

**ORDINANCE NO. 2018-2**

**AN ORDINANCE OF THE CITY OF KILKENNY, MINNESOTA ANNEXING  
LAND LOCATED IN KILKENNY TOWNSHIP, LE SUEUR 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 on attached Exhibit A be annexed to the City of Kilkenny Minnesota, was duly presented to the Council of the City of Kilkenny on the 9th day of July, 2018; and

**WHEREAS**, said property is unincorporated and abuts the City of Kilkenny on its southerly and easterly 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 Minnesota Statutes § 414.033 Subd. 11.

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

**WHEREAS**, the City of Kilkenny held a public hearing pursuant to Minnesota Statutes § 414.033 Subd. 2b, on September 10, 2018, at 6:45 PM in the City Council Chambers, following thirty (30) days written notice by certified mail to the Town of Kilkenny and to all landowners within and contiguous to the area legally described on attached Exhibit A 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 KILKENNY 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 residential 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 Kilkenny, Minnesota, are hereby extended to include the following described property, said land abutting the City of Kilkenny 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, on the attached Exhibit A.

The above described property consists of a total of 3.20 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 as Exhibit B.

4. That the population of the area legally described (herein or attached exhibit) and hereby annexed is currently 0.


5. The City of Kilkenny, pursuant to Minnesota Statutes § 414.036, and with respect to the property taxes payable on the area legally described (herein or attached exhibit), hereby annexed, shall make a cash payment to the Town of Kilkenny based upon the agreed upon sum of \$610.

6. That there are no special assessments or debt incurred by the Town on the subject property for which reimbursement is required.

7. That the City Clerk of the City of Kilkenny 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 Le Sueur County Auditor, and the Kilkenny Township Clerk.

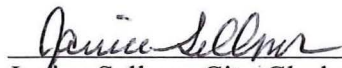
8. That this Ordinance shall be in full force and effect and final upon the date this Ordinance is approved by the Office of Administrative Hearings.

PASSED AND ADOPTED by the City Council of the City of Kilkenny, Minnesota , this 10<sup>th</sup> day of September, 2018.



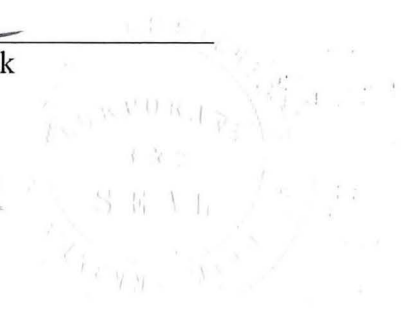
Kevin Taaffe, Jr. Mayor

ATTEST:



Janice Sellner, City Clerk

(City Seal)



## EXHIBIT A

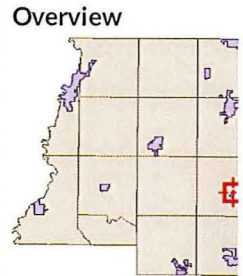
### LEGAL DESCRIPTION

That part of Government Lot 7 and part of the Southwest Quarter of the Southeast Quarter of Section 22, Township 110 North, Range 23 West, Le Sueur County, Minnesota described as follows:

Commencing at the East Quarter corner of said Section 22; thence South 89 degrees 29 minutes 03 seconds West (Le Sueur County Coordinate System, 1996 adjustment) along the east – west centerline said Section 22, a distance of 1965.18 feet to the easterly line of the abandoned railroad right of way, being the point of beginning; thence continuing South 89 degrees 29 minutes 03 seconds West along said north line, a distance of 100.00 feet to the westerly line of said abandoned railroad right of way; thence South 01 degrees 02 minutes 31 seconds East along said westerly line, a distance of 1329.00 feet to the north line of the Southwest Quarter of the Southeast Quarter of said Section 22; thence North 89 degrees 23 minutes 40 seconds East along said north line, a distance of 60.00 feet; thence South 01 degrees 02 minutes 31 seconds East parallel to the centerline of said abandoned railroad right of way, a distance of 160.00 feet; thence North 89 degrees 23 minutes 40 seconds East, a distance of 40.00 feet to the easterly line of said abandoned railroad right of way; thence North 01 degrees 02 minutes 31 seconds West, a distance of 1488.84 feet to the point of beginning.

Except that part located in the Southwest Quarter of the Southeast Quarter

Said parcel contains 3 acres (plus or minus) of land.



