

ORDINANCE NO. 1380

AN ORDINANCE OF THE CITY OF WILLMAR, MINNESOTA ANNEXING  
LAND LOCATED IN WILLMAR TOWNSHIP, KANDIYOHI 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 Willmar Minnesota, was duly presented to the Council of the City of Willmar on the 21st day of March, 2016; and

WHEREAS, said property is unincorporated and abuts the City of Willmar on its southwest boundary; is less than 120 acres; is not presently served by public sewer facilities or public sewer facilities are not otherwise available; and

WHEREAS, said property is currently zoned R-2 (Community Residence) and annexation is requested to facilitate the extension of city services for the residential R-2 (One and Two Family Residential) development of the property; and

WHEREAS, the City of Willmar held a public hearing pursuant to Minnesota Statutes §414.033 Subd. 2b, on April 18, 2016, following thirty (30) days written notice by certified mail to the Town of Willmar and to all landowners within and contiguous to the area legally described (herein or attached exhibit), to be annexed; and

WHEREAS, provisions of Minnesota Statutes 414.033 Subd. 12 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 CITY OF WILLMAR 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 in that residential use is being proposed for said property the construction of which requires or will need city services, including public sewer facilities.

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 Willmar, Minnesota, are hereby extended to include the following described property, said land abutting the City of Willmar 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, to wit:

That part of the Northwest Quarter of the Southwest Quarter, Section 21, Township 119 North, Range 35 West of the Fifth Principal Meridian, Willmar Township, Kandiyohi County, Minnesota described as follows:

- Commencing at the northwest corner of said Southwest Quarter;
- thence on an assumed bearing of South 89 degrees 41 minutes 40 seconds East, along the north line of said Southwest Quarter, a distance of 932.80 feet;
- thence on a bearing of South 0 degrees 16 minutes 39 seconds West a distance of 75.00 feet to the southerly boundary of the Highway right of way, which is the point of beginning of the land to be described;
- thence continuing on a bearing of South 0 degrees 16 minutes 39 seconds West a distance of 150.00 feet;
- thence on a bearing of North 89 degrees 41 minutes 40 seconds West a distance of 11.96 feet;
- thence on a bearing of South 0 degrees 30 minutes 08 seconds West, parallel with the east line of said Northwest Quarter of the Southwest Quarter, a distance of 67.00 feet;
- thence on a bearing of South 89 degrees 41 minutes 40 seconds East, parallel with the north line of said Southwest Quarter, a distance of 200.00 feet;
- thence on a bearing of North 0 degrees 30 minutes 08 seconds East, parallel with the east line of said Northwest Quarter of the Southwest Quarter, a distance of 217.00 feet to the southerly boundary of the Highway right of way;
- thence on a bearing of North 89 degrees 41 minutes 40 seconds West, along the southerly boundary of the Highway right of way, a distance of 188.63 feet to the point of beginning.

The above described property consists of a total of .96 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.

4. That the population of the area legally described herein and hereby annexed is zero.
5. The City of Willmar, 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 Willmar in accordance with the following schedule:
  - a. In the first year following the year in which the City of Willmar could first levy on the annexed area, an amount to \$17.67; and
  - b. In the second and final year an amount equal to \$17.68.
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.
7. That the City Clerk of the City of Willmar 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 Kandiyohi County Auditor, and the Willmar 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.

This Ordinance introduced by Councilman: Ahmann

This Ordinance introduced on: March 21, 2016

This Ordinance published on: March 26, 2016


This Ordinance given a hearing on: April 18, 2016

This Ordinance adopted on: April 18, 2016

This Ordinance published on: April 23, 2016

STATE OF MINNESOTA )  
 ) ss.:  
COUNTY OF KANDIYOHI)

I, KEVIN J. HALLIDAY, do hereby certify and return that I am now the City Clerk-Treasurer of the City of Willmar, Minnesota, and that I have under my possession and control all of the original records, copies of which are hereto attached; that the attached are identical, true and correct copies of all thereof on file and of record in my office, either as minutes of Council proceedings, or as to instruments filed in my said office; that I have compared that attached with the said original, and certify that the same is true and correct.

