

**AN ORDINANCE OF THE CITY OF RICHMOND, MINNESOTA ANNEXING  
LAND LOCATED IN MUNSON 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 **Exhibit A** be annexed to the City of Richmond Minnesota, was duly presented to the Council of the City of Richmond on the 19<sup>th</sup> day November, 2015;

**WHEREAS**, said property is unincorporated and abuts the City of Richmond (the "City") on its western and northern boundaries, is less than 120 acres, and is presently not served by public sewer facilities;

**WHEREAS**, said property is not located within a flood plain or shore land area;

**WHEREAS**, said properties are currently owned by Robert and Karen Heying (23.13623.0000); and Church of St Peter and Paul (23.13518.0040, 23.13518.0030, and 23.13518.0010); and annexation is requested by said property owners;

**WHEREAS**, the City of Richmond held a public hearing pursuant to Minnesota Statutes § 414.033 Subd. 2b, on February 3, 2016 following thirty (30) days written notice by certified mail to the Township of Munson and to all landowners contiguous to the area to be annexed whose names are attached in **Exhibit B**; 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 RICHMOND HEREBY ORDAINS AS FOLLOWS:

1. The City Council hereby determines that the properties as hereinafter described abuts the city limits and is or is about to become urban or suburban in nature.
2. Neither of the properties are 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 Richmond, Minnesota, are hereby extended to include the following properties described in the attached **Exhibit A**, said land abutting the City of Richmond and being 120 acres or less in area, and is presently not served by public sewer facilities, and the City having received a petition for annexation from all the property owners of the land.
4. The total area to be annexed is less than 120 acres. Parcel ID # 23.13623.0000 consists of a total of 12.85 acres, more or less and Parcel ID# 23.13518.0040 consists of a total of 6.80 acres, more or less and Parcel ID # 23.13518.0030 consists of a total of .22 acres more or less and Parcel ID# 23.13518.0010 consists of a total of 2.04 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 as **Exhibit C**.
5. That the population of the area legally described in the attached **Exhibit A** and hereby annexed is:

Parcel ID # 23.13623.0000 is Two (2) and that the property is used for agricultural purposes.

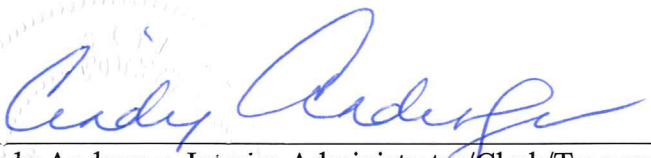
Parcels ID# 23.13518.0040, 23.13518.0030 and 23.13518.0010 is zero (0) and those properties are exempted.

6. With respect to reimbursement of property taxes payable on the area legally described in the attached **Exhibit A**, the City of Richmond shall comply with Minnesota Statute § 414.036 and will reimburse to the Township one year's (2016) worth of taxes (parcel 23.13623.0000 \$273.14) over a period of two years (2016/2017) (Parcels 23.13518.0040, 23.13518.0030 and 23.13518.0010 are tax exempt)
7. That pursuant to Minnesota Statutes §414.036, that with respect to any special assessments assigned by the 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, but for which no special assessments are outstanding, for the area legally described in the attached **Exhibit A** there are no special assessments or debt incurred by the Township for which reimbursement is required.
8. That the City Clerk of the City of Richmond 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 Munson 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 Richmond, Minnesota, this 3<sup>rd</sup> day of February, 2016.

  
\_\_\_\_\_  
Jim Hemmesch, Mayor

ATTEST:

  
\_\_\_\_\_  
Cindy Anderson, Interim Administrator/Clerk/Treasurer

(City Seal)

**Exhibit A**  
**Legal Description of Annexed Property**

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23.13623.0000 Heying

That part of the Northeast Quarter of the Northeast Quarter (NE1/4NE1/4) of Section Twenty-three (23), Township One Hundred Twenty-three (123) North, Range Thirty-one (31) West, lying Northerly of the public highway and Westerly of S.A.R. #23, less the South 300 feet of the West 300 feet thereof.

