

**ORDINANCE NO. 05-17-2018-2**

**AN ORDINANCE APPROVING THE PETITION  
OF LUVERNE & JEAN RITTER, KATHLEEN HEINZE AND  
CYRIL & DARLENE MEYER  
FOR THE ANNEXATION OF UNPLATTED LAND NOT EXCEEDING 120 ACRES  
TO THE CITY OF MELROSE,  
UNDER MINNESOTA STATUTES SECTION 414.033, SUBD. 2(3).**

**THE CITY COUNCIL OF THE CITY OF MELROSE ORDAINS AS FOLLOWS:**

**Section 1. Findings.**

- A. On January 22, 2018, LuVerne & Jean Ritter, Cyril & Darlene Meyer and Kathleen Heinze ("Petitioners") filed a Petition for Annexation pursuant to Minnesota Statutes Section 414.033, Subd. 2(3) with the City of Melrose; said petition identified the Petitioners' as all of the owners of real property described as follows:

That part of the Northeast Quarter of the Southeast Quarter (NE¼ SE¼) of Section 3, Township 125 North, Range 33 West, Stearns County, Minnesota, which lies southerly of the south line of Block Two (2) of Darmac Acres, according to the plat thereof, on file and of record in the office of the Stearns County Recorder, and northwesterly of the northwesterly right of way line of County State Aid Highway 13, according to Stearns County Highway Right of Way Plat Number 35, on file and of record in the office of the Stearns County Recorder.

and requested that the City Council annex the described Premises;

- B. On February 7, 2018, the City of Melrose, as required by Minnesota Statutes Section 414.033, Subd. 2b, gave written notice by certified mail to Grove Township and all of the owners of property contiguous to the described Premises that a public hearing on the Petitioners' petition would be held on March 15, 2018;
- D. On Feb 7, 2018, the City of Melrose published notice of the public hearing on the Petitioners' petition in the Melrose Beacon;
- E. On March 15, 2018, the City of Melrose held a public hearing, at which the City Council considered the Petitioners' petition;
- F. The Petitioners' petition recites that:
1. the Petitioners are all of the owners of the described Premises,
  2. the described Premises abuts the City of Melrose and is not included within any other municipality,
  3. the described Premises is 120 acres or less, and
  4. the described Premises is not presently served by public sewer facilities or public sewer facilities are not otherwise available;

G. The City Administrator testified at the public hearing that:

1. annexation will permit the described premises to be served by City of Melrose public sewer facilities, and
2. reviewed applicable portions of the City's Comprehensive Plan;

H. No testimony was presented by the Grove Township officers present at the hearing;

I. The described Premises is not included in any other boundary proceeding pending before the Department of Administration – Municipal Boundary Adjustments; and

J. The described Premises is not included in any area that has already been designated for orderly annexation pursuant to Minnesota Statutes Section 414.0325;

**Section 2. Conclusions.** Based upon the notices and petitions filed with the City of Melrose, and the information presented at the public hearing, the City Council of the City of Melrose concludes that:

A. Pursuant to Minnesota Statutes Section 414.033, subd. 2(3) the described Premises is deemed urban or suburban in character or is about to become so, and

B. The City Council declares by ordinance that the described Premises are annexed to the City of Melrose.

**Section 3. Approval of Petition.** Pursuant to Minnesota Statutes Section 414.033, subd. 2(3), the City Council of the City of Melrose hereby:


A. Approves the Petition for Annexation and,

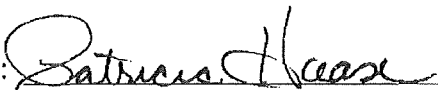
B. Annexes to the City of Melrose and extends the City's boundaries to include the real property described in Section 1 A.

**Section 4. Zoning District Assignment.** Pursuant to Section 203 of Melrose City Ordinance No. 1989-A, as amended, the City Council of the City of Melrose hereby by assigns the described Premises to the C-2 Commercial Highway.

