

ORDINANCE 109

ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF WANAMINGO

The City Council of the City of Wanamingo does hereby ordain:

Whereas, a certain Petition for Annexation of Land dated November 15, 2001 requesting annexation of the territory described legally below was presented to the City Council of the City of Wanamingo on December 10, 2001 ("Petition for Annexation"); said property being legally described as follows:

THE NORTH 40 ACRES OF THE FOLLOWING DESCRIBED TRACT: BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 110, RANGE 16 WEST, GOODHUE COUNTY, MINNESOTA, THENCE WEST 1241 FEET TO A POINT, THENCE NORTH 1723 FEET TO A POINT, THENCE EAST 1241 FEET TO THE QUARTER SECTION LINE, THENCE SOUTH 1723 FEET TO THE PLACE OF BEGINNING

("Annexed Land")

Whereas, pursuant to Minnesota Statutes 414.033, Subd. 2b, the City Council of the City of Wanamingo did, by Resolution 01-066 order a public hearing on the Petition for Annexation on Monday, January 14, 2002 at 7 o'clock P.M.; and

Whereas, pursuant to the Order for Public Hearing, Notice of the Public Hearing was sent certified mail to all owners of lands located within the Annexed Land, all owners of property abutting the Annexed Land, and the affected units of government; and

Whereas, the City Council of the City of Wanamingo held a Public Hearing on the Petition for the Annexation on January 14, 2002.

The City Council of the City of Wanamingo, Minnesota having duly considered the Petition for Annexation makes the following findings:

- 1) That the Petition for Annexation is complete in all respects as required by Minnesota Statutes 414.033, Subd. 2(3); and
- 2) That the Annexed Land abuts the City of Wanamingo, Minnesota comprises an area consisting of 40 acres and is not served by public sewer facilities; and
- 3) That all property owners of real property contained within the Annexed Land signed the Petition for Annexation; and
- 4) That the Annexed Land is currently unplatted and is about to become urban or suburban in character; and
- 5) All of the Annexed Land lies within the Township of Minneola, County of Goodhue, State of Minnesota and is legally described in the Petition for Annexation; and
- 6) That the Petition for Annexation abuts upon the existing City Limits of the City of Wanamingo, Minnesota along its southeastern boundary and that none of the Annexed Land is included within the Corporate Limits of any incorporated City; and
- 7) That the population of the Annexed Land is zero and the following persons own all of the Annexed Land:

Roger C. Friese & Shirley A. Friese
45630 Hwy. 57 Blvd.
Wanamingo, MN 55983

- 8) That the City of Wanamingo does not believe that the cost of electrical utility service to the Annexed Land will change as a result of the annexation, and therefore, Minnesota Statutes 414.033, Subd. 13 is not applicable; and
- 9) That the property legally described in the Petition for Annexation is not covered by any Community-Based Planning Pilot Projects.

The City Council of the City of Wanamingo, Minnesota having considered all of the testimony offered relative to the matter of the "Petition for Annexation," above described, ordains as follows:

- 1) That all of the findings of fact set forth above are incorporated herein.
- 2) The corporate limits of the City of Wanamingo, Minnesota are hereby extended to include the Annexed Land and the Annexed Land is hereby extended to and included within the City of Wanamingo, Minnesota as effectively as if it had originally been a part thereof.
- 3) The City Administrator and City Clerk/Treasurer of the City of Wanamingo, Minnesota are hereby directed to file certified copies of this Ordinance, and all other required documents, with Minnesota Planning (Minnesota Municipal Board) and other required governmental units and agencies.
- 4) This Ordinance takes effect upon its passage and publication and the final approval thereof by Minnesota Planning – Municipal Boundary Adjustments as required by law.
- 5) The Annexed Land shall initially be zoned as agricultural.

Motion: Schaefer

Second: Hogstad

	<u>Aye</u>	<u>Nay</u>
A. Ken Axelson	X	
Pamela Hogstad	X	
James Kiffmeyer	X	
Chris Romness	X	
Tracy Schaefer	X	

Ordinance 109 passed and was adopted by the Wanamingo City Council this 23rd day of January 2002.