23.13518.0010 Church of St Peter and Paul

That part of the Southeast quarter of the Southwest quarter (se1/4sw1/4) of Section Thirteen (13), Township One Hundred Twenty-Three (123) North, of Range Thirty-one (31) West, described as follows, to-wit:

Beginning at a point on the south line of said forty, six hundred forty-nine (649) feet west of the southeast corner thereof (said point being six hundred sixteen (616) feet west of the westerly line of the Avon-Richmond County Road), thence north three hundred (300) feet; thence east two hundred fifty (250) feet; thence south three hundred (300) feet; thence west two hundred fifty (250) feet to the point of beginning.

23.13518.00 Church of St Peter and Paul

That part of the Southwest Quarter of the Southwest Quarter (SW1/4 SW1/4) of Section Thirteen (13). Township One Hundred Twenty-three (123), Range Thirty-one (31), described as follows, to-wit: Beginning at a point on the South line of said SW1/4 SW1/4 76 feet West of the Southeast corner of said SW1/4 SW1/4, thence running at a right angle to said last mentioned line North a distance of 150 feet, thence running at a right angle West a distance of 65 feet, thence running at a right angle South to the South line of said SW ¼ SW1/4 a distance of 150 feet, thence running East along said South line a distance of 65 feet to place of beginning, Stearns County, Minnesota.

23.13518.0040 Church of St Peter and Paul

All those tracts pieces or parcels of land, lying and being in the county of Stearns and State of Minnesota, decribed as follows, to-wit: Block two (2), and Lots Seven(7) eight(8) and Nine(9) of Block One (1) in the Brunning Addition to the Town of Richmond, and the following tract of land described as follows: Beginning at a point eight and 54/100 (8.54) chains east, and fifty (50) links North of the south west corner of section thirteen (13) in Township one Hundred twenty three (123) North of range thirty one (31) West, thence running north eight (8) chains, thence east eight and one half (8.50) chains thence south eight (8) chains, thence west eight and one-half (8.50) chains to place of beginning, containing six and 80/100 (6.80) acres of land.

**Contiguous Property Owners in Munson Township, Stearns County, Minnesota**

Irene Plantenberg  
PO Box 503  
Richmond MN 56368

SK Holdings LLC  
15325 300<sup>th</sup> Ave  
Paynesville MN 56362

Cherrywood Advanced Living LLC  
1637 4<sup>th</sup> Ave N  
Sauk Rapids MN 56379

B & J Stewart LLC  
22246 Great Northern Drive  
Cold Spring MN 56320

Jeffrey C & Sandra M Pearson  
PO Box 336  
Richmond MN 56368

Folwarski Family Liv Trust  
122 Barry Loop  
Richmond MN 56368

Brady Schmitt  
231 County Road 23  
Richmond MN 56368

Thomas R Hommerding  
595 Main St W  
Richmond MN 56368

Gerald M & Kathleen A Hemmesch  
24403 County Rd 23  
Richmond MN 56368

Thomas & Terry Niehaus  
PO Box 322  
Richmond MN 56368

Michael & Pat Plantenberg  
PO Box 399  
Richmond MN 56368

Pat & Elma Evens  
PO Box 366  
Richmond MN 56368

Joshua & Faith Thyen  
PPO Box 314  
Richmond MN 56368

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Roman Schmitz  
540 Main St W  
Richmond MN 56368

Marvin E & Sandra Ramler  
23157 County Road 9  
Richmond MN 56368

Erich & Margaret Koester  
PO Box 332  
Richmond MN 56368

Kevin A & Sharon A Schmitz  
PO Box 87  
Richmond MN 56368

Ronald H C K Willenbring  
PO Box 94  
Richmond MN 56368

James V & Margaret M Denne  
PO Box 417  
Richmond MN 56368

Larry D Stanger  
20058 2<sup>nd</sup> St NW  
Richmond MN 56368

Jacob Trebtoske  
149 Hall Ave NW  
Richmond MN 56368

Mark Haffley  
Box 213  
Richmond MN 56368

William Lemke  
217 2<sup>nd</sup> St NW  
Richmond MN 56368

James Schwindel  
Box 671  
Richmond MN 56368

Dan Rapaway  
151 Fir Ave NW  
Richmond MN 56368

Vernon Dockendorf  
Box 714  
Richmond MN 56368

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Independent School District #750  
534 5<sup>th</sup> Ave N  
Cold Spring MN 56320

