

City of
WASECA
All-Star Award Winning City

REC'D BY
MMB

JAN 24 2003

December 3, 2002

Al Ruhland
Woodville Township Clerk
34693 145th Street
Waseca, MN 56093

RE: David A. and Elise K. Arnfelt

Dear Mr. Ruhland:

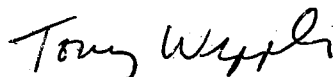
This letter shall serve as the City of Waseca's notice of intent to annex, by Ordinance No. 805, 8.17 acres of land owned by David A. and Elise K. Arnfelt pursuant to Minnesota Statutes 414.033, Subdivision 3. The property is located within the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section Seven (7), Township One Hundred Seven (107) North, Range Twenty Two (22) West, a full legal description is attached. The property is currently unplatted. The parcel is located entirely within Woodville Township in the County of Waseca, Minnesota. Said property abuts the City's western border and is adjacent to the City's Nature Park. The property in question is over Sixty (60) percent surrounded by the City of Waseca and less than 40 acres in size. The primary reason the City of Waseca has commenced this action is to extend a street through the area.

I have enclosed with this letter the following:

- Legal Description of the property
- Ordinance No. 805
- Public Hearing Notice for the City Council Adoption Hearing
- Waiver of Township Objection
- Executed Waiver of Objection- Arnfelt
- The timeframe for the proposed annexation

Thank you for your assistance in this matter. If you have any questions regarding this matter please feel free to contact me or attend one of the hearings on this matter.

Sincerely,



Tony Wippler, Assistant Planner

enclosures

EXHIBIT "A"

All that part of the Southeast Quarter (SE1/4) of the Northwest Quarter (NW1/4) of Section seven (7), Township One Hundred Seven (107) North, Range Twenty-two (22) West, described as follows: Commencing on the East and West Quarter line of said Section seven (7) and 6.62 chains West of the Quarter center of said Section; thence West on the Quarter line 3.09 chains; thence North 14 chains; thence East 3.09 chains; thence South 14 chains to the place of beginning and containing 4.326 acres, more or less. EXCEPT: Lots Nine (9) and Ten (10), in Block Two (2), North Loon Lake Third Subdivision of parts of Lots Three (3), Four (4), Five (5) and Seven (7) of Auditor's Plat of Unplatted Land in Southwest Quarter (SW1/4) of the Southeast Quarter (SE1/4) of Section Seven (7), and all Unplatted Land in Southwest Quarter (SW1/4) of Section Seven (7), Township One Hundred Seven (107) North, Range Twenty-two (22) West; and in the Southeast Quarter (SE1/4) of the Northwest Quarter (NW1/4) of Section Seven (7), Township One Hundred Seven (107) North, Range Twenty-two (22) West, City of Waseca, County of Waseca, State of Minnesota, according to the Plat thereof on file and of record in the Office of the County Recorder in and for the County of Waseca, State of Minnesota.

ALSO:

All that part of the following described parcel which lies North of the North line of North Loon Lake Third Subdivision: Commencing on the East and West Quarter line of Section Seven (7), Township One Hundred Seven (107) North, Range Twenty-two (22) West, 9.71 Chains West of the Quarter Center of said Section; Thence North 14 chains; thence West 2.75 Chains; thence South 14 Chains to the Quarter line; thence East 2.75 chains to the place of beginning and containing 3.85 acres. The above parcel is located in the Southeast Quarter of the Northwest Quarter (SE ¼ of the NW ¼) of Section 7, in Township One Hundred Seven (107) North, in Range Twenty-Two West.

ORDINANCE NO. 805**AN ORDINANCE ANNEXING CERTAIN LANDS INTO THE CITY OF WASECA,
MINNESOTA AND ESTABLISHING ZONING THEREOF**

WHEREAS, David A. Arnfelt and Elise K. Arnfelt are the sole owners of the property described in **Exhibit "A"**, attached hereto and incorporated herein by this reference (the **Property**); and

WHEREAS, The Property depicted in **Exhibit "B"** attached hereto and incorporated herein by this reference; and

WHEREAS, at least sixty percent (60%) of the Property to be annexed is adjacent or bordering the City of Waseca and the property is less than 40 acres in size; and

WHEREAS, Woodville Township and the property owners have waived their objection to annexation;

WHEREAS, electric services provided to the area will not change following annexation;

WHEREAS, on November 19, 2002 the Waseca City Council approved the annexation of this parcel; and

WHEREAS, due to a legal description error during the original annexation proceedings, the annexation process was initiated again on December 3, 2002.

NOW, THEREFORE, THE CITY COUNCIL OF WASECA, MINNESOTA DOES HEREBY DETERMINE, FIND AND ORDAIN:

- Section 1. That the Property described in Exhibit "A" abuts the City of Waseca's and that at least sixty percent (60%) of the property is adjacent or bordering the municipal city boundary of the City of Waseca.
- Section 2. That the Property is less than 40 acres in size, that the property is not served by public sewer facilities and that public sewer facilities are not otherwise available.
- Section 3. That the above-described parties are the sole owners of the property to be annexed by this ordinance.
- Section 4. That the corporate limits of the City of Waseca are extended to include the property and shall be zoned R-1 Suburban Residential upon annexation.

