

RECEIVED

by OAH on July 17, 2017

CITY OF ZUMBROTA ORDINANCE NO. 2017-02

**AN ORDINANCE OF THE CITY OF ZUMBROTA, MINNESOTA ANNEXING
LAND LOCATED IN ZUMBROTA TOWNSHIP, GOODHUE 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 and attached exhibit be annexed to the City of Zumbrota Minnesota, was duly presented to the Council of the City of Zumbrota on the 25th day of March, 2017; and

WHEREAS, said property is unincorporated and abuts the City of Zumbrota on its northerly 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 not located within a flood plain or shore land area; and

WHEREAS, said property is currently used for agricultural production and annexation is requested to facilitate residential development of the property; and

WHEREAS, the City of Zumbrota held a public hearing pursuant to Minnesota Statutes §414.033 Subd. 2b, on June 15th, 2017, following thirty (30) days written notice by certified mail to the Township of Zumbrota and to all landowners within and contiguous to the area legally described herein and attached exhibit, 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 ZUMBROTA 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 in nature in that residential use is being proposed for said property. Upon annexation the property will be zoned A1 Agriculture/Estate Residential.

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 Zumbrota, Minnesota, are hereby extended to include the following described property, said land abutting the City of Zumbrota 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:

PROPOSED PROPERTY DESCRIPTION PARCEL A

That part of the Southwest Quarter of the Northwest Quarter of Section 30, Township 110, Range 15, Goodhue County, Minnesota, described as follows:

Commencing at the southwest corner of said Southwest Quarter of the Northwest Quarter; thence South 89 degrees 20 minutes 44 seconds East (assumed bearing) along the south line thereof, a distance of 495.97 feet to the point of beginning of the land to be described; thence North 0 degrees 00 minutes 12 seconds West, a distance of 51.00 feet; thence North 89 degrees 41 minutes 14 seconds West, a distance of 72.71 feet; thence South 89 degrees 59 minutes 58 seconds West, a distance of 401.39 feet to the centerline of Goodhue County Road No. 6; thence southeasterly along said centerline, a distance of 51.73 feet, along a nontangential curve concave to the northeast, radius of 517.28 feet, central angle of 5 degrees 43 minutes 47 seconds and a chord that bears South 20 degrees 58 minutes 09 seconds East, to said south line of the Southwest Quarter of the Northwest Quarter; thence South 89 degrees 20 minutes 44 seconds East along said south line 455.56 feet to the point of beginning.

PROPOSED PROPERTY DESCRIPTION PARCEL B

That part of the Southwest Quarter of the Northwest Quarter of Section 30, Township 110, Range 15, Goodhue County, Minnesota, described as follows:

Commencing at the southwest corner of said Southwest Quarter of the Northwest Quarter; thence South 89 degrees 20 minutes 44 seconds East (assumed bearing) along the south line thereof, a distance of 495.97 feet to the point of beginning of the land to be described; thence continuing South 89 degrees 20 minutes 44 seconds East along said south line, a distance of 372.41 feet; thence North 1 degree 17 minutes 51 seconds West, a distance of 56.00 feet; thence South 89 degrees 53 minutes 13 seconds West, a distance of 371.13 feet; thence South 0 degrees 00 minutes 12 seconds East, a distance of 51.00 feet to the point of beginning.

The above described property consists of a total of 1.03 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 or attached exhibit) and hereby annexed is zero.

5. The City of Zumbrota, pursuant to Minnesota Statutes § 414.036, that with respect to the property taxes payable on the area legally described herein and attached exhibit, hereby annexed, shall make a cash payment to the Town of Zumbrota in accordance with the following schedule:

Reimbursement of the property taxes to the Town shall be based on the property taxes collected by the Town in the last year it collected taxes on the annexed area, adjusted to be paid in substantially equal payments over two to eight years in accordance with the 2006 amendments to Minnesota Statutes § 414.036.


