

ORDINANCE NO. 148

AN ORDINANCE OF THE CITY OF MANTORVILLE ANNEXING LAND LOCATED IN THE TOWN OF MANTORVILLE, DODGE COUNTY, MINNESOTA, TO THE CITY OF MANTORVILLE, DODGE COUNTY, MINNESOTA, PURSUANT TO MINN. STAT. §414.033, SUBD. 2, CLAUSE (3), PERMITTING ANNEXATION BY ORDINANCE.

RECITALS

1. A Petition for Annexation pursuant to Minn. Stat. §414.03, Subd. 2, Clause (3) was filed by Richard L. and Ella H. Finley, being all of the owners of the unincorporated land, described as follows:

The South Four (4) acres of the North Half (N $\frac{1}{2}$) of the East Quarter (E $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) in Section Seventeen (17), Township One Hundred Seven (107) North, Range Sixteen (16) West, located in the Township of Mantorville, County of Dodge, State of Minnesota.

2. The petitioners, Richard L. and Ella H. Finley, are all of the owners of the unincorporated land proposed to be annexed, which said land abuts upon the City limits at the westerly boundary thereof, none of said land is presently within the corporate limits of any incorporated city, and none of said land is presently served by public sewer facilities or public sewer facilities are not otherwise available.

3. All of the unincorporated land proposed to be annexed is urban or suburban in character or about to become so. Said land abuts Hickory Lane in the City and is adjacent to Hickory Addition, a residential subdivision containing residential homes.

4. The unincorporated land proposed to be annexed contains four (4) acres and the population of said land is two (2).

5. The unincorporated land proposed to be annexed does not lie in a flood plain or shoreline area.

6. Upon receiving said Petition for Annexation and in accordance with Minn. Stat. §414.033, Subd. 2b., the City Council did by Resolution make out a Notice of a Public Hearing on said Petition to be held on November 26, 2001. Prior to the Public Hearing, the City gave 30 days written notice of said Public Hearing by certified mail to the Township of Mantorville and to all landowners within and

contiguous to the area to be annexed. Prior to the Public Hearing, all other requirements of Minn. Stat. §414.033 were met or complied with.

NOW, having met at such time and place as named in said Notice of Public Hearing, the City Council proceeded to examine personally and hear any and all reasons for or against the granting of said Petition. Being of the opinion that such Petition for Annexation is necessary and proper and that the public interest would be advanced or promoted thereby,

THE CITY COUNCIL OF THE CITY OF MANTORVILLE ORDAINS:

1. In accordance with Minn. Stat. §414.033, Subd. 2, Clause (3), the following land is hereby declared to be annexed to the City of Mantorville, (hereinafter referred to as "City") to wit:

The South Four (4) acres of the North Half (N½) of the East Quarter (E¼) of the Northeast Quarter (NE¼) of the Southwest Quarter SW¼) in Section Seventeen (17), Township One Hundred Seven (107) North, Range Sixteen (16) West, located in the Township of Mantorville, County of Dodge, State of Minnesota (hereinafter referred to as "annexed land").

2. The Township of Mantorville may continue to levy property taxes on the annexed land for the 2001 levy year and the City may not levy property taxes on the annexed land until the 2002 levy year. Beginning with the 2002 levy year, the property taxes on the annexed land shall be paid to the City, but the City shall make a cash payment to the Township of Mantorville for the period and in accordance with the following schedule:

- (1) In the 2002 levy year, an amount equal to 90% of the property taxes distributed to the Township of Mantorville in regard to the annexed area in the last year the property taxes from the annexed area were payable to the Township of Mantorville;
- (2) In the 2003 levy year, an amount equal to 70%;
- (3) In the 2004 levy year, an amount equal to 50%;
- (4) In the 2005 levy year, an amount equal to 30%; and
- (5) In the 2006 levy year, an amount equal to 10%.

3. The annexed land is hereby classified as an R-1 Low Density Residential District.

4. This ordinance becomes effective from and after its passage and publication and shall be filed with Minnesota Planning's Municipal Boundary Adjustment Office, the Township of Mantorville, the Dodge County Auditor, and the

REC'D BY
MMB

NOV 28 2001

Minnesota Secretary of State. The annexation is final on the date this ordinance is approved by Minnesota Planning's Municipal Boundary Adjustment Office.

Passed by the City Council this ____ day of November, 2001.


Diane L. Carlson, Mayor

ATTEST:


Cheryl Sella, City Clerk

Published in the Dodge County Independent, Kasson, Minnesota, on this 4th
day of December, 2001.