- Legend**
- Roads
  - City Limits
  - Parcels
  - Parcel Labels
  - Subdivisions

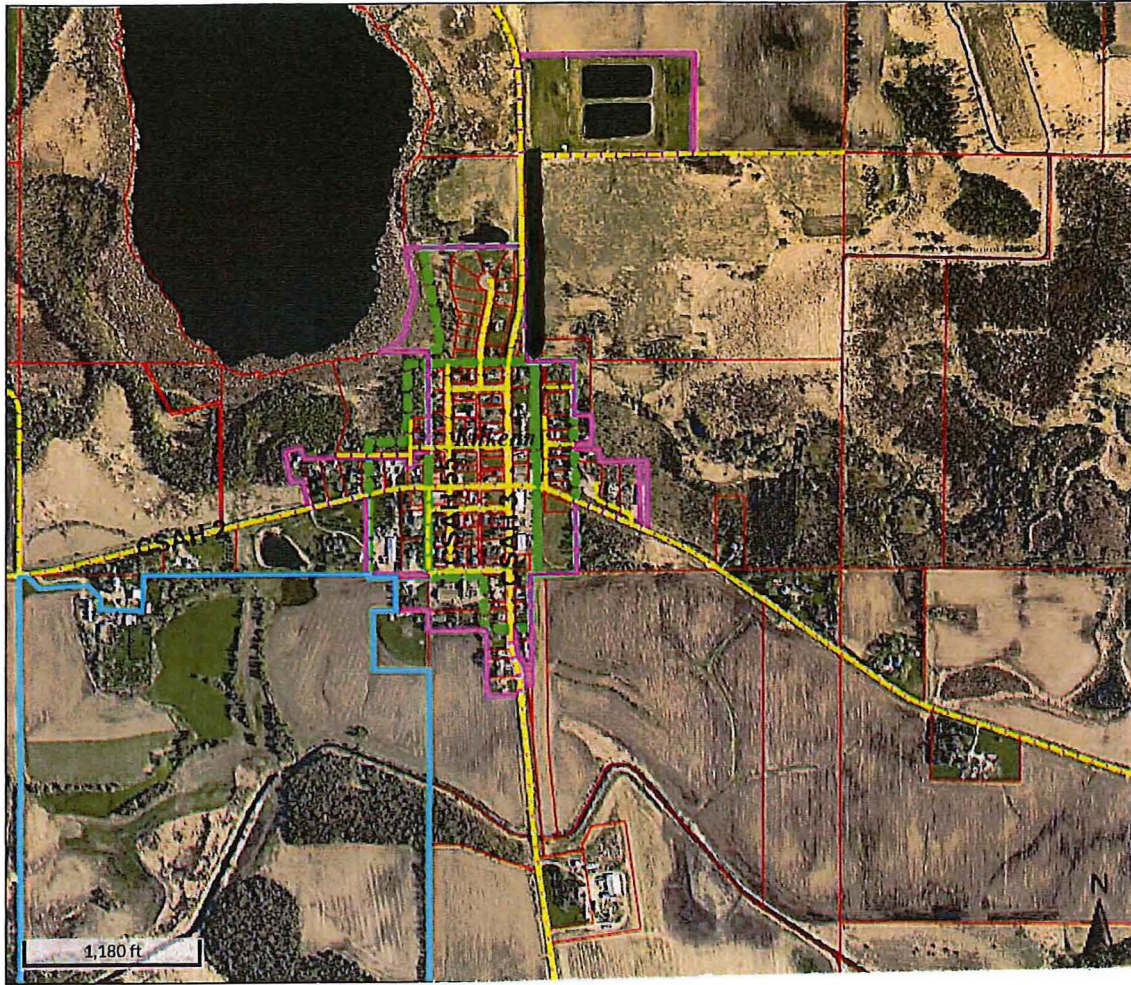
Parcel ID	19.440.0240	Alternate ID	n/a	Owner Address	MILLER HOMES LLC
Sec/Twp/Rng	--	Class	201 - RESIDENTIAL		105 MINNESOTA ST W
Property Address	141 LAUREL AVEN KILKENNY	Acreage	n/a		LE CENTER, MN 56057
District	KILK CITY/2905-ML				
Brief Tax Description	WELLS ADDN Lot-011 Block-002				
	<b>(Note: Not to be used on legal documents)</b>				

-Aerial Photo taken in April 2017  
 Date created: 8/17/2018  
 Last Data Uploaded: 8/17/2018 3:14:27 AM

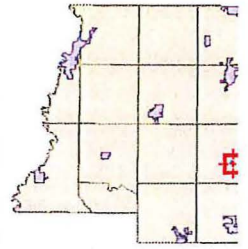
Developed by Schneider GEOSPATIAL

-Property to be annexed





Overview



Legend

-  Roads
-  City Limits
-  Parcels
-  Parcel Labels
-  Subdivisions

 - Property to be Annexed