Ord. 805 – page 2

Section 5. Certified copies of this ordinance shall be filed with Minnesota Planning, the Minnesota Secretary of State, the Waseca County Auditor, the Waseca County Recorder, and the Clerk of the Woodville Township Board.

Section 6. This ordinance shall be effective: upon passage and legal publication and the filing of the certified copies as described in Section 5; and, upon approval of the Ordinance by Minnesota Planning.

Adopted by the City Council of Waseca, Minnesota, this 21st day of January 2003.

THOMAS K. HAGEN
MAYOR

ATTEST:

MARY BUENZOW
RECORDS SECRETARY

Introduced: December 31, 2002
Adopted: January 21, 2003
Published: January 28, 2003
Effective: February 7, 2003

CITY OF WASECA

PUBLIC HEARING NOTICE

Notice is hereby given that the following public hearing will be held regarding the **annexation and zoning** of land presently owned by David A. and Elise K. Arnfelt. The territory to be annexed consists of 8.17 acres of unplatted lands, lying entirely within Woodville Township in the County of Waseca, Minnesota. Said property abuts the City of Waseca and is adjacent to the City's Nature Park. Said land is to be zoned R-1, Suburban Residential. The following is the legal description for the parcels:

All that part of the Southeast Quarter (SE1/4) of the Northwest Quarter (NW1/4) of Section seven (7), Township One Hundred Seven (107) North, Range Twenty-two (22) West, described as follows: Commencing on the East and West Quarter line of said Section seven (7) and 6.62 chains West of the Quarter center of said Section; thence West on the Quarter line 3.09 chains; thence North 14 chains; thence East 3.09 chains; thence South 14 chains to the place of beginning and containing 4.326 acres, more or less. EXCEPT: Lots Nine (9) and Ten (10), in Block Two (2), North Loon Lake Third Subdivision of parts of Lots Three (3), Four (4), Five (5) and Seven (7) of Auditor's Plat of Unplatted Land in Southwest Quarter (SW1/4) of the Southeast Quarter (SE1/4) of Section Seven (7), and all Unplatted Land in Southwest Quarter (SW1/4) of Section Seven (7), Township One Hundred Seven (107) North, Range Twenty-two (22) West; and in the Southeast Quarter (SE1/4) of the Northwest Quarter (NW1/4) of Section Seven (7), Township One Hundred Seven (107) North, Range Twenty-two (22) West, City of Waseca, County of Waseca, State of Minnesota, according to the Plat thereof on file and of record in the Office of the County Recorder in and for the County of Waseca, State of Minnesota.

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A Public hearing regarding this annexation will be held on the following dates:

7:00 p.m. Tuesday, January 21, 2003.

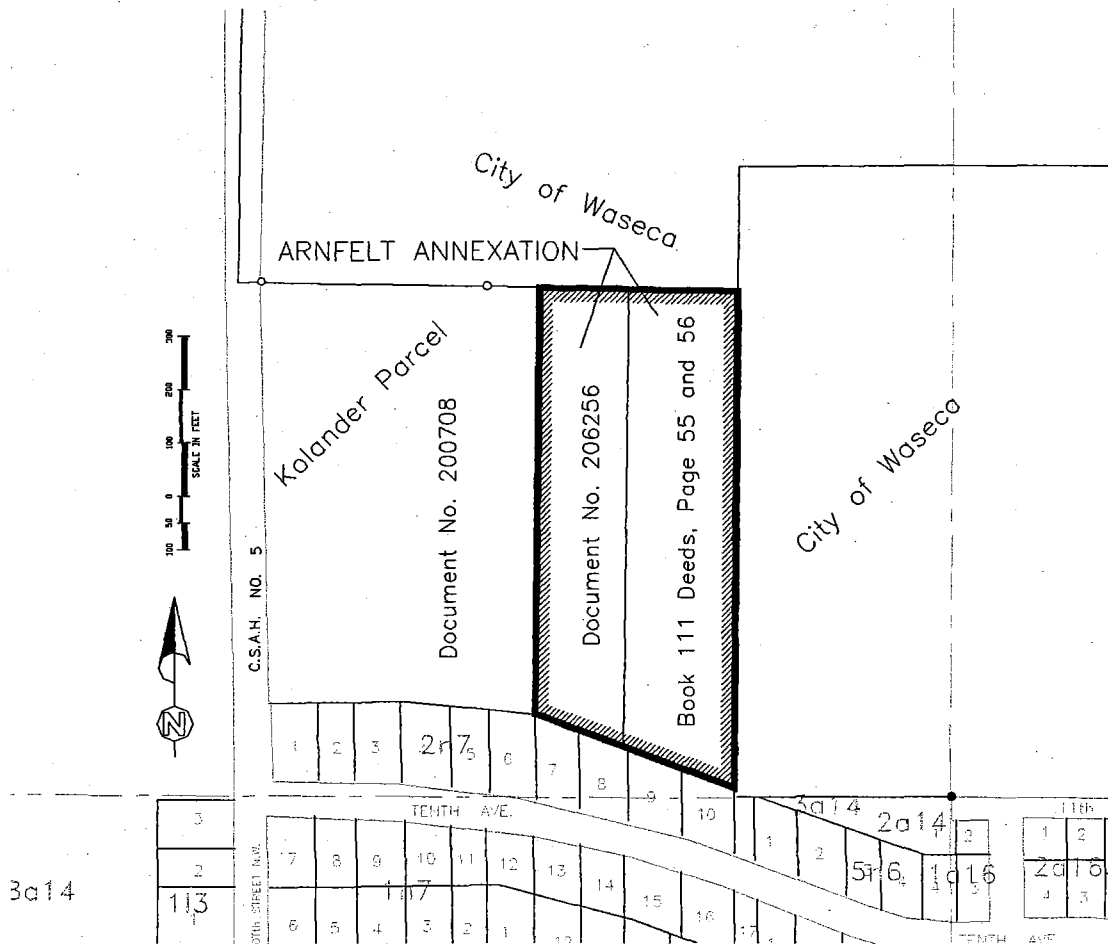
City Council Adoption Hearing on the annexation and zoning.

