

RESOLUTION 2020-27

Motioned by: Council Member Enter **Seconded by:** Council Member Downer

RESOLUTION FOR ANNEXATION (Klatt, Mills and Right of Way Property)

WHEREAS, requests from all of the property owners (collectively "Petitioners") of the property proposed for annexation was received.

WHEREAS, the City of Buffalo and Buffalo Township have an Orderly Annexation Agreement governing the property proposed for annexation which has been filed with the Office of Administrative Hearings Municipal Boundary Adjustment Unit as OA-1768.

WHEREAS, the City of Buffalo has determined that it is able to service the property with City sewer and water within one (1) year of annexation.

WHEREAS, the City sent notice to Buffalo Township on November 25, 2020, and Buffalo Township has waived the thirty-one day notice required by OA-1768.

ACCORDIINGLY, annexation of the property is appropriate by resolution of the City Council.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Buffalo as follows:

1. **Property.** That the following described land shall be immediately annexed:

See Exhibit A Legal Description

(the "Property"). The Property is graphically described on the map attached as Exhibit 1 hereto. The current City boundary is depicted on Exhibit 2 hereto. The corporate limits of the City shall be extended to include the annexed Property.

2. **Acreage/Population/Usage.** That the Property consists of approximately the following acreage, the population in the area is 0, and the land use type is agricultural. Upon annexation, the Property shall be zoned as follows:

Klatt parcel: 10.99 acres, Zoning: B-4 General Business District
Mills parcel: 0.874 acres, Zonng: A-1 Agricultural
30thStreet NE: 1.51 acres, Zoning: N/A
40th Street NE: 1.4 acres, Zoning: N/A

3. **Jurisdiction.** By submission of this resolution to the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, confers jurisdiction upon the Chief Administrative Law Judge so as to accomplish said annexation in accordance with the terms of this resolution and OA-1768.

4. **Municipal Reimbursement.** Minnesota Statutes § 414.036.

a. Reimbursement to Towns for lost taxes on annexed property.

The City of Buffalo shall pay to Buffalo Township two and one-half times the amount in taxes that the Township levied against the Property in 2019 which amount is \$487.45. Said amount shall be paid to the Township in no more than four equal semi-annual payments commencing in 2021 within thirty days after receipt of the tax revenues for the Property from the Wright County Treasurer's office.

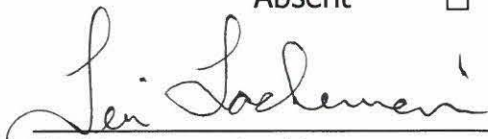
b. Assessments and Debt.

If there are outstanding special assessments levied by the Township on the Property, the City shall forward to the Township any such assessment or debt revenue paid to the City by the property owner or by the County Auditor.

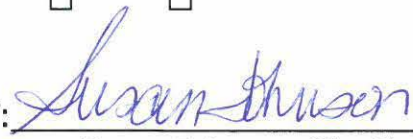
5. **Review and Comment.** The Chief Administrative Law Judge may review and comment, but shall within thirty (30) days, order the annexation in accordance with the terms of the resolution.

Passed and adopted by the Buffalo City Council this 21st day of December 2020.

VOTE	Anderson	Downer	Enter	Lachermeier	Kittock
Aye	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Nay	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Abstain	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Absent	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



 Teri Lachermeier Mayor

ATTEST: 

 Susan Johnson City Clerk

EXHIBIT A
LEGAL DESCRIPTION

Klatt:

The West 819.89 feet of the Northeast Quarter of the Northwest Quarter of Section 29, Township 120, Range 25, Wright County, Minnesota that lies southerly of WRIGHT COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 49 according to the plat thereof on file and of record in the office of the County Recorder, Wright County, Minnesota.

