

**ORDINANCE NO. 145****AN ORDINANCE OF THE CITY OF DODGE CENTER, MINNESOTA ANNEXING  
LAND LOCATED IN WASIOJA TOWNSHIP, DODGE 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 the attached Exhibit A be annexed to the City of Dodge Center, Minnesota, was duly presented to the Council of the City of Dodge Center on the fourteenth day of October, 2019; and

**WHEREAS**, said property is unincorporated, abuts the City of Dodge Center on its north and east boundaries, 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 commercial development of the property; and

**WHEREAS**, the City of Dodge Center held a public hearing pursuant to Minnesota Statutes § 414.033 Subd. 2b, on the sixteenth day of September, 2019, following thirty (30) days written notice by certified mail to the Town of Wasioja and to all landowners within and contiguous to the area legally described 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 DODGE CENTER 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 use is being proposed for said property, the construction of which requires or will require 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 Dodge Center, Minnesota, are hereby extended to include the property described on the attached Exhibit A. Said land abuts the City of Dodge Center, is 120 acres or less in area, 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. The property described on the attached Exhibit A consists of

a total of 1.29 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 population of the area legally described on Exhibit A and hereby annexed is 0.

5. The City of Dodge Center, pursuant to Minnesota Statutes § 414.036 with respect to the property taxes payable on the area legally described on the attached Exhibit A, hereby annexed, shall make a cash payment to the Town of Wasioja in accordance with the following schedule:

- a. In the first year following the year in which the City of Dodge Center could first levy on the annexed area, an amount equal to \$2.27<sup>1</sup>; and
- b. In the second and final year, an amount equal to \$2.27.

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.

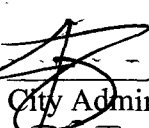
7. That the City Administrator of the City of Dodge Center is hereby authorized and directed to file a copy of this Ordinance with the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, the Minnesota Secretary of State, the Dodge County Auditor, and the Wasioja Township Clerk.

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 Dodge Center, Minnesota, this fourteenth day of October, 2019.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Administrator

<sup>1</sup> 2019 property taxes payable to Wasioja Township  $\$623.25 \div 177.50 \text{ acres} = \$3.51/\text{acre}$   
 $\$3.51/\text{acre} \times 1.29 \text{ acres} = \$4.53$   
 $\$4.53 \div 2 \text{ years} = \$2.27/\text{year}$

## EXHIBIT A

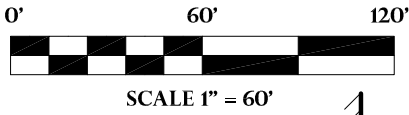
That part of the Southeast Quarter of the Southeast Quarter of Section 33, Township 107 North, Range 17 West of the Fifth Principal Meridian, Dodge County, Minnesota described as follows:

Commencing at the Southeast corner of said Section 33; thence on an assumed bearing of South 89 degrees 58 minutes 58 seconds West, along the South line of said Southeast Quarter of the Southeast Quarter, said line also being the South line of Minnesota Department of Transportation Right of Way Plat No 20-32, according to the recorded plat thereof, Dodge County, Minnesota for a distance of 104.42 feet to a point labeled as B3210 on said Right of Way Plat No 20-32, said point being the Southwest corner of said Right of Way Plat No 20-32; thence North 06 degrees 46 minutes 48 seconds East, along the Westerly line of said Right of Way Plat No 20-32 for a distance of 190.92 feet to a point labeled as B11 on said Right of Way Plat No 20-32; thence Northerly 282.64 feet, along a non-tangential curve, concave to the East, having a radius of 11534.16 feet and a delta angle of 01 degrees 24 minutes 14 seconds, the chord of said curve bears North 00 degrees 47 minutes 26 second West for a chord distance of 282.64 feet to a point labeled as B12 on said Right of Way Plat No 20-32; thence North 00 degrees 05 minutes 19 seconds West, along the West line of said Right of Way Plat No 20-32 for distance of 619.19 feet to a point labeled as B13 on said Right of Way Plat No 20-32, said point being the point of beginning of the parcel herein described, thence South 89 degrees 54 minutes 41 seconds West, along a South line of said Right of Way Plat No 20-32 for a distance of 125.00 feet to a point labeled B14 on said Right of Way Plat No 20-32; thence continue South 89 degrees 54 minutes 41 seconds West, along the Westerly extension of said South line of Right of Way Plat No 20-32 for a distance of 62.00 feet; thence South 00 degrees 05 minutes 19 seconds East 301.78 feet; thence North 89 degrees 37 minutes 13 seconds East 187.00 feet to the intersection with the West line of said Right of Way Plat No 20-32; thence North 00 degrees 05 minutes 19 seconds West, along said West line 300.83 feet to the point of beginning.

