

City of Waverly Annexation Ordinance

ORDINANCE NO. 03-01

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF WAVERLY TO INCLUDE CERTAIN UNINCORPORATED LAND ABUTTING THE CITY LIMITS (KNOW AS THE "LACHERMEIER LAND")

WHEREAS, the City of Waverly received notice that the Petitioner intended to petition for annexation of the following legally described properties on or about February 2003; and

WHEREAS, the Petitioner waived any notice of Utility Rate Changes Due to the Petition for Annexation pursuant to Minn. Stat. §414.033, Subd. 13; and

WHEREAS, a Petition requesting annexation of the legally described property was presented by the Lachermeiers to the Council on or about May 22, 2003, and at least 60 days after the City received notice of the Petitioner's intent to petition for annexation; and

WHEREAS, the property proposed for annexation totals 59.93 acres and is legally described on Exhibit A hereto (the "Property");

WHEREAS, the petition was signed by the Attorney-in-Factor for Catherine Lachermeier, the sole-owner of the Property; and

WHEREAS, the Property abuts the city limits; and

WHEREAS, a public hearing was duly held on July 8, 2003 at 7:40 p.m., by the governing body of the City of Waverly, Minnesota, on the proposed annexation after at least 30 days' notice by certified mail to persons entitled to notice; and

WHEREAS, the following members of the Waverly City Council were present at said meeting: Pam Henry-Neaton, Ken Antil, Ken Hausladen, and Gary Olson; and Charles Bush.

WHEREAS, no valid objections to the annexation have been received from the town board, or the government body of any municipality whose boundaries abut upon the boundaries of the Property; and

NOW THEREFORE, the Council of the City of Waverly, Minnesota, ordains:

Section 1. Character of Property. The City Council hereby unanimously determines that: (a) the Property abuts the city limits of the City of Waverly; (b) that the Property is not presently a part of any populated city, any agricultural preserve, nor is it the in any area designated for orderly annexation; (c) the Property is urban or suburban in character, and is ripe for residential development; (d) the existing township government is not adequate

to protect the public health, safety and welfare or to provide municipal services required to develop the Property; and (e) the Property is not presently served by public sewer facilities and other public sewer facilities are not otherwise available.

Section 2. Property Annexed. The corporate limits of the City of Waverly are hereby extended to include the aforementioned legally described Property, and said Property is hereby annexed to and included within the City of Waverly as effectually as if it had originally been a part thereof.

Section 3. Filing. The City Clerk is hereby directed to file certified copies of this ordinance with the Director of the Office of Strategic and Long-Range Planning, Woodland Township, the Secretary of State, and the County Auditor. A certified copy of this annexation ordinance must be delivered immediately by the City Clerk to the appropriate county auditors.

Section 4. Effective Date. This Ordinance shall take effect upon its passage and publication and the filing of the certified copies as directed in Section 3 above, as well as upon approval of the Director of the Office of Strategic and Long-Range Planning.

Adopted by the Council this 8th day of July, 2003.

