

**CITY OF FARIBAULT
ORDINANCE No. 2021-7**

ANNEXING LAND OWNED BY THE CITY IN WARSAW TOWNSHIP

THE CITY OF FARIBAULT ORDAINS AS FOLLOWS:

SECTION 1. Legislative Findings. The City Council of the City of Faribault finds and determines as follows:

- A. The City owns the property legally described in the attached EXHIBIT A and shown on the maps attached as EXHIBIT B and EXHIBIT C ("City Property").
- B. The City is authorized by Minnesota Statutes, section 414.033, subdivision 2(1) to annex by ordinance unincorporated land that it owns.
- C. The notice and hearing requirements in Minnesota Statutes, section 414.033, subdivision 2a do not apply to the annexation of City-owned land.
- D. The floodplain, shoreland, and electric utility notice requirements of Minnesota Statutes, section 414.033, subdivisions 11 and 12 do not apply to this annexation.
- E. The City Property:
 - (1) Includes two (2) parcels in Warsaw Township ("Town") containing approximately two (2) acres;
 - (2) Is not currently developed and has a population of zero;
 - (3) Is not subject to real estate taxes, and so the City is not required to pay any tax reimbursement to the Town under Minnesota Statutes, section 414.036 related to this annexation;
 - (4) Is not subject to any special assessment, and there is no Town debt attributable to the City Property;
 - (5) Is not immediately adjacent to any Town roads; and
 - (6) Is not part of an orderly annexation agreement.

SECTION 2. Annexation. Per Minnesota Statutes, section 414.033, subdivision 2(1), the City Council hereby declares the City Property, as legally described in EXHIBIT A and shown in EXHIBIT B and EXHIBIT C, to be annexed to the City of Faribault effective as of the date approved by the Office of Administrative Hearings.

SECTION 3. Filing. The City Administrator is 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 Rice County Auditor, and the Town Clerk.

SECTION 4. Designated Zoning District. Upon the Office of Administrative Hearings' approval of the subject annexation, this Ordinance designates the zoning district of the annexed property as R-2, Low Density Residential. The Official Zoning Map of the City of Faribault shall not be re-published to show the aforesaid zoning. However, the City Planner shall appropriately mark the Official Zoning Map on file with the Department of Community and Economic Development to indicate the zoning.

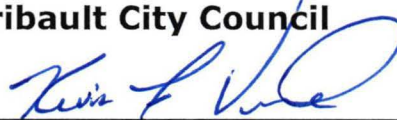
SECTION 5. Not Codified. This is a transitory ordinance and shall not be codified as part of the City Code.

First Reading: August 24, 2021

Second Reading: September 14, 2021

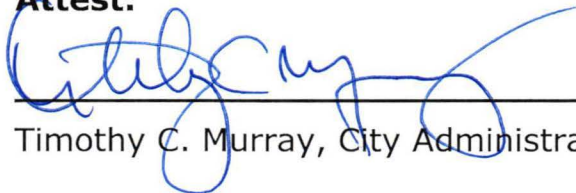
Publication Date: September 21, 2021

Faribault City Council



Kevin F. Voracek, Mayor

Attest:



Timothy C. Murray, City Administrator

EXHIBIT A
LEGAL DESCRIPTION OF CITY PROPERTY IN WARSAW TOWNSHIP

Parcel 1

All that part of the SE1/4 of the SW1/4 of Section 1, T 109 N, R 21 W, Rice County, Minnesota, described by:

Commencing at the southeast corner of said SW1/4; thence N 00°12'40" E, assumed bearing, 545.55 feet along the east line of said SW1/4 to a point on the south right of way line of the Iowa, Chicago & Eastern Railroad; lastosaid point being the True Point of Beginning: thenceo N 00°12'40" E 101.94 feet along the east line of said SW1/4 to the north right of way line of said railroad; thence northwesterly along said right of wayline and along a nontangential curve concave tootheo northeast, central angle 35°54'57", radius 1218.87 feet, chord N 60 11'35" W 751.60 feet, arc length 764.05 feet; thence N 89°39'10" W 131.72 feet to the southwesterly right of way line of said Railroad; thence southeasterly along said right of way line and along a nontangential curve concave to the northeast, central angle 40°41'02", radius 1318.87 feet, chord S 58°42'08" E 916.94 feet, arc length 936.49 feet to said True Point of Beginning.o

Containing 1.95 acres, more or less
Except any land already within the City limits.

