

**AN ORDINANCE APPROVING THE PETITION OF ALLAN J. DUFNER AND DONNA M. DUFNER FOR THE ANNEXATION OF UNPLATTED LAND NOT EXCEEDING 60 ACRES TO THE CITY OF MELROSE, UNDER MINNESOTA STATUTES SECTION 414.033, SUBD. 2(3).**

**THE CITY COUNCIL OF THE CITY OF MELROSE ORDAINS AS FOLLOWS:**

Section 1. Findings.

- (a) On October 29, 2003, Allan J. Dufner and Donna M. Dufner (the "Dufners") filed a Notice of Intent to File Petition for Annexation pursuant to Minnesota Statutes Section 414.033, Subd. 2(3) with the City of Melrose (City).
- (b) On November 6, 2003, the City notified the Dufners that the cost of electrical utility service may change and provided the Dufners with an estimate of the cost of electrical utility service following annexation as required by Minnesota Statutes Section 414.033, Subd. 13;
- (c) On December 29, 2003, the Dufners filed a Petition for Annexation pursuant to Minnesota Statutes Section 414.033, Subd. 2(3) with the City; said petition identified the Dufners as all of the owners of real property described as follows:

The Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$  SE $\frac{1}{4}$ ) of Section Twenty-six (26), Township One Hundred Twenty-six (126) North of Range Thirty-three (33) West, in Melrose Township, Stearns County, Minnesota, containing 40 acres, more or less, (the "Subject Premises")

and requested that the City Council annex the Subject Premises;

- (d) On March 11, 2004, the City, as required by Minnesota Statutes Section 414.033, Subd. 2b, gave written notice by certified mail to Melrose Township and all of the owners of property contiguous to the Subject Premises that a public hearing on the Dufners petition would be held on April 15, 2004;
- (e) On March 13, 2004, the City published notice of the public hearing on the Dufners petition in the Melrose Beacon;
- (f) On April 15, 2004, the City held a public hearing, at which time the City Council considered the Dufners petition; persons attending said public hearing included the Dufners, members of the Melrose Township Board of Supervisors, the Clerk for Melrose Township, owners of property contiguous to the Subject Premises, and other members of the public;

- (g) The Dufners' petition recites that: (1) the Dufners are all of the owners of the Subject Premises, (2) the Subject Premises abuts the City and is not included within any other municipality, (3) the Subject Premises is 60 acres or less, and (4) the Subject Premises is not presently served by public sewer facilities or public sewer facilities are not otherwise available;
- (h) The City Administrator testified at the public hearing that: (1) in 1997 Dufners detached the Subject Premises from the City concurrently with the annexation of 31 acres owned by Dufners to the City, (2) the Stearns County Assessor's office classifies approximately half of the Subject Premises as wastelands and the remaining half as grade A3 tillable soil, and (3) reviewed applicable portions of the City's Comprehensive Plan.
- (i) Testimony opposing the Dufners petition was presented by Melrose Township officers and non-adjoining property owners; opponents of the petition were concerned about (1) loss of agricultural land, (2) conflicts between residential development and active farm operations, and (3) loss of Township tax base.
- (j) The City currently has only a three-year supply of buildable lots suitable for residential development.
- (k) The Subject Premises is not included in any other boundary proceeding pending before the Department of Administration – Municipal Boundary Adjustments; and
- (l) The Subject Premises is not included in any area that has already been designated for orderly annexation pursuant to Minnesota Statutes Section 414.0325;

## Section 2. Conclusions.

Based upon the notices and petitions filed with the City, and the information presented at the public hearing, the City Council of the City concludes that:

- (a) Pursuant to Minnesota Statutes Section 414.033, Subd. 2(3) the Subject Premises is deemed urban or suburban in character or is about to become so, and
- (b) The City Council may declare by ordinance that the Subject Premises are annexed to the City;

## Section 3. Approval of Petition.

Pursuant to Minnesota Statutes Section 414.033, Subd. 2(3), the City Council of the City of Melrose:

REC'D BY  
MMB

JUL 22 2004

- (a) Approves the Petition for Annexation of Allan J. Dufner and Donna M. Dufner, and,
- (b) Annexes to the City and extends the City's boundaries to include the real property described as follows:

The Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$  SE $\frac{1}{4}$ ) of Section Twenty-six (26), Township One Hundred Twenty-six (126) North of Range Thirty-three (33) West, in Stearns County, Minnesota.

Section 4. Effective Date.

This ordinance shall take effect upon its passage and publication.

Adopted by the City Council of the City of Melrose this 19th day of May 2004.