Mills:

That part of the Southeast Quarter of the Northwest Quarter of Section 33, Township 120, Range 25, Wight County, Minnesota, described as follows:

The East 90.00 feet of the West 347.00 feet of the South 200.00 feet, as measured at right angles, together with the East 207.00 feet of the West 257.00 feet of the North 97.00 feet of the South 200.00 feet, as measured at right angles, of said Southeast Quarter of the Northwest Quarter

30th Street Northeast:

That part of the Right of Way, known as 30th Street Northeast, within the Northeast Quarter of the Northeast Quarter of Section 21, Township 120, Range 25, except the east 50.00 feet thereof

AND

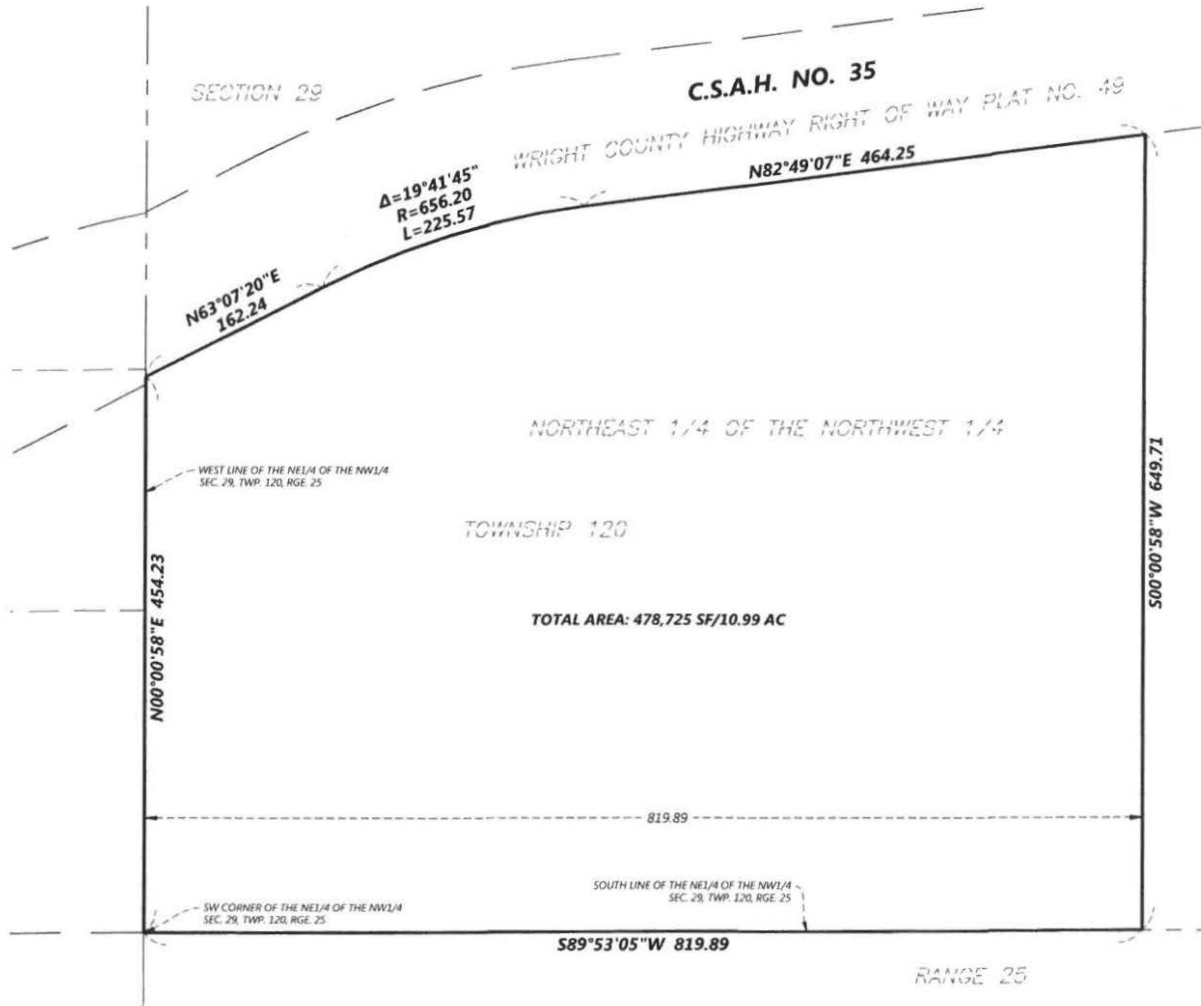
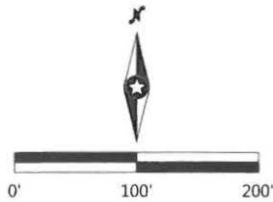
That part of the Right of Way, known as 30th Street Northeast, within the Southeast Quarter of the Southeast Quarter of Section 16, Township 120, Range 25, except the east 594.40 feet thereof.

