

Amended

ORDINANCE NO.2016-100

RECEIVED

by OAH on August 12, 2016

**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 3rd day of February, 2016;

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# 23.1518.0010 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 3rd day of February, 2016.



Jim Hemmesch, Mayor

ATTEST:



Cindy Anderson, Interim Administrator/Clerk/Treasurer

(City Seal)

Amended Exhibit A
Legal Description of Annexed Property

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.

St Peter and Paul Church

PID 74.40793.0001

Former parcel 23.13518.0010, 2.04 acres

That part of the Southeast quarter of the Southwest quarter (se1/4 sw1/4) of Section Thirteen (13), Township One Hundred Twenty-Three (123) North, of Range Thirty-one (31) West, described as follows: The West two hundred ninety six and one half (296.50) feet of the East one thousand sixty five (1065.00) feet of the South three hundred (300) feet of said Southeast quarter of the Southwest quarter.

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.

Exhibit B

Contiguous Property Owners in Munson Township, Stearns County, Minnesota

Irene Plantenberg
PO Box 503
Richmond MN 56368

SK Holdings LLC
15325 300th Ave
Paynesville MN 56362

Cherrywood Advanced Living LLC
1637 4th 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

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 2nd St NW
Richmond MN 56368

Jacob Trebtoske
149 Hall Ave NW
Richmond MN 56368

Mark Haffley

Box 213
Richmond MN 56368

William Lemke
217 2nd 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

Independent School District #750
534 5th Ave N
Cold Spring MN 56320

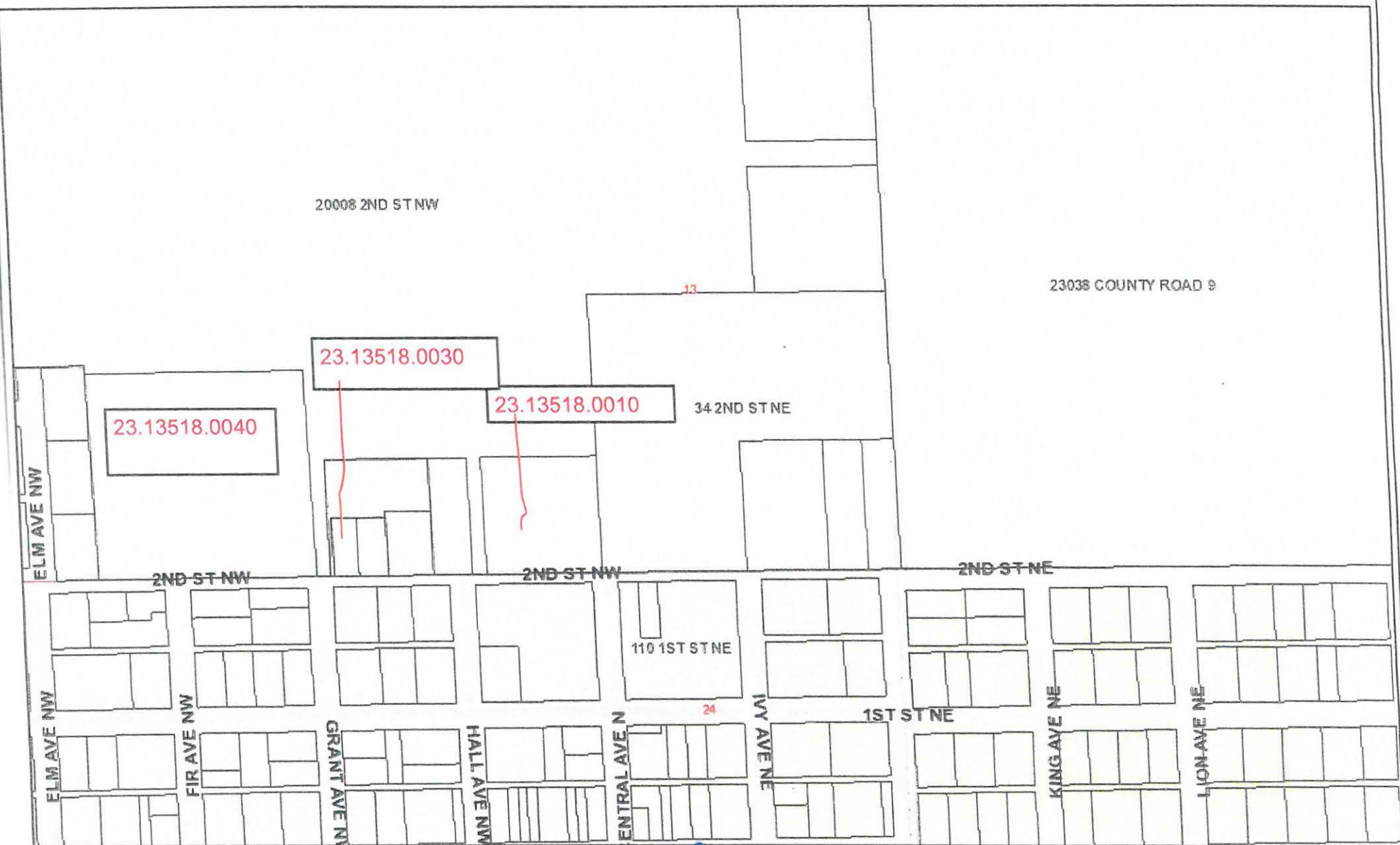
Church of St Peter & Paul
PO Box 69
Richmond MN 56368

Munson Township
Clerk – Boni Behnen
24285 193rd Ave.
Richmond, MN 56368

Robert & Karen Heying
20460 County Road 111
Richmond MN 56368

Exhibit C
Map
attached

Sts Peter Paul



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

0 80 160 320 480 640 Feet



Auditor/Treasurer
Division of Land Management

Date: 1/13/2016



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Heying



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