

CITY OF HASTINGS, MINNESOTA

ORDINANCE NO. 2015-15

**AN ORDINANCE OF THE CITY OF HASTINGS EXTENDING
ITS CORPORATE LIMITS TO INCLUDE CERTAIN LAND ABUTTING
THE CITY WHICH IS OWNED BY CONZEMIUS DAIRY FARM
AND HASTINGS INDEPENDENT SCHOOL DISTRICT NO. 200
COMMONLY KNOWN AS DAKOTA SUMMIT 3RD ADDITION**

PREAMBLE

WHEREAS, the City of Hastings has received a petition from Conzemius Dairy Farm and Hastings Independent School District No. 200 (Petitioners) seeking annexation to the City of Hastings, and;

WHEREAS, the Petitioners have represented to the City of Hastings that they are the sole owners of property described as:

That part of the Southeast Quarter of the Northeast Quarter of Section 30, Township 115, Range 17, Dakota County, Minnesota, described as follows:

Commencing at the Northeast corner of the Southeast Quarter of the Northeast Quarter of said Section 30; thence South 00 degrees 13 minutes 26 seconds East, assumed bearing, along the east line of said Northeast Quarter, a distance of 159.02 feet to the point of beginning of the land to be described; thence North 00 degrees 13 minutes 26 seconds West, along the east line of said Northeast Quarter, a distance of 32.25 feet; thence South 68 degrees 14 minutes 02 seconds West, a distance of 78.74 feet; thence westerly along a tangential curve, concave to the north, having a radius of 320.00 feet, a central angle of 21 degrees 37 minutes 57 seconds, a distance of 120.82 feet; thence South 89 degrees 51 minutes 57 seconds West, a distance of 283.75 feet to the west line of the east 475.00 feet of said Southeast Quarter of the Northeast Quarter; thence South 00 degrees 13 minutes 26 seconds East, along said west line, a distance of 1097.00 feet to the north right of way line of the MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 19-86; thence North 89 degrees 51 minutes 58 seconds East, along said north right of way line, a distance of 395.00 feet to the west line of the east 80.00 feet of said Southeast Quarter of the Northeast Quarter; thence North 00 degrees 13 minutes 26 seconds West, along said west line of the east 80.00 feet a distance of 687.14 feet to the north line of the south 733.11 feet of said Southeast Quarter of the Northeast Quarter; thence North 89 degrees 57 minutes 45 seconds East, along said north line of the south 733.11 feet, a distance of 80.00 feet to the east line of said Southeast Quarter of the Northeast Quarter; thence North 00 degrees 13 minutes 26 seconds West, along last said west line a distance of 429.31 feet to the point of beginning.

WHEREAS, the property is unincorporated; it abuts the limits of the City of Hastings; is not included within any other municipality; is not included in any area that has already been designated for orderly annexation pursuant to Minn. Stat. 414.0325; and is approximately 10.78 acres in size, and;

WHEREAS, the City of Hastings held a public hearing pursuant to Minnesota Statutes 414.033, Subd. 2b, on December 21, 2015, following thirty (30) days written notice by certified mail to the Town of Nininger (“Township”) 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.

ENACTMENT

Section 1. The City Council hereby determines and finds that the property described above abuts the City of Hastings; that the area to be annexed is 120 acres or less, that the property is not included in any area that has already been designated for orderly annexation pursuant Minn. Stat. 414.0325; that the City of Hastings received a properly prepared Petition for Annexation signed by all of the owners of the property; and that the Petition for Annexation complies with all of the provisions of Minn. Stat. 414.033.

Section 2. The property is urban or suburban in character and is in need of City services which can be provided by the City of Hastings.

Section 3. The corporate limits of the City of Hastings are hereby extended to include the property described above and that same property is hereby annexed to and included within the City of Hastings as if the property had originally been a part of the City.

Section 4. The City Clerk is directed to file a certified copy of this Ordinance with the Minnesota Office of Administrative Hearings; Nininger Township; Dakota County and the Minnesota Secretary of State.

