

RECEIVED

by OAH on August 10, 2016

ORDINANCE NO. 505

**AN ORDINANCE OF THE CITY OF LA CRESCENT, MINNESOTA ANNEXING
LAND LOCATED IN LA CRESCENT TOWNSHIP, HOUSTON 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 La Crescent, Minnesota, was duly presented to the Council of the City of La Crescent on the 27th day of June, 2016; and

WHEREAS, said property is unincorporated and abuts the City of La Crescent on its east and southeasterly boundaries; 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 residential and annexation is requested to facilitate the extension of city services for the residential development of the property; and

WHEREAS, the City of La Crescent held a public hearing pursuant to Minnesota Statutes § 414.033 Subd. 2b, on August 8, 2016, following thirty (30) days written notice by certified mail to the Town of La Crescent 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.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LA CRESCENT
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 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 La Crescent, Minnesota, are hereby extended to include the following described property, said land abutting the City of La Crescent 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:

See Attached Exhibit A

The above described property consists of a total of 8.39 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. The City of La Crescent, 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 La Crescent in accordance with the following schedule:

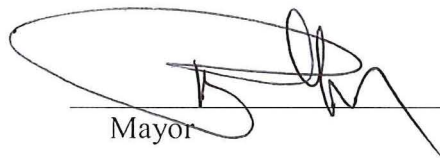
- a. In the first year following the year in which the City of La Crescent could first levy on the annexed area, an amount equal to \$1,154.63; and
- b. In the second and final year, an amount equal to \$1,154.63.

5. 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 or debt incurred by the Town on the subject are for which reimbursement is required.

6. That the City Administrator of the City of La Crescent 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 Houston County Auditor, and the La Crescent Township Clerk.

7. 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 La Crescent, Minnesota, this 8th day of August, 2016.



Mayor

ATTEST:



City Administrator

(City Seal)

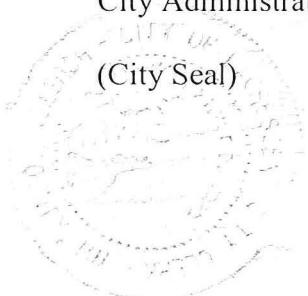


EXHIBIT A

PART OF THE SOUTH HALF OF THE SOUTHWEST QUARTER (S1/2 SW1/4) OF SECTION NINE (9), TOWNSHIP ONE HUNDRED FOUR (104) NORTH, RANGE FOUR (4) WEST, HOUSTON COUNTY, MINNESOTA, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION NINE (9), THENCE WEST ALONG THE SOUTH LINE THEREOF 169.51 FEET; THENCE NORTH 3°23'31" WEST ALONG THE WEST LINE OF CRESCENT VALLEY SUBDIVISION EXTENDED, AND SAID WEST LINE 390.58 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID WEST LINE NORTH 3°23'31" SECONDS WEST 220.80 FEET; THENCE NORTH 89°59'16" WEST 310.02 FEET; THENCE SOUTH 10°36'32" EAST 107.87 FEET; THENCE SOUTH 29°07'30" EAST 109.49 FEET; THENCE NORTH 83°41'31" EAST 83.69 FEET; THENCE SOUTH 68°16'56" EAST 89.18 FEET; THENCE NORTH 86°36'29" EAST 83.93 FEET TO THE POINT OF BEGINNING. CONTAINS 1.38 ACRES.

TOGETHER WITH THE RIGHTS AND SUBJECT TO THE OBLIGATIONS SET FORTH IN THE AMENDED RECIPROCAL EASEMENT AGREEMENT DATED 30TH DAY OF AUGUST, 1983, AND RECORDED IN BOOK 312 OF DEEDS ON PAGES 421, 422, 423 AND 424 IN THE OFFICE OF THE COUNTY RECORDER, HOUSTON COUNTY, MINNESOTA, AS AMENDED BY AN AGREEMENT DATED JUNE 29, 1989.

