

CITY OF SAVAGE
SCOTT COUNTY, MINNESOTA

RECEIVED
by OAH on January 19, 2017

ORDINANCE NO. 780

**AN ORDINANCE OF THE CITY OF SAVAGE, MINNESOTA ANNEXING
LAND LOCATED IN CREDIT RIVER TOWNSHIP, SCOTT COUNTY, MINNESOTA PURSUANT
TO MINNESOTA STATUTES § 414.033 SUBDIVISION 2(3),
PERMITTING ANNEXATION BY ORDINANCE**

THE CITY COUNCIL OF THE CITY OF SAVAGE, MINNESOTA ORDAINS:

WHEREAS, a petition signed by all the property owners, requesting that property legally described in Exhibit A be annexed to the City of Savage, Minnesota, was duly presented to the Council of the City of Savage on the 17th day of January, 2017; and

WHEREAS, said property is unincorporated and abuts the City of Savage on its south 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 vacant and annexation is requested to facilitate the extension of city services for the residential development of the property; and

WHEREAS, the City of Savage has held a public hearing pursuant to Minnesota Statutes §414.033 Subd. 2b, on January 17, 2017, following thirty (30) days written notice by certified mail to Credit River Township and to all landowners within and contiguous to the area legally described in Exhibit A, 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 SAVAGE HEREBY ORDAINS AS FOLLOWS:

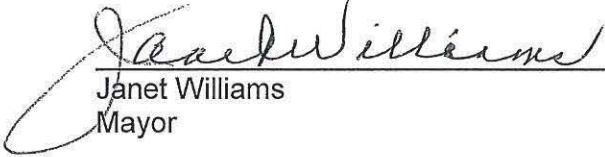
1. The City Council hereby determines that the property as hereinafter described abuts the city limits and is or is about to become urban or suburban in nature in that low density residential use is being proposed for said property the construction of which requires or will need city services, including 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 Savage, Minnesota, are hereby extended to include the following described property, said land abutting the City of Savage 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.

The subject property consists of a total of 3.57 acres. Copies of the corporate boundary map showing the property to be annexed and its relationship to the corporate boundaries attached hereto.

4. That the population of the area legally described in Exhibit A and hereby annexed is zero.

5. The City of Savage, pursuant to Minnesota Statutes § 414.036, that with respect to the property taxes payable on the area legally described in Exhibit A, hereby annexed, shall make a cash payment of \$35.00 to Credit River Township in the first year following the year in which the City of Savage could first levy and in the second year and final year, an amount equal to \$35.00.
6. That pursuant to Minnesota Statutes § 414.036 with respect to any special assessments assigned by Credit River Township to the annexed property and any portion of debt incurred by Credit River 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 Exhibit A there are no special assessments or debt incurred on the subject are for which reimbursement is required.
7. That the City Clerk of the City of Savage 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 Scott County Auditor, and the Credit River 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.

PASSED AND ADOPTED by the City Council of the City of Savage, Minnesota, this 17th day of January, 2017.



Janet Williams
Mayor

ATTEST:



Barry A. Stock
City Administrator

EXHIBIT A

That part of the Northwest Quarter of Section 5, Township 114, Range 21, Scott County, Minnesota lying northerly of the centerline of a branch stream of Credit River (the same being the north line of the plat of Creekwood 2nd Addition) and easterly of the following described line:

Commencing at the northwest corner of said Northwest Quarter; thence north 88 degrees 33 minutes 09 seconds east (assumed bearing) along the north line of said Northwest Quarter a distance of 661.47 feet to the point of beginning of the line to be described; thence south 00 degrees 41 minutes 28 seconds east a distance of 125 feet more or less to the centerline of said branch stream and there terminating.

AND

That part of the Northwest Quarter of Section 5, Township 114, Range 21, Scott County, Minnesota, described as follows:

Commencing at the northwest corner of said Northwest Quarter; thence north 88 degrees 33 minutes 09 seconds east (assumed bearing) along the north line of said Northwest Quarter a distance of 344.53 feet to the point of beginning of the land to be described; thence continuing north 88 degrees 33 minutes 09 seconds east along said north line a distance of 316.94 feet; thence south 00 degrees 41 minutes 28 seconds east a distance of 125 feet more or less to the centerline of a branch stream of Credit River (the same being the northerly line of the plat of Creekwood 2nd Addition); thence southwesterly along the centerline of said branch stream to its intersection with a line drawn south 01 degrees 25 minutes 15 seconds west from the point of beginning; thence north 01 degrees 25 minutes 15 seconds east a distance of 437 feet more or less to the point of beginning.