  
\_\_\_\_\_  
KEVIN J. HALLIDAY  
City Clerk-Treasurer  
City of Willmar, Minnesota

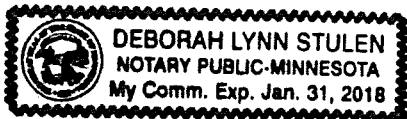
(SEAL)

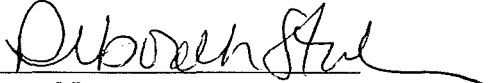
Document Prepared By:

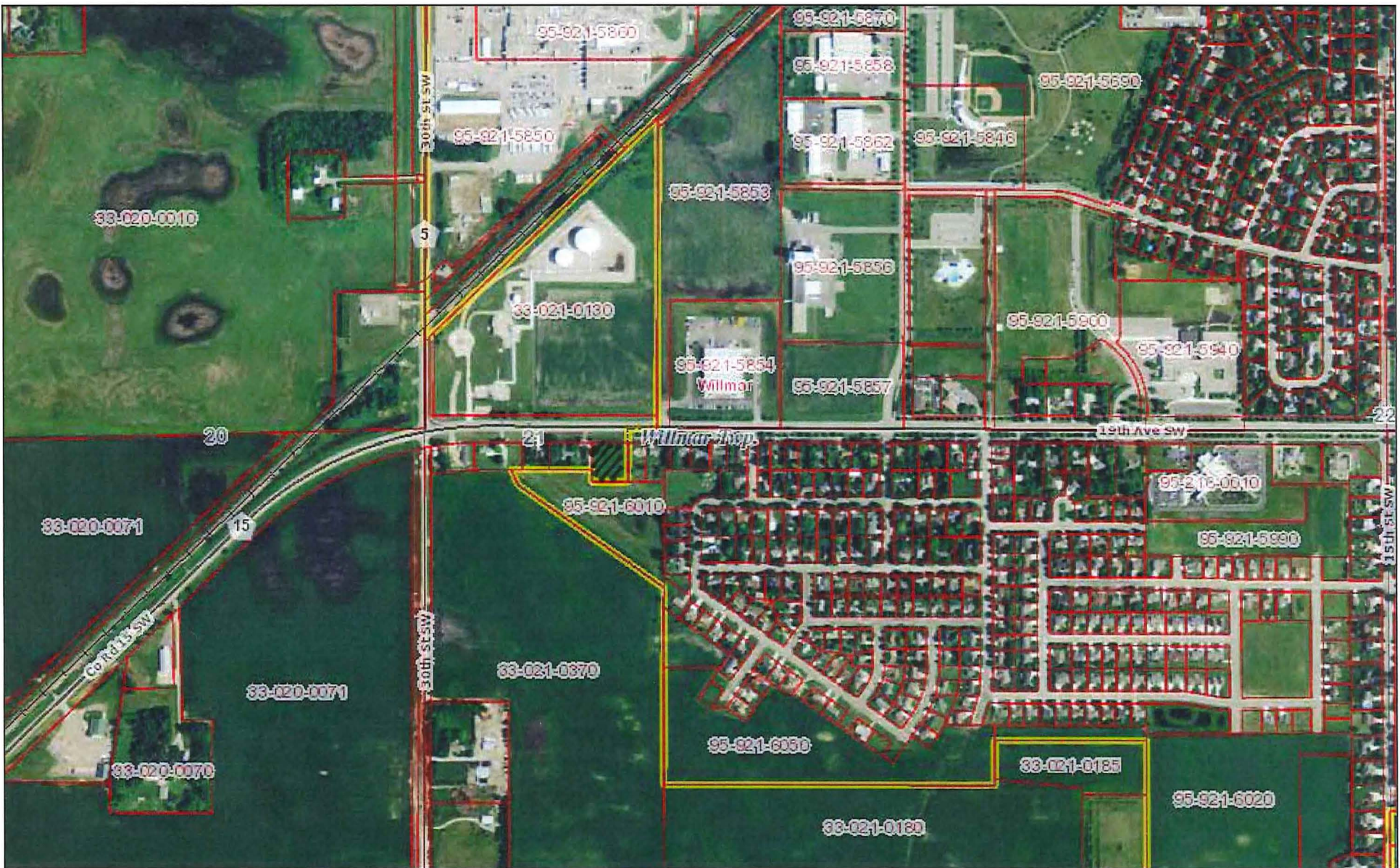
Megan M. DeSchepper  
333 SW 6<sup>th</sup> Street  
Willmar, MN 56201

STATE OF MINNESOTA )  
 ) ss.:  
COUNTY OF KANDIYOHI)

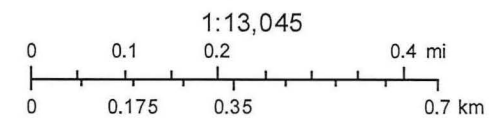
The foregoing instrument was acknowledged before me this  
26 day of April, 2016, by Kevin J. Halliday, City  
Clerk-Treasurer of the City of Willmar, Minnesota, on behalf of said City.