Specifically, the parcel from which a portion is to be annexed is approximately 6.82 acres, and the total 2017 township property taxes payable is \$64.16. This amounts to approximately \$9.41 per acre. Since the parcel proposed for annexation is 1.03 acres the City will therefore reimburse the township \$9.69 for eight years for a total of \$77.52.

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 or attached exhibit there are no special assessments or debt incurred by the Town on the subject are for which reimbursement is required.

7. That the City Clerk of the City of Zumbrota 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 Goodhue County Auditor, and the Zumbrota 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 Zumbrota, Minnesota,
this 15th day of June, 2017.

 6-15-17

Mayor Bradley Drenckhahn

ATTEST:



City Administrator Neil Jensen

(City Seal)

PROPOSED ANNEXATION DESCRIPTION ZUMBROTA TOWNSHIP TO CITY OF ZUMBROTA

That part of the Southwest Quarter of the Northwest Quarter of Section 30, Township 110, Range 15, Goodhue County, Minnesota, described as follows:
Beginning at the southwest corner of said Southwest Quarter of the Northwest Quarter; thence South 89 degrees 20 minutes 44 seconds East (assumed bearing) along the south line thereof a distance of 868.38 feet; thence North 1 degree 17 minutes 51 seconds West, a distance of 371.13 feet; thence South 89 degrees 53 minutes 13 seconds West, a distance of 371.13 feet; thence North 89 degrees 41 minutes 14 seconds West, a distance of 72.71 feet; thence South 89 degrees 59 minutes 58 seconds West, a distance of 423.60 feet to the west line of said Southwest Quarter of the Northwest Quarter; thence South 0 degrees 22 minutes 10 seconds East along said west line, a distance of 47.82 feet to the point of beginning.

PROPOSED PROPERTY DESCRIPTION PARCEL A

That part of the Southwest Quarter of the Northwest Quarter of Section 30, Township 110, Range 15, Goodhue County, Minnesota, described as follows:
Commencing at the southwest corner of said Southwest Quarter of the Northwest Quarter; thence South 89 degrees 20 minutes 44 seconds East (assumed bearing) along the south line thereof, a distance of 495.97 feet to the point of beginning of the land to be described; thence North 0 degrees 00 minutes 12 seconds West, a distance of 51.00 feet; thence North 89 degrees 41 minutes 14 seconds West, a distance of 72.71 feet; thence South 89 degrees 59 minutes 58 seconds West, a distance of 401.39 feet to the centerline of Goodhue County Road No. 6; thence southeasterly along said centerline, a distance of 51.73 feet, along a nontangential curve concave to the northeast, radius of 517.28 feet, central angle of 5 degrees 43 minutes 47 seconds and a chord that bears South 20 degrees 58 minutes 09 seconds East, to said south line of the Southwest Quarter of the Northwest Quarter; thence South 89 degrees 20 minutes 44 seconds East along said south line 455.56 feet to the point of beginning.

PROPOSED PROPERTY DESCRIPTION PARCEL B

That part of the Southwest Quarter of the Northwest Quarter of Section 30, Township 110, Range 15, Goodhue County, Minnesota, described as follows:
Commencing at the southwest corner of said Southwest Quarter of the Northwest Quarter; thence South 89 degrees 20 minutes 44 seconds East (assumed bearing) along the south line thereof, a distance of 495.97 feet to the point of beginning of the land to be described; thence continuing South 89 degrees 20 minutes 44 seconds East along said south line, a distance of 372.41 feet; thence North 1 degree 17 minutes 51 seconds West, a distance of 56.00 feet; thence South 89 degrees 53 minutes 13 seconds West, a distance of 371.13 feet; thence South 0 degrees 00 minutes 12 seconds East, a distance of 51.00 feet to the point of beginning.

