

Ordinance No. 11-17-2016-1

**AN ORDINANCE APPROVING THE PETITION
OF JOSEPH J. EICH AND MELISSA S. ENGBRETSON
FOR THE ANNEXATION OF UNPLATTED LAND NOT EXCEEDING 120 ACRES
TO THE CITY OF MELROSE,
UNDER MINNESOTA STATUTES SECTION 414.033, SUBD. 2(3).**

THE CITY COUNCIL OF THE CITY OF MELROSE ORDAINS AS FOLLOWS:

Section 1. Findings.

- A. On October 7, 2016, Joseph J. Eich and Melissa S. Engebretson ("Petitioners") filed a Petition for Annexation pursuant to Minnesota Statutes Section 414.033, Subd. 2(3) with the City of Melrose; said petition identified the Petitioners' as all of the owners of real property described as follows:

See attached Land Description

and requested that the City Council annex the described Premises;

- B. On October 17, 2016, the City of Melrose notified the Petitioners that the cost of electrical utility service may change and provided the Petitioners with an estimate of the cost of electrical utility service following annexation as required by Minnesota Statutes Section 414.033, Subd. 13;
- C. On October 17, 2016, the City of Melrose, as required by Minnesota Statutes Section 414.033, Subd. 2b, gave written notice by certified mail to Melrose Township and all of the owners of property contiguous to the described Premises that a public hearing on the Petitioners' petition would be held on November 17, 2016;
- D. On October 17, 2016, the City of Melrose published notice of the public hearing on the Petitioners' petition in the Melrose Beacon;
- E. On November 17, 2016, the City of Melrose held a public hearing, at which the City Council considered the Petitioners' petition; persons attending said public hearing included Joseph J. Eich and Melissa S. Engebretson, members of the Melrose Township Board of Supervisors, owners of property contiguous to the described Premises, and other members of the public;
- F. The Petitioners' petition recites that:
1. the Petitioners are all of the owners of the described Premises,

2. the described Premises abuts the City of Melrose and is not included within any other municipality,
3. the described Premises is 120 acres or less, and
4. the described Premises is not presently served by public sewer facilities or public sewer facilities are not otherwise available;

G. The City Planning and Development Director testified at the public hearing that:

1. annexation will permit the described premises to be served by City of Melrose public sewer facilities, and
2. reviewed applicable portions of the City's Comprehensive Plan;

H. No testimony was presented by the Melrose Township officers present at the hearing;

I. The described Premises is not included in any other boundary proceeding pending before the Office of Administrative Hearings; and

J. The described Premises is not included in any area that has already been designated for orderly annexation pursuant to Minnesota Statutes Section 414.0325;

Section 2. Conclusions. Based upon the notices and petitions filed with the City of Melrose, and the information presented at the public hearing, the City Council of the City of Melrose concludes that:

- A. Pursuant to Minnesota Statutes Section 414.033, subd. 2(3) the described Premises is deemed urban or suburban in character or is about to become so, and
- B. The City Council may declare by ordinance that the described Premises are annexed to the City of Melrose.

Section 3. Approval of Petition. Pursuant to Minnesota Statutes Section 414.033, subd. 2(3), the City Council of the City of Melrose hereby:

- A. Approves the Petition for Annexation of Joseph J. Eich and Melissa S. Engebretson, and,
- B. Annexes to the City of Melrose and extends the City's boundaries to include the real property described as follows:

See attached Land Description

Section 4. Zoning District Assignment. Pursuant to Section 203 of Melrose City Ordinance No. 1989-A, as amended, the City Council of the City of Melrose hereby by assigns the described Premises to the I Industry District.

Section 5. Effective Date. This ordinance shall take effect upon its passage and publication.

Adopted by the City Council of the City of Melrose on November 17, 2016.



Joe Finken, Mayor
City of Melrose

Attest: 

Patricia Haase, City Clerk

LAND DESCRIPTION:

That part of the East Half of the Southeast Quarter, Section 35, Township 126, Range 33, Stearns County, Minnesota, being described as follows:

Commencing at the southeast corner of said Section 35; thence on an assumed bearing of North 89 degrees 52 minutes 43 seconds West, along the south line of said Southeast Quarter and also being the south line of the plat of EICH'S ACRES, according to the recorded plat thereof on file in the office of the County Recorder, Stearns County, Minnesota, a distance of 662.18 feet to the southwest corner of the East Half of the Southeast Quarter of the Southeast Quarter and also being the southwest corner of said plat of EICH'S ACRES; thence North 00 degrees 43 minutes 50 seconds West, along the westerly line of said plat of EICH'S ACRES also being the west line of said East Half of the Southeast Quarter of the Southeast Quarter, a distance of 285.00 feet to the northwest corner of said plat of EICH'S ACRES; thence continuing North 00 degrees 43 minutes 50 seconds West, along said west line of the East Half of the Southeast Quarter of the Southeast Quarter, a distance of 700.60 feet to the point of beginning of the parcel of land to be described; thence continuing North 00 degrees 43 minutes 50 seconds West, along said west line of the East Half of the Southeast Quarter of the Southeast Quarter and its northerly extension, a distance of 518.62 feet; thence North 52 degrees 34 minutes 36 seconds West, a distance of 555.79 feet; thence North 00 degrees 40 minutes 00 seconds West, a distance of 694 feet, more or less, to the southerly bank of the Sauk River; thence Southwesterly, along said southerly bank of the Sauk River, a distance of 239 feet, more or less, to the west line of the East Half of the Southeast Quarter; thence South 00 degrees 40 minutes 00 seconds East, along the west line of said East Half of the Southeast Quarter, a distance of 1462 feet, more or less, to the northwest corner of West Half of the South Three-Fourths of the Southeast Quarter of said Southeast Quarter; thence South 89 degrees 54 minutes 31 seconds East, a distance of 661.07 feet to the point of beginning.

Said parcel of land contains 14.6 acres of land, more or less, and is subject to existing easements of record.

CERTIFICATE OF SURVEY
CITY OF MELROSE
STEARNS COUNTY, MINNESOTA

LAND DESCRIPTION:

That part of the East Half of the Southeast Quarter, Section 35, Township 126, Range 33, Stearns County, Minnesota, being described as follows:

Commencing at the southeast corner of said Section 35; thence on an assumed bearing of North 89 degrees 52 minutes 43 seconds West, along the south line of said Southeast Quarter and also being the south line of the plat of EICH'S ACRES, according to the recorded plat thereof on file in the office of the County Recorder, Stearns County, Minnesota, a distance of 662.18 feet to the southwest corner of the East Half of the Southeast Quarter of the Southeast Quarter and also being the southwest corner of said plat of EICH'S ACRES; thence North 00 degrees 43 minutes 50 seconds West, along the westerly line of said plat of EICH'S ACRES also being the west line of said East Half of the Southeast Quarter of the Southeast Quarter, a distance of 285.00 feet to the northwest corner of said plat of EICH'S ACRES; thence continuing North 00 degrees 43 minutes 50 seconds West, along said west line of the East Half of the Southeast Quarter of the Southeast Quarter, a distance of 700.60 feet to the point of beginning of the parcel of land to be described; thence continuing North 00 degrees 43 minutes 50 seconds West, along said west line of the East Half of the Southeast Quarter of the Southeast Quarter and its northerly extension, a distance of 518.62 feet; thence North 52 degrees 34 minutes 36 seconds West, a distance of 555.79 feet; thence North 00 degrees 40 minutes 00 seconds West, a distance of 694 feet, more or less, to the southerly bank of the Sauk River; thence Southwesterly, along said southerly bank of the Sauk River, a distance of 239 feet, more or less, to the west line of the East Half of the Southeast Quarter; thence South 00 degrees 40 minutes 00 seconds East, along the west line of said East Half of the Southeast Quarter, a distance of 1462 feet, more or less, to the northwest corner of West Half of the South Three-Fourths of the Southeast Quarter of said Southeast Quarter; thence South 89 degrees 54 minutes 31 seconds East, a distance of 661.07 feet to the point of beginning.

Said parcel of land contains 14.6 acres of land, more or less, and is subject to existing easements of record.

NOTE:

1. Bearing Orientation. The south line of said Southeast Quarter, Section 35, Township 126 North, Range 33 West, Stearns County, Minnesota, is assumed as having a Bearing of North 89 degrees 52 minutes 43 seconds West.
2. The field survey was completed on October 5th, 2016.



SURVEYOR'S CERTIFICATION

I hereby certify that this survey 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.