Church of St Peter & Paul  
PO Box 69  
Richmond MN 56368

Munson Township  
Clerk – Boni Behnen  
24285 193<sup>rd</sup> Ave.  
Richmond, MN 56368

Robert & Karen Heying  
20460 County Road 111  
Richmond MN 56368

**Exhibit C**

**Map**

**attached**

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# Heying

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Feet



Auditor/Treasurer  
Division of Land Management

Date: 1/13/2016



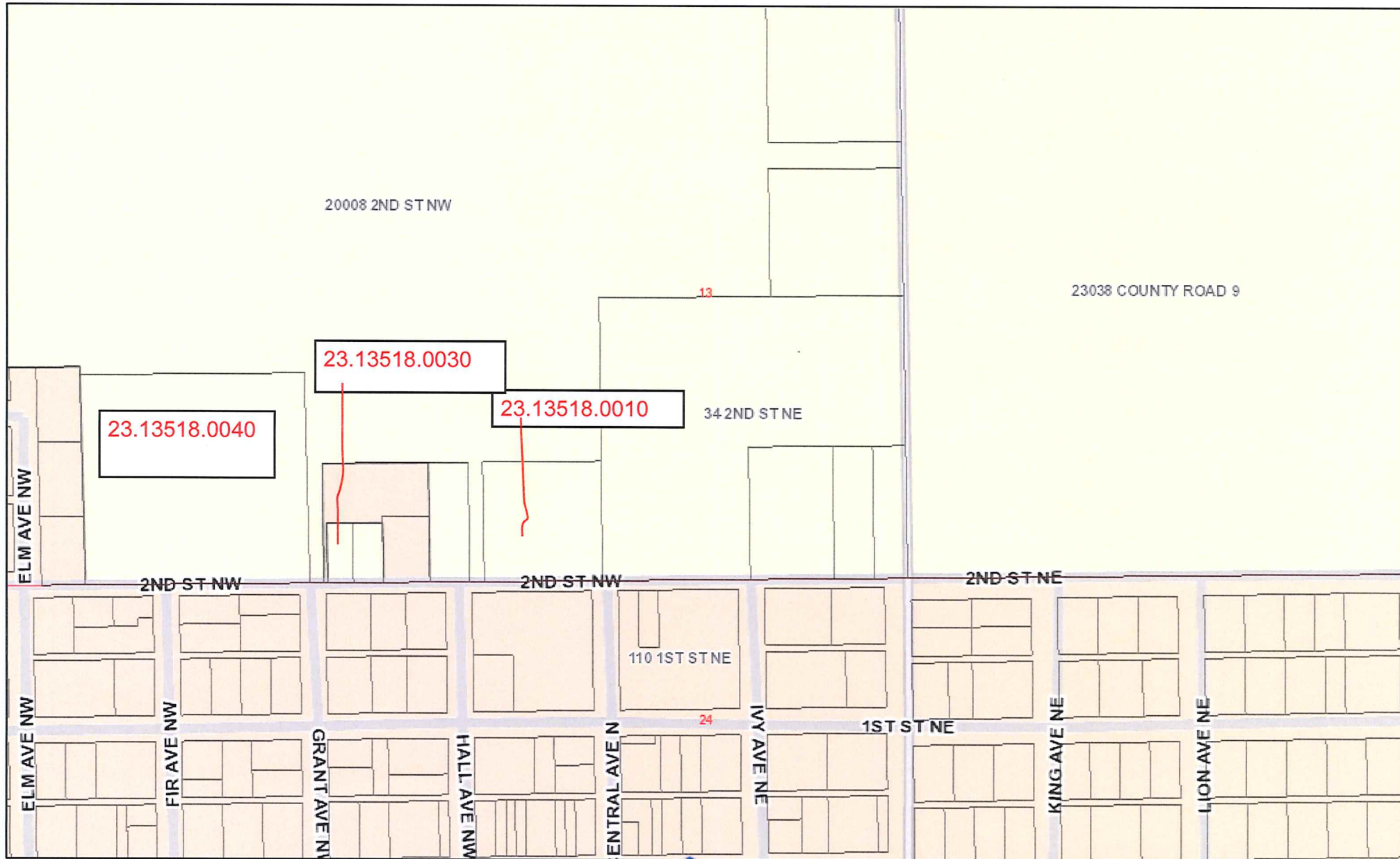
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# Sts Peter Paul