Section 5. Property taxes payable on the annexed land shall be paid to Nininger Township for year 2016, the year in which the annexation becomes effective, in accordance with Minn. Stat. 414.033, Subd. 12.

Section 6. The City of Hastings, pursuant to Minn. Stat. 414.036, shall provide reimbursement to Nininger Township to compensate the Township for loss of taxable property in the amount of seven hundred thirteen dollars and 23 cents (\$713.23) payable in two annual payments: (1) on January 2, 2017 in the amount of \$356.62; and (2) on January 2, 2018 in the amount of \$356.61.

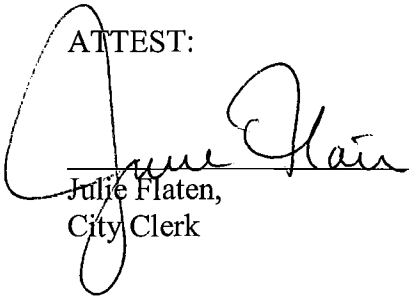
Section 7. Pursuant to Minn. Stat. 414.036 with respect to any special assessments assigned by Nininger Township to the annexed property and any portion of debt incurred by the Township prior to the annexation and attributable to the property to be annexed, there are no special assessments or debt incurred by the Township on the subject area for which reimbursement is required.

Section 8. This Ordinance shall become effective upon its passage, seven days after its publication, the filing of the certified copies as directed in Section 4 and upon approval of this Ordinance by the Minnesota Office of Administrative Hearings.

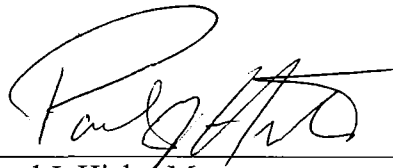
Adopted by the Hastings City Council on December 21, 2015 and as amended by the Hastings City Council on February 1, 2016, by the following vote:

Ayes:
Nays:
Absent:

ATTEST:



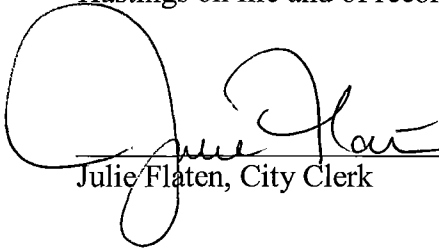
Julie Flaten,
City Clerk



Paul J. Hicks, Mayor

(City Seal)

I HEREBY CERTIFY that the above is a true and correct copy of ordinance presented to and adopted by the City of Hastings, County of Dakota, Minnesota, on the 21st day of December, 2015 and as amended by the Hastings City Council on the 1st day of February, 2016 as disclosed by the records of the City of Hastings on file and of record in the office.



Julie Flaten, City Clerk

(SEAL)

This instrument drafted by:
City of Hastings (JH)
101 4th St. E.
Hastings, MN 55033

LOCATION MAP



RECEIVED

By Municipal Boundary Adjustments at 2:09 pm, Feb 08, 2016

DAKOTA SUMMIT 3RD ADDITION

KNOW ALL PERSONS BY THESE PRESENTS: That Dakota Summit Development, LLC, a Minnesota limited liability company, and Independent School District No. 200, a public corporation under the laws of the State of Minnesota, owners of the following described property:

This part of the Southeast Quarter of the Northeast Quarter of Section 20, Township 115, Range 17, Dakota County, Minnesota, described as follows: Commencing at the Northeast corner of the Southeast Quarter of said Section 20; thence South 09 degrees 13 minutes 26 seconds West, along the east line of said Northeast Quarter, a distance of 139.02 feet to the point of beginning of the land to be described; thence North 00 degrees 13 minutes 26 seconds East, along the east line of said Northeast Quarter, a distance of 35.48 feet; thence South 68 degrees 14 minutes 02 seconds West, a distance of 79.92 feet; thence westerly along a tangential curve, concave to the north, having a radius of 317.20 feet, a central angle of 23 degrees 37 minutes 57 seconds, a distance of 119.99 feet; thence South 89 degrees 51 minutes 57 seconds West, a distance of 293.76 feet, to the west line of the east 475.00 feet of said Southeast Quarter of the Northeast Quarter; thence South 00 degrees 13 minutes 26 seconds East, along said west line, a distance of 1100.00 feet to the south right of way line, a distance of 475.00 feet to the east line of said Southeast Quarter of the Northeast Quarter; thence North 00 degrees 13 minutes 26 seconds West, along the east line of said Southeast Quarter of the Northeast Quarter, a distance of 1116.32 feet to the point of beginning.