Bruce W. Skipton
Professional Land Surveyor
License Number 17768

10/05/2016
Date

CERTIFICATE OF SURVEY
MELROSE, MINNESOTA



BOLTON & MENK, INC.
Consulting Engineers & Surveyors

2040 HIGHWAY 12 EAST
WILLMAR, MINNESOTA 56201
(320)-231-3956

PART OF THE SOUTHEAST QUARTER
SECTION 35, TOWNSHIP 126 N, RANGE 33 W
STEARNS COUNTY, MINNESOTA

FOR: JENNIE-O TURKEY STORE, INC

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JOB NUMBER: W18.111292

FIELD BOOK: BAXTW2

DRAWN BY: ZZ

SHEET 1 OF 2

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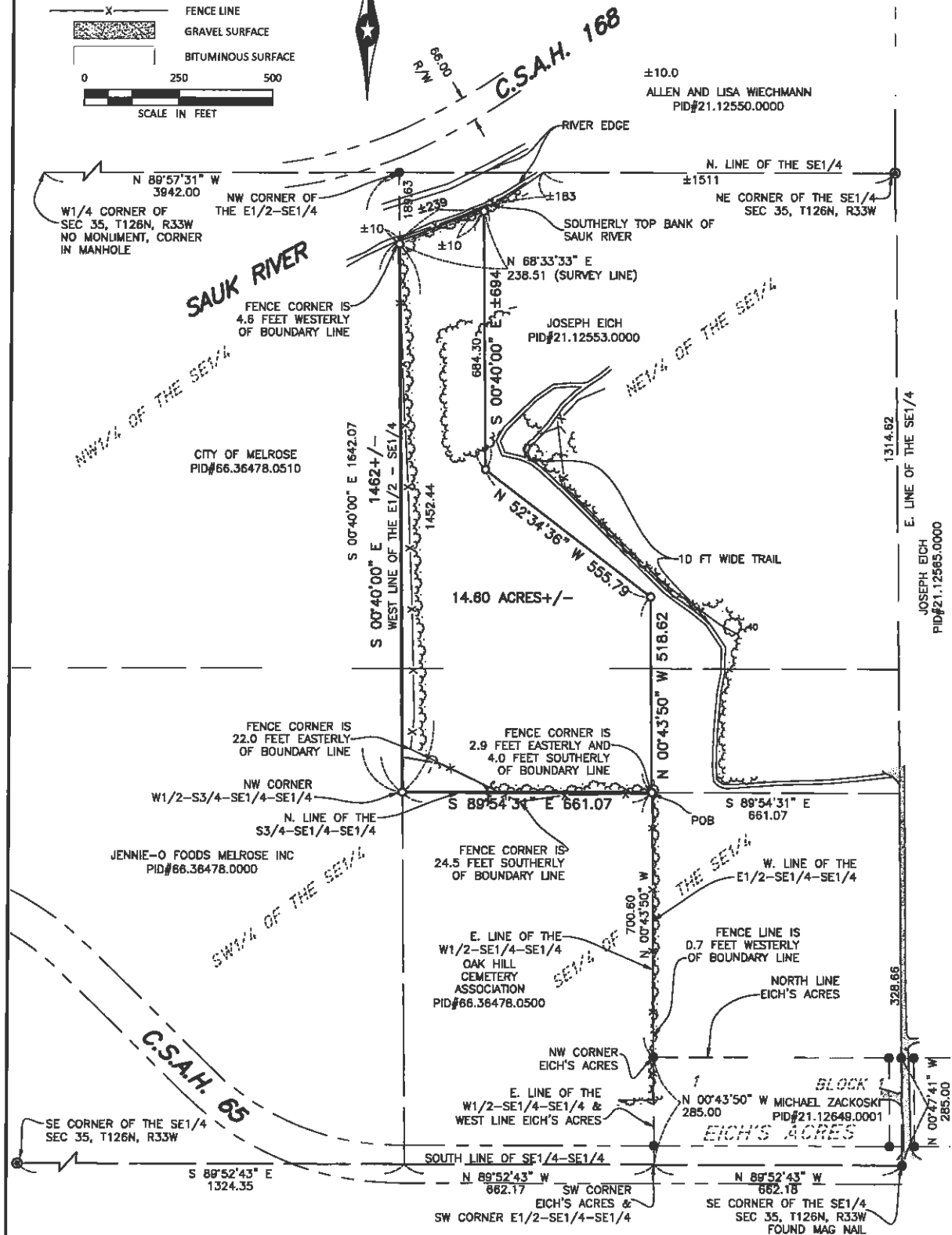
LEGEND

- POB POINT OF BEGINNING
- 1/2" IRON PIPE MONUMENT SET MARKED BY REG. NO. 17768
- MONUMENT FOUND
- CAST IRON MONUMENT FOUND
- TREE DRAIN LINE
- FENCE LINE
- GRAVEL SURFACE
- BITUMINOUS SURFACE

