

Ordinance No. 2016-1

An Ordinance of the City of St. Anthony, Minnesota
Annexing Land Located in Krain Township, Stearns 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 in the attached Schedule of Real Property (the "Property") be annexed to the City of St. Anthony, Minnesota, was duly presented to the Council of the City of St. Anthony on 12/15, 2015, and

Whereas, the Property is unincorporated and abuts the City of St. Anthony on its southerly and easterly boundaries; is less than 120 acres; is not presently served by public sewer facilities or public sewer facilities are not otherwise available; and

Whereas, the Property is not located within a flood plain or shoreland area; and

Whereas, the Property is currently rural and annexation is requested to facilitate the residential development of the property; and

Whereas, the City of St. Anthony held a public hearing pursuant to Minnesota Statutes § 414.033 Subd. 2b, on January 26, 2016, following 30 days written notice by certified mail to the Town of Krain and to all landowners within and contiguous to the territory 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 St. Anthony hereby ordains as follows:

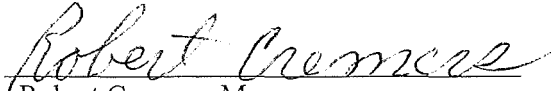
1. The City Council hereby determines that the Property as hereinafter described abuts the city limits and is or is about to become urban in nature in that residential use is being proposed for the Property.
2. None of the Property is now included within the limits of any city, or in any area that has already been designated for orderly annexation pursuant to Minnesota Statutes § 414.0325.
3. The corporate limits of the City of St. Anthony, Minnesota, are hereby extended to include the Property, said land abutting the City of St. Anthony 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.
4. The Property consists of a total of 0.12 acres, more or less.

5. That the population of the area legally described in the Property and hereby annexed is zero.
6. The City of St. Anthony, pursuant to Minnesota Statutes § 414.036, with respect to the property taxes payable on the Property, hereby annexed, shall make a cash payment to the Town of Krain 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 years in accordance with the 2006 amendments to Minnesota Statutes §414.036.

7. 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, there are no special assessments or debt incurred by the Town on the Property for which reimbursement is required.
8. That the City Clerk of the City of St. Anthony 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 Stearns County Auditor, and the Krain Township Clerk.
9. 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 St. Anthony, Minnesota, on January 26, 2016.


Robert Cremers, Mayor

ATTEST:


Linda Hall, City Clerk

(City Seal)