Said parcel contains 56,344 square feet or 1.29 acres, and is exclusive to land that is not already within the corporate boundary of the City of Dodge Center.

# CERTIFICATE OF SURVEY

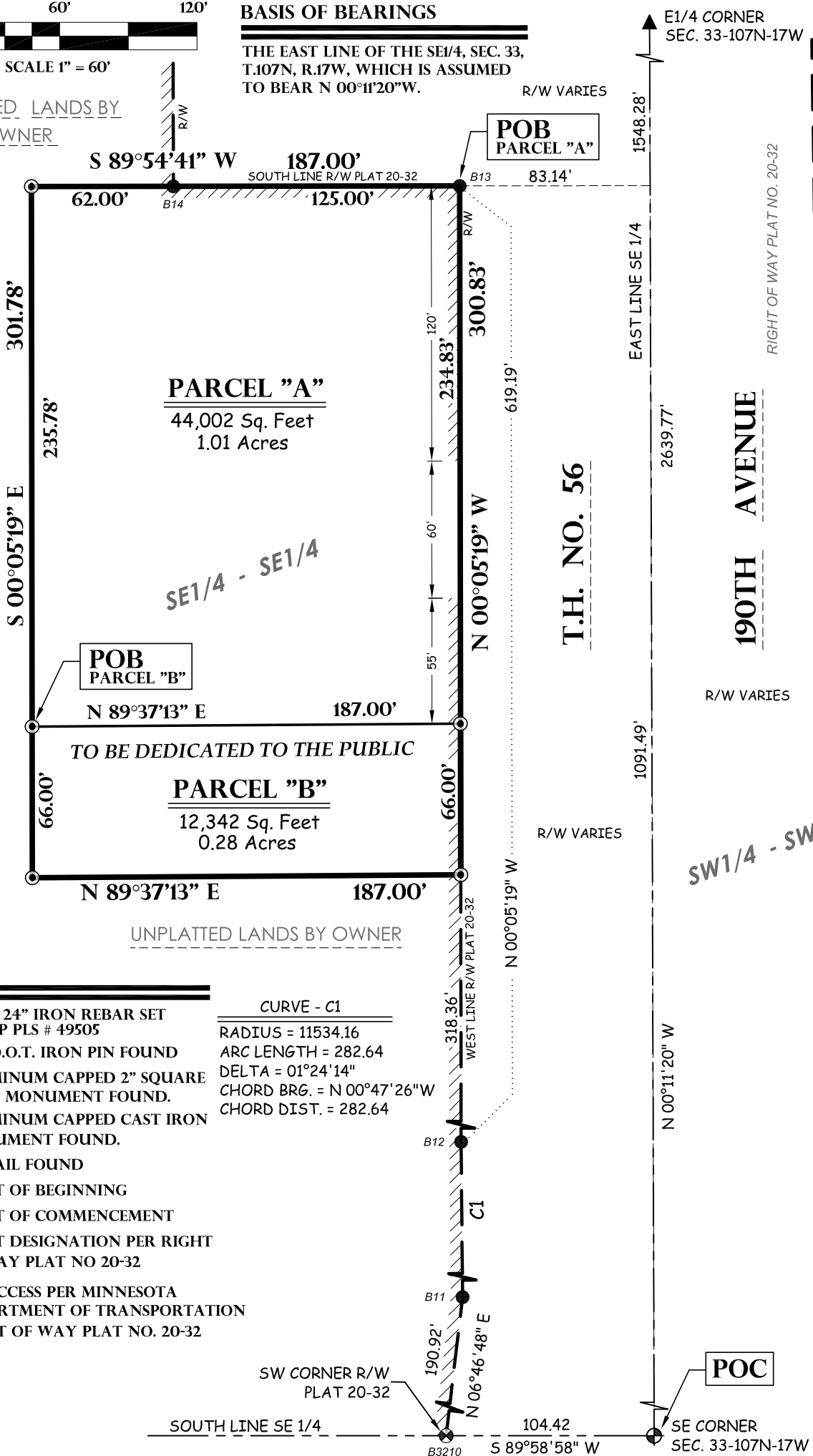
BEING A PART OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 33, TOWNSHIP 107 NORTH, RANGE 17, WEST OF THE FIFTH PRINCIPAL MERIDIAN, DODGE COUNTY, MINNESOTA.