Subject to easements and restrictions of record, if any.

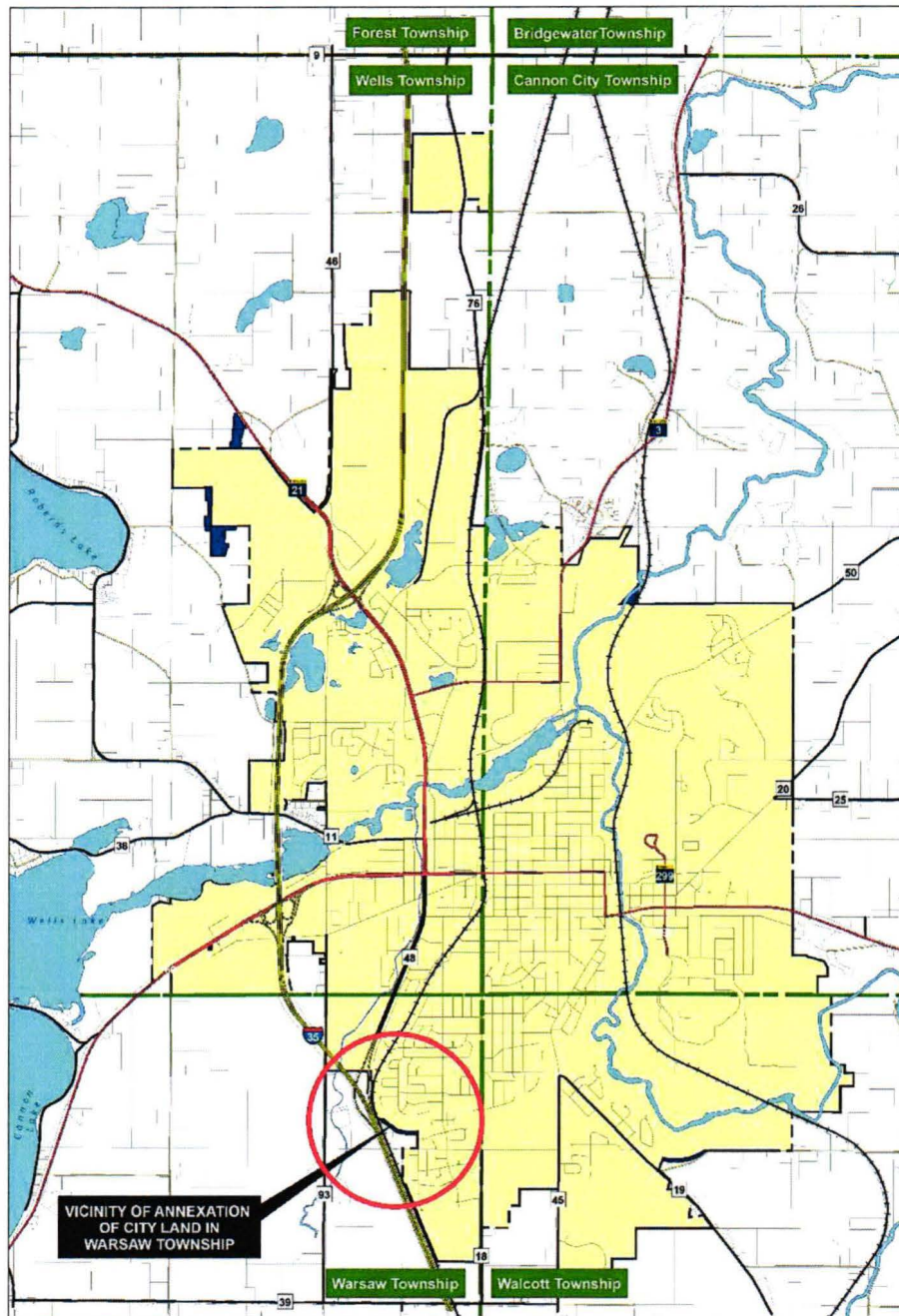
Parcel 2

All that part of the following described parcel lying west of Windsor Park No. 27.o

All of Chicago, Milwaukee, St. Paul and Pacific Railroad Company's right, title and interest in and to its former 100 foot wide right of way in, on, over and across the South Half of the SE1/4 of Section 1p T 109oN, R 21 W, Rice County, Minnesota, said right of way being 50 o feet in width on each side of said Grantor's main track centerline as formerly there laid across said Section 1.