0 250 500
SCALE IN FEET

CERTIFICATE OF SURVEY

CITY OF MELROSE
STEARNS COUNTY, MINNESOTA



CERTIFICATE OF SURVEY MELROSE, MINNESOTA



BOLTON & MENK, INC.
Consulting Engineers & Surveyors

2040 HIGHWAY 12 EAST
WILLMAR, MINNESOTA 56201
(320)-291-3956

PART OF THE SOUTHEAST QUARTER
SECTION 35, TOWNSHIP 126 N, RANGE 33 W
STEARNS COUNTY, MINNESOTA

FOR: JENNIE-O TURKEY STORE, INC

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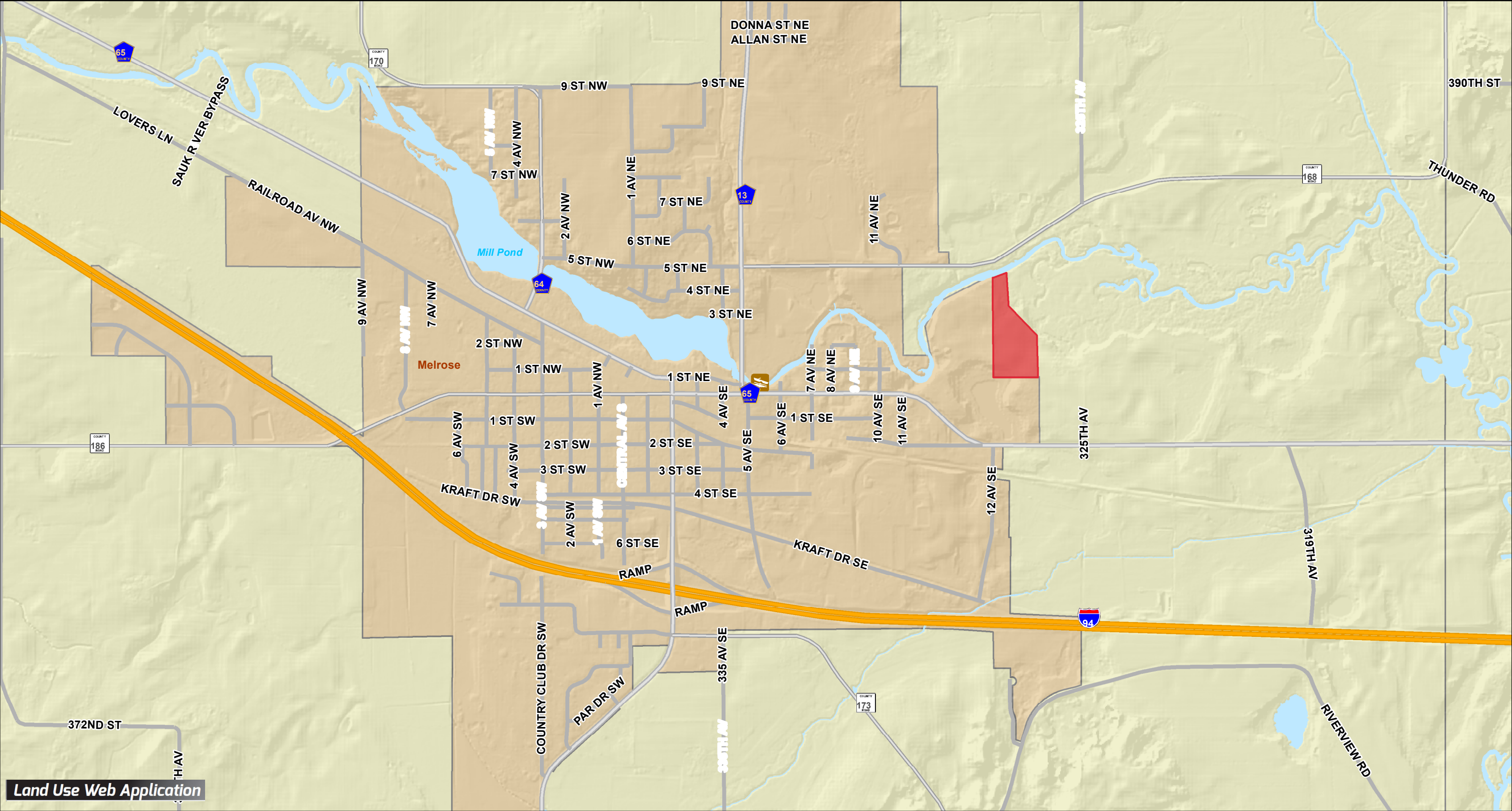
JOB NUMBER: W18.111292

FIELD BOOK: BAXT#2

DRAWN BY: ZZ

SHEET 2 OF 2

Vicinity Map



0 335 670 1,340 2,010 2,680 Feet

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

This map is made available on an "as is" basis, without express or implied warranty of any sort including, specifically, any implied warranties of fitness for a particular purpose, warranties of merchantability or warranties relating to the accuracy or completeness of the database(s).

Auditor/Treasurer
Division of Land Management
November 30, 2016