### BASIS OF BEARINGS

THE EAST LINE OF THE SE1/4, SEC. 33, T.107N, R.17W, WHICH IS ASSUMED TO BEAR N 00°11'20"W.

UNPLATTED LANDS BY OWNER



### LEGEND

- |   |  |
|---|--|
| <ul style="list-style-type: none"> <li>⊙ 1/2" X 24" IRON REBAR SET W/CAP PLS # 49505</li> <li>● 3/4" D.O.T. IRON PIN FOUND</li> <li>⊗ ALUMINUM CAPPED 2" SQUARE D.O.T. MONUMENT FOUND.</li> <li>⊕ ALUMINUM CAPPED CAST IRON MONUMENT FOUND.</li> <li>▲ PK NAIL FOUND</li> </ul> | <p style="text-align: center;"><u>CURVE - C1</u></p> <p>RADIUS = 11534.16<br/>             ARC LENGTH = 282.64<br/>             DELTA = 01°24'14"<br/>             CHORD BRG. = N 00°47'26"W<br/>             CHORD DIST. = 282.64</p> |
|---|--|
- POB - POINT OF BEGINNING  
 POC - POINT OF COMMENCEMENT  
 B12 POINT DESIGNATION PER RIGHT OF WAY PLAT NO 20-32  
 B11 NO ACCESS PER MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 20-32

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.

*David R. Evans*  
 David R. Evans  
 Date: 9/9/2019 MN Lic. No. 49505

CERTIFICATE OF SURVEY	
CLIENT: DGI Dodge Center, LLC	REVISIONS: 10-1-19, Add Combination Legal Desc. 10-1-19, Revised Sq. Ft. of Parcel A & B
DATE: August 1, 2019	
ADDRESS: 200 E. Washington Street, Suite 2A, Appleton, WI 54911	
JOB NUMBER: 19,465	SHEET 1 OF 3

**ALTA**  
 LAND SURVEY COMPANY

PHONE: 218-727-5211  
 LICENSED IN MN & WI  
 CERTIFIED FEDERAL SURVEYOR  
 WWW.ALTLANDSURVEYDULUTH.COM

\* LAND SURVEYING  
 \* LAND DEVELOPMENT  
 \* PLATTING  
 \* LEGAL DESCRIPTIONS  
 \* CONSTRUCTION STAKING

# CERTIFICATE OF SURVEY

**BEING A PART OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 33, TOWNSHIP 107 NORTH, RANGE 17, WEST OF THE FIFTH PRINCIPAL MERIDIAN, DODGE COUNTY, MINNESOTA.**

**LEGAL DESCRIPTION OF TOTAL AREA**

That part of the Southeast Quarter of the Southeast Quarter of Section 33, Township 107 North, Range 17 West of the Fifth Principal Meridian, Dodge County, Minnesota described as follows:

Commencing at the Southeast corner of said Section 33; thence on an assumed bearing of South 89 degrees 58 minutes 58 seconds West, along the South line of said Southeast Quarter of the Southeast Quarter, said line also being the South line of Minnesota Department of Transportation Right of Way Plat No 20-32, according to the recorded plat thereof, Dodge County, Minnesota for a distance of 104.42 feet to a point labeled as B3210 on said Right of Way Plat No 20-32, said point being the Southwest corner of said Right of Way Plat No 20-32; thence North 06 degrees 46 minutes 48 seconds East, along the Westerly line of said Right of Way Plat No 20-32 for a distance of 190.92 feet to a point labeled as B11 on said Right of Way Plat No 20-32; thence Northerly 282.64 feet, along a non-tangential curve, concave to the East, having a radius of 11534.16 feet and a delta angle of 01 degrees 24 minutes 14 seconds, the chord of said curve bears North 00 degrees 47 minutes 26 second West for a chord distance of 282.64 feet to a point labeled as B12 on said Right of Way Plat No 20-32; thence North 00 degrees 05 minutes 19 seconds West, along the West line of said Right of Way Plat No 20-32 for distance of 619.19 feet to a point labeled as B13 on said Right of Way Plat No 20-32, said point being the point of beginning of the parcel herein described, thence South 89 degrees 54 minutes 41 seconds West, along a South line of said Right of Way Plat No 20-32 for a distance of 125.00 feet to a point labeled B14 on said Right of Way Plat No 20-32; thence continue South 89 degrees 54 minutes 41 seconds West, along the Westerly extension of said South line of Right of Way Plat No 20-32 for a distance of 62.00 feet; thence South 00 degrees 05 minutes 19 seconds East 301.78 feet; thence North 89 degrees 37 minutes 13 seconds East 187.00 feet to the intersection with the West line of said Right of Way Plat No 20-32; thence North 00 degrees 05 minutes 19 seconds West, along said West line 300.83 feet to the point of beginning.

Said parcel contains 56,344 square feet or 1.29 acres.

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.

*David R. Evanson*  
David R. Evanson

Date: 9/9/2019 MN Lic. No. 49505

## CERTIFICATE OF SURVEY

CLIENT: DGI Dodge Center, LLC	REVISIONS: 10-1-19, Add Combination Legal Desc. 10-1-19, Revised Sq. Ft. of Parcel A & B
DATE: August 1, 2019	
ADDRESS: 200 E. Washington Street, Suite 2A, Appleton, WI 54911	
JOB NUMBER: 19.465	SHEET 2 OF 3



\* LAND SURVEYING  
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# CERTIFICATE OF SURVEY

**BEING A PART OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 33, TOWNSHIP 107 NORTH, RANGE 17, WEST OF THE FIFTH PRINCIPAL MERIDIAN, DODGE COUNTY, MINNESOTA.**

## LEGAL DESCRIPTION OF PARCEL A

That part of the Southeast Quarter of the Southeast Quarter of Section 33, Township 107 North, Range 17 West of the Fifth Principal Meridian, Dodge County, Minnesota described as follows:

Commencing at the Southeast corner of said Section 33; thence on an assumed bearing of South 89 degrees 58 minutes 58 seconds West, along the South line of said Southeast Quarter of the Southeast Quarter, said line also being the South line of Minnesota Department of Transportation Right of Way Plat No 20-32, according to the recorded plat thereof, Dodge County, Minnesota for a distance of 104.42 feet to a point labeled as B3210 on said Right of Way Plat No 20-32, said point being the Southwest corner of said Right of Way Plat No 20-32; thence North 06 degrees 46 minutes 48 seconds East, along the Westerly line of said Right of Way Plat No 20-32 for a distance of 190.92 feet to a point labeled as B11 on said Right of Way Plat No 20-32; thence Northerly 282.64 feet, along a non-tangential curve, concave to the East, having a radius of 11534.16 feet and a delta angle of 01 degrees 24 minutes 14 seconds, the chord of said curve bears North 00 degrees 47 minutes 26 second West for a chord distance of 282.64 feet to a point labeled as B12 on said Right of Way Plat No 20-32; thence North 00 degrees 05 minutes 19 seconds West, along the West line of said Right of Way Plat No 20-32 for distance of 619.19 feet to a point labeled as B13 on said Right of Way Plat No 20-32, said point being the point of beginning of the parcel herein described, thence South 89 degrees 54 minutes 41 seconds West, along a South line of said Right of Way Plat No 20-32 for a distance of 125.00 feet to a point labeled B14 on said Right of Way Plat No 20-32; thence continue South 89 degrees 54 minutes 41 seconds West, along the Westerly extension of said South line of Right of Way Plat No 20-32 for a distance of 62.00 feet; thence South 00 degrees 05 minutes 19 seconds East 235.78 feet; thence North 89 degrees 37 minutes 13 seconds East 187.00 feet to the intersection with the West line of said Right of Way Plat No 20-32; thence North 00 degrees 05 minutes 19 seconds West, along said West line 234.83 feet to the point of beginning.

Said parcel contains 44,002 square feet or 1.01 acres.

## LEGAL DESCRIPTION OF PARCEL B

That part of the Southeast Quarter of the Southeast Quarter of Section 33, Township 107 North, Range 17 West of the Fifth Principal Meridian, Dodge County, Minnesota described as follows:

Commencing at the Southeast corner of said Section 33; thence on an assumed bearing of South 89 degrees 58 minutes 58 seconds West, along the South line of said Southeast Quarter of the Southeast Quarter, said line also being the South line of Minnesota Department of Transportation Right of Way Plat No 20-32, according to the recorded plat thereof, Dodge County, Minnesota for a distance of 104.42 feet to a point labeled as B3210 on said Right of Way Plat No 20-32, said point being the Southwest corner of said Right of Way Plat No 20-32; thence North 06 degrees 46 minutes 48 seconds East, along the Westerly line of said Right of Way Plat No 20-32 for a distance of 190.92 feet to a point labeled as B11 on said Right of Way Plat No 20-32; thence Northerly 282.64 feet, along a non-tangential curve, concave to the East, having a radius of 11534.16 feet and a delta angle of 01 degrees 24 minutes 14 seconds, the chord of said curve bears North 00 degrees 47 minutes 26 second West for a chord distance of 282.64 feet to a point labeled as B12 on said Right of Way Plat No 20-32; thence North 00 degrees 05 minutes 19 seconds West, along the West line of said Right of Way Plat No 20-32 for distance of 619.19 feet to a point labeled as B13 on said Right of Way Plat No 20-32; thence South 89 degrees 54 minutes 41 seconds West, along a South line of said Right of Way Plat No 20-32 for a distance of 125.00 feet to a point labeled B14 on said Right of Way Plat No 20-32; thence continue South 89 degrees 54 minutes 41 seconds West, along the Westerly extension of said South line of Right of Way Plat No 20-32 for a distance of 62.00 feet; thence South 00 degrees 05 minutes 19 seconds East 235.78 feet to the point of beginning of the parcel herein described; thence continue South 00 degrees 05 minutes 19 seconds East 66.00 feet; thence North 89 degrees 37 minutes 13 second East 187.00 feet to the intersection with the West line of said Right of Way Plat No 20-32; thence North 00 degrees 05 minutes 19 seconds West, along said West line 66.00 feet; thence South 89 degrees 37 minutes 13 seconds West 187.00 feet to the point of beginning.

Said parcel contains 12,342 square feet or 0.28 acres.

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.

*David R. Evanson*  
David R. Evanson

Date: 9/9/2019 MN Lic. No. 49505

### CERTIFICATE OF SURVEY

CLIENT: DGI Dodge Center, LLC	REVISIONS: 10-1-19, Add Combination Legal Desc. 10-1-19, Revised Sq. Ft. of Parcel A & B
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