

ORDINANCE NO. 773

**AN ORDINANCE OF THE CITY OF SAUK CENTRE, MINNESOTA ANNEXING
LAND LOCATED IN SAUK CENTRE TOWNSHIP, STEARNS 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 Sauk Centre, Minnesota, was duly presented to the Council of the City of Sauk Centre on the 9th day of May, 2017, and

WHEREAS, said property is unincorporated and abuts the City of Sauk Centre on its north, south, east 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

WHEREAS, said property is not located within a flood plain or shoreland area; and

WHEREAS, said property is currently zoned commercial and annexation is requested to facilitate the extension of city services for the commercial development of the property; and

WHEREAS, the City of Sauk Centre held a public hearing pursuant to Minnesota Statutes § 414.033 Subd. 2b, on June 21, 2017, following thirty (30) days written notice by certified mail to the Town of Sauk Centre 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 SAUK CENTRE 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 commercial 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 Sauk Centre, Minnesota, are hereby extended to include the following described property, said land abutting the City of Sauk Centre 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:

All that part of the Southwest Quarter of the Southwest Quarter (SW1/4SW1/4) of Section Fifteen (15), Township One Hundred Twenty-Six (126) North, Range Thirty-Four (34) West, described as follows: Commencing at the Southeast corner of Southview Addition Plat 3, according to the recorded plat thereof; thence on a record bearing of North 00°15'19" West, along the East line thereof a distance of 300.00 feet to the Northeast corner of said Southview Addition Plat 3 and to the point of beginning of the land to be described; thence North 89°59'58" West along the north line of said Southview Addition Plat 3 a distance of 469.47 feet to its intersection with a line which bears North 00°20'08" West from Point A, said Point A being a point on the south line of said SW1/4SW1/4 distant 581.00 feet easterly of the southwest corner of said SW1/4SW1/4; thence North 00°20'08" West along said line a distance of 662.51 feet to the south right of way line of Interstate Highway No. 94; thence South 84°41'47" East along said right of way line a distance of 472.65 feet; thence continue along said right of way line along a tangential curve, concaved to the south, having a central angle of 00°14'04" a radius of 1344.40 feet for a distance of 5.50 feet to its intersection with a line which bears North 00°15'19" East from the point of beginning; thence South 00°15'19" West along said line a distance of 618.30 feet to the point of beginning, containing 6.95 acres more or less, EXCEPTING THERFROM, the easterly 66' thereof as measured Westerly along the North line of Southview Addition Plat 3; AND ALSO EXCEPTING THEREFROM, the tract previously conveyed to Merle J. Felling and Kathleen M. Felling pursuant to a Warranty Deed dated May 29, 1997, and described as follows to-wit: That part of the SW1/4SW1/4 of Section Fifteen (15) Township One Hundred Twenty-Six (126) Range Thirty-Four (34) West, described as follows: Commencing at the southeast corner of Southview Addition Plat 3, according to the recorded plat thereof on file and of record in the Office of the County Recorder, Stearns County, Minnesota, thence on a record bearing of North 00°15'19" West, along the east line thereof, 300.00 feet to the northeast corner of said Southview Addition Plat 3, thence North 89°59'58" West along the north line of said Southview Addition Plat 3, 66.00 feet to the point of beginning of the land to be described, thence continue North 89°59'58" West along the north line of said Southview Addition Plat 3, 403.47 feet to its intersection with a line which bears 00°20'08" West from Point "A"; said Point "A" being a point on the south line of said SW1/4SW1/4, 581.00 feet easterly of the southwest corner of said SW1/4SW1/4, thence North 00°20'08" West, along said line, 334.00 feet; thence South 89°59'58" East 403.95 feet to its intersection with a line which bears North 00°15'19" West from the point of beginning, thence South 00°15'19" East along said line, 344.00 feet to the point of beginning, all containing 3.19 acres more or less; TOGETHER WITH an ingress and egress easement to the land being conveyed herein on and across the Easterly 66' thereof being retained by Seller as measured from the northeast corner of Southview Addition Plat 3 West along the North line of said plat.

The above described property consists of a total three and one half 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. That the population of the area legally described herein and hereby annexed is 0.
5. The City of Sauk Centre 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 Sauk Centre in accordance with the following schedule:

In the first year (2018) in which the City of Sauk Centre could first levy on the annexed area an amount of \$1,300.00 to be payable on July 15; and

In each subsequent year for a period of four additional years (2019-2022) an amount of \$1,300.00 each year to be payable on July 15.

