

ORDINANCE NO. 524

**AN ORDINANCE OF THE CITY OF LA CRESCENT, MINNESOTA ANNEXING
LAND LOCATED IN LA CRESCENT TOWNSHIP, HOUSTON 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 La Crescent, Minnesota, was duly presented to the Council of the City of La Crescent on the August 27, 2018; and

WHEREAS, said property is unincorporated and abuts the City of La Crescent on its northeasterly 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 currently residential and annexation is requested to facilitate the extension of city services for the residential development of the property; and

WHEREAS, the City of La Crescent held a public hearing pursuant to Minnesota Statutes § 414.033 Subd. 2b, on October 8, 2018, following thirty (30) days written notice by certified mail to the Town of La Crescent 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 LA CRESCENT
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 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 La Crescent, Minnesota, are hereby extended to include the following described property, said land abutting the City of La Crescent 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:

SEE EXHIBIT A

The above described property consists of a total of 0.45 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. The City of La Crescent, 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 La Crescent in accordance with the following schedule:

- a. In the first year following the year in which the City of La Crescent could first levy on the annexed area, an amount equal to \$548.95; and
- b. In the second and final year, an amount equal to \$548.95.

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 on the subject are for which reimbursement is required.

6. In the event that property owners desire to receive certain municipal service that the property owner is not currently receiving, property owners may file a petition with the City for such service and receive consideration from the City Council. The City Council may endeavor to provide property owners petitioned services to the property in a timely manner to the extent practicable or possible in the sole judgment of the City Council based on factors, including but not limited to the following: cost, timing and feasibility of the service project; cost, timing and feasibility of other City improvement projects; demonstrated service need; location of the petitioning property; distance of petitioning property from the petitioned service; type of service; capital improvement plan; comprehensive plan and other City land use controls; new or existing development; environmental review; number of property owners seeking services; and financial considerations including but not limited to assess ability of the service to the petitioning property and other likely situated properties, and the extent of property owners provided financing for the requested service.

7. That the City Administrator of the City of La Crescent 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 Houston County Auditor, and the La Crescent 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 La Crescent, Minnesota,
this 8th day of October, 2018.



Mayor

ATTEST:



City Administrator

(City Seal)

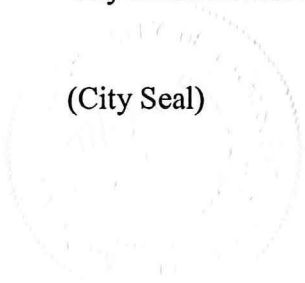
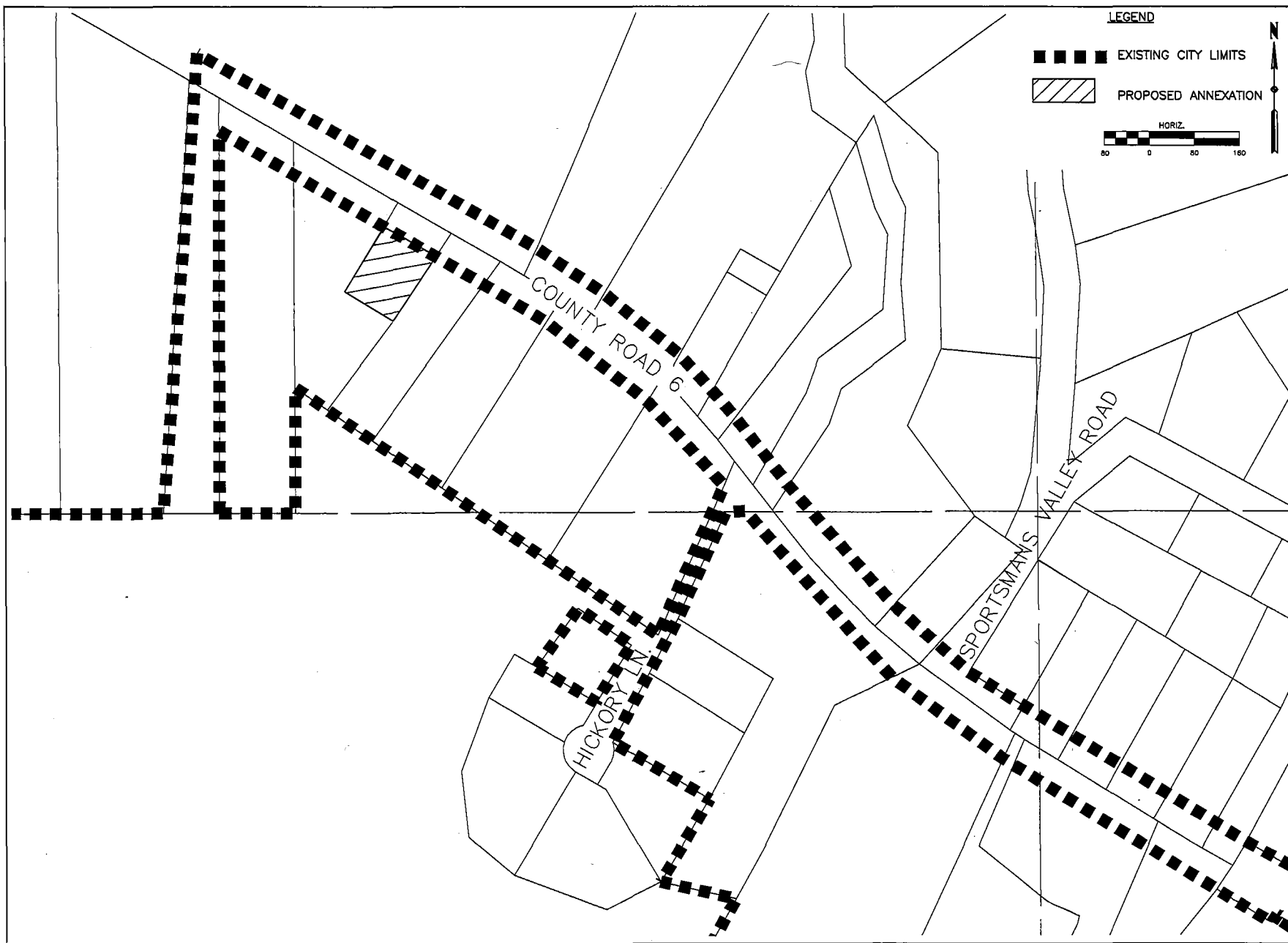


