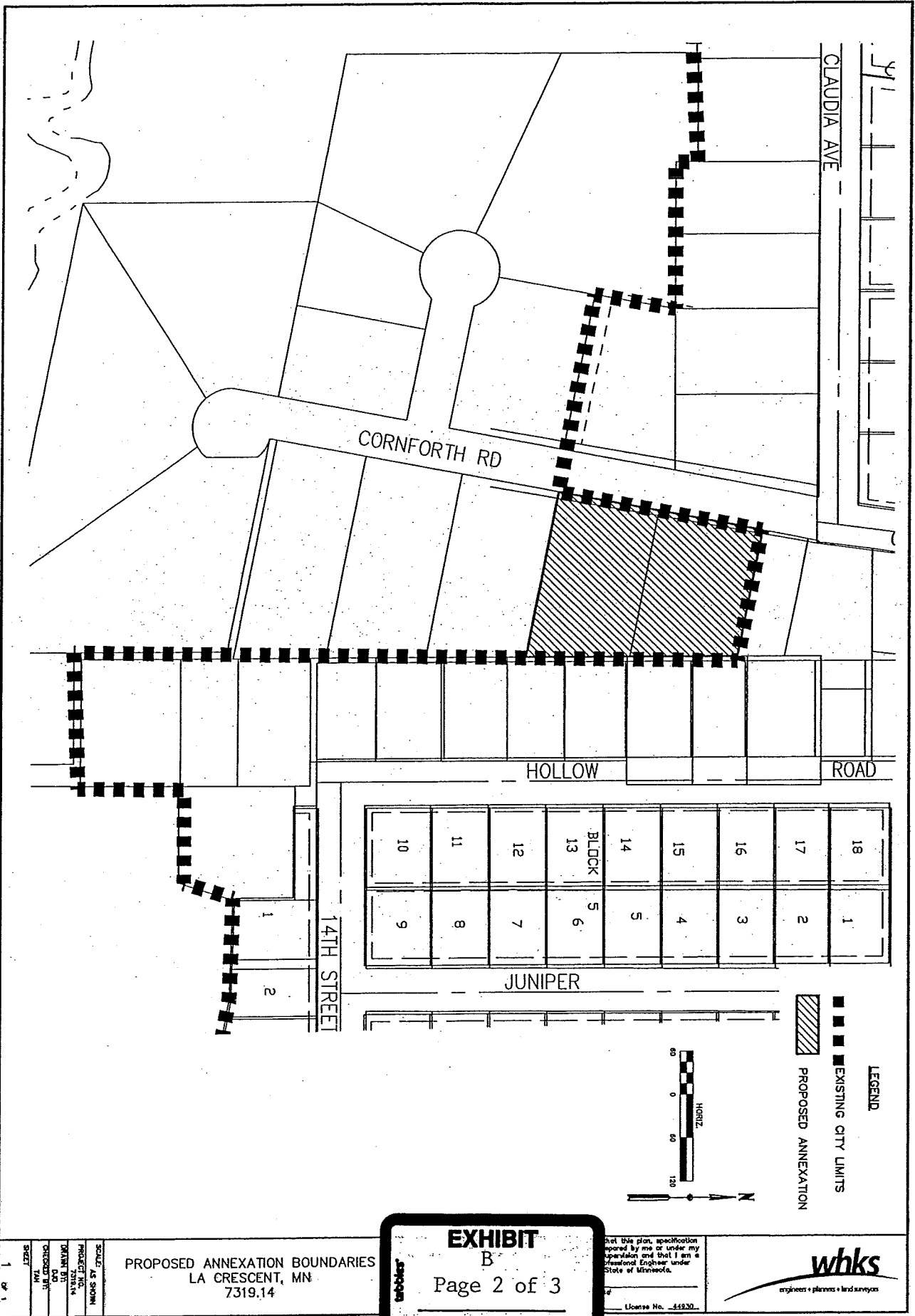
PROPOSED ANNEXATION BOUNDARIES
LA CRESCENT, MN
7319.14

I, the undersigned, certify that this plan, specification prepared by me or under my supervision and that I am a Professional Engineer, under the State of Minnesota.

License No. 44820



SCALE: AS SHOWN
PROJECT NO. 7319.14
DRAWN BY: [Name]
CHECKED BY: [Name]
DATE: [Date]



EXHIBIT

B

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PROPOSED ANNEXATION BOUNDARIES
LA CRESCENT, MN
7319.14

I certify this plan, specification prepared by me or under my supervision and that I am a Licensed Engineer under the State of Minnesota.