  
\_\_\_\_\_  
Notary

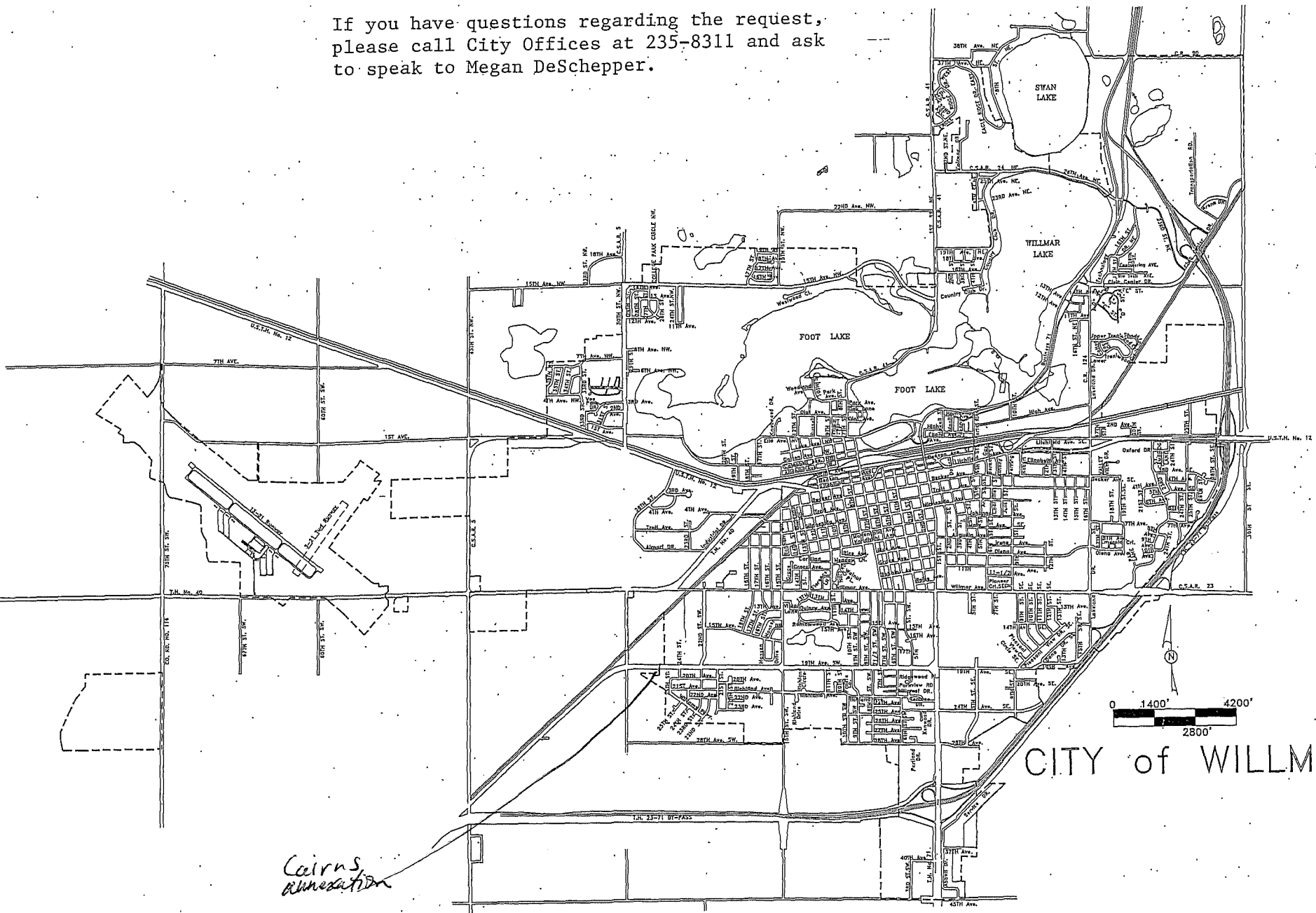


May 5, 2016



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and

If you have questions regarding the request,  
please call City Offices at 235-8311 and ask  
to speak to Megan DeSchepper.