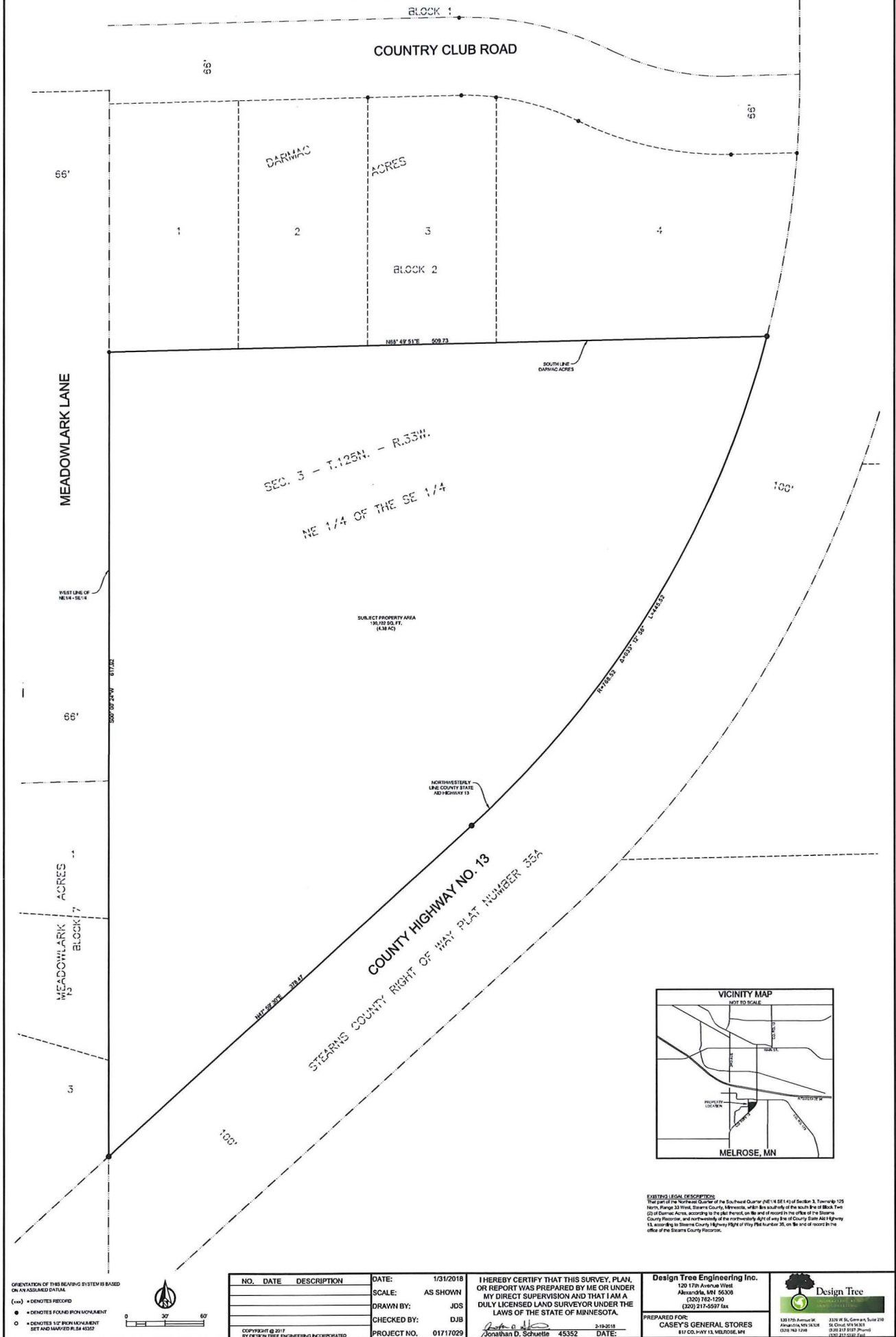
**Section 5. Effective Date.** This ordinance shall take effect upon its passage and publication.

Adopted by the City Council of the City of Melrose on May 17, 2018.

  
\_\_\_\_\_  
Joe Finken, Mayor  
City of Melrose

Attest:   
\_\_\_\_\_  
Patricia Haase, City Clerk

# CERTIFICATE OF SURVEY



ORIENTATION OF THIS MEASURING SYSTEM IS BASED ON AN ASSUMED DATUM.

(+)= DENOTES RECORD

(-)= DENOTES FOUND FROM MONUMENT

(O)= DENOTES 1/2" IRON MONUMENT SET AND MARKED PL. 3A 45352



NO.	DATE	DESCRIPTION	DATE
1	1/31/2018		
2			
3			
4			
5			
6			
7			
8			
9			
10			

SCALE: AS SHOWN

DRAWN BY: JDS

CHECKED BY: DJB

COPYRIGHT © 2017 BY DESIGN TREE ENGINEERING INCORPORATED

PROJECT NO. 01717029

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.