40th Street Northeast:

That part of the Right of Way, known as 40th Street Northeast, within the Southeast Quarter of Section 9, Township 120, Range 25, Wright County, Minnesota, lying easterly PULASKI LAKE SHORES UNIT NO. 2, according to the recorded plat thereof, said Wright County, and lying westerly of the east 350.60 feet thereof.

LEGAL DESCRIPTION

The West 819.89 feet of the Northeast Quarter of the Northwest Quarter of Section 29, Township 120, Range 25, Wright, County, Minnesota that lies southerly of WRIGHT COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 49 according to the plat thereof on file and of record in the office of the County Recorder, Wright County, Minnesota.



NA\0028673.00\DWG\SURVEY\28673-V-AREA EXHIBIT 3.DWG

DESIGNED	
CHECKED	CRF
DRAWN	TWB
FIELD CREW	
FIELD WORK DATE	

Westwood

Phone (320) 253-9495 3701 12th Street North, Suite 206
 Fax (320) 358-2001 St. Cloud, MN 56303
 Toll Free (800) 270-9495 westwoodps.com

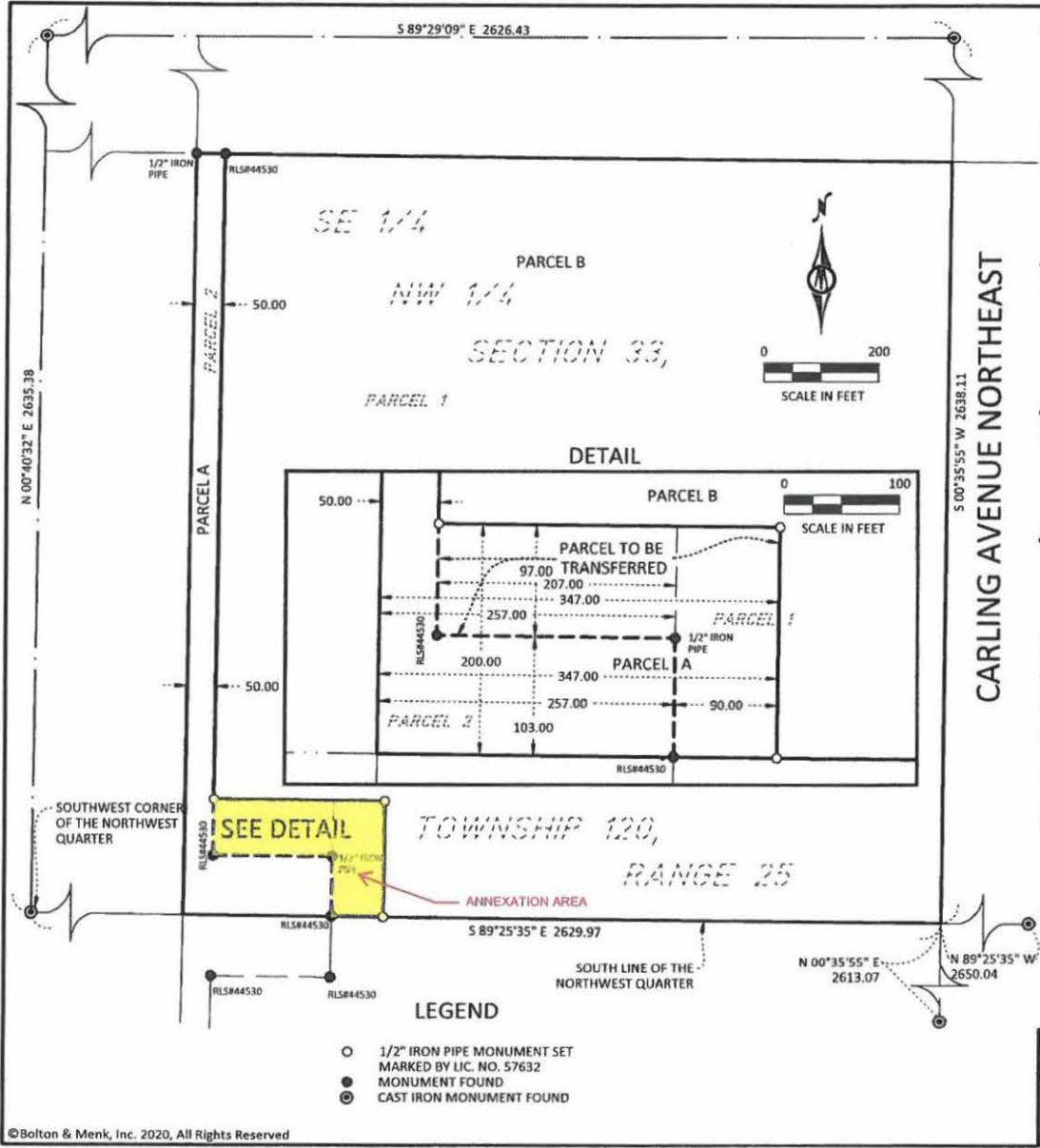
Westwood Professional Services, Inc.