Containing 3.57 acres, more or less.

Sketch and Description

For: Ames Land Company, LLP

Legal Description

That part of the Northwest Quarter of Section 5, Township 114, Range 21, Scott County, Minnesota lying northerly of the centerline of a branch stream of Credit River (the same being the north line of the plat of Creekwood 2nd Addition) and easterly of the following described line:

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Containing 3.57 acres, more or less.

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 Professional Land Surveyor under the laws of the State of Minnesota.

Signed this 12th day of December, 2016
For: James R. Hill, Inc.

By: 
Marcus F. Hampton, Land Surveyor, MN License No. 47481

PAGE 1 OF 2	PROJECT NO. 22973-00	CAD FILE 22973-ANNEX.dwg	REVISIONS	DATE	DRAWN BY
				12/12/2016	MFH

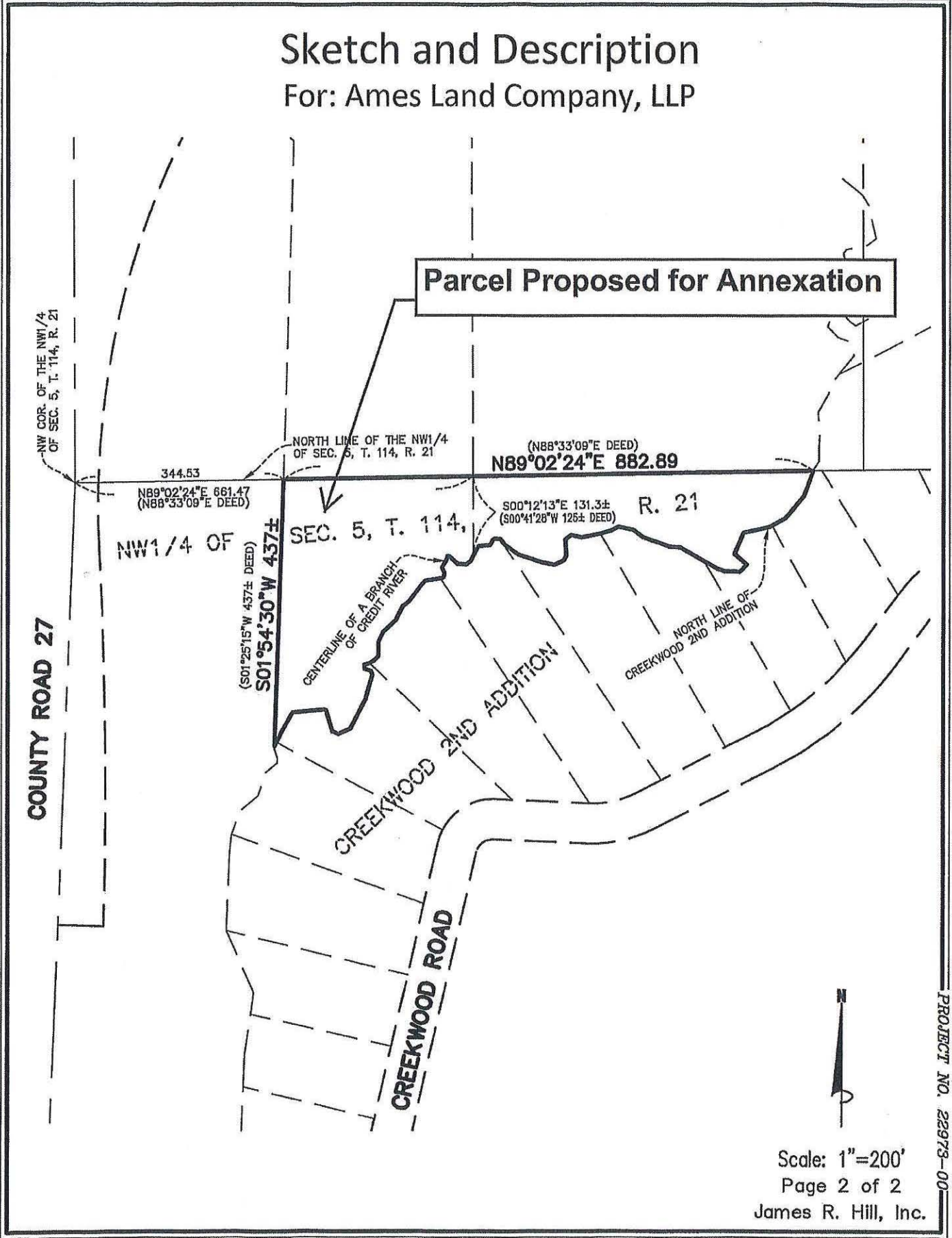


James R. Hill, Inc.
 PLANNERS / ENGINEERS / SURVEYORS
 2500 W. Cty. Rd. 42, Suite 120, Burnsville, MN 55337
 PHONE: (952)890-6044 FAX: (952)890-6244