The hearing will be held in the City Council Chambers, located at 508 State Street South, Waseca, MN. Upon request, accommodations will be provided to allow individuals with disabilities to participate in all City of Waseca services, programs and activities.

Published in the Waseca County News on Thursday December 19, 2002.

If you have any questions or concerns regarding this annexation process, please contact Mark Leiferman at (507) 835-9741.

Mark Leiferman
Community Development Director



WAIVER OF OBJECTION TO ANNEXATION

This letter shall serve as notice that the Woodville Township Board has no objection to the annexation of the David A. Arnfelt and Elise K. Arnfelt property described in the attached legal description. This waiver has been executed in order to satisfy the requirements of State Statute No. 414.033 subdivision 3 that allows the Woodville Township 90 days to object to this annexation.

Dated this 4th day of December, 2002

Woodville Township Clerk

By Alvin E. Rickland

Woodville Township Clerk

***This signature was obtained at a Woodville Township meeting to discuss annexation of the above referenced property into the City of Waseca, Minnesota.**

**WAIVER OF OBJECTION TO ANNEXATION
BY PROPERTY OWNER**

This letter shall serve as notice that the David A. Arnfelt and Elise K. Arnfelt have no objection to the annexation of our property described as Exhibit "A" attached hereto. This waiver has been executed in order to satisfy the requirement of State Statute No. 414.033 subdivision 3 that allows us as property owners 90 days to object to this annexation.

Dated this 1ST day of OCTOBER, 2002

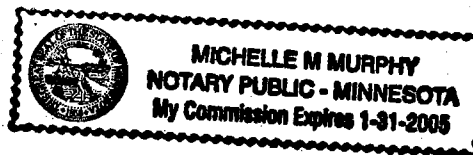
David A. Arnfelt
David A. Arnfelt

Elise K. Arnfelt
Elise K. Arnfelt

STATE OF MINNESOTA)
)ss.
COUNTY OF WASECA)

The foregoing was acknowledged before me this 1st day of Oct., 2002 by David A. Arnfelt and Elise K. Arnfelt.

Michelle Murphy
Notary Public



ANNEXATION BY ORDINANCE- TIMEFRAME- David A. and Elise K. Arnfelt

Minnesota State Statute § 414.033, Subd. 3 allows municipalities to annex properties by ordinance if the perimeter of the area to be annexed is 60% or more bordered by the municipality and the area to be annexed is 40 acres or less. The City must serve a notice of intent to annex upon the Township Board, the State Planning Agency (formerly the Municipal Board), property owners and individuals adjacent to the properties to be annexed. The Township Board shall have 90 days from the date of service to the State Planning Agency Board. If no objections are raised, the land may be annexed by ordinance of the City. If objections are raised, the State Planning Agency Board will conduct a hearing and issue an order.

Introduction of Ordinance and Intent to Annex	December 3, 2002
Certified mail notification to the Woodville Township Board, the State Planning Agency, the Owners of the property being annexed and the notification of the landowners contiguous to the property. <i>(Start of 90-day objection period-waiver has been signed)</i>	<i>ensure receipt by</i> December 13, 2002
Public Notice in newspaper: Council Adoption Hearing	December 19, 2002
City Council hearing on annexation	January 21, 2003

PLEASE NOTE:

1. The ninety-day objection period was waived in this time frame due to the signing of a "waiver of objection" from both the township board and property owners. **There would still need to be a thirty-day period between notice to all parties and the public hearing on annexation.**
2. Thirty days must elapse between Township/landowner notification and public hearing/ordinance adoption. If the Council adopts the Ordinance it will be filed with Minnesota Planning, Secretary of State, Waseca County Board, Waseca County Auditor, Waseca County Recorder, Waseca County Zoning Administrator and Woodville Township Board.
3. Annexation will not be official until the City receives approval from the State (Minnesota Planning).

RECD BY
MMB

JAN 24 2003

EXHIBIT "B" - DEPICTION ARNFELT ANNEXATION

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