Klaff
ANNEXATION EXHIBIT

PROJECT NUMBER: 0028673.00

SHEET NUMBER:
1 OF 1

DATE: 12/04/2020



EXISTING DESCRIPTION - PARCEL 1:
The Southeast Quarter of the Northwest Quarter of Section 33, Township 120, Range 25, Wight County, Minnesota, except therefrom:
The West 50.00 feet of said Southeast Quarter of the Northwest Quarter, as measured at right angle, together with the West 257.00 feet of the South 103.00 feet of said Southeast Quarter of the Northwest Quarter, as measured at right angles.

EXISTING DESCRIPTION - PARCEL 2:
A tract of land in the Southeast Quarter of the Northwest Quarter of Section 33, Township 120 North, Range 25 West, Wight County, Minnesota described as follows:
The west 50.00 feet of said Southeast Quarter of the Northwest Quarter, as measured at right angle, together with the west 257.00 feet of the south 103.00 feet of said Southeast Quarter of the Northwest Quarter, as measured at right angles.

PROPOSED DESCRIPTION OF PARCEL TO BE TRANSFERRED:
That part of the Southeast Quarter of the Northwest Quarter of Section 33, Township 120, Range 25, Wight County, Minnesota, described as follows:
The East 90.00 feet of the West 347.00 feet of the South 200.00 feet, as measured at right angles, together with the East 207.00 feet of the West 257.00 feet of the North 97.00 feet of the South 200.00 feet, as measured at right angles, of said Southeast Quarter of the Northwest Quarter.

PROPOSED DESCRIPTION - PARCEL A:
That part of the Southeast Quarter of the Northwest Quarter of Section 33, Township 120, Range 25, Wight County, Minnesota, described as follows:
The West 50.00 feet of said Southeast Quarter of the Northwest Quarter, as measured at right angle, together with the West 347.00 feet of the South 200.00 feet of said Southeast Quarter of the Northwest Quarter, as measured at right angles.

PROPOSED DESCRIPTION - PARCEL B:
The Southeast Quarter of the Northwest Quarter of Section 33, Township 120, Range 25, Wight County, Minnesota, except therefrom:
The West 50.00 feet of said Southeast Quarter of the Northwest Quarter, as measured at right angle, together with the West 347.00 feet of the South 200.00 feet of said Southeast Quarter of the Northwest Quarter, as measured at right angles.

SURVEYOR'S NOTES:
1. This survey was performed, and the survey map prepared, without benefit of either a title insurance commitment or an attorney's title opinion. The record boundary and easement information (if any) shown hereon is based on information provided by the client. Research of documents affecting title to the property surveyed or adjoining properties has been limited to a cursory review of record information and it is recommended that all title matters affecting this property and survey be reviewed by an attorney or other title professional.
2. Field survey was completed October 28, 2020.
3. Distances are in feet.

SURVEYOR'S CERTIFICATION
I hereby certify that this survey 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.