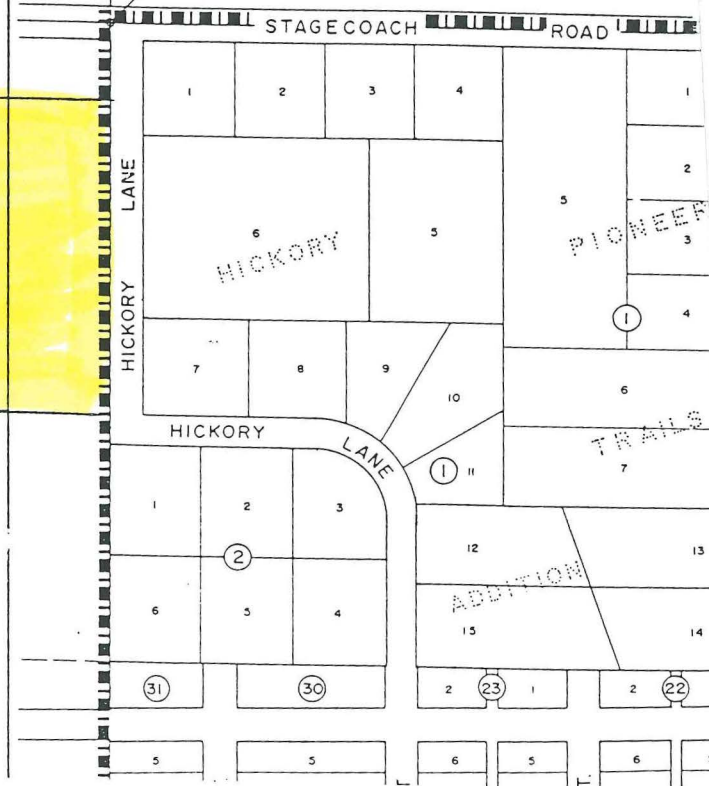
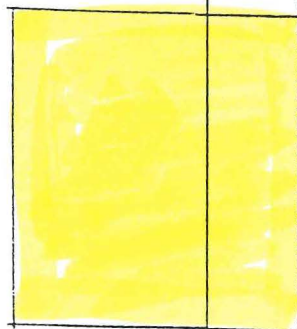
North

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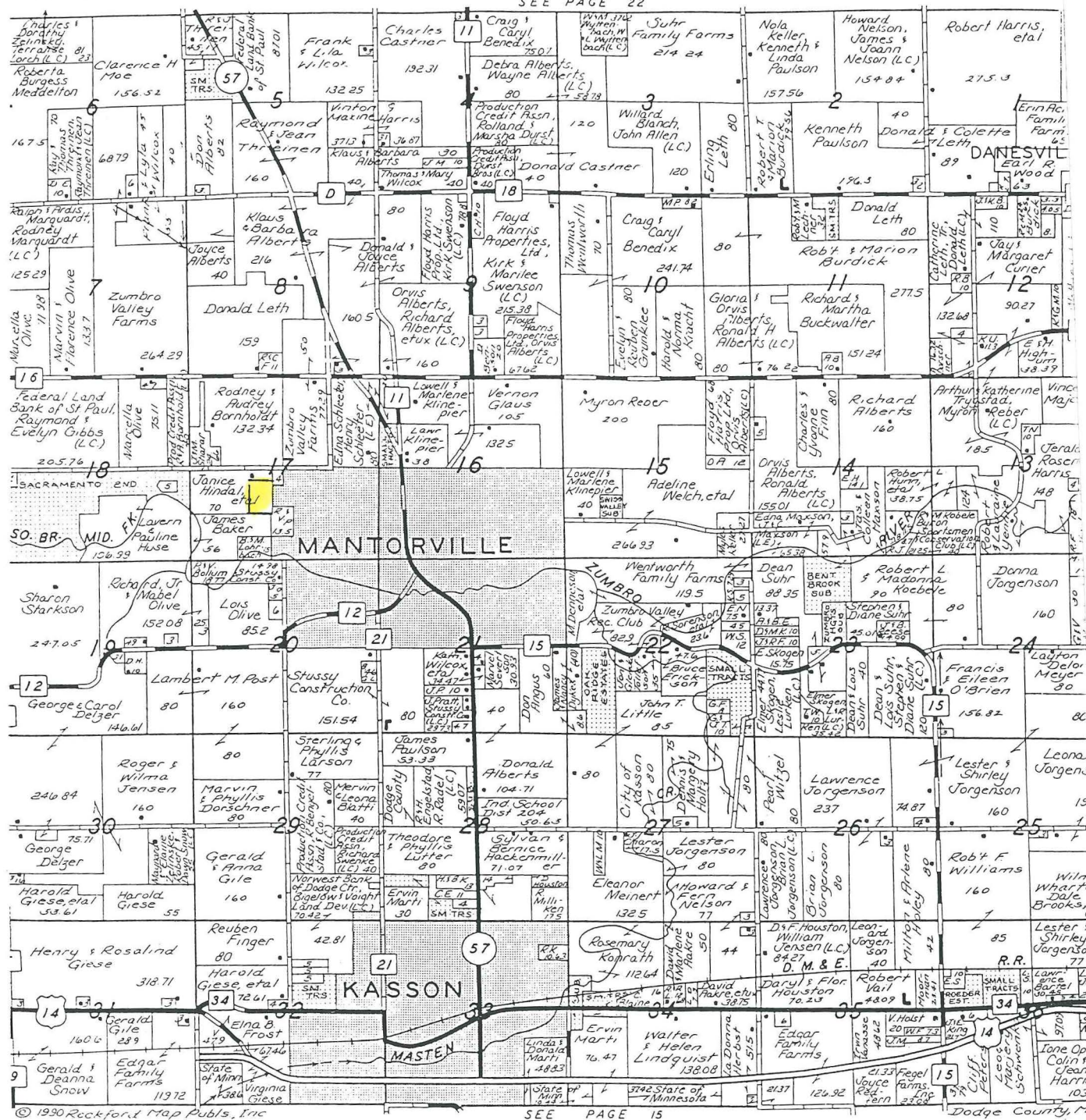


