

CITY OF WINTHROP  
ORDINANCE NUMBER  
2015-107

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REC'D BY  
MBA

DEC 24 2015

**AN ORDINANCE OF THE CITY OF WINTHROP ANNEXING LAND  
LOCATED IN THE TOWN OF ALFSBORG, SIBLEY 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 be annexed to the City of Winthrop Minnesota, was duly presented to the Council of the City of Winthrop on the 7<sup>th</sup> day of October, 2015; and

**WHEREAS**, said property is unincorporated and abuts the City of Winthrop; is less than 120 acres; at the time of the petition was not presently served by public sewer facilities or public sewer facilities were not otherwise available; and

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

**WHEREAS**, said property is currently urban or suburban in character; and

**WHEREAS**, the City of Winthrop held a public hearing pursuant to Minnesota Statutes § 414.033 Subd. 2b, on November 5, 2012, following thirty (30) days written notice by certified mail to the Town of Alfsborg and to all landowners within and contiguous to the area legally described herein, 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 WINTHROP  
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.
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 Winthrop, Minnesota, are hereby extended to include the following described property, said land abutting the City of Winthrop and being 120 acres or less in area, and at the time of the petition was not presently served by public sewer facilities or public sewer facilities were not otherwise available, and the City having received a petition for annexation from all the property owners of the land, to wit:

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The North 676.90 feet (as measured along the West line) of the South Half of Northwest Quarter (S ½ of NW ¼) Section 5 Township 112 Range 29.

ALSO

Part of the East Half of Northeast Quarter (E ½ of NE ¼) Section 6 Township 113 Range 29 described as follows: Commencing at the northeast corner of said Section 6; thence on an assumed bearing of S00°48'00" along the East line of said Northeast Quarter 1049.13 feet to a point on the southerly right-of-way line of the now existing Railroad, said point being the point of beginning of the tract to be described; thence S86°03'43"W along said southerly right-of-way line 68.00 feet; thence S00°48'00"E 33.00 feet; thence S89°58'22"E 34.90 feet; thence S00°48'00"E 107.10 feet; thence S89°58'22"E 33.00 feet to the East line of said Northeast Quarter; thence N00°48'00"W along said Est line 144.80 feet to the point of beginning.

The total number of acreages being annexed is 40.43

5. The City of Winthrop, 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 Alfsborg in accordance with the following schedule:

2016: Township is still levying on property  
2017: \$165  
2018: \$165  
2019: \$165  
2020: \$165  
2021 \$165

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, there are no special assessments or debt incurred by the Town on the subject area for which reimbursement is required.

7. That the City Administrator of the City of Winthrop is hereby authorized and directed to file a copy of this Ordinance with the Municipal Boundary Adjustment Unit of the Minnesota Office of Administrative Hearings, the Minnesota Secretary of State, the Sibley County Auditor, and the Alfsborg Township Clerk.

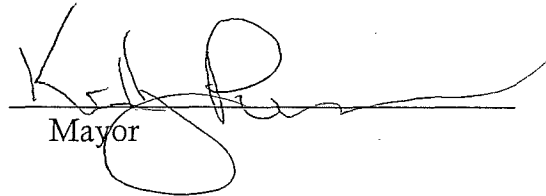
8. That this Ordinance shall be in full force and effect and final upon the date this Ordinance is approved by the Office of Administrative Hearings.

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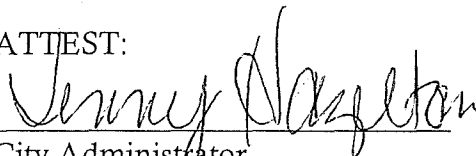
REC'D BY  
MBA

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PASSED AND ADOPTED by the City Council of the City of Winthrop, Minnesota  
, this 7<sup>th</sup> day of December, 2015.