Andrew Hill
Andrew Hill
License Number 57632

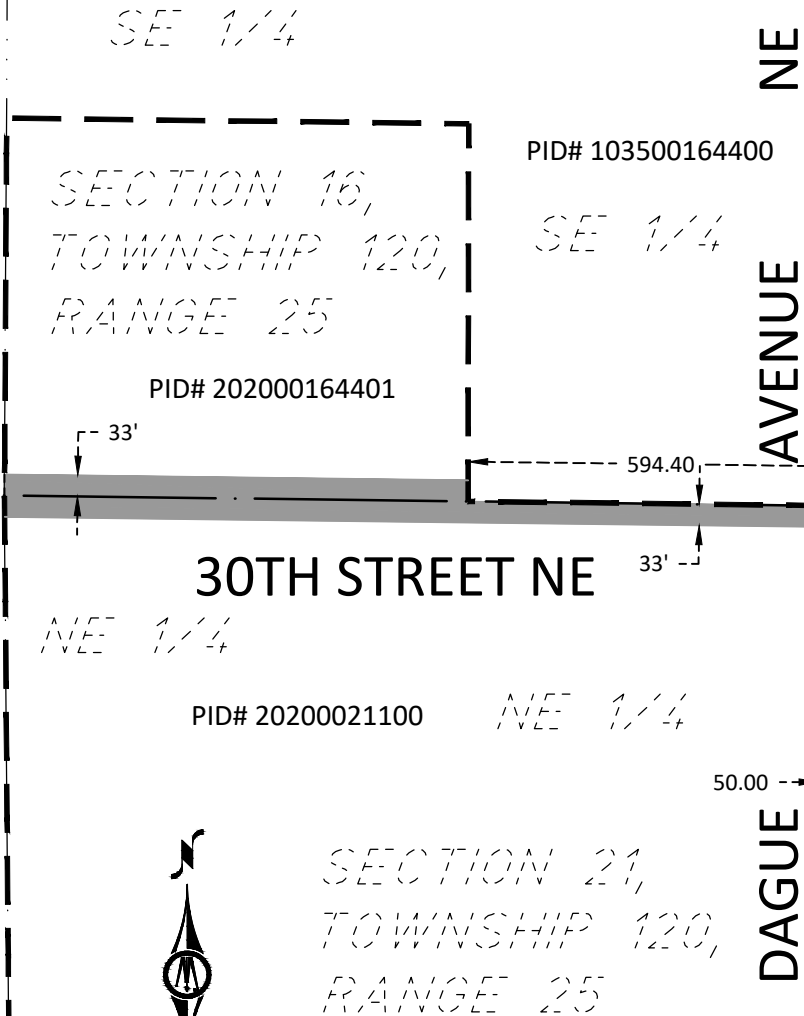
11/25/2020
Date

CERTIFICATE OF SURVEY
557 CARLING AVENUE NORTHEAST, BUFFALO, MN 55313

BOLTON & MENK
2040 HIGHWAY 12 EAST
WILLMAR, MINNESOTA 56201
(320) 231-3956

SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 120, RANGE 25, WRIGHT COUNTY, MINNESOTA
FOR: CITY OF BUFFALO

H:\Buff\W13120473\CAD\C3D\120473 V PROP 1.dwg 1/25/2021 11:03 AM



PROPOSED DESCRIPTION:

That part of the Right of Way, known as 30th Street Northeast, within the Northeast Quarter of the Northeast Quarter of Section 21, Township 120, Range 25, except the east 50.00 feet thereof

AND

That part of the Right of Way, known as 30th Street Northeast, within the Southeast Quarter of the Southeast Quarter of Section 16, Township 120, Range 25, except the east 594.40 feet thereof

SURVEYOR'S NOTES:

1. This survey was performed, and the survey map prepared, without benefit of either a title insurance commitment or an attorney's title opinion. The record boundary and easement information (if any) shown hereon is based on information provided by the client. Research of documents affecting title to the property surveyed or adjoining properties has been limited to a cursory review of record information and it is recommended that all title matters affecting this property and survey be reviewed by an attorney or other title professional.

SURVEYOR'S CERTIFICATION

I hereby certify that this survey 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.