PROPOSED PROPERTY DESCRIPTION PARCEL C

That part of the Southwest Quarter of Section 30, Township 110, Range 15, Goodhue County, Minnesota, described as follows:

Commencing at the northwest corner of said Southwest Quarter; thence South 89 degrees 20 minutes 44 seconds East (assumed bearing) along the north line of said Southwest Quarter, a distance of 495.97 feet to the point of beginning of the land to be described; thence South 0 degrees 00 minutes 12 seconds East, a distance of 173.67 feet to the north line of Lot 4, Auditors Subdivision of the Southwest Quarter of Section 30, Township 110, Range 15, on file in the Goodhue County Records Office; thence North 89 degrees 59 minutes 48 seconds East along said north line and its easterly extension, a distance of 376.22 feet to the west line of Lot 2 of said Auditors Subdivision of the Southwest Quarter; thence North 0 degrees 17 minutes 52 seconds West along said west line, a distance of 169.44 feet to the northwest corner of said Lot 2; thence North 89 degrees 20 minutes 44 seconds West along said north line of the Southwest Quarter, a distance of 372.41 feet to the point of beginning.

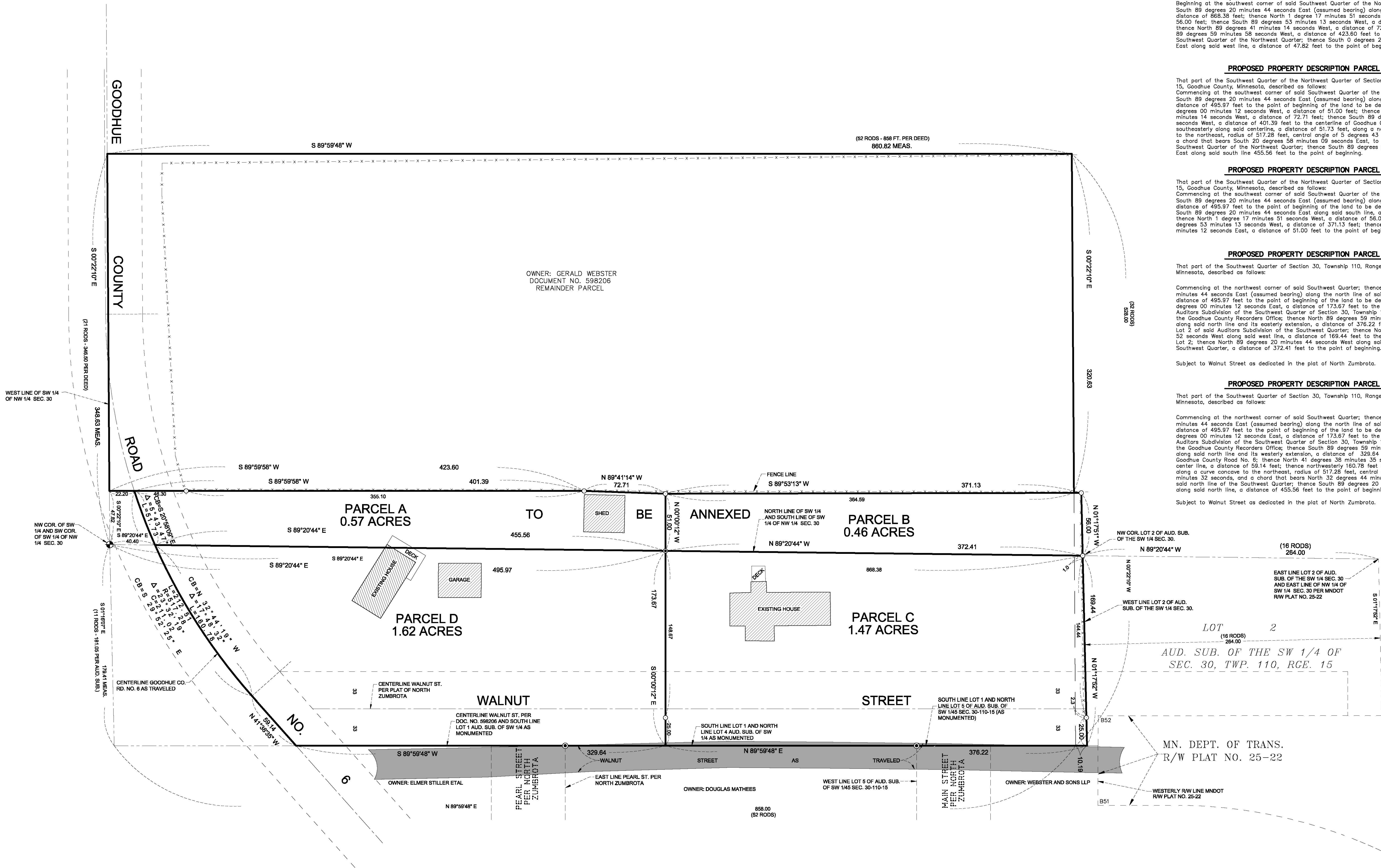
Subject to Walnut Street as dedicated in the plat of North Zumbrota.