CITY of WILLMAR

*Cairns  
Annexation*

NW Corner  
of the SW<sup>1</sup>/<sub>4</sub>  
also known as:  
W<sup>1</sup>/<sub>4</sub> Corner  
Section 21  
T119N-R35W  
(KCS Iron Pipe)

This is a survey of:  
part of:  
NW<sup>1</sup>/<sub>4</sub> of the SW<sup>1</sup>/<sub>4</sub>  
Located in:

Section 21, T119N-R35W, Willmar Township,  
Kandiyohi County, Minnesota

E<sup>1</sup>/<sub>4</sub> Corner  
Section 21  
T119N-R35W



This drawing prepared by:

**Bonnema Surveys Inc.**

Professional Land Surveying  
1809 22nd St SW - Suite 104  
Willmar, MN 56201  
Office (320) 231-2844 Fax (320) 231-2827

Requested by: **Fenstra Real Estate**  
Willmar, MN



**LEGEND**

- Found Iron Monument from former survey
- Bonnema Surveys Placed Capped Iron Monument
- ⊙ Cast Iron Monument
- Concrete
- X— Fence

**Surveyor's Notice:**

This survey was prepared at the request of our client. This is not a retracement survey of an existing legal description.

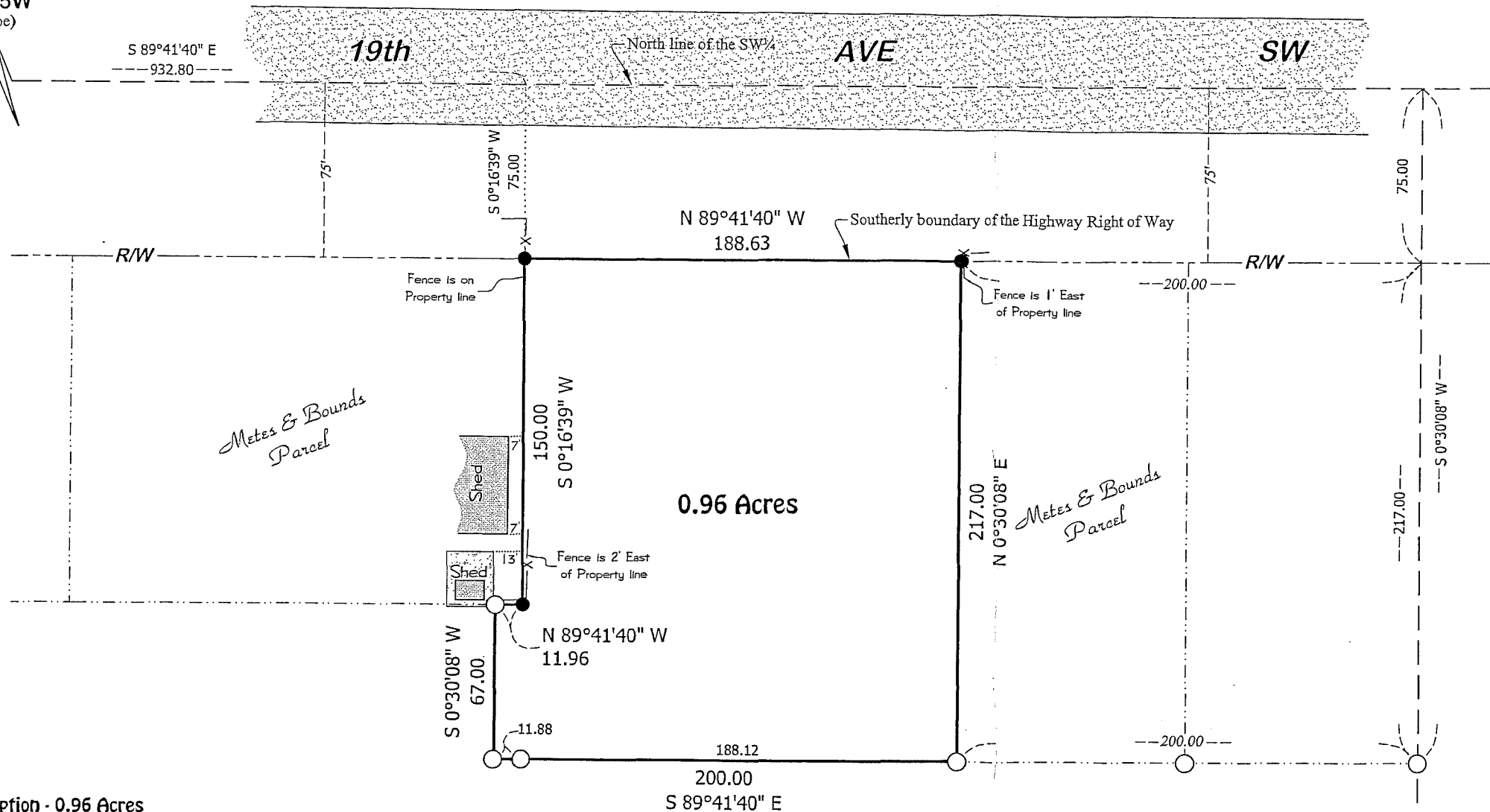
Bonnema Surveys is not giving a title opinion or abstract of this parcel. We suggest that you contact your attorney or a title insurance company for that purpose. Easements or neighboring deed conflicts may exist which affect this parcel and are not shown on this survey.

