

**ORDINANCE NO. 701**

**CITY OF WACONIA**

**AN ORDINANCE ANNEXING CERTAIN LAND INTO THE  
CORPORATE LIMITS OF THE CITY OF WACONIA,  
CARVER COUNTY, MINNESOTA**

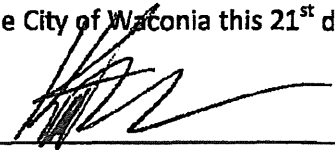
**February 21, 2017**

**THE CITY COUNCIL OF THE CITY OF WACONIA, CARVER COUNTY, MINNESOTA, ORDAINS:**

- Section 1. PETITION.** Pursuant to Minnesota Statutes, §414.033, Subd. 2 (3), all property owners of the land described on attached Exhibit A (the "Land") have petitioned the City of Waconia, Minnesota (the "City") to annex the Land into the City. The Land is currently located in the Town of Waconia (the "Township") and is depicted on attached Exhibit B as to its location and proximity to City limits.
- Section 2. HEARING AND NOTICE.** Pursuant to Minnesota Statutes §414.033, Subd. 2b, a hearing was held by the City Council on February 21<sup>st</sup>, 2017 to consider adoption of an ordinance to annex the Land. Thirty (30) days' written notice of such hearing was given to Waconia Township and to all landowners within and contiguous to the Land. All interested persons were heard by the City Council at the hearing.
- Section 3. FINDINGS.** The City Council finds the Land: a) is not included within any other municipality; b) is less than 120 acres in area (0.07 acres); c) is not platted; d) is urban or suburban in character; e) is not presently served by public waste water facilities or public waste water facilities are not otherwise available; and f) is an appropriate area to be subject to municipal government. The Council further finds the annexation of the Land will be in the best interest of the City.
- Section 4. TAX REIMBURSEMENT.** Pursuant to Minnesota Statutes §414.036, the Township has waived any reimbursement for all or part of the taxable property annexed by this ordinance. There are no special assessments assigned by the Township to the annexed property and no debt incurred by the Township prior to the annexation and attributable to the property annexed.
- Section 5. ELECTRIC UTILITY SERVICE.** The cost of electrical utility service for the land annexed will not change as a result of the annexation.
- Section 6. ANNEXATION.** Pursuant to Minnesota Statutes §414.033, the corporate limits of the City are hereby declared extended to encompass and include the Land.
- Section 7. FILING AND EFFECTIVE DATE OF ANNEXATION.** The City Clerk is directed to file a copy of this Ordinance with the State of Minnesota, Chief Administrative Law Judge, which shall be final on the date it is approved by the Chief Administrative Law Judge. Upon such final approval, the Clerk shall file copies of this ordinance

with Waconia Township, the Carver County Auditor, and the Minnesota Secretary of State.

Passed and adopted by the City Council of the City of Waconia this 21<sup>st</sup> day of February, 2017.

  
\_\_\_\_\_  
Kent Bloudek, Acting Mayor

ATTEST: Susan MH Arntz  
Susan MH Arntz, City Administrator/City Clerk

M/ <u>Erickson</u>	Ayers	<u>Aye</u>
	Bloudek	<u>Aye</u>
S/ <u>Carrier</u>	Carrier	<u>Aye</u>
	Erickson	<u>Aye</u>
	Sanborn	<u>Absent</u>

**EXHIBIT A**

**Legal Description of Land to be Annexed**

That part of the North 30.00 feet of Lot 21 of Volkenant's Second Addition to Waconia, which lies between the Westerly line and the Southerly extension of the Easterly line of Lot 1, Block 2, Highway Five Business Plaza, excepting that part thereof lying within said Lot 1, Block 2, Highway Five Business Plaza.

(PID 09-775-0041)

WACONIA TOWNSHIP

RECEIPT FOR REIMBURSEMENT TO TOWNSHIP

FOR ANNEXATION OF TAXABLE PROPERTY

February 27, 2017

Because of the very minimal amount of real estate taxes (\$10.00), the Town of Waconia hereby waives any reimbursement for all of the taxable property being annexed to the City of Waconia as described on attached Exhibit A and as depicted on attached Exhibit B and approves the annexation of such land by ordinance pursuant to Minnesota Statutes Section 414.033. There are no special assessments assigned by Waconia Township to the annexed property and no debt incurred by the Township prior to the annexation attributable to the property annexed.