License No. 44920



SCALE: AS SHOWN
 PROJECT NO.:
 DRAWN BY:
 CHECKED BY:
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 SHEET 1 OF 1

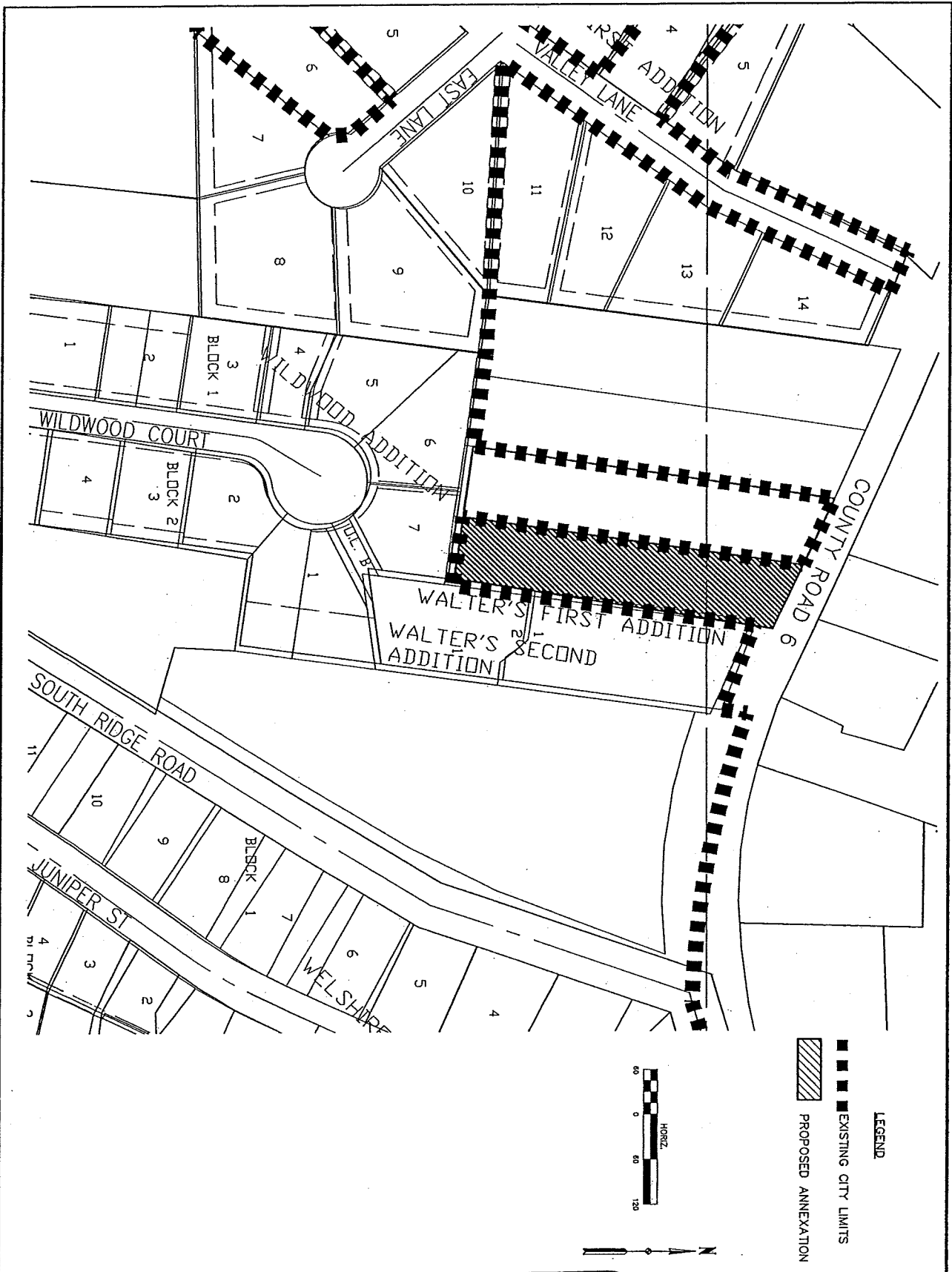


EXHIBIT B
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PROPOSED ANNEXATION BOUNDARIES
LA CRESCENT, MN
7319.15

I certify that this plan, specification or report prepared by me or under my supervision and that I am a Professional Engineer under the State of Minnesota.

License No. 44920



SCALE: AS SHOWN
PROJECT NO. 7319.15
DRAWN BY: [Name]
CHECKED BY: [Name]
DATE: [Date]
SHEET 1 OF 1