The distances shown from improvements to the property lines are shown for reference purposes only and are NOT intended for determining the property line location. Property corner monuments shall always be used when establishing the property line.

I HEREBY CERTIFY THAT THIS SURVEY, PLAN, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA. THE FIELD WORK WAS COMPLETED ON DECEMBER 12, 2015.

Joshua M. Stern

Date December 24, 2015 License No. 46169



**Legal Description - 0.96 Acres**

That part of the Northwest Quarter of the Southwest Quarter, Section 21, Township 119 North, Range 35 West of the Fifth Principal Meridian, Willmar Township, Kandiyohi County, Minnesota described as follows:

- Commencing at the northwest corner of said Southwest Quarter;
- thence on an assumed bearing of South 89 degrees 41 minutes 40 seconds East, along the north line of said Southwest Quarter, a distance of 932.80 feet;
- thence on a bearing of South 0 degrees 16 minutes 39 seconds West a distance of 75.00 feet to the southerly boundary of the Highway right of way, which is the point of beginning of the land to be described;
- thence continuing on a bearing of South 0 degrees 16 minutes 39 seconds West a distance of 150.00 feet;
- thence on a bearing of North 89 degrees 41 minutes 40 seconds West a distance of 11.96 feet;
- thence on a bearing of South 0 degrees 30 minutes 08 seconds West, parallel with the east line of said Northwest Quarter of the Southwest Quarter, a distance of 67.00 feet;
- thence on a bearing of South 89 degrees 41 minutes 40 seconds East, parallel with the north line of said Southwest Quarter, a distance of 200.00 feet;
- thence on a bearing of North 0 degrees 30 minutes 08 seconds East, parallel with the east line of said Northwest Quarter of the Southwest Quarter, a distance of 217.00 feet to the southerly boundary of the Highway right of way;
- thence on a bearing of North 89 degrees 41 minutes 40 seconds West, along the southerly boundary of the Highway right of way, a distance of 188.63 feet to the point of beginning.

**Line Description for Quit Claim to Neighbor**

That part of the Northwest Quarter of the Southwest Quarter, Section 21, Township 119 North, Range 35 West of the Fifth Principal Meridian, Willmar Township, Kandiyohi County, Minnesota lying westerly and northerly of the following described line:

- Commencing at the northwest corner of said Southwest Quarter;
- thence on an assumed bearing of South 89 degrees 41 minutes 40 seconds East, along the north line of said Southwest Quarter, a distance of 932.80 feet;
- thence on a bearing of South 0 degrees 16 minutes 39 seconds West a distance of 75.00 feet to the southerly boundary of the Highway right of way, which is the point of beginning of the line to be described;
- thence continuing on a bearing of South 0 degrees 16 minutes 39 seconds West a distance of 150.00 feet;
- thence on a bearing of North 89 degrees 41 minutes 40 seconds West a distance of 11.96 feet to a point where said line terminates.