EXHIBIT A

THAT PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE¼ NW¼) OF SECTION 9, TOWNSHIP 104, RANGE 4, HOUSTON COUNTY, MINNESOTA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SAID SECTION 9, AS MONUMENTED BY A HOUSTON COUNTY MONUMENT; THENCE SOUTH 89 DEGREES 52 MINUTES, 36 SECONDS WEST, ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE¼ NW¼), 577.32 FEET; THENCE SOUTH 26 DEGREES 27 MINUTES 28 SECONDS WEST, 223.48 FEET; THENCE NORTH 55 DEGREES 31 MINUTES 17 SECONDS WEST, 468.04 FEET TO A ONE-HALF INCH IRON PIPE MONUMENT; THENCE NORTH 56 DEGREES 53 MINUTES 13 SECONDS WEST, 230.25 FEET TO A ONE-HALF INCH IRON PIPE MONUMENT; THENCE NORTH 34 DEGREES 00 MINUTES 51 SECONDS EAST, 190.97 FEET TO A ONE-HALF INCH IRON PIPE MONUMENT AND THE POINT OF BEGINNING OF THE LAND TO BE DESCRIBED; THENCE NORTH 60 DEGREES 26 MINUTES 26 SECONDS WEST, 93.84 FEET TO A ONE-HALF INCH IRON PIPE MONUMENT; THENCE NORTH 28 DEGREES 24 MINUTES 19 SECONDS EAST, 183.67 FEET TO THE CENTER LINE OF HOUSTON COUNTY HIGHWAY NO. 6; THENCE SOUTH 59 DEGREES 42 MINUTES 30 SECONDS EAST, ALONG SAID COUNTY HIGHWAY CENTERLINE, 111.74 FEET TO THE INTERSECTION OF A LINE BEARING NORTH 34 DEGREES 00 MINUTES 51 SECONDS EAST FROM THE POINT OF BEGINNING; THENCE SOUTH 34 DEGREES 00 MINUTES 51 SECONDS WEST, ALONG SAID LAST INTERSECTED LINE, 182.75 FEET TO THE POINT OF BEGINNING.

EXCEPT THAT PART OF THE ABOVE DESCRIBED PARCEL CONTAINED WITHIN COUNTY ROAD 6 RIGHT OF WAY.



REVISIONS	
NO.	DATE

PROPOSED ANNEXATION BOUNDARIES
LA CRESCENT, MN
8008

SCALE: AS SHOWN

PROJECT NO. 8008

DRAWN BY: SGH

CHECKED BY: TWH

SHEET 1 OF 1