  
\_\_\_\_\_  
Mayor

ATTEST:

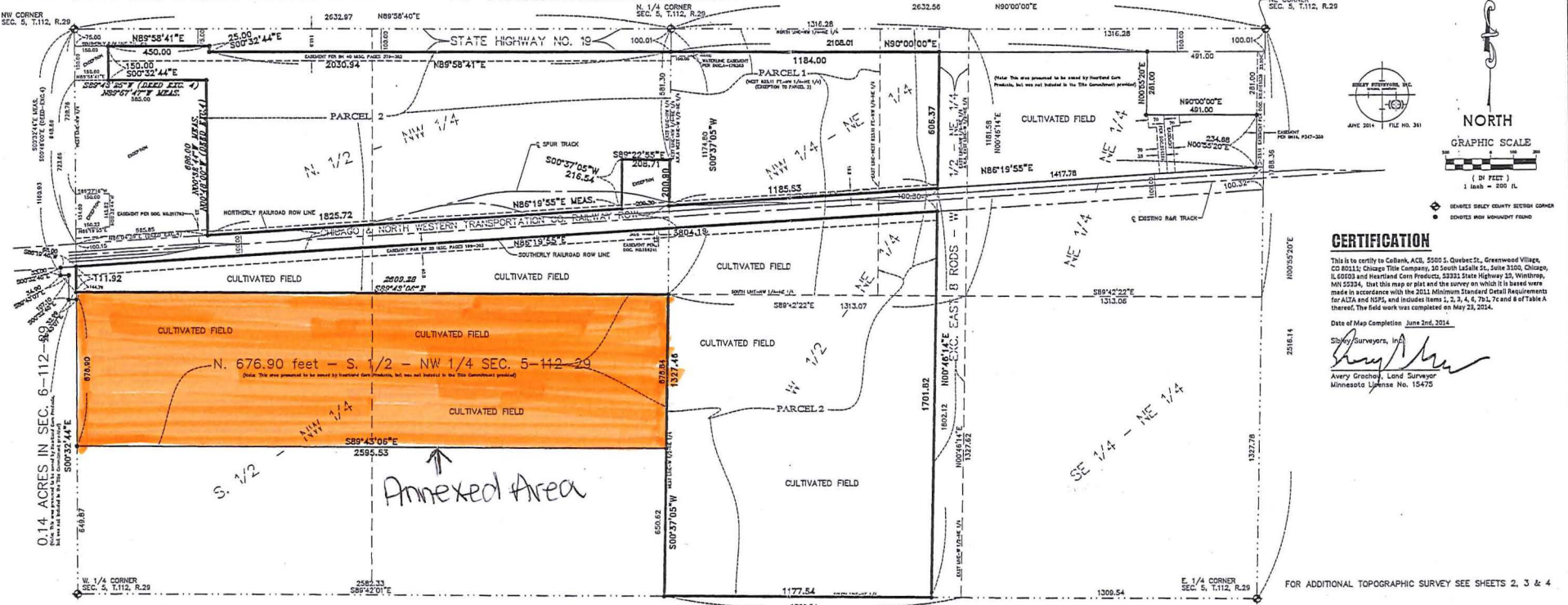
  
\_\_\_\_\_  
City Administrator

(City Seal)

First Reading: November 19, 2015  
Second Reading/Adoption: December 7, 2015  
Publication: December 9, 2015

REC'D BY  
MBA  
DEC 24 2015

# ALTA/AGSM LAND TITLE SURVEY -for- CoBank & Heartland Corn Products



**CERTIFICATION**

This is to certify to CoBank, A/CB, 5505 S. Quebec St., Greenwood Village, CO 80111; Chicago Title Company, 35 South LaSalle St., Suite 3100, Chicago, IL 60603 and Heartland Corn Products, 33331 State Highway 19, Winthrop, MN 55394, that this map or plat and the survey on which it is based were made in accordance with the 2011 Minimum Standard Detail Requirements for ALTA and AGSM, and includes items 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

Date of Map Completion: June 2nd, 2014

Surveyors: In A  
Avery Crockett, Land Surveyor  
Minnesota License No. 15475

## LEGAL DESCRIPTIONS AS PROVIDED

**Parcel 1:**  
The West 825.11 feet of the Northwest Quarter of the Northeast Quarter (NW 1/4 of NE 1/4), Section Five (5), Township One Hundred Twelve (112), Range Twenty-nine (29), unsplit in the City of Winthrop, Sibley County, Minnesota.

**Parcel 2:**  
The West Half of the Northeast Quarter (W 1/2 of NE 1/4), EXCEPTING the East 8 rods of said W 1/2 of NE 1/4 and also EXCEPTING the West 825.11 feet of the NW 1/4 of NE 1/4.