Andrew Hill
License Number 57632

01-25-2021

Date

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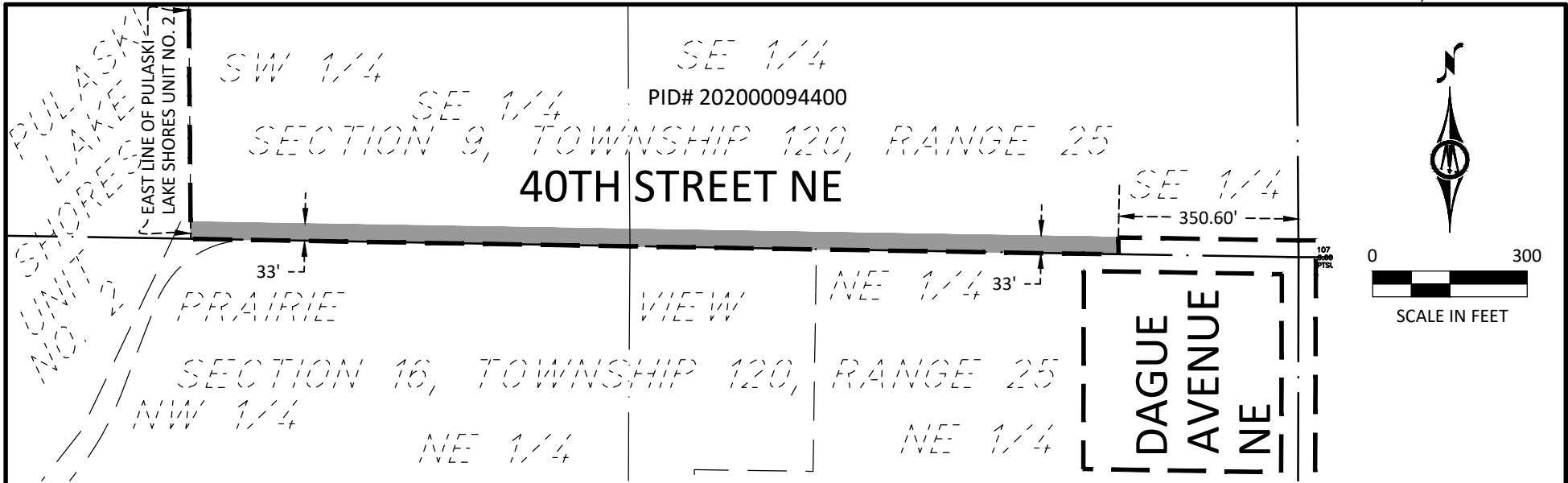
ANNEXATION EXHIBIT
30TH STREET NORTHEAST, BUFFALO, MINNESOTA



2040 HIGHWAY 12 EAST
WILLMAR, MINNESOTA 56201
(320) 231-3956

PART OF SECTIONS 16 AND 21,
TOWNSHIP 120, RANGE 25,
WRIGHT COUNTY, MINNESOTA

FOR: CITY OF BUFFALO



PROPOSED DESCRIPTION:

That part of the Right of Way, known as 40th Street Northeast, within the Southeast Quarter of Section 9, Township 120, Range 25, Wright County, Minnesota, lying easterly PULASKI LAKE SHORES UNIT NO. 2, according to the recorded plat thereof, said Wright County, and lying westerly of the east 350.60 feet thereof.

SURVEYOR'S NOTES:

1. This survey was performed, and the survey map prepared, without benefit of either a title insurance commitment or an attorney's title opinion. The record boundary and easement information (if any) shown hereon is based on information provided by the client. Research of documents affecting title to the property surveyed or adjoining properties has been limited to a cursory review of record information and it is recommended that all title matters affecting this property and survey be reviewed by an attorney or other title professional.

SURVEYOR'S CERTIFICATION

I hereby certify that this survey 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.

