

ORDINANCE NO. 17-03

**AN ORDINANCE OF THE CITY OF ZUMBRO FALLS, MINNESOTA ANNEXING
LAND LOCATED IN HYDE PARK TOWNSHIP, WABASHA COUNTY, MINNESOTA
PURSUANT TO MINNESOTA STATUTES § 414.033, SUBD. 2(1),
PERMITTING ANNEXATION BY ORDINANCE**

WHEREAS, the City of Zumbro Falls ("City") is the sole owner of real property located in Hyde Park Township legally described as:

SEE ATTACHED EXHIBIT 1

(collectively, the "Property");

WHEREAS, the Property has no residents; is unincorporated; is not within the City's boundaries; abuts the City on its north and west boundaries; is less than 120 acres; is not presently served by public sewer facilities or public sewer facilities are not otherwise available; and the City is the fee title owner of the Property; and

WHEREAS, the Property is currently being used for City park and public river access and annexation is requested to bring land owned by the City being utilized for City park and public river access within the City limits and jurisdiction; and

WHEREAS, the provisions of Minn. Stat. § 414.033, subd. 11-13 are not applicable as this is an annexation by ordinance under subdivision 2, clause (1); and

WHEREAS, pursuant to Minn. Stat. § 414.033, subd. 2(1), the City is authorized to annex the Property by ordinance; and

WHEREAS, pursuant to Minn. Stat. § 414.033, subd. 2b, because the City owns the Property proposed to be annexed by this Ordinance, no public hearing or notice is required; and

WHEREAS, based upon its consideration of all factors surrounding this Ordinance and proposed annexation, the City finds the same to be in its best interests.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ZUMBRO FALLS 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 City park and public river access uses are 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 Minn. Stat. § 414.0325.

3. The corporate limits of the City are hereby extended to include the Property, said land abutting the City 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. The Property consists of a total of 22.66 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 population of the Property hereby annexed is zero.

5. The annexed Property is tax exempt. There are no special assessments or debt incurred by the Town on the annexed Property for which reimbursement by the City is required.

6. The City Clerk of the City 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 Wabasha County Auditor, and the Hyde Park Township Clerk.

7. 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 Zumbro Falls, Minnesota, this 12 day of April, 2017.

Bene Heitman
Mayor

ATTEST:

Susan Eschena
City Clerk

(City Seal)

EXHIBIT 1

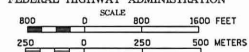
The NE $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 6, township 109 range 13, lying East of the CL of Zumbro River and Northwest of the Northwesterly ROW of Trunk Highway 63.

AND

The NE $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 6, township 109 range 13, lying East of the Easterly ROW of Trunk Highway 63 and East of the Easterly ROW of County Road 68.

MUNICIPALITIES OF WABASHA CO.

PREPARED BY THE
MINNESOTA DEPARTMENT OF TRANSPORTATION
OFFICE OF TRANSPORTATION SYSTEM MANAGEMENT
IN COOPERATION WITH
U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION



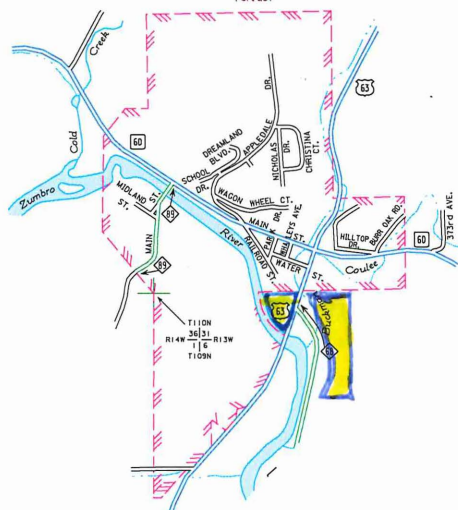
2015
BASIC DATA - 2009



LEGEND

- INTERSTATE TRUNK HIGHWAY..... (I-95)
- U.S. TRUNK HIGHWAY..... (U.S. 169)
- STATE TRUNK HIGHWAY..... (ST. 169)
- COUNTY STATE AID HIGHWAY..... (CSA 169)
- COUNTY ROAD..... (CR 169)
- PUBLIC ROAD..... (PR 169)
- PRIVATE ROAD..... (PR 169)
- CORPORATE LIMITS..... (CL 169)

ZUMBRO FALLS WABASHA COUNTY POP. 207



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(Please request at least one week in advance.)

NOTE: 2010 U.S. CENSUS FIGURES SHOWN FOR ALL MUNICIPALITIES UNLESS OTHERWISE STATED.

MUNICIPALITIES SHOWN
ON THIS SHEET
BELLECHESTER
ELGIN
KELLOGG
ZUMBRO FALLS