**AND**

The North Half of the Northwest Quarter (N 1/2 of NW 1/4) EXCEPTING the following parcels:

**EXCEPTION PARCEL 1:**  
Part of the Northwest Quarter of the Northeast Quarter of Section 5, Township 112, Range 29, Sibley County, Minnesota, described as follows: Commencing at the northwest corner of said Section 5; thence on an assumed bearing of South 00 degrees 32 minutes 44 seconds East along the West line of said Northwest Quarter 78.00 feet to a point on the southerly right-of-way line of Minnesota State Highway Number 19, said point being the point of beginning of the tract to be described; thence continuing South 00 degrees 32 minutes 44 seconds East along said West line 150.00 feet; thence North 89 degrees 58 minutes 40 seconds East 150.00 feet; thence North 00 degrees 32 minutes 44 seconds West 150.00 feet to the southerly right-of-way line of Minnesota State Highway Number 19; thence South 89 degrees 58 minutes 40 seconds West along said right-of-way line 150.00 feet to the point of beginning.

**EXCEPTION PARCEL 2:**  
Part of the Northwest Quarter of the Northeast Quarter of Section 5, Township 112, Range 29, Sibley County, Minnesota, described as follows: Commencing at the northeast corner of said Northwest Quarter; thence on an assumed bearing of South 00 degrees 37 minutes 37 seconds East along the East line of said Northwest Quarter 581.20 feet to the point of beginning of the tract to be described; thence continuing South 00 degrees 37 minutes 37 seconds West along said East line 200.00 feet to the southerly right-of-way line of the existing Railroad; thence South 89 degrees 58 minutes 40 seconds West along said right-of-way line 250.00 feet; thence North 00 degrees 37 minutes 37 seconds East 216.54 feet; thence South 89 degrees 58 minutes 40 seconds East 203.71 feet to the point of beginning.

**EXCEPTION PARCEL NUMBER 3:**  
Part of the Northwest Quarter of the Northeast Quarter of Section 5, Township 112, Range 29, Sibley County, Minnesota, described as follows: Commencing at the northeast corner of said Section 5; thence on an assumed bearing of South 00 degrees 48 minutes 00 seconds East along the West line of said Northwest Quarter 232.00 feet to the point of beginning of the tract to be described; thence continuing South 00 degrees 48 minutes 00 seconds East along said West line 723.84 feet to the southerly right-of-way line of the existing Railroad; thence North 89 degrees 58 minutes 40 seconds East along said southerly right-of-way line 585.85 feet; thence North 00 degrees 48 minutes 00 seconds West 650.00 feet; thence South 89 degrees 58 minutes 40 seconds West 585.00 feet to the point of beginning. This tract contains 8.47 acres of land and is subject to any and all easements of record.

**EXCEPTION PARCEL NUMBER 4:**  
Part of the Northwest Quarter of the Northeast Quarter of Section 5, Township 112, Range 29, Sibley County, Minnesota, described as follows: Commencing at the northeast corner of said Section 5; thence on an assumed bearing of South 00 degrees 48 minutes 00 seconds East along the West line of said Northwest Quarter 232.00 feet to the point of beginning of the tract to be described; thence continuing South 00 degrees 48 minutes 00 seconds East along said West line 723.84 feet to the southerly right-of-way line of the existing Railroad; thence North 89 degrees 58 minutes 40 seconds East along said southerly right-of-way line 585.85 feet; thence North 00 degrees 48 minutes 00 seconds West 650.00 feet; thence South 89 degrees 58 minutes 40 seconds West 585.00 feet to the point of beginning. This tract contains 8.47 acres of land and is subject to any and all easements of record.

All of the above in Section Five (5), Township One Hundred Twelve (112), Range Twenty-nine (29), unsplit in the City of Winthrop, Sibley County, Minnesota.