Andrew Hill

Andrew Hill
License Number 57632

01-25-2021
Date

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PROPOSED ANNEXATION AREA
CONTAINING +/- 1.37 ACRES

EXISTING CITY LIMITS

ANNEXATION EXHIBIT
40TH STREET NORTHEAST, BUFFALO, MINNESOTA

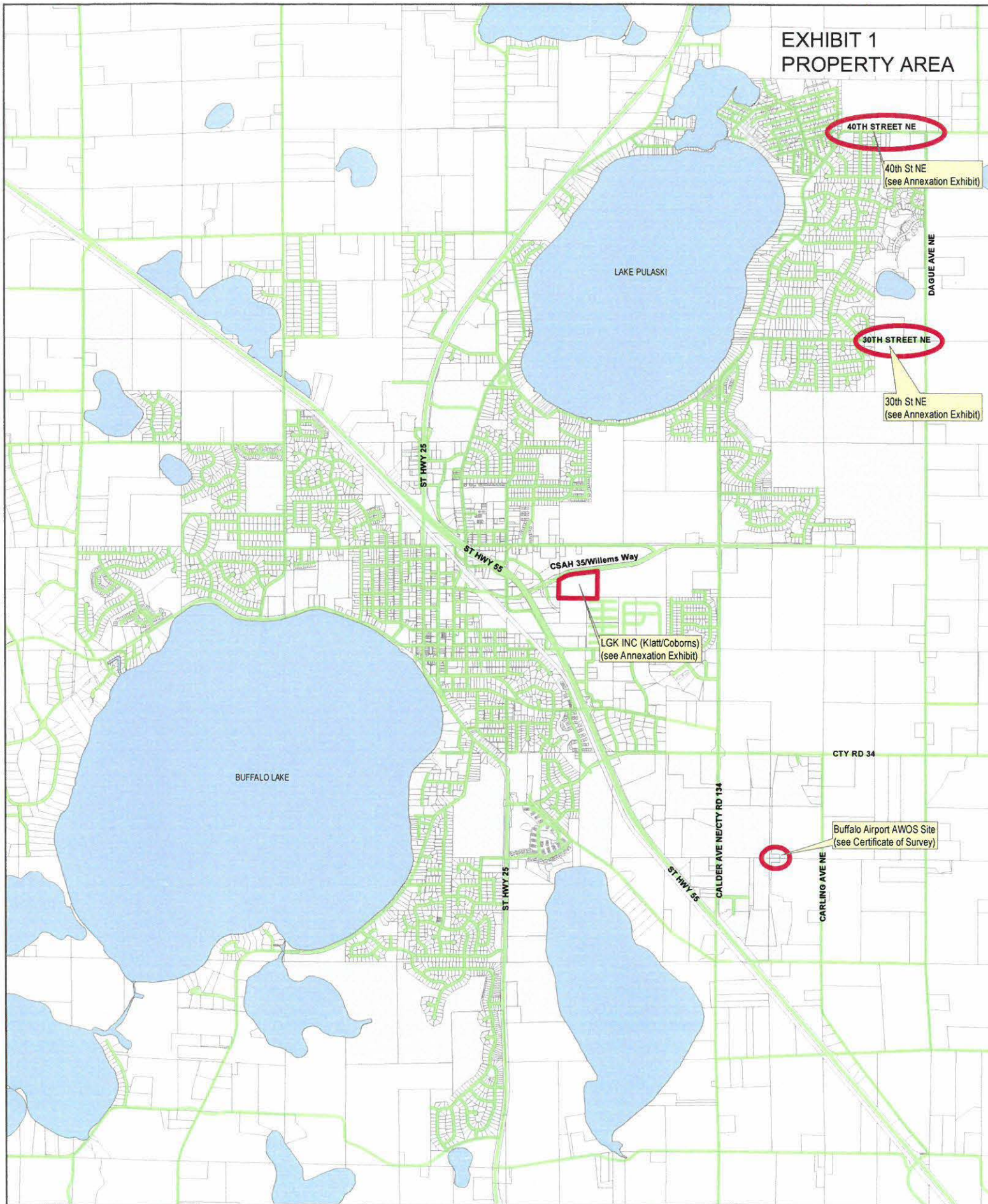


2040 HIGHWAY 12 EAST
WILLMAR, MINNESOTA 56201
(320) 231-3956

PART OF SECTIONS 9 AND 16,
TOWNSHIP 120, RANGE 25,
WRIGHT COUNTY, MINNESOTA

FOR: CITY OF BUFFALO

EXHIBIT 1 PROPERTY AREA



40TH STREET NE
40th St NE
(see Annexation Exhibit)




30TH STREET NE
30th St NE
(see Annexation Exhibit)

CSAH 35/Willems Way
LGK INC (Klatt/Coborns)
(see Annexation Exhibit)

CTY RD 34
Buffalo Airport AWOS Site
(see Certificate of Survey)

**RESOLUTION
FOR
ANNEXATION**



-  Buffalo Parcels
-  Subject Areas
-  Existing City Limits

GIS data is data generated by a computer database or system that is designed to electronically capture, organize, store, update, manipulate, analyze, and display all forms of geographically referenced information that is compiled, from private or public sources, either alone or in cooperation with other public or private entities, for use by a municipality. GIS data is accurate for its intended use by a municipality and may be inaccurate for other uses.