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Division of Land Management

Date: 1/13/2016

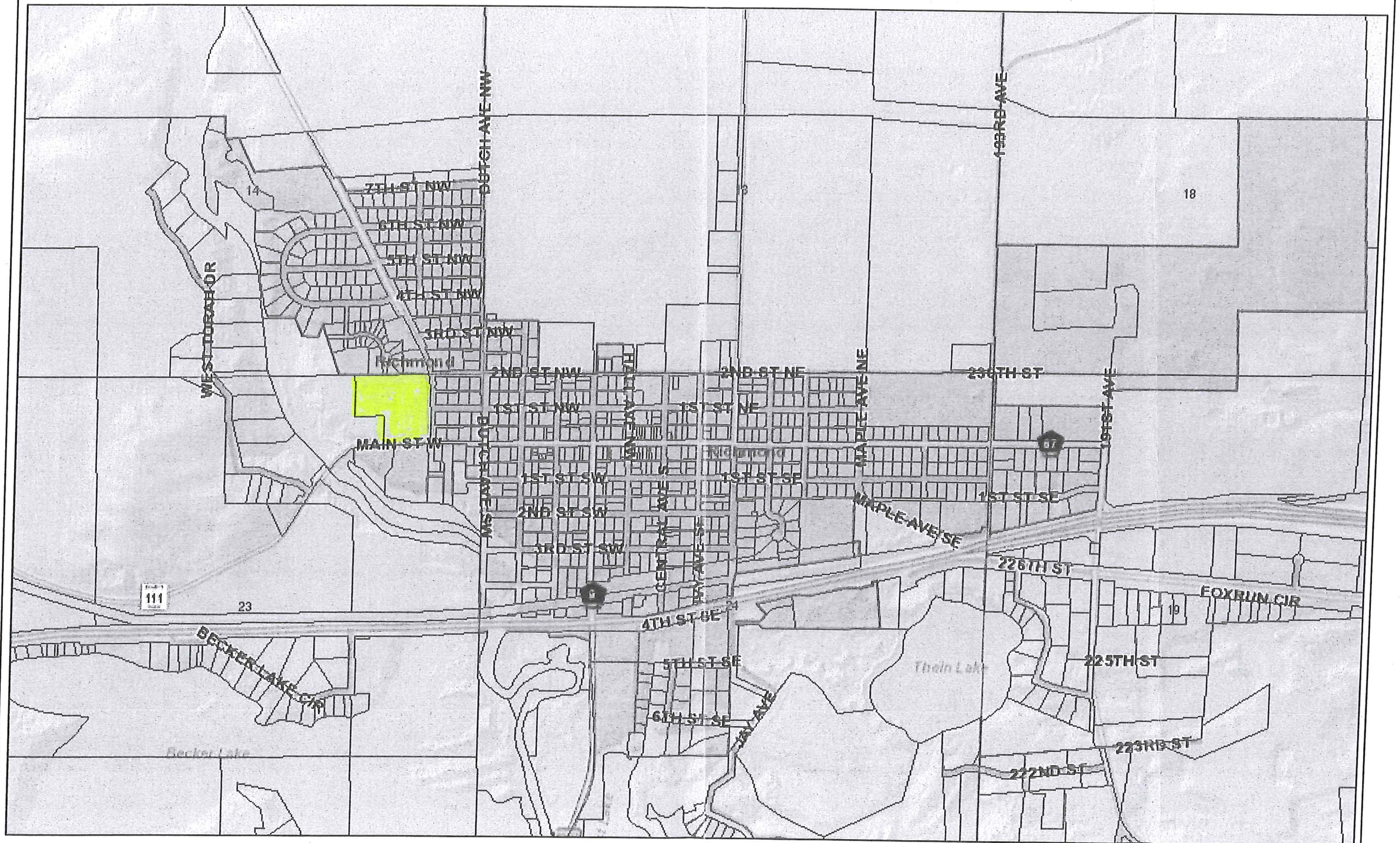


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Haying 23.136 23.0000

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Feet