Sketch and Description

For: Ames Land Company, LLP

Parcel Proposed for Annexation



Scale: 1"=200'
Page 2 of 2
James R. Hill, Inc.

PROJECT NO. 22973-00

Legal Description

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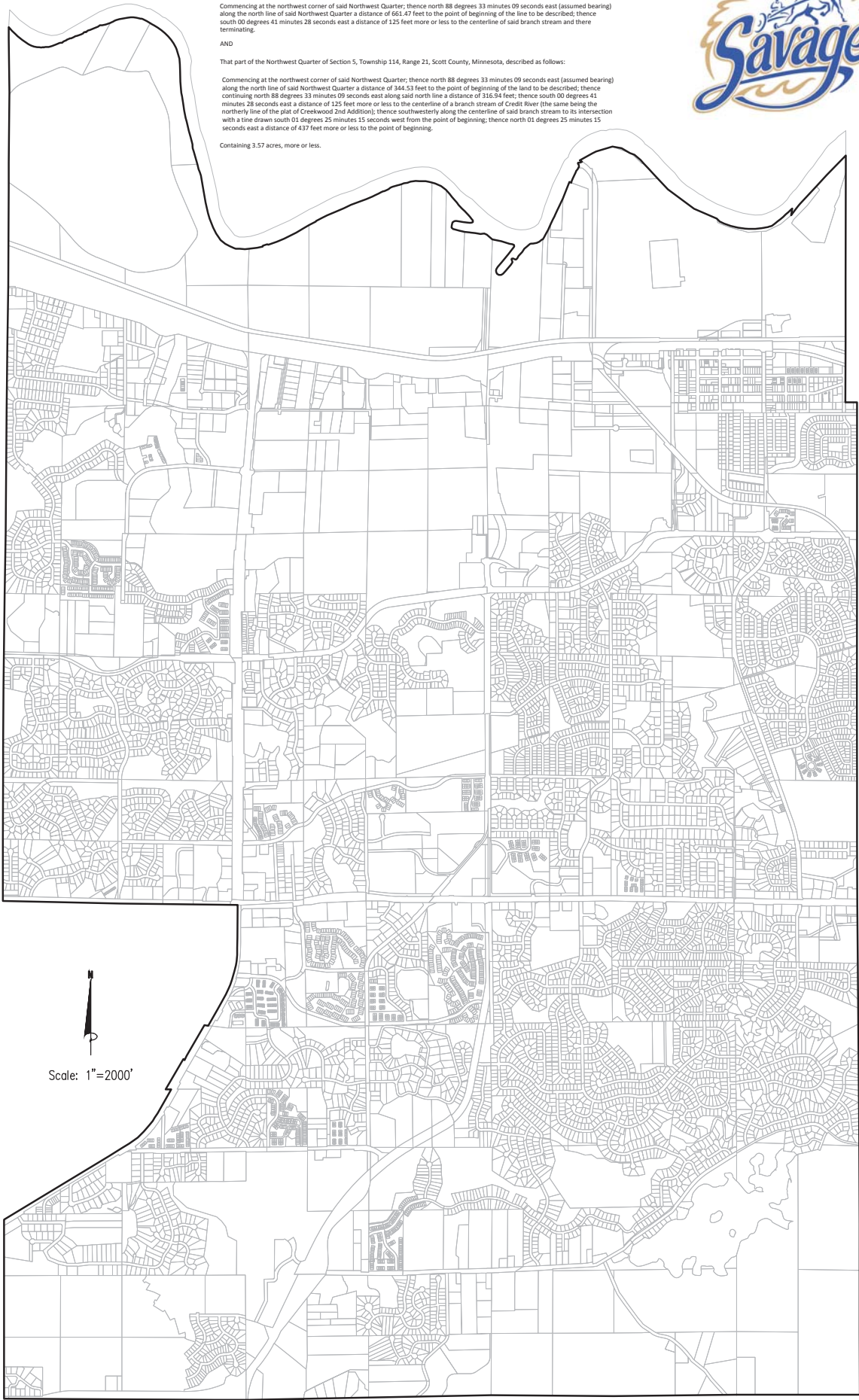
Commencing at the northwest corner of said Northwest Quarter; thence north 88 degrees 33 minutes 02 seconds east (assumed bearing) along the north line of said Northwest Quarter a distance of 661.47 feet to the point of beginning of the line to be described; thence south 00 degrees 41 minutes 28 seconds east a distance of 125 feet more or less to the centerline of said branch stream and there terminating.

