



4646 Dakota Street SE
Prior Lake, MN 55372

**CITY OF PRIOR LAKE
ORDINANCE NO. 118-11**

**AN ORDINANCE OF THE CITY OF PRIOR LAKE, MINNESOTA ANNEXING
LAND LOCATED IN CREDIT RIVER TOWNSHIP, SCOTT COUNTY, MINNESOTA
PURSUANT TO MINNESOTA STATUTES § 414.033 SUBDIVISION 2(3),
PERMITTING ANNEXATION BY ORDINANCE**

WHEREAS, a petition signed by the sole property owner, requesting that property legally described herein be annexed to the City of Prior Lake, Minnesota, was duly presented to the Council of the City of Prior Lake on the 16th day of July 2018; and

WHEREAS, said property is unincorporated and abuts the City of Prior Lake on its southeastern 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 shoreland area; and

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

WHEREAS, the City of Prior Lake held a public hearing pursuant to Minnesota Statutes § 414.033 Subd. 2b, on July 16, 2018, following thirty (30) days written notice by certified mail to the Town of Credit River ('Town') and to all landowners within and contiguous to the area legally described (herein or 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 PRIOR LAKE 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 or industrial uses 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 Prior Lake, Minnesota, are hereby extended to include the following described property, said land abutting the City of Prior Lake 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:


The West 919.00 feet (as measured at right angles) of that part of the North half of the Northwest Quarter (N ½ of NW ¼) of Section 7, Township 114, Range 21, Scott County, Minnesota, lying North of the Northerly right of way line of Eagle Creek Avenue, Scott County, Minnesota. (PID 049070010)

The above described property consists of a total of 10 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 as Exhibit A.

4. The City of Prior Lake, pursuant to Minnesota Statutes § 414.036, that with respect to the property taxes payable on the area legally described herein, hereby annexed, shall pay to the Town of Credit River as follows:
 - a. Two times the amount in taxes that the Township levied against the property in 2018, the year of annexation.
 - b. The City shall remit payment in two equal payments, the first payment is due by December 15th in the year the property is annexed, and the second payment is due by December 15th in the year following annexation.
 - c. Property ID 049070010 had Town taxes of \$382.59 payable in 2018; two times that amount equals \$765.18, to be paid in two equal payments of \$382.59 each.
5. 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 of Credit River on the subject for which reimbursement is required.
6. Following the property owner entering into the Agreement for Annexation of Whitney Property Credit River Township, the City Manager of the City of Prior Lake 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 Scott County Auditor, and the Credit River Township Clerk.
7. 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 Prior Lake City Council this 16th day of July 2018.

ATTEST:



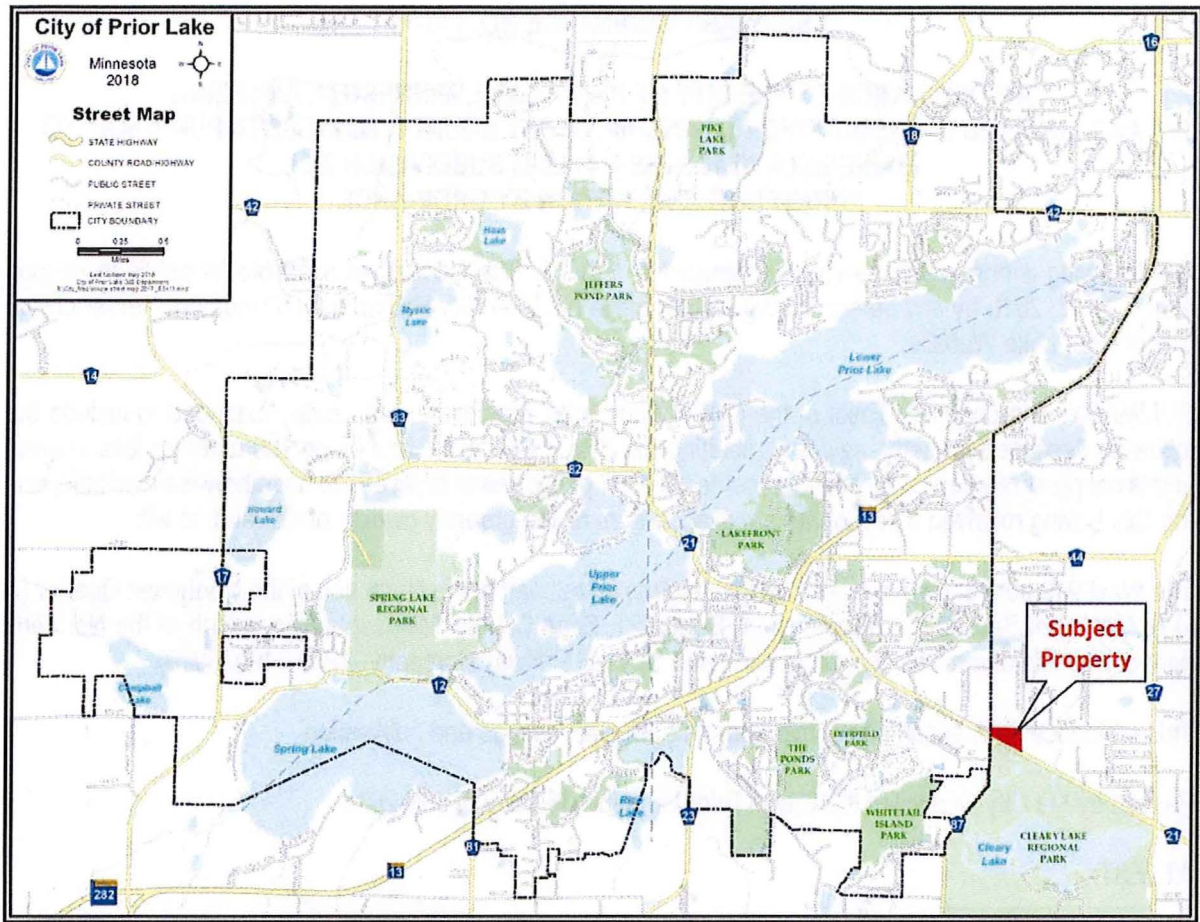
City Manager



Mayor

A summary of this ordinance was published in the Prior Lake American on the 21st day of July 2018.

EXHIBIT A





City of Prior Lake
Credit River Township

PIN: 049070010
9.35 Acres