Signed:

Signed:

Attest:


James Kiffmeyer, Mayor


Elmer Bocker, Administrator/EDA Director


Jane Andrist, Clerk/Treasurer

Published in the Kenyon Leader the 30th day of January 2002.

Certificate for:
Lance Quan



DQ1179A

David G. Rapp

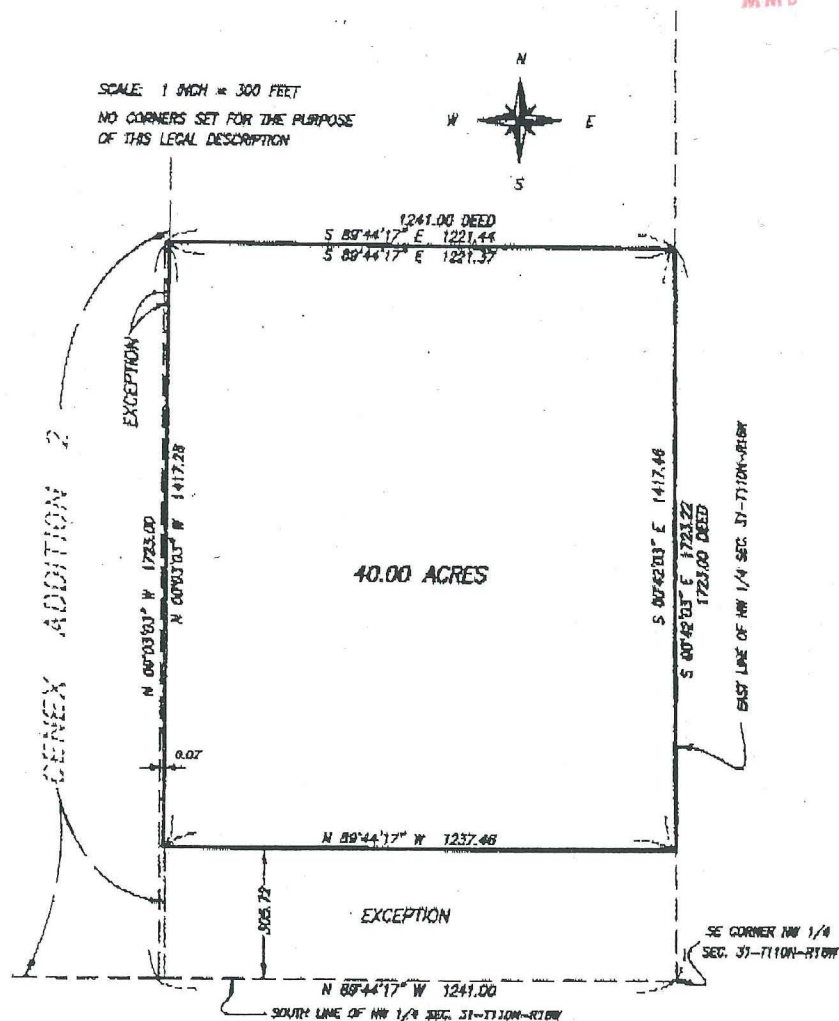
Registered Land Surveyor

43967 Hwy. 56 Blvd. Kenyon, MN 55946 507-789-5366

SURVEYOR'S CERTIFICATE

REC'D BY
M M B

JAN 29 2002



PROPOSED LEGAL DESCRIPTION:

That part of the Northwest Quarter of Section 31, Township 110, Range 16, Goodhue County, Minnesota, described as follows: Beginning at the southeast corner of said Northwest Quarter, thence west 1241.00 feet to a point; thence north 1723.00 feet to a point; thence east 1241.00 feet to the quarter section line; thence south 1723.00 feet to the place of beginning. EXCEPT the south 305.72 feet thereof. Also EXCEPT Corner Addition 2, according to the recorded plat thereof, Goodhue County, Minnesota. Containing 40.00 acres, more or less.

Subject to all easements and restrictions of record, if any.