Auditor/Treasurer  
Division of Land Management  
Date: 11/16/2015



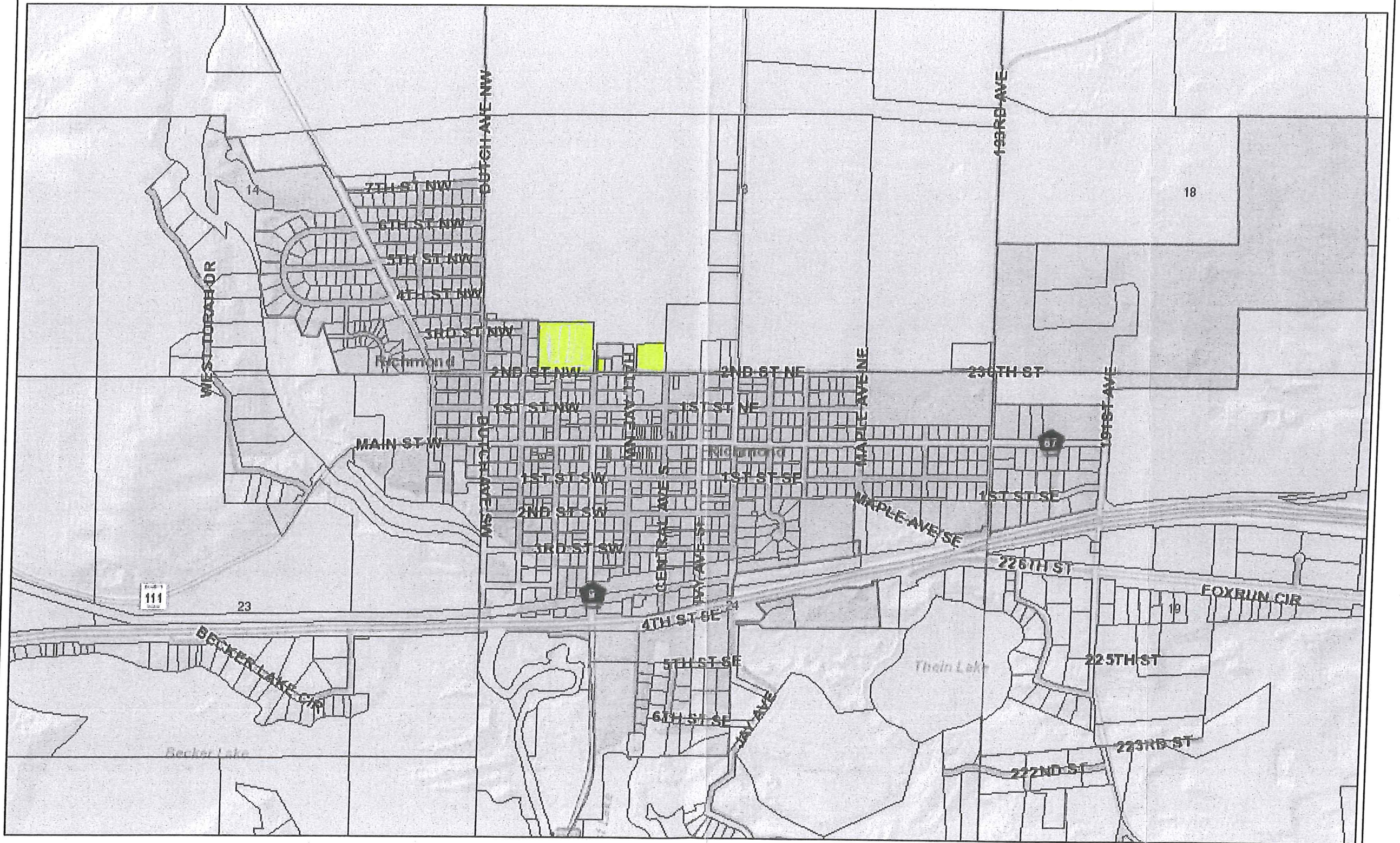


Sts. Peter Paul Church

23.13518.0040  
23.13518.0030  
23.13518.0010

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