## GENERAL NOTES

- Fee ownership is vested in Heartland Corn Products.
- Address of the surveyed premises: 53331 State Hwy 19 Winthrop, MN 55396
- Bearings of the measured bearing system, shown hereon are based on the north line of NE 1/4, having an assumed bearing of North 00 degrees 00 minutes 00 seconds East.
- Surveyed premises shown on this survey map is in located within an area non-printed or unmeasured by FEMA.
- Boundary area of the surveyed premises contained in Title Commitment No. 2683697 provided & the legal descriptions shown here on: 110.05 Acres.
- The City of Winthrop has indicated that the surveyed premises shown on this survey is currently zoned L-2 (Heavy Industrial District) under the applicable zoning regulations, and that the current setbacks are:  
 Building: 1. There is no lot area width requirement  
 2. There is no maximum building height requirement  
 3. The front yard setback requirement is 25 feet  
 4. The corner side yard setback requirement is 25 feet  
 5. The side yard setback requirement is 10 feet (or none common party firewall is provided)  
 6. The rear yard setback requirement is 25 feet  
 7. Where a property abuts a railroad siding, no side or rear yard shall be required when a railroad loading facility is to be installed.
- For additional information contact the Planning and Zoning Department at the City of Winthrop at (507) 647-5306.
- There are no marked or striped parking areas onsite.
- The surveyed premises here on observed to State Hwy 19, a public highway.
- Utilities shown hereon are observed or from construction plans. Excavations were not made during the process of this survey to locate underground utilities and/or structures. The location of underground utilities and/or structures may vary from locations shown hereon and additional underground utilities and/or structures may be encountered. Contact Cooper State One Call Notification Center at (651) 454-0002 for verification of utility types and field location, prior to excavation.
- Due to the size and complexity of the equipment and improvements located on the surveyed premises, not all improvements are shown and some shown are based on construction plans.
- Subsurface and environmental conditions were not examined or considered during the process of this survey. No statement is made concerning the existence of underground or overhead containers or facilities that may affect the use or development of the surveyed premises.

(CHICAGO TITLE INSURANCE COMPANY), Commitment No. 2683697, Schedule B Exemptions:  
 8. Easement in favor of Minneapolis General Electric Company disclosed by document filed in Book 32 of Deeds at page 608 allowing said company the right to go upon and construct and to perpetually operate and maintain its lines with center poles to be 8 feet southerly of the railroad right-of-way.  
 9. Easement in favor of Northwestern Bell Telephone Company disclosed by document filed in Book 16 of Miscellaneous at pages 371-372 allowing said company an easement to construct, operate, maintain, replace and remove its system consisting of cables, wires and related improvements over and under a strip of land 1 rod in width lying North of and abutting the railroad right-of-way.  
 10. Easement to the City of Winthrop disclosed by document filed in Book 29 of Miscellaneous at pages 199-200 allowing the City to construct, repair, alter, replace, change the size of, or remove sanitary sewer pipelines and appurtenances within easement area 40 feet in width and lying southerly of and adjacent to the southerly right-of-way of the railroad.  
 11. Public road right-of-way disclosed by a final certificate filed in Book H of Miscellaneous at pages 39-41 and by a final certificate filed in Book 20 of Miscellaneous at pages 19-23.  
 12. Transmission easement in favor of Cooperative Power Association disclosed by Document No. 155241.  
 13. Claim to water treatment system disclosed by UCC Fixture Financing Statement filed as Document No. 060300.  
 14. Public Utility Easement in favor of the City of Winthrop disclosed by Document filed in Book 40 of Miscellaneous at pages 379-382 affecting the northerly 140 feet of the North Half of the Northwest Quarter (N 1/2 of NW 1/4), Section 5-112-29.  
 15. Surveyor's Note: The easement area has been shown.  
 16. Waterline easement in favor of the City of Winthrop dated June 20, 1994, recorded October 20, 1999, as Document No. 6-176365.  
 17. Subject to License between the Minnesota Valley Regional Rail Authority and Heartland Corn Products dated March 29, 2001, recorded May 14, 2001, as Document No. A181965.  
 18. Surveyor's Note: The License agreement is for a fresh water pipeline system located within the railroad right-of-way.  
 19. Easement not listed on this Commitment for Electrical Transmission lines in favor of Cooperative Power Association dated December 5th, 2005, recorded December 13th, 2005, as document No. 6-204289.  
 20. Surveyor's Note: The easement area has been shown.  
 21. Easement not listed on this Commitment for access easement in favor of Heartland Corn Products dated September 19, 2007, recorded November 28, 2007, as document No. A1811792.  
 22. Surveyor's Note: The easement area has been shown.  
 23. Easement not listed on Title Commitment Dated July 16 1997, recorded July 22, 1997, as document No. 0165038.  
 24. Surveyor's Note: The easement area has been shown.

ALTA/AGSM LAND TITLE SURVEY -for- CoBank & Heartland Corn Products  
 6/27/2014  
 63843 PH.DT  
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