REC'D BY
MBA

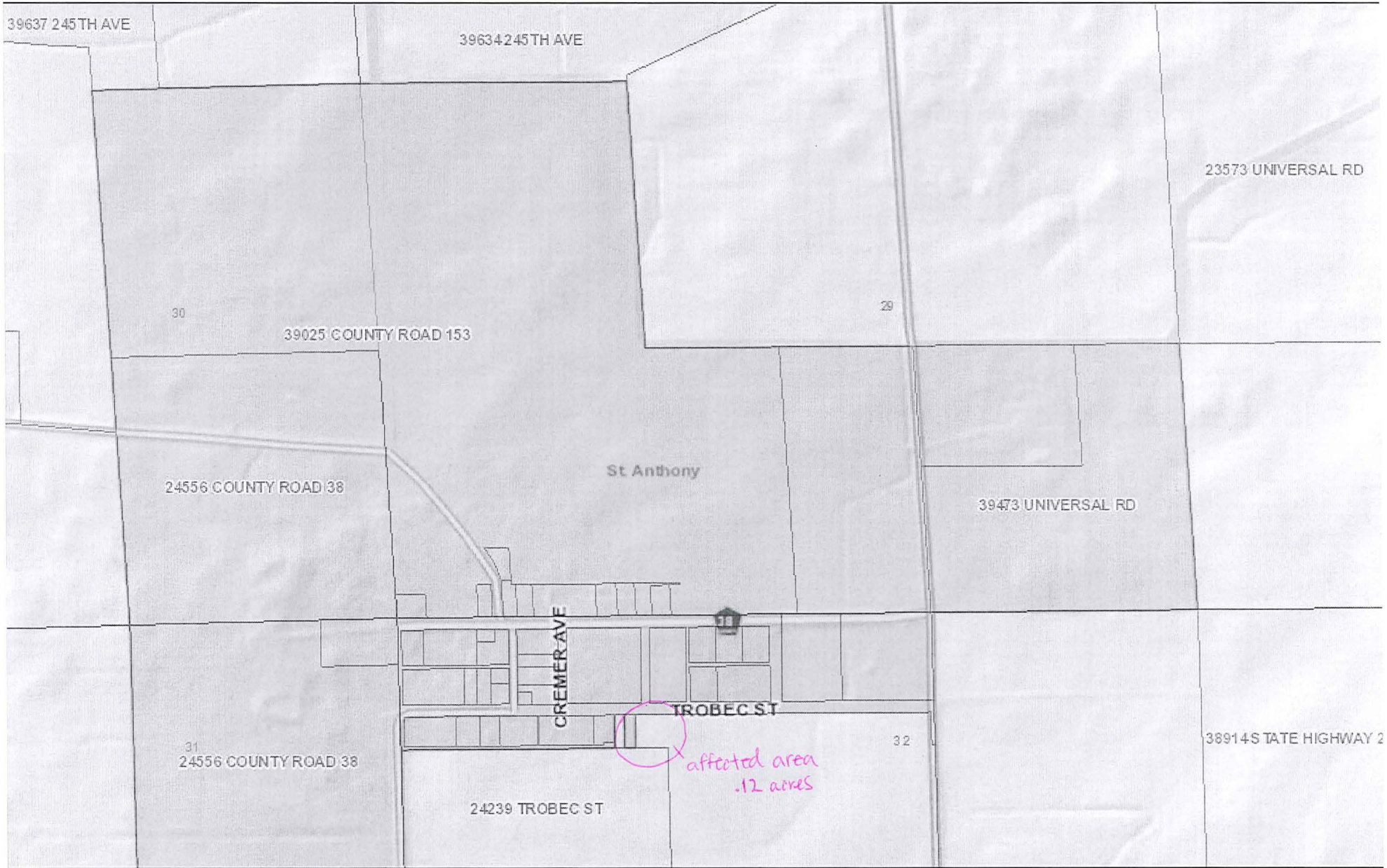
FEB 05 2016

Schedule of Real Property

All that part of the North Half of the North Half of the Northwest Quarter of Section 32, Township 126 North, Range 31 West, Stearns County, Minnesota described as follows: Commencing at the point of intersection of the east line of said North Half of the North Half of the Northwest Quarter and the easterly extension of the south line of Trobec Avenue of the Original Townsite of Saint Anthony, said point being South $00^{\circ}52'06''$ East (assumed bearing), a distance of 495.00 feet southerly of the north quarter of said Section 32; thence North $89^{\circ}59'28''$ West, along the south line of said Trobec Avenue, a distance of 1346.51 feet to the point of beginning of the land to be described; thence South $00^{\circ}52'06''$ East, parallel with the said east line of the North Half of the North Half of the Northwest Quarter, a distance of 61.00 feet; thence North $89^{\circ}59'28''$ West, parallel with the said south line of Trobec Avenue, a distance of 85.00 feet; thence North $00^{\circ}52'06''$ West, parallel with the said east line of the North Half of the North Half of the Northwest Quarter to the south line of said Trobec Avenue a distance of 61.00 feet; thence South $89^{\circ}59'28''$ East, along the said south line of Trobec Avenue, a distance of 85.00 feet to the point of beginning.

Containing 0.12 acres, more or less.

St. Anthony



Data is as represented in Stearns County Databases. It is NOT Intended for Locational Use and Stearns County waives all liability from this product.



REC'D BY
MBA

FEB 05 2016

Auditor/Treasurer
Division of Land Management

Date: 1/29/2016



CERTIFICATE OF SURVEY

SECTION 32, T126N, R31W

STEARNS COUNTY, MN

- ⊙ DENOTES COUNTY CAST IRON MONUMENT
- DENOTES IRON PIPE PLACED THIS SURVEY
CAPPED HLS NO. 13334
- DENOTES IRON PIPE
FOUND THIS SURVEY
- ✓ DENOTES BROKEN SCALE



NORTH QUARTER CORNER
SEC. 32, T126N, R31W

Legal Description.
TRACT "A"