CITY OF WAVERLY

By: Charles A. Bush, Mayor

ATTEST: Debbie Ryks, Debbie Ryks, City Clerk

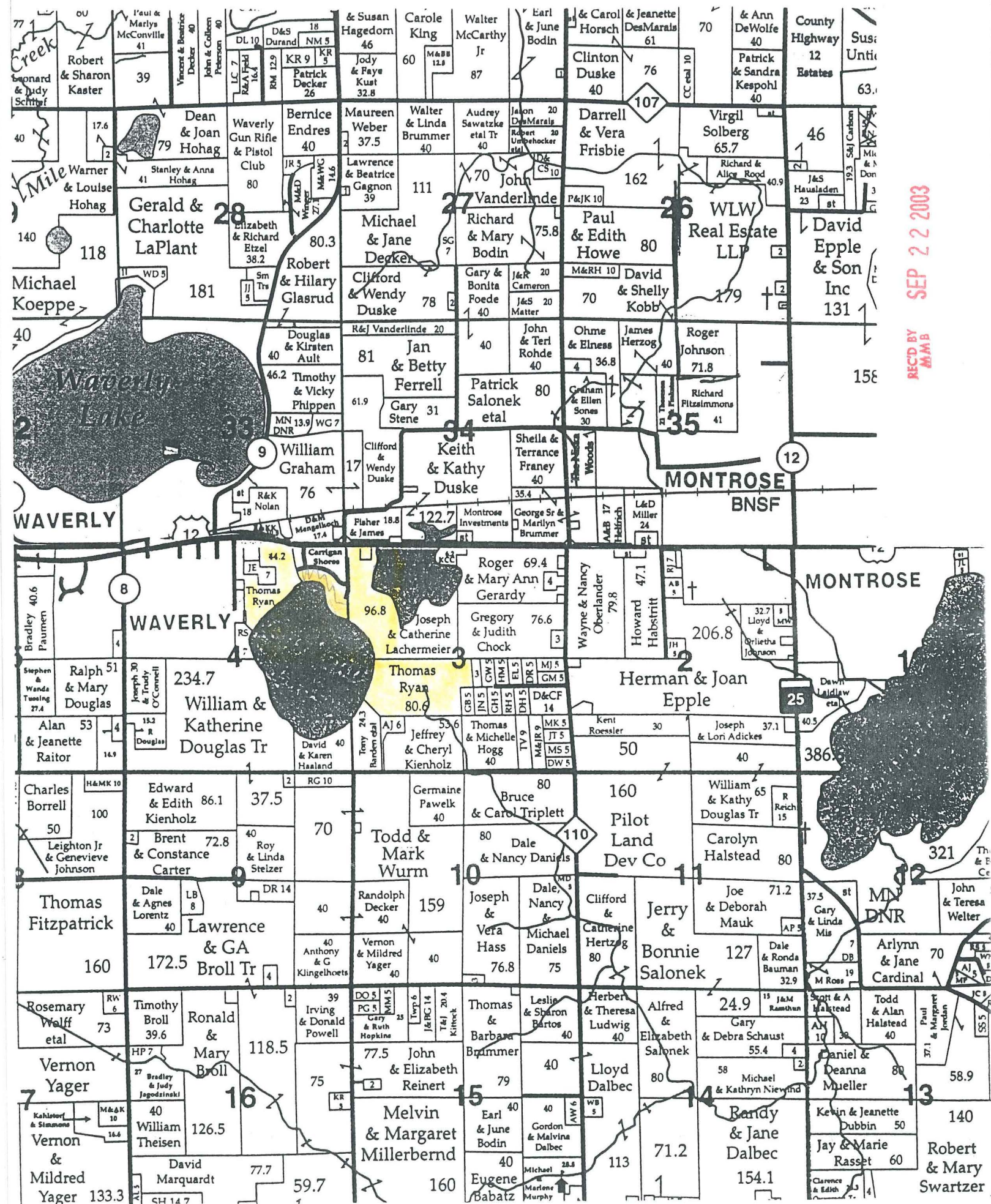
REC'D BY
MMB

AUG 20 2003

PROPOSED ANNEXATION LEGAL DESCRIPTION:

That part of Government Lot 3, Section 3, Township 118, Range 26, Wright County, Minnesota, described as follows:

Commencing at the northwest corner of said Government Lot 3; thence South 88 degrees 41 minutes 31 seconds East, assumed bearing along the north line of said Government Lot 3, a distance of 322.78 to the actual point of beginning; thence South 01 degrees 18 minutes 29 seconds West, a distance of 340.81 feet; thence South 88 degrees 41 minutes 31 seconds East, a distance of 255.62 feet; thence North 01 degrees 18 minutes 29 seconds East, a distance of 340.81 feet to said north line of Government Lot 3; thence South 88 degrees 41 minutes 31 seconds East, along said north line of Government Lot 3, a distance of 110.98 feet; thence South 01 degrees 05 minutes 50 seconds East, a distance of 792.82 feet; thence South 35 degrees 17 minutes 40 seconds East, a distance of 998.29 feet; thence South 01 degrees 05 minutes 50 seconds East, a distance of 1,122.02 feet to the south line of said Government Lot 3; thence North 89 degrees 25 minutes 17 seconds West, along said south line of Government Lot 3, a distance of 1,250.38 feet to the west line of said Government Lot 3; thence North 01 degrees 05 minutes 50 seconds West, along said west line of Government Lot 3, a distance of 1,518.65 feet to the easterly right of way line of Dempsey Avenue Southwest, as dedicated on CARRIGAN SHORES, according to the recorded plat thereof, said Wright County; thence North 15 degrees 41 minutes 30 seconds East, along said easterly right of way, a distance of 79.86 feet; thence northerly, along a tangential curve, and along said easterly right of way, concave to the west, having a radius of 233.00 feet and a central angle of 16 degrees 47 minutes 20 seconds, having an arc distance of 68.27 feet; thence North 01 degrees 05 minutes 50 seconds West, tangent to said curve and along said easterly right of way and its northerly extension, a distance of 1069.10 feet to said north line of Government Lot 3; thence South 88 degrees 41 minutes 31 seconds East, along said north line of Government Lot 3, a distance of 289.75 feet to the point of beginning.



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