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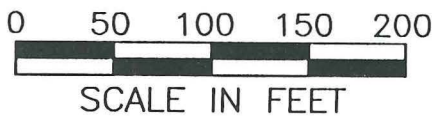


T. 107 N.-R. 16

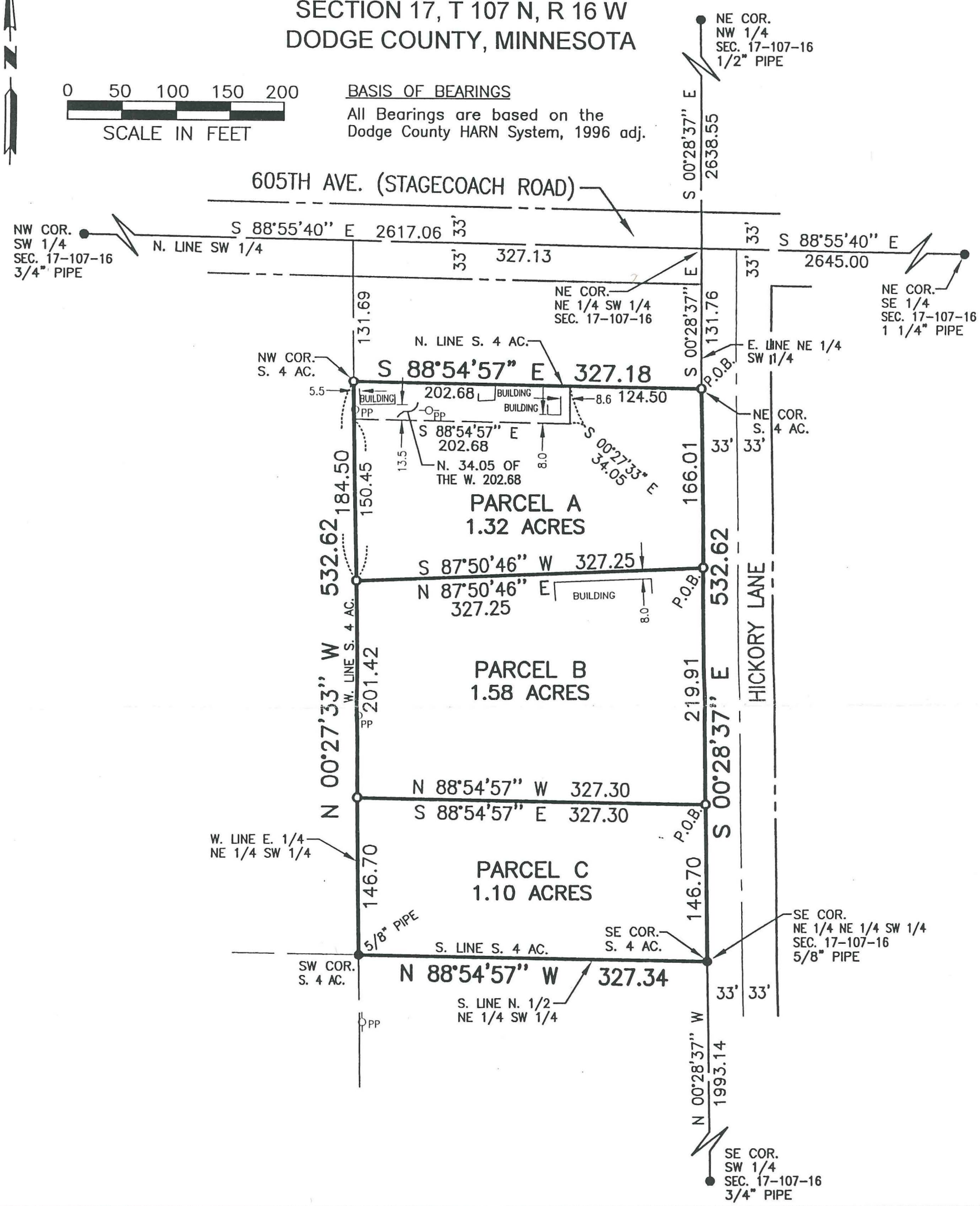
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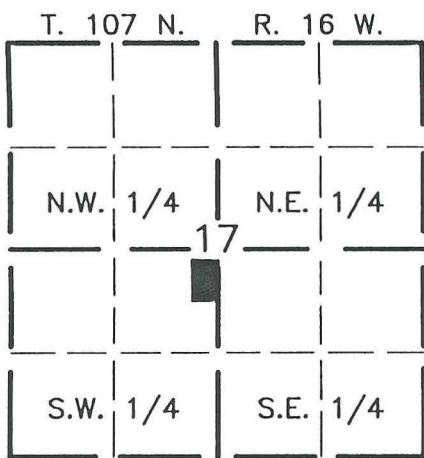
CERTIFICATE OF SURVEY
PART OF THE NE 1/4 SW 1/4
SECTION 17, T 107 N, R 16 W
DODGE COUNTY, MINNESOTA