6. 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 area for which reimbursement is required.
7. That the City Clerk of the City of Sauk Centre 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 Stearns County Auditor, and the Sauk Centre 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 Sauk Centre, Minnesota, this 21st day of June, 2017,

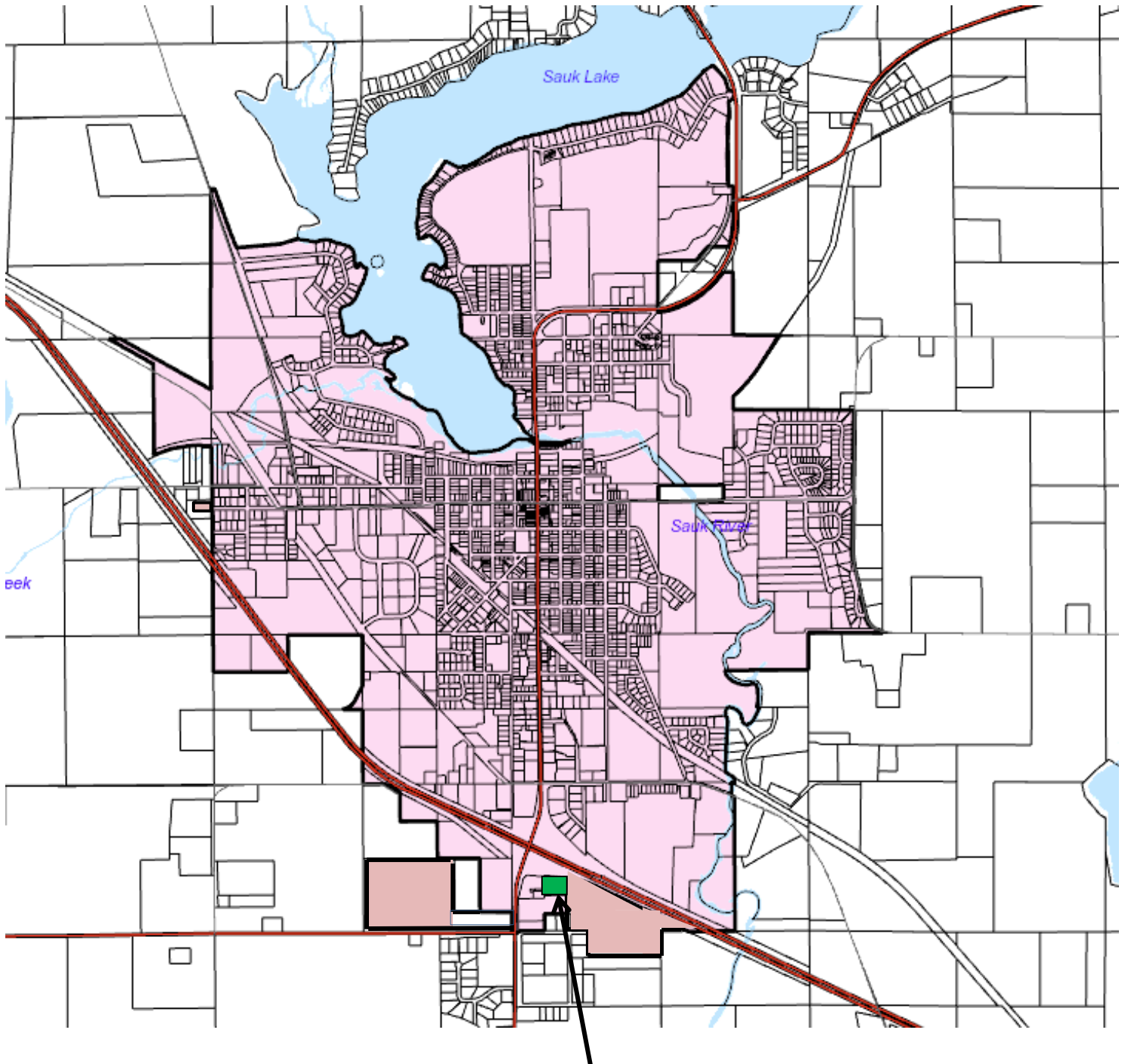


Mayor



City Administrator/Clerk

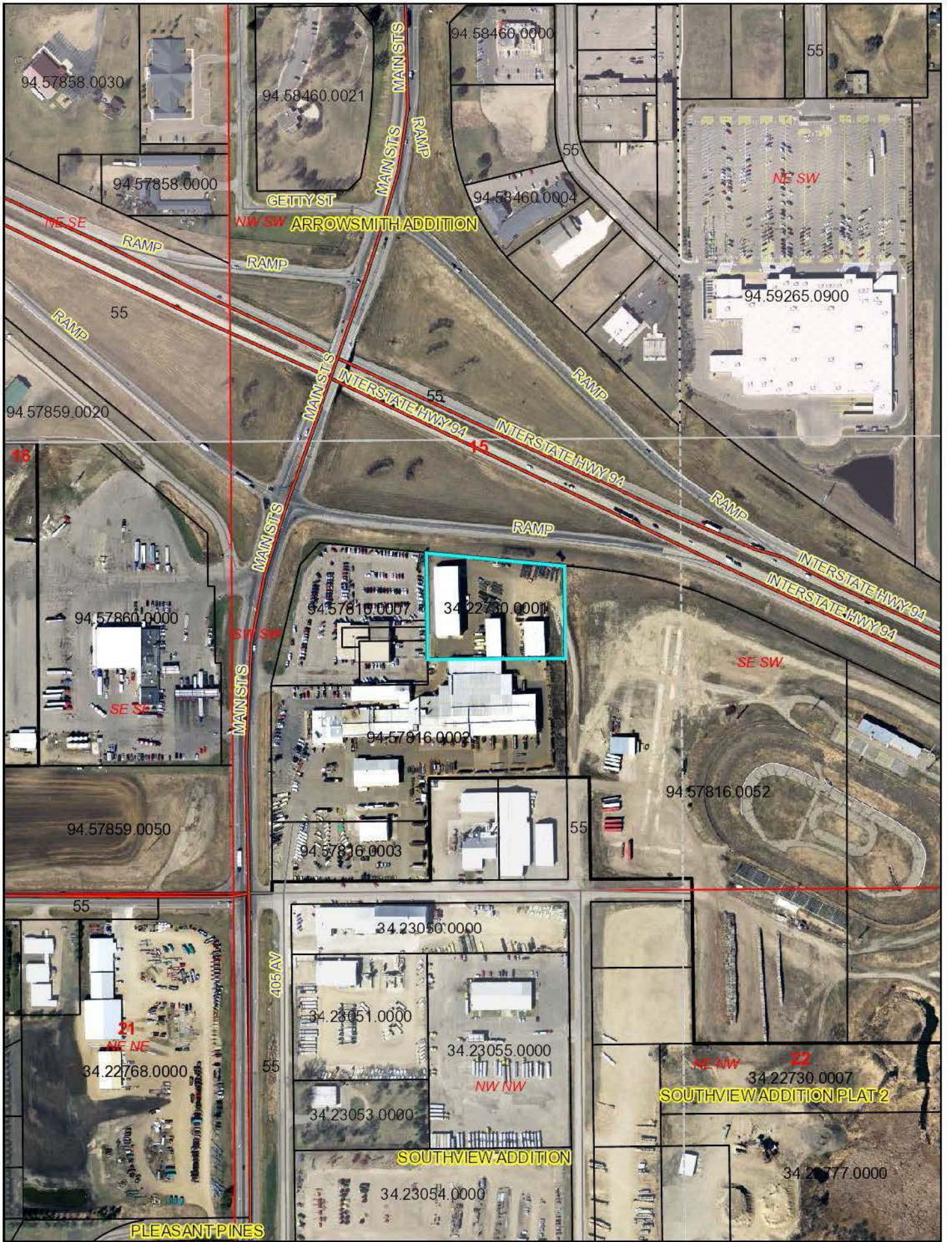
City of Sauk Centre
Existing and Proposed Boundary



Annexation Area

City of Sauk Centre – Stearns County

Section 15 Township 126 Range 34



94.57858.0030

94.58460.0021

94.58460.0000

55

94.57858.0000

94.58460.0004

55

94.59265.0900

94.57859.0020

55

18

94.57860.0000

94.57816.0007

34.22730.0001

SE SW

94.57859.0050

94.57816.0002

94.57816.0052

55

94.57816.0003

55

34.23050.0000

34.23051.0000

34.23055.0000

NE NW

34.22730.0007

34.22768.0000

SOUTHVIEW ADDITION PLAT 2

34.23053.0000

SOUTHVIEW ADDITION

7

34.23054.0000

34.22777.0000

PLEASANT PINES