PROPOSED PROPERTY DESCRIPTION PARCEL D

That part of the Southwest Quarter of Section 30, Township 110, Range 15, Goodhue County, Minnesota, described as follows:

Commencing at the northwest corner of said Southwest Quarter; thence South 89 degrees 20 minutes 44 seconds East (assumed bearing) along the north line of said Southwest Quarter, a distance of 495.97 feet to the point of beginning of the land to be described; thence South 0 degrees 00 minutes 12 seconds East, a distance of 173.67 feet to the north line of Lot 4, Auditors Subdivision of the Southwest Quarter of Section 30, Township 110, Range 15, on file in the Goodhue County Records Office; thence South 89 degrees 59 minutes 48 seconds West along said north line and its westerly extension, a distance of 328.64 feet to the center line of Goodhue County Road No. 6; thence North 41 degrees 38 minutes 35 seconds West along said center line, a distance of 59.14 feet; thence northwesterly 160.78 feet along said center line, along a curve concave to the northeast, radius of 517.28 feet, central angle of 17 degrees 48 minutes 32 seconds, and a chord that bears North 32 degrees 44 minutes 19 seconds West, to said north line of the Southwest Quarter; thence South 89 degrees 20 minutes 44 seconds East along said north line, a distance of 455.56 feet to the point of beginning.

Subject to Walnut Street as dedicated in the plat of North Zumbrota.



PLEASE NOTE: THERE IS APPROXIMATELY A 33 FOOT DIFFERENCE BETWEEN THE CENTERLINE OF WALNUT STREET ON GERALD WEBSTER'S DEED COMPARED TO THE CENTERLINE OF WALNUT STREET PER THE PLAT OF NORTH ZUMBROTA ESTABLISHED FROM FOUND IRONS TO THE SOUTH. THE GERALD WEBSTER LOCATION FITS THE EXISTING ROAD LOCATION AND THE MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT TO THE EAST.

CERTIFICATE OF SURVEY FOR:

GERALD WEBSTER



JOHNSON & SCOFIELD INC.
SURVEYING AND ENGINEERING

1112 HIGHWAY 55, SUITE 201, HASTINGS, MN 55033
(651) 438-0000

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 Land Surveyor under the laws of the State of Minnesota.