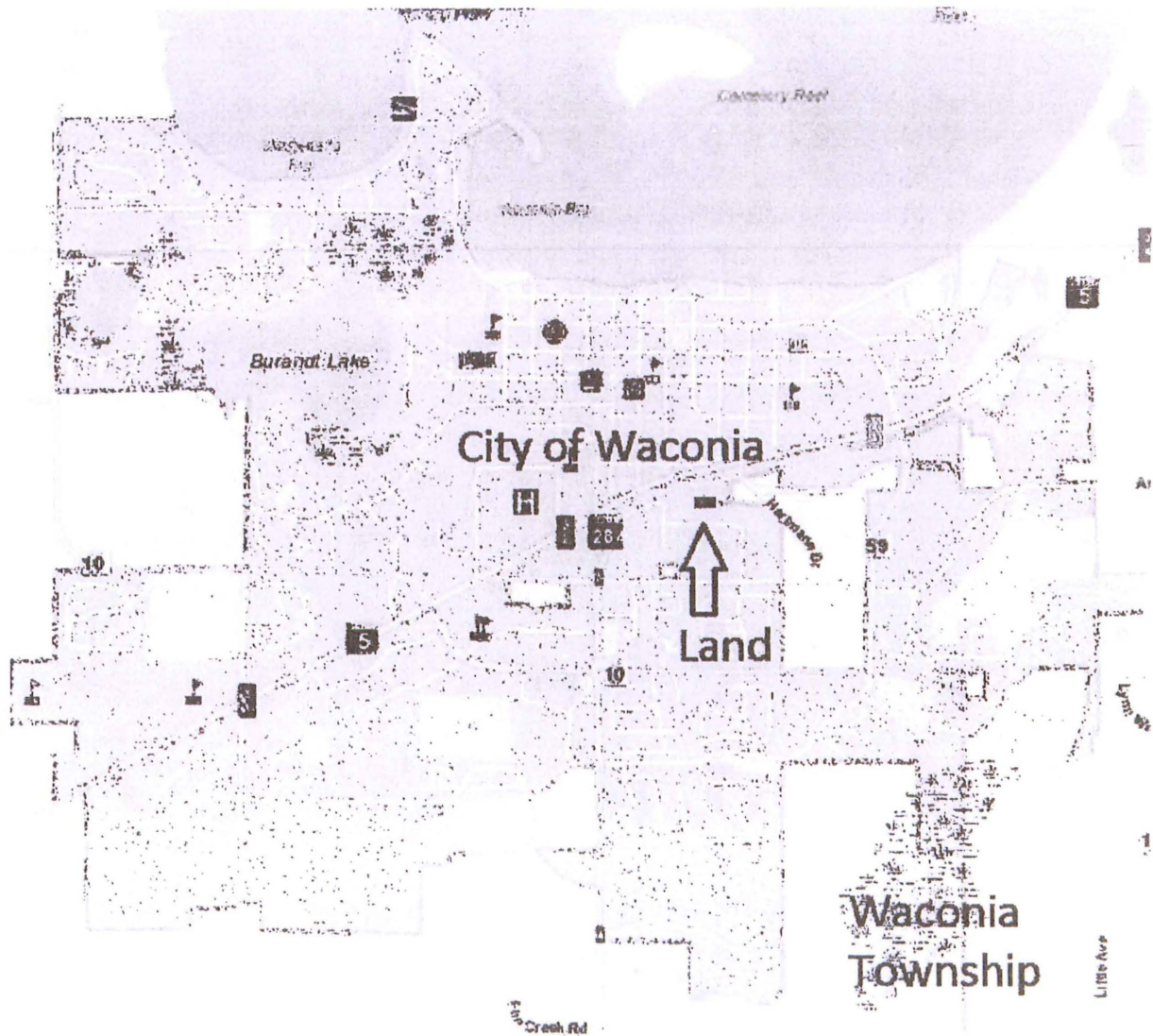
Waconia Township

By: Tom Nott

Title: Chairperson

## EXHIBIT B

### Depiction of Land to be Annexed



[https://mhs1aw.sharepoint.com/sites/clients/1/38350/219 east frontage/draftdocs/ordinance annexing land 219 frontage.docx](https://mhs1aw.sharepoint.com/sites/clients/1/38350/219%20east%20frontage/draftdocs/ordinance%20annexing%20land%20219%20frontage.docx)





Waco, TX City Map

HIGHWAY

HIGHWAY

FIVE

75.3050040  
4

150.00  
75.0242700  
L=110.69 39.42

FRONTAGE

BUSINESS

PLAZA

VOLKENA  
09.7

SEC  
09.7

75.0245910

NO.

2  
219 FRONTAGE LLC  
1960 THILLIUM CT  
VICTORIA, MN 55386  
75.3050050

75-305-0040  
2

ALERT PROPERTIES LLC  
4205 LENOX BLVD  
VENICE, FL 34293-8813

75.3050070  
3

09.7750041

09.7750042

09.7750043

219 FRONTAGE LLC  
1960 THILLIUM CT  
VICTORIA, MN 55386

ALERT PROPERTIES LLC  
4205 LENOX BLVD  
VENICE, FL 34293-8813

TRACT A

1  
75-370-0040  
CLEARWATER LIBANE LLC  
265 LAKEVIEW TERRACE BLVD  
WACONIA, MN 55387

N

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STREET

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