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Scale: 1"=2000'

ANNEXATION PARCEL
3.57 ACRES

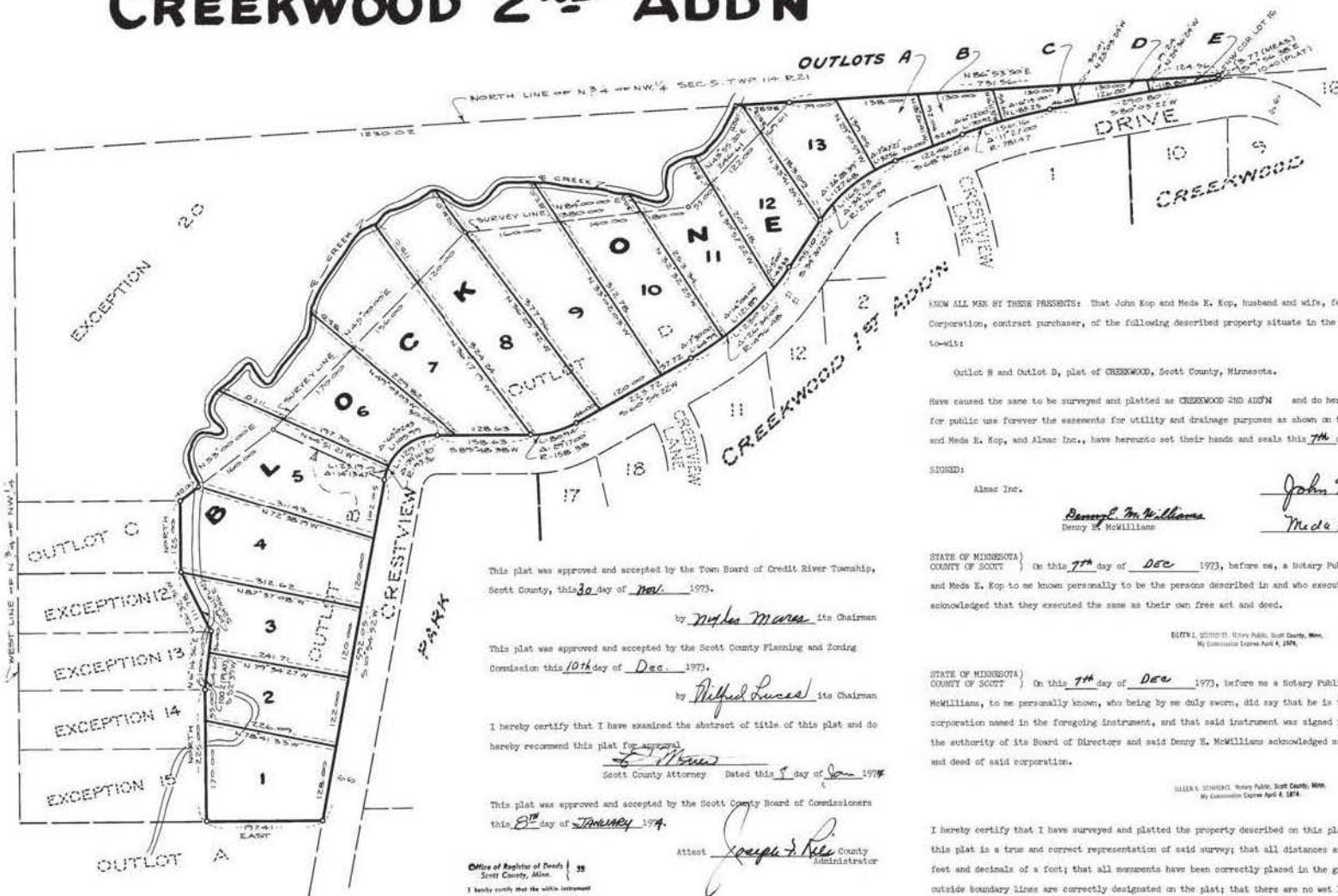


Subject Site

**LOCATION MAP
PARCEL PROPOSED FOR ANNEXATION**



CREEKWOOD 2ND ADD'N



KNOW ALL MEN BY THESE PRESENTS: That John Kop and Meda E. Kop, husband and wife, fee owners, and Almac Inc., a Minnesota Corporation, contract purchaser, of the following described property situate in the County of Scott, State of Minnesota to-wit:

Outlet B and Outlet D, plat of CREEKWOOD, Scott County, Minnesota.

Have caused the same to be surveyed and platted as CREEKWOOD 2ND ADD'N and do hereby donate and dedicate to the public for public use forever the easements for utility and drainage purposes as shown on the plat. In witness whereof John Kop and Meda E. Kop, and Almac Inc., have hereunto set their hands and seals this 7th day of Dec 1973.

SIGNED:

Almac Inc. John Kop John Kop
Meda E. Kop Meda E. Kop
Denny E. McWilliams Denny E. McWilliams

STATE OF MINNESOTA)
 COUNTY OF SCOTT) On this 7th day of Dec 1973, before me, a Notary Public, personally appeared John Kop and Meda E. Kop to me known personally to be the persons described in and who executed the foregoing instrument and acknowledged that they executed the same as their own free act and deed.

Lillian L. Schuchert
 Notary Public, Scott County, Minnesota
 My Commission expires 4-4-74

STATE OF MINNESOTA)
 COUNTY OF SCOTT) On this 7th day of Dec 1973, before me a Notary Public, personally appeared Denny E. McWilliams, to me personally known, who being by me duly sworn, did say that he is the President of Almac Inc., the corporation named in the foregoing instrument, and that said instrument was signed in behalf of said corporation by the authority of its Board of Directors and said Denny E. McWilliams acknowledged said instrument to be the free act and deed of said corporation.

Lillian L. Schuchert
 Notary Public, Scott County, Minnesota
 My Commission expires 4-4-74

I hereby certify that I have surveyed and platted the property described on this plat as CREEKWOOD 2ND ADD'N; that this plat is a true and correct representation of said survey; that all distances are correctly shown on the plat in feet and decimals of a foot; that all monuments have been correctly placed in the ground as shown on the plat; that the outside boundary lines are correctly designated on the plat; that there are no wet lands or public highways to be designated other than shown.

Ronald Johnson
 Land Surveyor, Minn. Reg. No. 10183

STATE OF MINNESOTA)
 COUNTY OF SCOTT) The Surveyor's certificate was subscribed and sworn to before me a Notary Public, this 11th day of DECEMBER, 1973.

Lillian L. Schuchert
 Notary Public, Scott County, Minnesota
 My Commission expires 4-4-74

This plat was approved and accepted by the Town Board of Credit River Township, Scott County, this 30th day of Nov 1973.

by Richard Marsa its Chairman

This plat was approved and accepted by the Scott County Planning and Zoning Commission this 10th day of Dec 1973.

by Walter Luceas its Chairman

I hereby certify that I have examined the abstract of title of this plat and do hereby recommend this plat for approval.

Joseph J. Rice
 Scott County Attorney Dated this 7th day of Dec 1973

This plat was approved and accepted by the Scott County Board of Commissioners this 8th day of JANUARY 1974.

Attest Joseph J. Rice County Administrator

Office of Registrar of Deeds | 35
 Scott County, Minn.

I hereby certify that the within instrument was filed in this office for record on the 27th day of Feb 1974 A.D. 1974 at 1:24 P.M. and duly recorded as 139782
Paul W. DeWentz
 Registrar of Deeds

VALLEY ENG. CO. INC.
 PRIOR LAKE, MINN.

UNRECORDED
 THERE IS NO DELIVERY OF A
 RECORDED INSTRUMENT INTO A
 27th day of Feb 1974
Joseph J. Rice
 Scott County Attorney
J. J. Rice

NOTE:
 SCALE ONE INCH EQUALS 100 FEET
 BEARINGS ON ASSUMED BASIS
 "D" DENOTES IRON MONUMENTS
 UTILITY & DRAINAGE EASEMENTS
 SHOWN THUS: [Symbol]
 BEING 10 FEET ON EACH SIDE OF
 LOT LINE UNLESS OTHERWISE SHOWN