

NOV 10 2003

ORDINANCE NO. 93, THIRD SERIES

**IN THE MATTER OF THE ORDINANCE EXTENDING
THE CORPORATE LIMITS OF THE CITY OF REDWOOD FALLS
TO INCLUDE CERTAIN UNINCORPORATED TERRITORY
PURSUANT TO MINNESOTA STATUTES § 414.033, SUBD. 2(2)**

WHEREAS, the territory described below is not presently included within the corporate limits of any incorporated city; and

WHEREAS, said area is now located in Paxton Township but is completely surrounded by land already within the corporate limits of the City of Redwood Falls, Minnesota; and

WHEREAS, on October 21, 2003, a public hearing was held by the governing body of the City of Redwood Falls, Minnesota, on the proposed annexation after at least 30 days' mailed notice to the towns or towns affected by the proposed annexation ordinance and to all landowners within and contiguous to the area to be annexed; and

WHEREAS, the area proposed for annexation is approximately 3.35 acres in size; and

WHEREAS, the nature of the area for annexation is residential; and

WHEREAS, there approximately two people residing on the property as hereinafter described. 2 pop

WHEREAS, the area proposed for annexation is not included in any other proceeding currently pending before Minnesota Planning; and

WHEREAS, the area proposed for annexation is not included in any area that has already been designated for orderly annexation pursuant to Minn.Stat. § 414.0325; and

WHEREAS, provisions of Minn.Stat. § 414.033, subd. 13 are not applicable in that there will be no change in the electric utility service provider resulting from the annexation of the territory to the municipality.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF REDWOOD FALLS HEREBY ORDAINS AS FOLLOWS:

1. Territory Annexed. That pursuant to Minn.Stat. §414.033, subd. 2(2), the following described property is annexed to and included within the City of Redwood Falls, Minnesota, to wit:

All that part of the Northwest Quarter of the Southeast Quarter of Section 6, Township 112 North, Range 35 West, in Redwood County, Minnesota, described as follows, to wit: Commencing at the Southwest Corner of the Southeast Quarter of said Section 6; thence on an assumed bearing of North

along the west line of the Southeast Quarter of said Section 6 for 1,399.00 feet; thence East at 90° to the west line of the Southeast Quarter of said Section 6 for 726.00 feet to the point of beginning, said last course of 726 feet also being the south line of a 50 foot wide driveway easement; thence continuing East for 475.00 feet; thence North 1°40' West for 310.13 feet; thence West for 465.98 feet; thence South for 310.00 feet to the point of beginning.

Said property consists of a total of 3.35 acres, more or less. Copies of the corporate boundary map showing the property to be annexed and its relationship to the corporate boundaries and an appropriate plat map are attached hereto.

2. Population. There are two people residing on the annexed property.

3. Property Taxes. Pursuant to Minnesota Statutes §414.033, subd. 12, the property taxes payable on annexed land in the year 2003 shall be paid to the Township of Paxton, Minnesota. Thereafter, the City of Redwood Falls shall make a cash payment to the Township of Paxton in accordance with the following schedule:

a. 2004 - an amount equal to ninety percent (90%) of the property taxes distributed to the town in regard to the annexed area in 2003;

b. 2005 - an amount equal to seventy percent (70%) percent of the property taxes distributed to the town in regard to the annexed area in 2003;

c. 2006 - an amount equal to fifty percent (50%) of the property taxes distributed to the town in regard to the annexed area in 2003;

d. 2007 - an amount equal to thirty percent (30%) of the property taxes distributed to the town in regard to the annexed area in 2003; and

e. 2008 - an amount equal to ten percent (10%) of the property taxes distributed to the town in regard to the annexed area in 2003.

4. Special Tax District. In order to alleviate the impact of the City mill levy rate on the above described property, which is rural in character and not now developed for commercial, industrial, or urban residential purposes, and for those reasons does not benefit to the same degree as other lands by those municipal services financed by general taxation, the City establishes a Rural Service Tax District for the parcel pursuant to Minn. Stat. §272.67. The Rural Service Tax District shall be taxed at a mill levy rate compatible with the appropriate township mill levy rate. The above described parcel shall remain within the Rural Service Tax District until such time that the property is subdivided, in whole or in part, or begins to receive City provided water, sanitary sewer, or electric utility services, or is required to connect to such services under applicable city code or state statute. In the event either the existing water or

sanitary sewer system requires modification, improvement, or replacement, unless the property owner can otherwise show connection to be financially unfeasible, the property shall be connected the applicable City provided service.

5. Zoning. Upon annexation to the City above described property shall be zoned "R-R", Rural Residential District pursuant to Section 11.36, Redwood Falls Code of Ordinances, which provides for low density residential use and for the transition in land use from agriculturally oriented uses to low density residential uses. Any structure or use lawfully existing on this parcel as of the effective date of this Ordinance which is deemed to be a non-conforming structure or use according to the regulations for this particular zoning designation as contained in Chapter 11, Redwood Falls Code of Ordinances, may not be enlarged, but may be continued at the size and in the manner of operation existing upon such date except as provided in section 11.10, subd. 1, Redwood Falls Code of Ordinances.