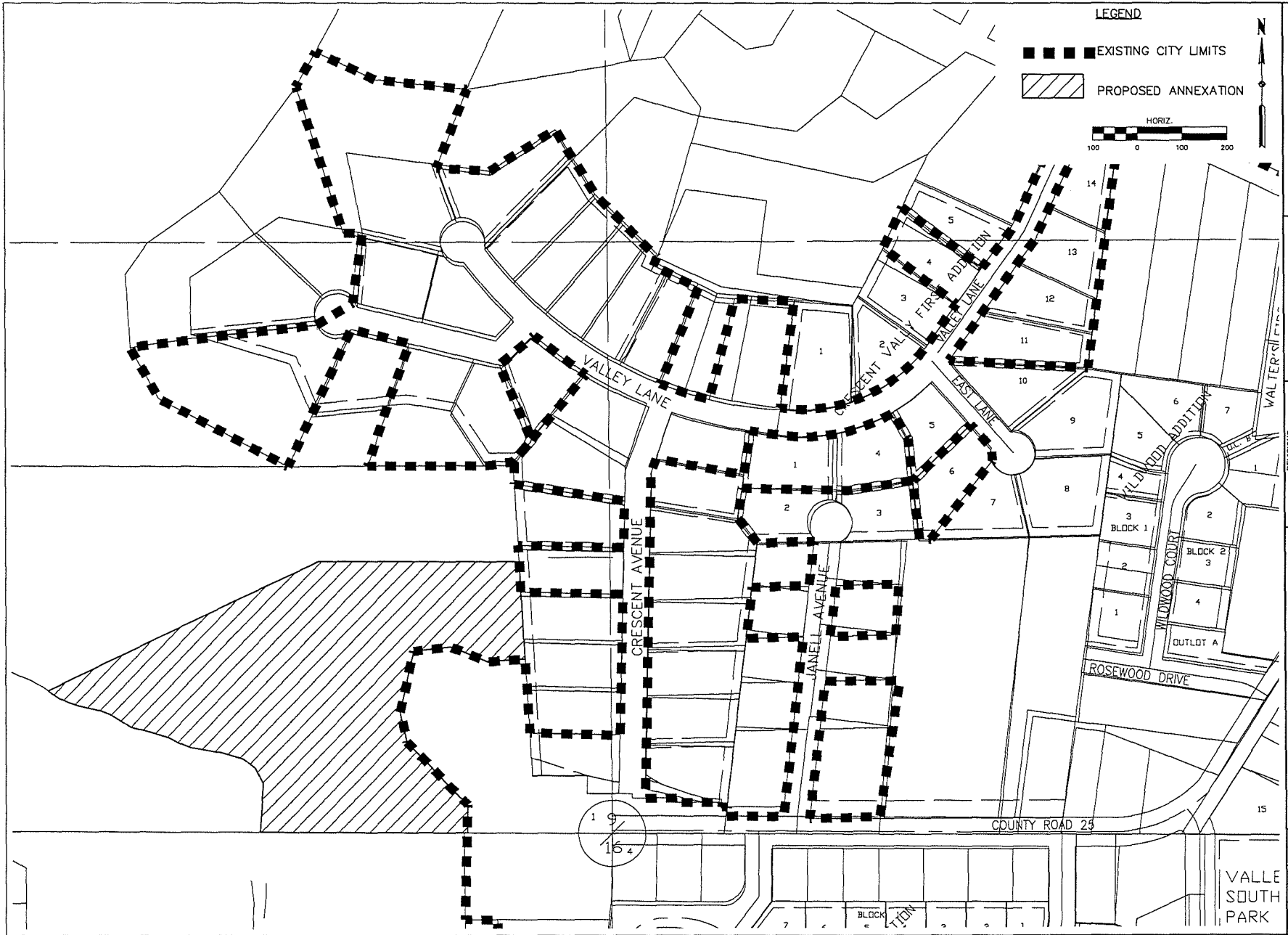
TOGETHER WITH A DRIVE EASEMENT ACROSS LOT ONE (1), BLOCK ONE (1), OF CRESCENT VALLEY SUBDIVISION, HOUSTON COUNTY, MINNESOTA.