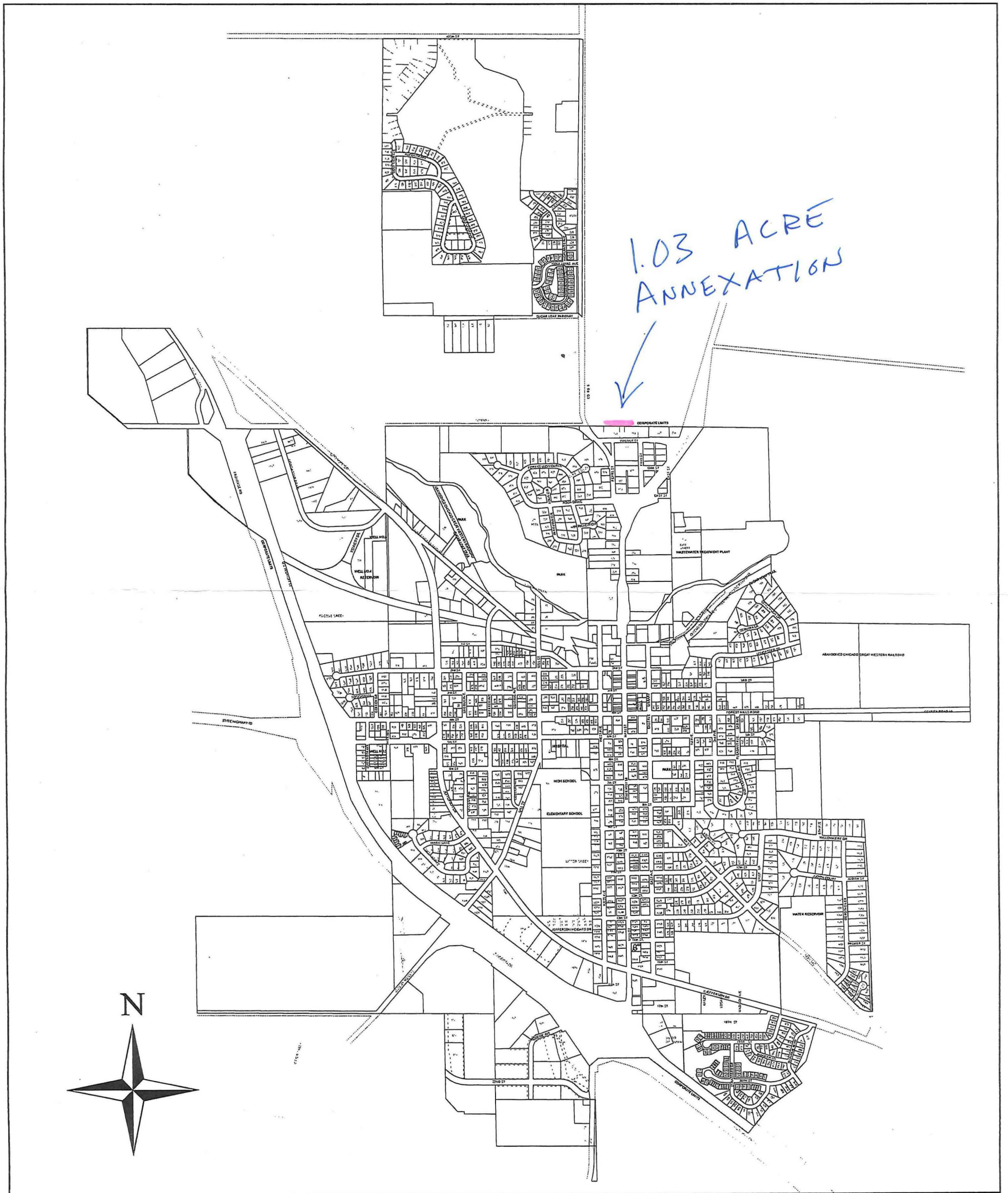
Revised: 6/15/2017
Revised: 7/11/2017
Revised: 8/9/2017

Mitchell A. Scofield
Minnesota License No. 48634
Date: 4/10/2017

BK. NA PG. NA W.O.# DRAWING NUMBER
SHEET 1 OF 1 SHEETS 17-308 S-6693

City of Zumbrota, MN

Address Map



0.09
Miles

Data Sources: Goodhue County Tax Parcels
Map Date: 9.8.2010
Updated by City of Zumbrota, WHKS & Co.