BASIS OF BEARINGS
All Bearings are based on the
Dodge County HARN System, 1996 adj.



PROPERTY LOCATION MAP



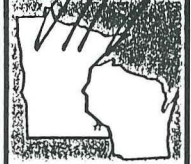
No Scale

SCALE: 1" = 100'
DATE: 11/07/01
DRAWN BY: R.A.S.

- MONUMENTS
- FOUND (AS INDICATED)
 - SET (5/8" PIPE UNLESS NOTED OTHERWISE)

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

Jeffrey Brand
Date 11/19/01
REG. NO.: 26371



BRAND & MASSEY SURVEYING, INC.
1009 WHITEWATER AVENUE
ST. CHARLES, MN. 55972
PH. NO. 507-932-3895

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ST. CHARLES, MN. 55972

THIS SURVEY AND DRAWING
WAS PREPARED FOR THE
EXCLUSIVE USE OF:

RICHARD FINLEY
DODGE COUNTY, MINNESOTA

DWG NO. 0384SC01 JOB NO. 384

SHEET 1 OF 2

RECD BY
MAB
NOV 28 2001

CERTIFICATE OF SURVEY
PART OF THE NE 1/4 SW 1/4
SECTION 17, T 107 N, R 16 W
DODGE COUNTY, MINNESOTA

DESCRIPTION PARCEL A

That part of the South 4 Acres of the North Half of the East Quarter of the Northeast Quarter of the Southwest Quarter of Section 17, Township 107 North, Range 16 West, Dodge County, Minnesota, described as follows:

Commencing at the northwest corner of the Southwest Quarter of said Section 17; thence South 88 degrees 55 minutes 40 seconds East (NOTE: All bearings are based on the Dodge County HARN 1996 Adjustment) along the north line of said Southwest Quarter for a distance of 2617.06 feet to the northeast corner of the Northeast Quarter of said Southwest Quarter; thence South 00 degrees 28 minutes 37 seconds East along the east line of said Northeast Quarter of the Southwest Quarter for a distance of 131.76 feet to the northeast corner of said South 4 Acres and to the POINT OF BEGINNING; thence continue South 00 degrees 28 minutes 37 seconds East along said east line for a distance of 166.01 feet; thence South 87 degrees 50 minutes 46 seconds West for a distance of 327.25 feet to west line of said South 4 Acres; thence North 00 degrees 27 minutes 33 seconds West along said west line for a distance of 184.50 feet to the northwest corner of said South 4 Acres; thence South 88 degrees 54 minutes 57 seconds East along the north line of said South 4 Acres for a distance of 327.18 feet to the POINT OF BEGINNING.