Has caused the same to be surveyed and platted as DAKOTA SUMMIT 3RD ADDITION and does hereby dedicate to the public for public use the public ways and the drainage and utility easements as created by this plat.

In witness whereof said Dakota Summit Development, LLC, a Minnesota limited liability company, has caused these presents to be signed by its proper officer this ___ day of _____, 20__.

Dakota Summit Development, LLC

By: Nicholas T. Cozzani, Chief Manager

STATE OF MINNESOTA
COUNTY OF _____

This instrument was acknowledged before me on _____ by Nicholas T. Cozzani, Chief Manager of Dakota Summit Development, LLC, a Minnesota limited liability company, on behalf of the limited liability company.

Notary Public, _____
My commission expires _____

In witness whereof said Independent School District No. 200, a public corporation, has caused these presents to be signed by its proper officer this ___ day of _____, 20__.

Independent School District No. 200

By: _____ Board Chair By: _____ Board Clerk

STATE OF MINNESOTA
COUNTY OF _____

This instrument was acknowledged before me on _____ by the proper officers of Independent School District No. 200, a public corporation under the laws of the State of Minnesota, on behalf of the public corporation.

Notary Public, _____
My commission expires _____

I, Thomas J. O'Meara do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this ___ day of _____, 20__.

Thomas J. O'Meara, Licensed Land Surveyor
Minnesota License No. 46167

STATE OF MINNESOTA
COUNTY OF _____

This instrument was acknowledged before me on _____, 20__, by Thomas J. O'Meara.

Notary Public, _____
My commission expires _____

CITY COUNCIL

This plat was approved by the City Council of Hastings, Minnesota, this ___ day of _____, 20__, and hereby certifies compliance with all requirements as set forth in Minnesota Statutes, Section 505.01, Subd. 2.

By: _____ Mayor By: _____ Clerk

COUNTY SURVEYOR

I hereby certify that in accordance with Minnesota Statutes, Section 505.021, Subd. 11, this plat has been reviewed and approved this ___ day of _____, 20__.

By: Todd B. Tolstoun
Dakota County Surveyor

COUNTY BOARD

We do hereby certify that on the ___ day of _____, 20__, the Board of Commissioners of Dakota County, Minnesota, approved this plat of DAKOTA SUMMIT 3RD ADDITION, and said plat is in compliance with the provisions of Minnesota Statutes, Sections 505.01, Subd. 2, and pursuant to the Dakota County Contiguous Plat Ordinance.