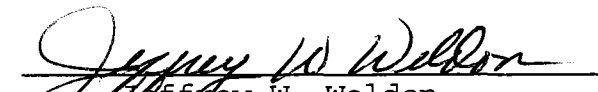
Section 2. Filing. The city clerk is directed to file certified copies of this ordinance with the Secretary of State, the County Auditor of the county in which the property is located, the Town Clerk of the affected township and Minnesota Planning, Municipal Boundary Adjustments.

Section 3. Effective Date of Annexation. This ordinance takes effect upon passage and publication and the filing of certified copies as directed in Section 2 and approved by the Minnesota Municipal Board.

PASSED AND ADOPTED by the City Council of the City of Redwood Falls, Minnesota, this 4th day of November, 2003.

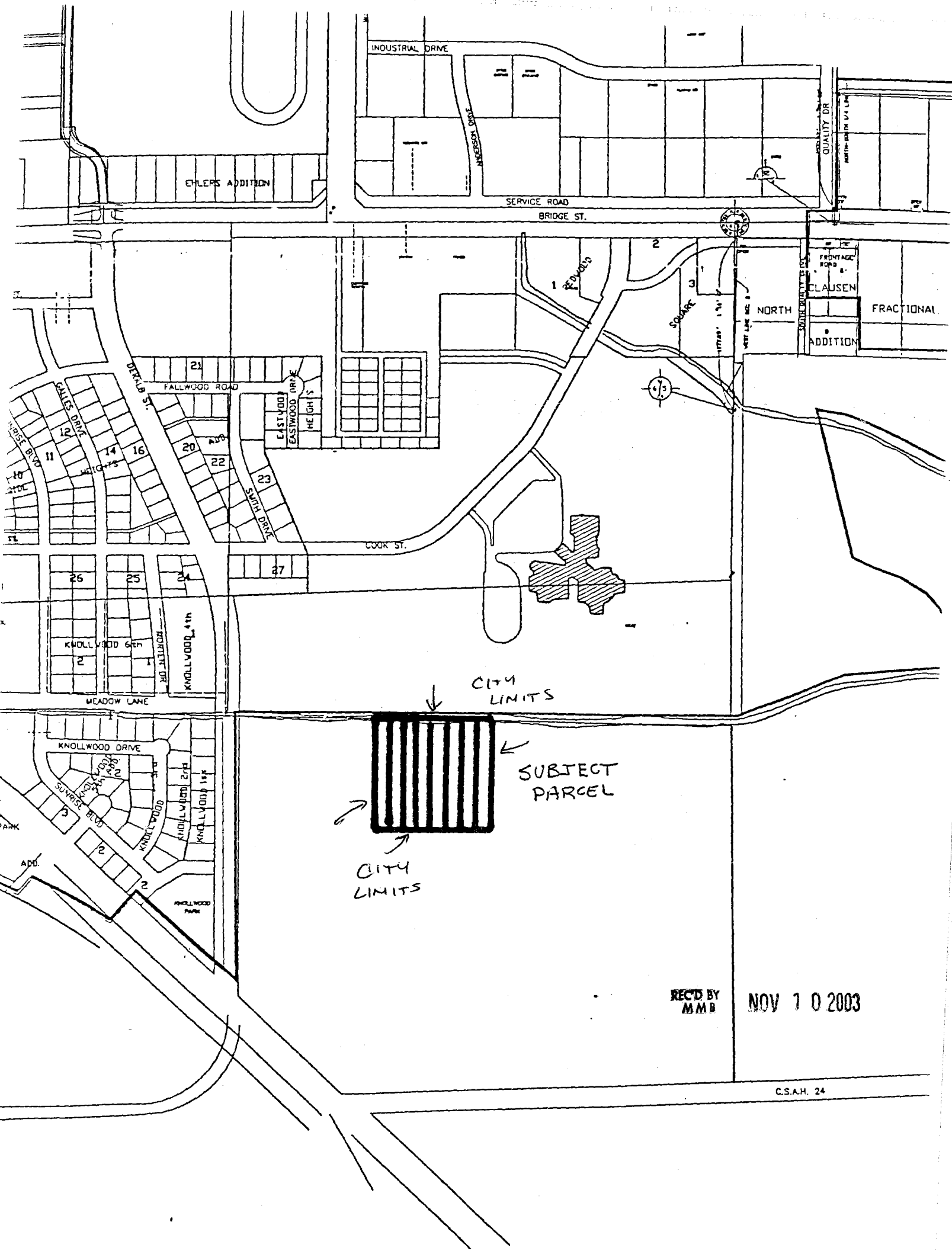

Sara A. Triplett
Mayor

Attest:


Jeffrey W. Weldon
City Administrator

(City Seal)

1st Reading: 10-21-03
2nd Reading: 11-04-03
Published: 11-10-03



REC'D BY
MMB

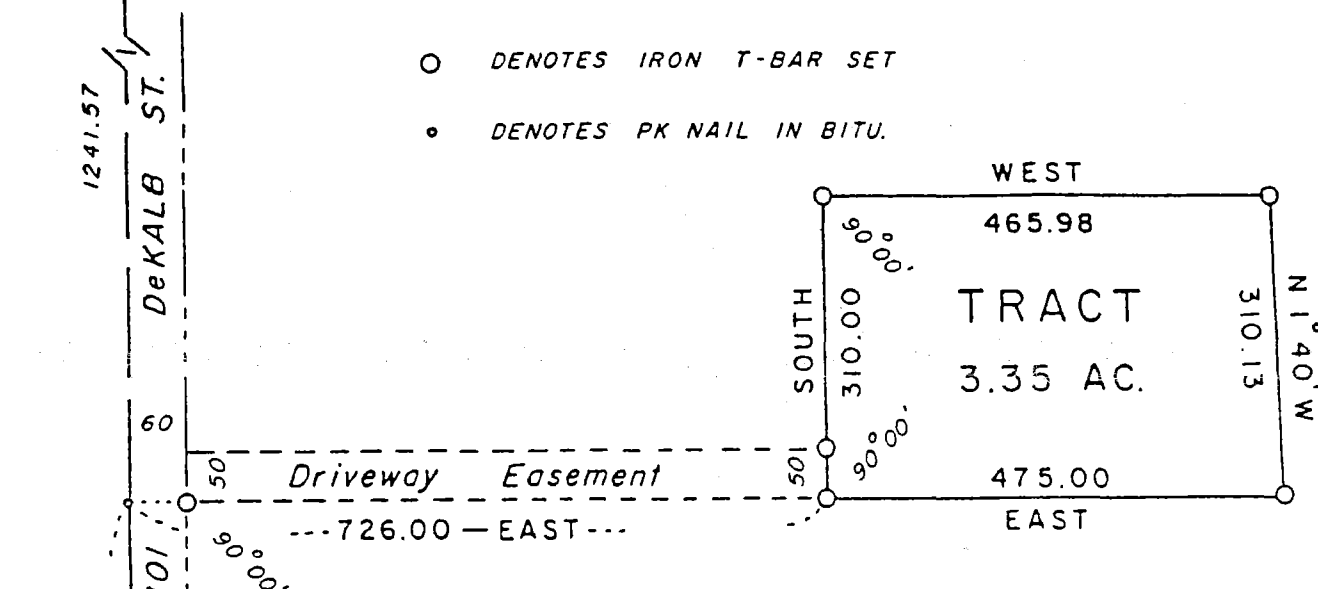
NOV 10 2003

CEN. SEC. 6
T 112 N - R 35 W

REC'D BY
MMB

NOV 10 2003

- DENOTES SECTION CORNER FOUND
- DENOTES IRON T-BAR SET
- DENOTES PK NAIL IN BITU.



TRACT DESCRIPTION

All that part of the Northwest Quarter of the Southeast Quarter of Section 6, Township 112 North, Range 35 West, in Redwood County, Minnesota, described as follows, to wit: Commencing at the Southwest Corner of the Southeast Quarter of said Section 6; thence on an assumed bearing of NORTH along the west line of the Southeast Quarter of said Section 6 for 1,399.00 feet; thence EAST at 90° to the west line of the Southeast Quarter of said Section 6 for 726.00 feet to the point of beginning, said last course of 726 feet also being the south line of a 50 foot wide driveway easement; thence continuing EAST for 475.00 feet; thence North 1°40' West for 310.13 feet; thence WEST for 465.98 feet; thence SOUTH for 310.00 feet to the point of beginning, containing 3.35 acres, more or less.

Certificate of Survey

EBBESEN & SARRAZIN
MRS. BRANDT SURVEY (HILBERT)

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.

Gerald T. Vickerman
GERALD T. VICKERMAN

DATE 9-29-95 REG. NO. 12237

FILED AS EXHIBIT TO DEED
Recorded in Book _____ of Deeds, Page _____

RURAL TRACT IN NW 1/4 OF SE 1/4
SECTION 6, T 112 N, R 35 W

JOB NO. 126-03-95
DATE OF SURVEY 27 SEPTEMBER 1995
DRAWN BY GFV SCALE 1" = 200'
FILE NO. Sec. 6 - 112 - 35

B & G LAND SURVEYS, INC.
230 E. THIRD ST.
REDWOOD FALLS, MN.
507-637-8427