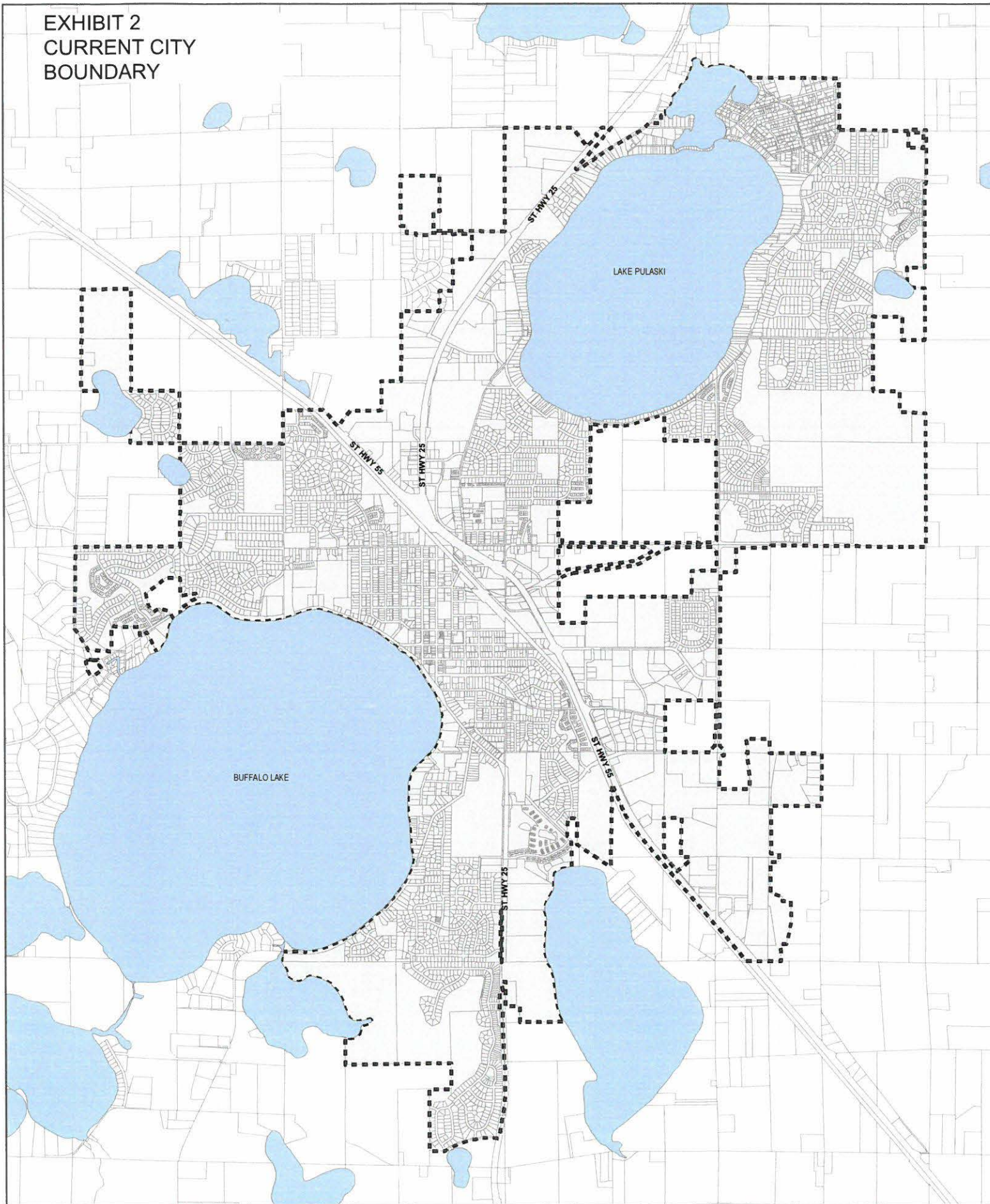
Sheet No.
1 of 1
Dec 23,
2020

RESOURCES:

Prepared By: **COB ENG DEPT.**



COORDINATE SYSTEM:
NAD 1983 NAD80
MN WRIGHT FEET
DATA SOURCE:

**EXHIBIT 2
CURRENT CITY
BOUNDARY**



**RESOLUTION
FOR
ANNEXATION**



-  Buffalo Parcels
-  Existing City Limits

GIS data is data generated by a computer database or system that is designed to electronically capture, organize, store, update, manipulate, analyze, and display all forms of geographically referenced information that is compiled, from private or public sources, either alone or in cooperation with other public or private entities, for use by a municipality. GIS data is accurate for its intended use by a municipality and may be inaccurate for other uses.



Sheet No.
1 of 1
Dec 23,
2020

COORDINATE SYSTEM:
NAD 1983 HARN ADJ
MILWRIGHT FEET
DATA SOURCE:

RESOURCES:

Prepared By: **COB ENG DEPT.**