By: _____ Clerk, County Board
Attest: _____ County Treasurer-Auditor

DEPARTMENT OF PROPERTY TAXATION AND RECORDS

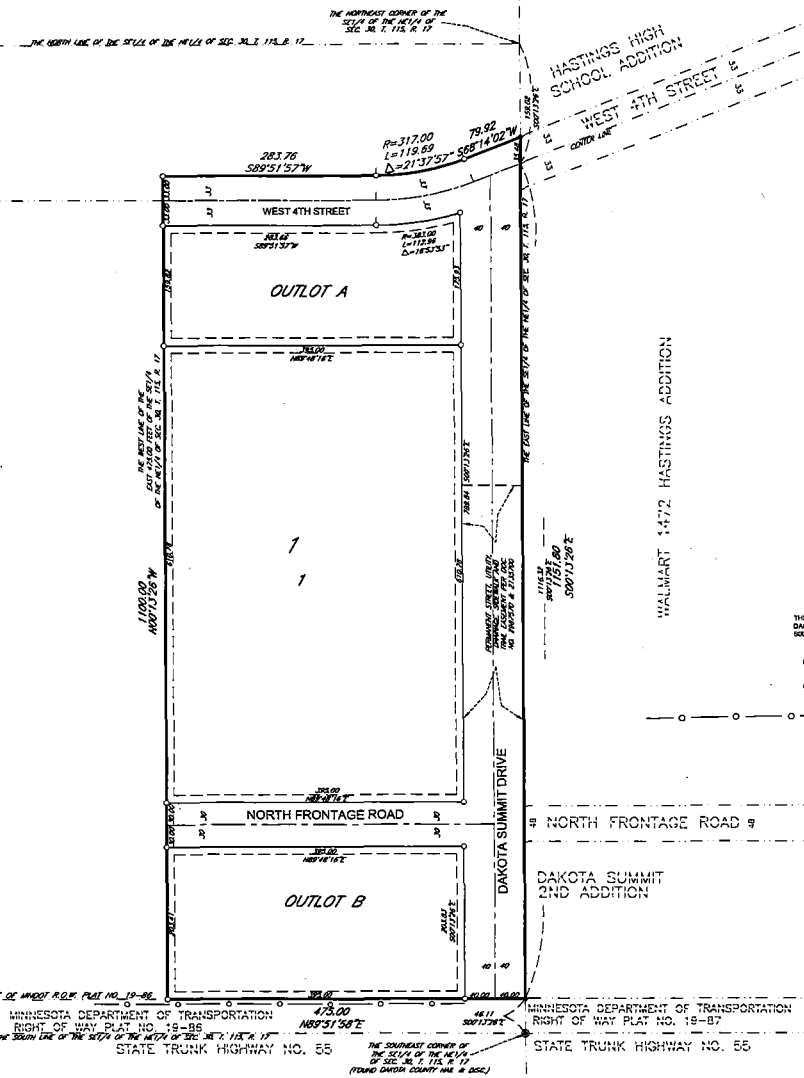
Pursuant to Minnesota Statutes, Section 509.021, Subd. 9, taxes payable in the year 20__ on the land heretofore described have been paid. Also, pursuant to Minnesota Statutes, Section 272.12, there are no delinquent taxes and transfer entered this ___ day of _____, 2015.

By: _____ Director
Department of Property Taxation and Records

COUNTY RECORDER, County of Dakota, State of Minnesota

I hereby certify that this plat of DAKOTA SUMMIT 3RD ADDITION, was filed in the office of the County Recorder for public record on this ___ day of _____, 20__, at _____ o'clock __M., and was duly filed in book _____ of Plats, Page _____, as Document Number _____.

_____, County Recorder

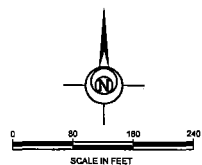


THE EAST LINE OF THE SE1/4 OF THE NE1/4 OF SEC. 20, T. 115, R. 17, DAKOTA COUNTY, MINNESOTA IS ASSUMED TO HAVE A BEARING OF 90°00'00\"/>

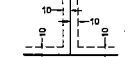
- DENOTES 5/8 INCH BY 1/4 INCH IRON PIPE MONUMENT SET AND MARKED BY LICENSE NUMBER 46167, UNLESS OTHERWISE SHOWN.
- DENOTES IRON PIPE MONUMENT FOUND.

○ DENOTES CONTROLLED ACCESS PER MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 19-88

NO MONUMENT SYMBOL AT ANY STATUTE REQUIRED LOCATION WILL BE SET WITH A 1/2 INCH x 1/4 INCH IRON PIPE, WITH ONE YEAR OF THE RECORDING OF THIS PLAT BY LICENSE NUMBER 46167.



DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:



BEING 10 FEET IN WIDTH AND ADJOINING STREET LINES AND LOT LINES UNLESS OTHERWISE INDICATED.

Bohlen
Surveying & Associates
1188 1/2 University Avenue
Hastings, MN 55033
Phone: (507) 444-7788
Fax: (507) 444-7789