Said tract contains 1.32 Acres more or less.
Said tract is subject to any easements or encumbrances of record.

Together with an easement for buildings over and across the North 34.05 feet of the West 202.68 feet of the South 4 Acres of the North Half of the East Quarter of the Northeast Quarter of the Southwest Quarter of said Section 17.

DESCRIPTION PARCEL B

That part of the South 4 Acres of the North Half of the East Quarter of the Northeast Quarter of the Southwest Quarter of Section 17, Township 107 North, Range 16 West, Dodge County, Minnesota, described as follows:

Commencing at the northwest corner of the Southwest Quarter of said Section 17; thence South 88 degrees 55 minutes 40 seconds East (NOTE: All bearings are based on the Dodge County HARN 1996 Adjustment) along the north line of said Southwest Quarter for a distance of 2617.06 feet to the northeast corner of the Northeast Quarter of said Southwest Quarter; thence South 00 degrees 28 minutes 37 seconds East along the east line of said Northeast Quarter of the Southwest Quarter for a distance of 297.77 feet to the POINT OF BEGINNING; thence continue South 00 degrees 28 minutes 37 seconds East along said east line for a distance of 219.91 feet; thence North 88 degrees 54 minutes 57 seconds West for a distance of 327.30 feet to the west line of said South 4 Acres; thence North 00 degrees 27 minutes 33 seconds West along said west line for a distance of 201.42 feet; thence North 87 degrees 50 minutes 46 seconds East for a distance of 327.25 feet to the POINT OF BEGINNING.

Said tract contains 1.58 Acres more or less.
Said tract is subject to any easements or encumbrances of record.

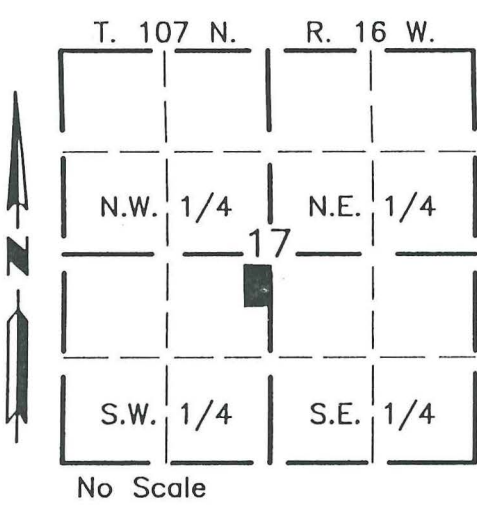
DESCRIPTION PARCEL C

That part of the South 4 Acres of the North Half of the East Quarter of the Northeast Quarter of the Southwest Quarter of Section 17, Township 107 North, Range 16 West, Dodge County, Minnesota, described as follows:

Commencing at the northwest corner of the Southwest Quarter of said Section 17; thence South 88 degrees 55 minutes 40 seconds East (NOTE: All bearings are based on the Dodge County HARN 1996 Adjustment) along the north line of said Southwest Quarter for a distance of 2617.06 feet to the northeast corner of the Northeast Quarter of said Southwest Quarter; thence South 00 degrees 28 minutes 37 seconds East along the east line of said Northeast Quarter of the Southwest Quarter for a distance of 517.68 feet to the POINT OF BEGINNING; thence continue South 00 degrees 28 minutes 37 seconds East along said east line for a distance of 146.70 feet to the southeast corner of said South 4 Acres; thence North 88 degrees 54 minutes 57 seconds West along the south line of said South 4 Acres for a distance of 327.34 feet to the southwest corner of said South 4 Acres; thence North 00 degrees 27 minutes 33 seconds West along the west line of said South 4 Acres for a distance of 146.70 feet; thence South 88 degrees 54 minutes 57 seconds East for a distance of 327.30 feet to the POINT OF BEGINNING.

Said tract contains 1.10 Acres more or less.
Said tract is subject to any easements or encumbrances of record.

PROPERTY LOCATION MAP



SCALE: 1" = 100'

DATE: 11/07/01

DRAWN BY: R.A.S.

MONUMENTS

- FOUND (AS INDICATED)
- SET (5/8" PIPE UNLESS NOTED OTHERWISE)

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

Jeffrey R. Brand Date 11/9/01 REG. NO.: 26371

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1009 WHITEWATER AVENUE
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PH. NO. 507-932-3895

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WAS PREPARED FOR THE
EXCLUSIVE USE OF:

RICHARD FINLEY
DODGE COUNTY, MINNESOTA

DWG NO. 0384SC01 JOB NO. 384

SHEET 2 OF 2

RECD BY
M.M.B.
NOV 28 2001