AND

PART OF THE SOUTH ONE HALF OF THE SOUTHWEST QUARTER (S1/2 SW1/4) OF SECTION NINE (9), TOWNSHIP ONE HUNDRED FOUR (104) NORTH, RANGE FOUR (4) WEST, HOUSTON COUNTY, MINNESOTA, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION NINE (9); THENCE WEST ALONG THE SOUTH LINE OF SAID SECTION NINE (9) A DISTANCE OF 169.95 FEET; THENCE NORTH 3°23'3" WEST 59.41 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 3°23'31" WEST 552.15 FEET; THENCE PARALLEL TO SAID SOUTH LINE OF SECTION NINE (9), WEST 450 FEET; THENCE SOUTH 65°10'3" WEST 657.27 FEET; THENCE SOUTH 71°5'5" EAST 472.04 FEET; THENCE SOUTH 29°22'18" EAST 81.11 FEET; THENCE SOUTH 11°20'34" EAST 41.03 FEET; THENCE SOUTH 89°5'43" EAST 585.76 FEET TO THE POINT OF BEGINNING, INCLUDING ALL LAND LYING BETWEEN THE MEANDER LINE AND CENTER LINE OF PINE CREEK; TOGETHER WITH THE RIGHTS AND SUBJECT TO THE OBLIGATIONS SET FORTH IN A RECIPROCAL EASEMENT AGREEMENT DATED THE 14TH DAY OF JUNE, 1977, FILED FOR RECORD THE 16TH DAY OF JUNE, 1977, AND RECORDED IN BOOK 272 OF DEEDS ON PAGE 607, IN THE OFFICE OF THE COUNTY RECORDER, HOUSTON COUNTY, MINNESOTA.

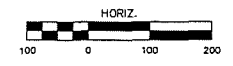
EXCEPT THE FOLLOWING PARCEL:

PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE1/4 SW1/4) OF SECTION NINE (9), TOWNSHIP ONE HUNDRED FOUR (104) NORTH, RANGE FOUR (4) WEST, HOUSTON COUNTY, MINNESOTA, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION NINE (9); THENCE WEST ALONG THE SOUTH LINE THEREOF 169.51 FEET; THENCE NORTH 3°23'31" WEST ALONG THE EXTENDED WEST LINE OF CRESCENT VALLEY SUBDIVISION 59.53 FEET TO THE NORTH LINE OF C.S.A.H. 25 AND THE POINT OF BEGINNING; THENCE CONTINUING NORTH 3°23'31" WEST ALONG SAID WEST LINE AND EXTENDED WEST LINE 331.05 FEET; THENCE SOUTH 86°36'29" WEST 83.93 FEET; THENCE NORTH 68°16'56" WEST 89.18 FEET; THENCE SOUTH 83°41'31" WEST 83.69 FEET; THENCE SOUTH 12°27'38" WEST 139.97 FEET; THENCE SOUTH 12°41'37" EAST 68.05 FEET; THENCE SOUTH 43°46'36" EAST 199.56 FEET TO THE NORTH LINE OF C.S.A.H. 25; THENCE SOUTH 89°08'59" EAST ALONG SAID NORTH LINE 146.60 FEET TO THE POINT OF BEGINNING. CONTAINS: 1.93 ACRES. SUBJECT TO A DRIVE EASEMENT OVER THE EAST 30 FEET OF THE DESCRIBED PARCEL. TOGETHER WITH A DRIVE EASEMENT ACROSS LOT ONE (1), BLOCK ONE (1), CRESCENT VALLEY SUBDIVISION.



LEGEND

- ■ ■ ■ ■ EXISTING CITY LIMITS
- ▨ PROPOSED ANNEXATION



whks
 engineers • planners • landscape architects

NO.	DATE	REVISIONS	DESCRIPTION

PROPOSED ANNEXATION BOUNDARIES
 LA CRESCENT, MN
 7319.16

SCALE:	AS SHOWN
PROJECT NO.:	7319.16
DRAWN BY:	SGH
CHECKED BY:	TAM
SHEET	1