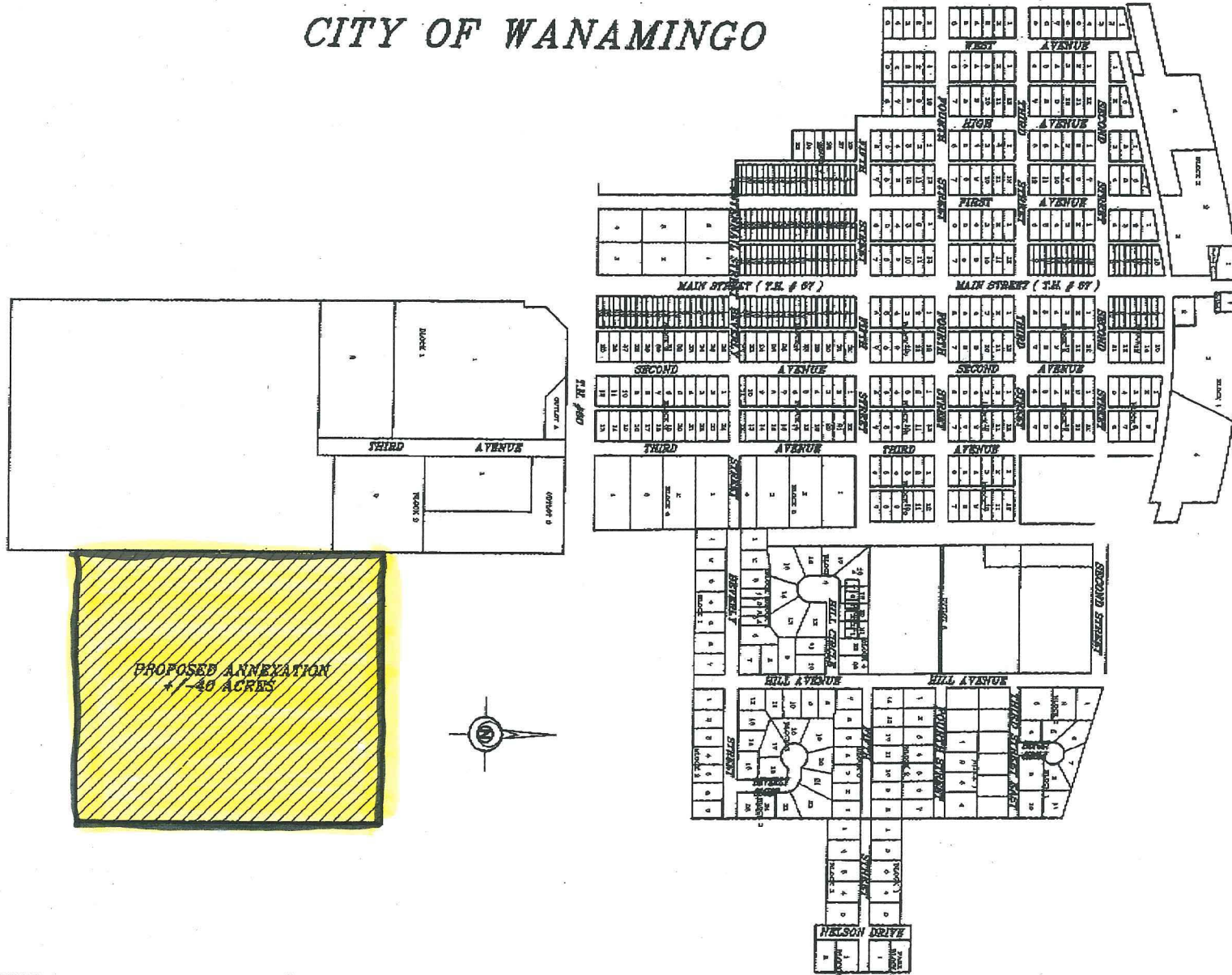
I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

Dated December 5, 2001

David L. Lipp

David G. Rapp
Minnesota Registration No. 22044

CITY OF WANAMINGO



REC'D BY
MMB

JAN 29 2002