*Jonathan D. Schutte*

Jonathan D. Schutte 45352

DATE: 3-19-2018

**Design Tree Engineering Inc.**

120 17th Avenue West  
Alexandria, MN 55306  
(202) 762-1250  
(202) 217-5597 fax

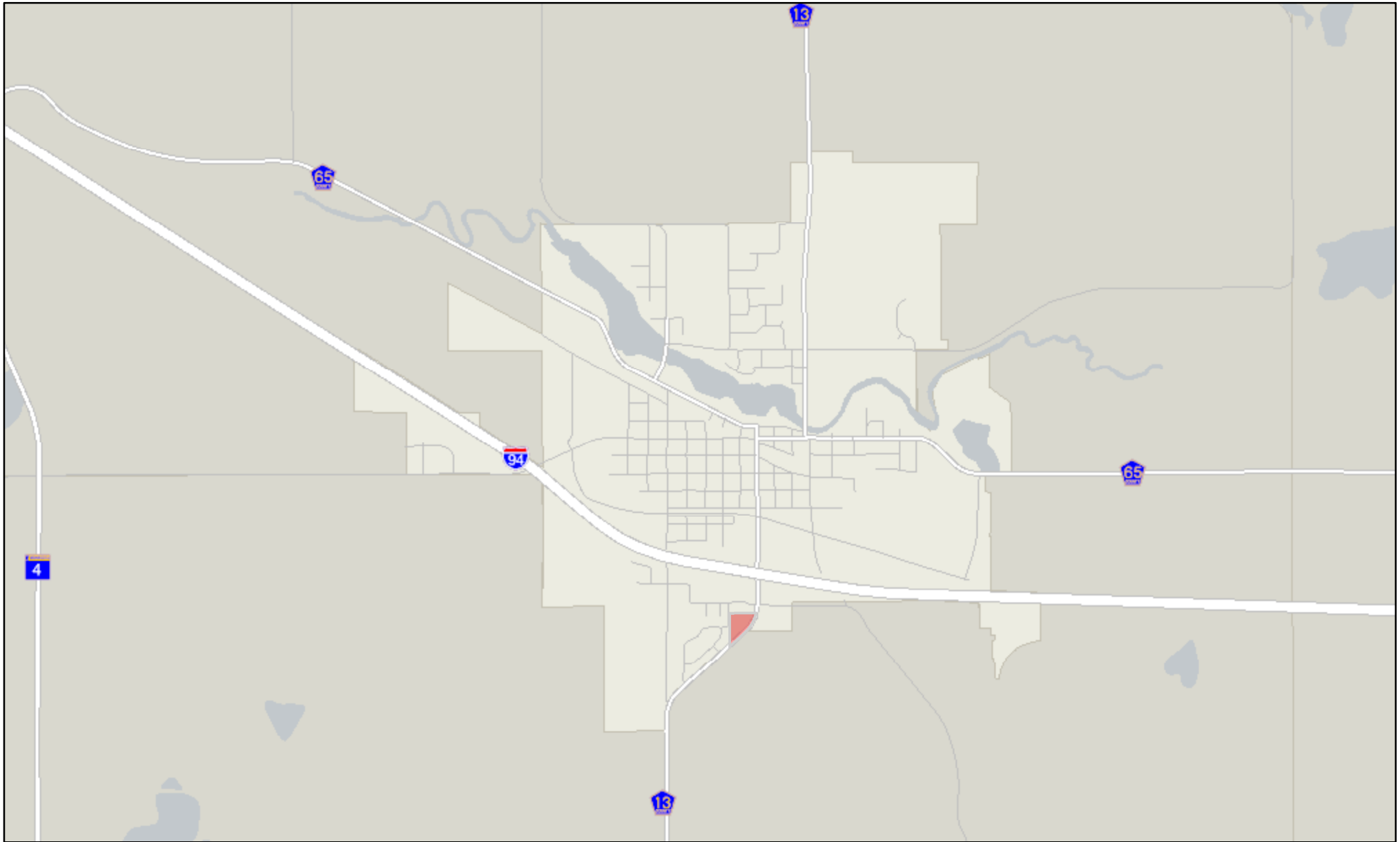
PREPARED FOR:  
CASEY'S GENERAL STORES  
811 CO. HWY 13, MELROSE, MN

**Design Tree**

120 17th Avenue West  
Alexandria, MN 55306  
(202) 762-1250  
(202) 217-5597 fax

2226 W. St. Germain, Suite 210  
St. Cloud, MN 56301  
(202) 217-5597 (Phone)  
(202) 217-5597 (Fax)

# Melrose Corporate Boundaries - Annexation area in Red



1 in = 2,800 ft