Containing 1.18 acres, more or less
Except any land already within the City limits.
Subject to easements and restrictions of record, if any.

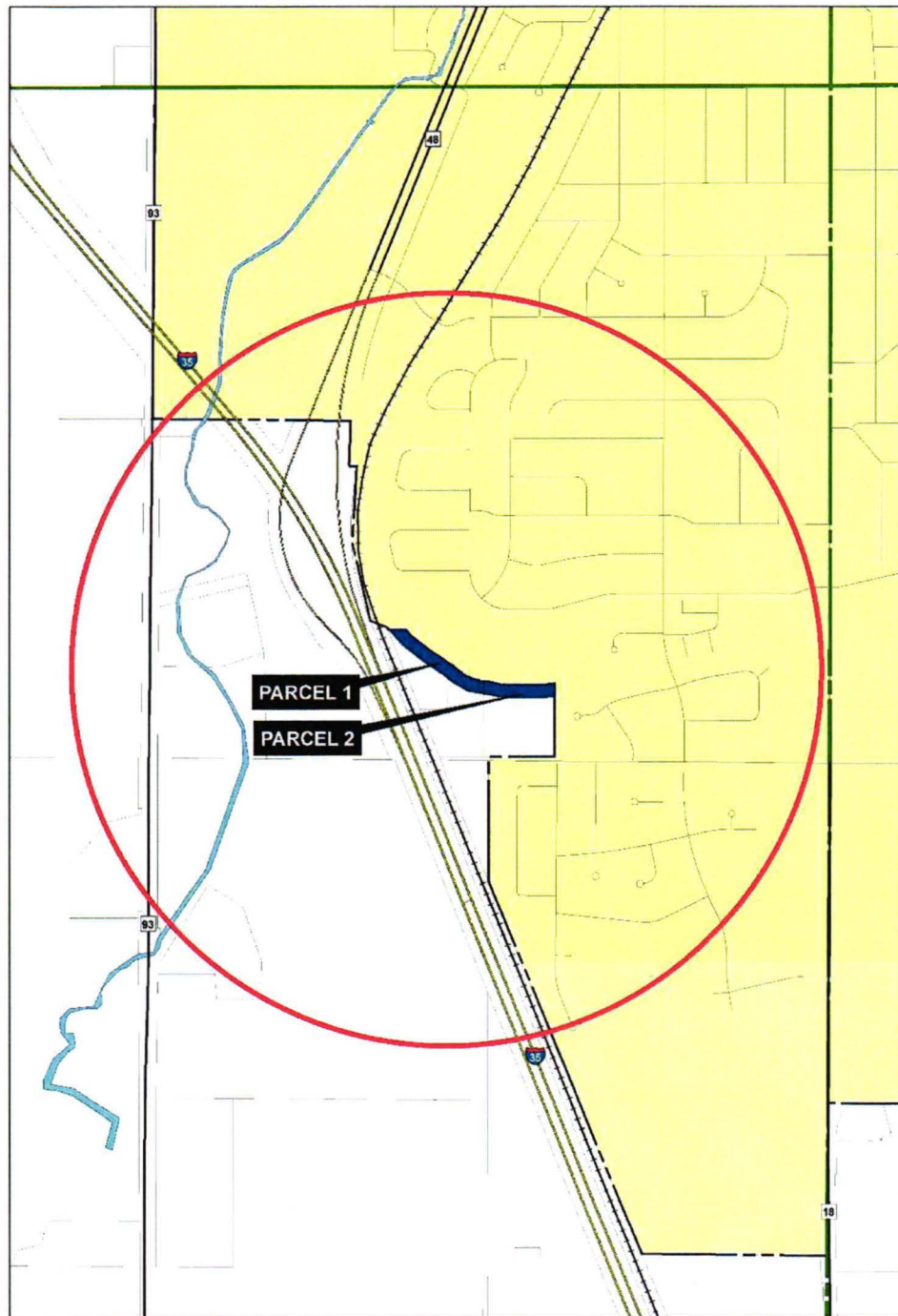
EXHIBIT B
MAP SHOWING GENERAL VICINITY OF ANNEXATION OF CITY LAND
IN WARSAW TOWNSHIP



VICINITY OF ANNEXATION OF CITY LAND IN WARSAW TOWNSHIP



EXHIBIT C
ANNEXATION OF CITY PROPERTY IN WARSAW TOWNSHIP



ANNEXATION OF CITY PARCELS IN WARSAW TOWNSHIP