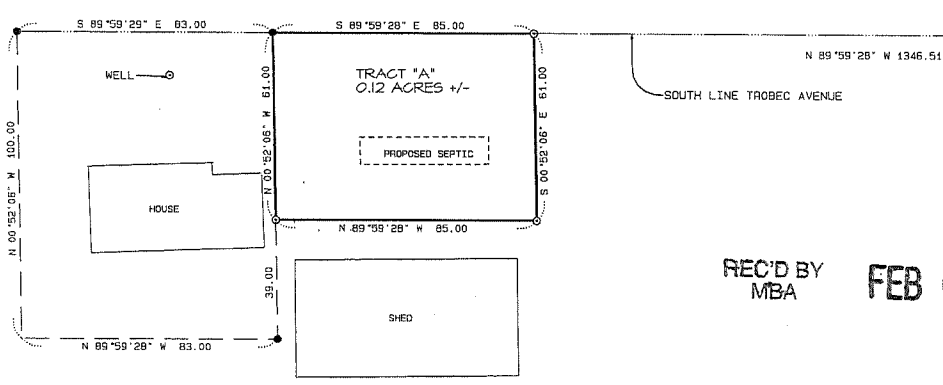
All that part of the North Half of the North Half of the Northwest Quarter Section 32, Township 126 North, Range 31 West, Stearns County, Minnesota described as follows:
Commencing at the point of intersection of the east line of said North Half of the North Half of the Northwest Quarter and the easterly extension of the south line of Trobec Avenue of the said ORIGINAL TOWNSITE OF SAINT ANTHONY, said point being South 00°52'06" East (assumed bearing), a distance of 495.00 feet southerly of the north quarter of said Section 32; thence North 89°59'28" West, along the south line of said Trobec Avenue, a distance of 1346.51 feet to the Point of Beginning of the land to be described; thence South 00°52'06" East, parallel with the said east line of the North Half of the North Half of the Northwest Quarter, a distance of 61.00 feet; thence North 89°59'28" West, parallel with the said south line of Trobec Avenue, a distance of 85.00 feet; thence North 00°52'06" West, parallel with the said east line of the North Half of the North Half of the Northwest Quarter, to the south line of said Trobec Avenue a distance of 61.00 feet; thence South 89°59'28" East, along the said south line of Trobec Avenue, a distance of 85.00 feet to the Point of Beginning.

Containing 0.12 ACRES, more or less.

S 00°52'06" E 495.00

EAST LINE OF
N1/2 N1/2 NW1/4

TROBEC AVENUE



REC'D BY
MBA FEB 05 2016

I HEREBY CERTIFY THAT THIS SURVEY WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

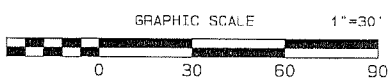
9/25/2015
DATE: *Ronald Engelmeier*
Ronald Engelmeier, Land Surveyor
Minnesota Registration No. 13334

N1/2 N1/2 NW1/4 SEC. 31, T126N, R31W
BLOCK 7 (VACATED)
O.T. OF ST. ANTHONY

THIS SURVEY IS INTENDED ONLY FOR THE BENEFIT OF THE PARTY TO WHOM IT WAS PREPARED FOR AND SHOULD NOT BE RELIED UPON BY ANY OTHER PARTY OR FOR ANY OTHER PURPOSE WITHOUT CONTACTING THE SURVEYOR WHO DEVELOPED AND MADE THIS DRAWING. UNAUTHORIZED REPRODUCTION OF THIS DOCUMENT IS PROHIBITED. EASEMENTS, SITE RESTRICTIONS AND OR ADJOINING CONFLICTS MAY EXIST AFFECT THE SUBJECT AND ARE NOT SHOWN WITH THIS SURVEY. WE RESERVE THE RIGHT TO REVISE THIS SURVEY UPON RECEIPT OF A CURRENT TITLE OPINION OR ATTORNEY'S TITLE COMMITMENT.

THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT. NO SEARCH FOR EASEMENTS RECORDED OR UNRECORDED WAS MADE BY THE SURVEYOR.

CALL GUYMON ONE BEFORE DIGGING. NO UNDERGROUND OR OVERHEAD UTILITIES WERE LOCATED DURING THIS SURVEY.



Engelmeier Surveying P.A.	
PREPARED FOR: TIM VOS	
Certificate of Survey	
cc: VOS2015.PRO	Job No: 79-15
Date: 09/25/2015	P-3-2983 FB: 173-25
ENGELMEIER SURVEYING P. A. 307A EAST MAIN STREET MELROSE, MN 56352 PHONE: (320) 256-7298 FAX: (320) 256-5151 email: engelsur@meltel.net	