ERIC SEANGER – MAYOR  
CITY OF MELROSE

ATTEST:

  
ROSE ANN INDERRIEDEN – CITY ADMINISTRATOR

An Official Title and Summary of Ordinance published in the Melrose Beacon on the 29th day of May 2004.

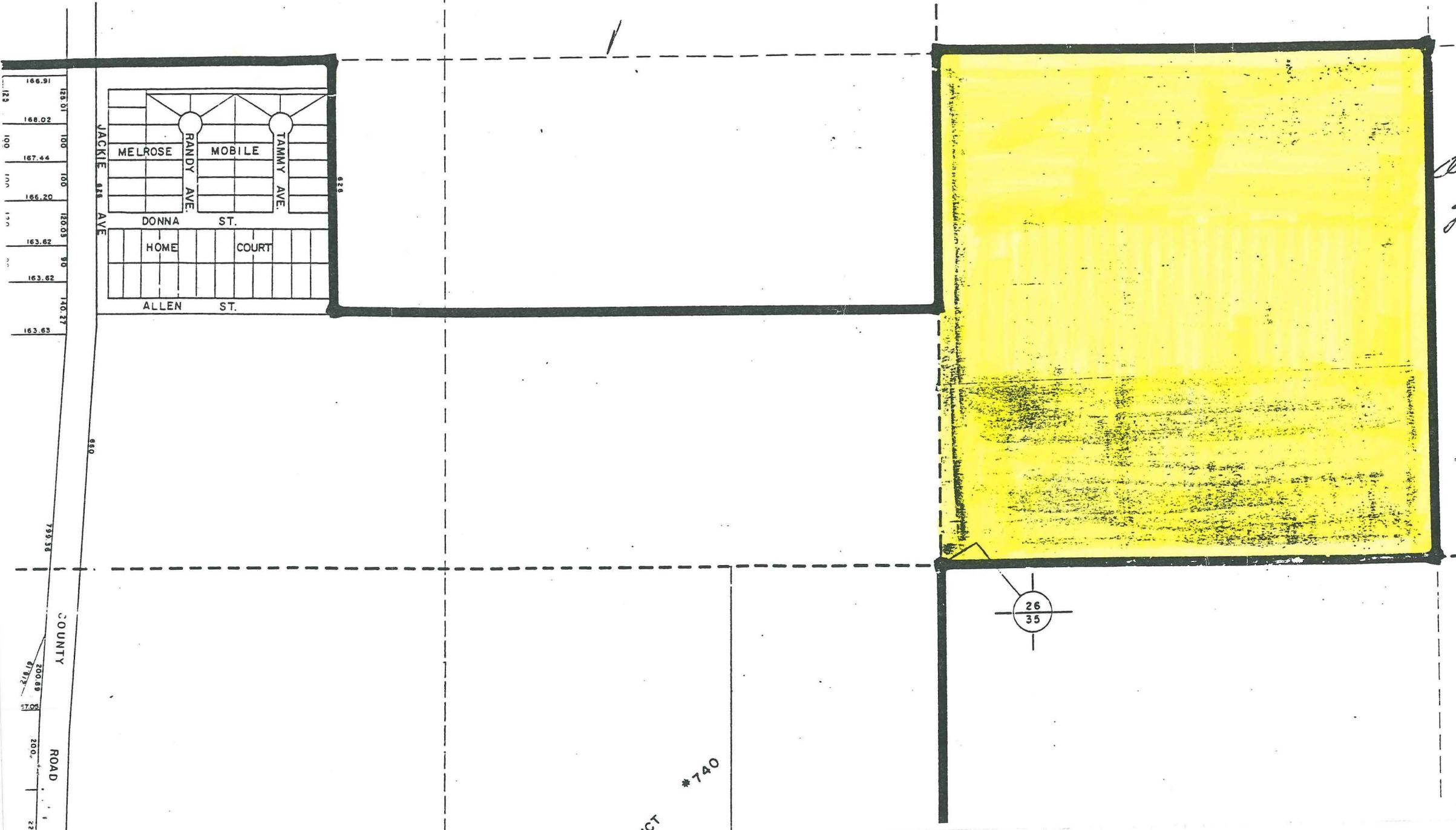
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REC'D BY  
MMP JUL 22 2004

2 acres  
1

29 acres  
1

detachment  
of 40  
acres



123  
100  
100  
100  
100  
90  
90  
140.27  
166.91  
168.02  
167.44  
166.20  
163.62  
163.62  
163.63

860  
799.38

COUNTY ROAD  
200.68  
17.05  
200.  
222

ICT \*740

26  
35

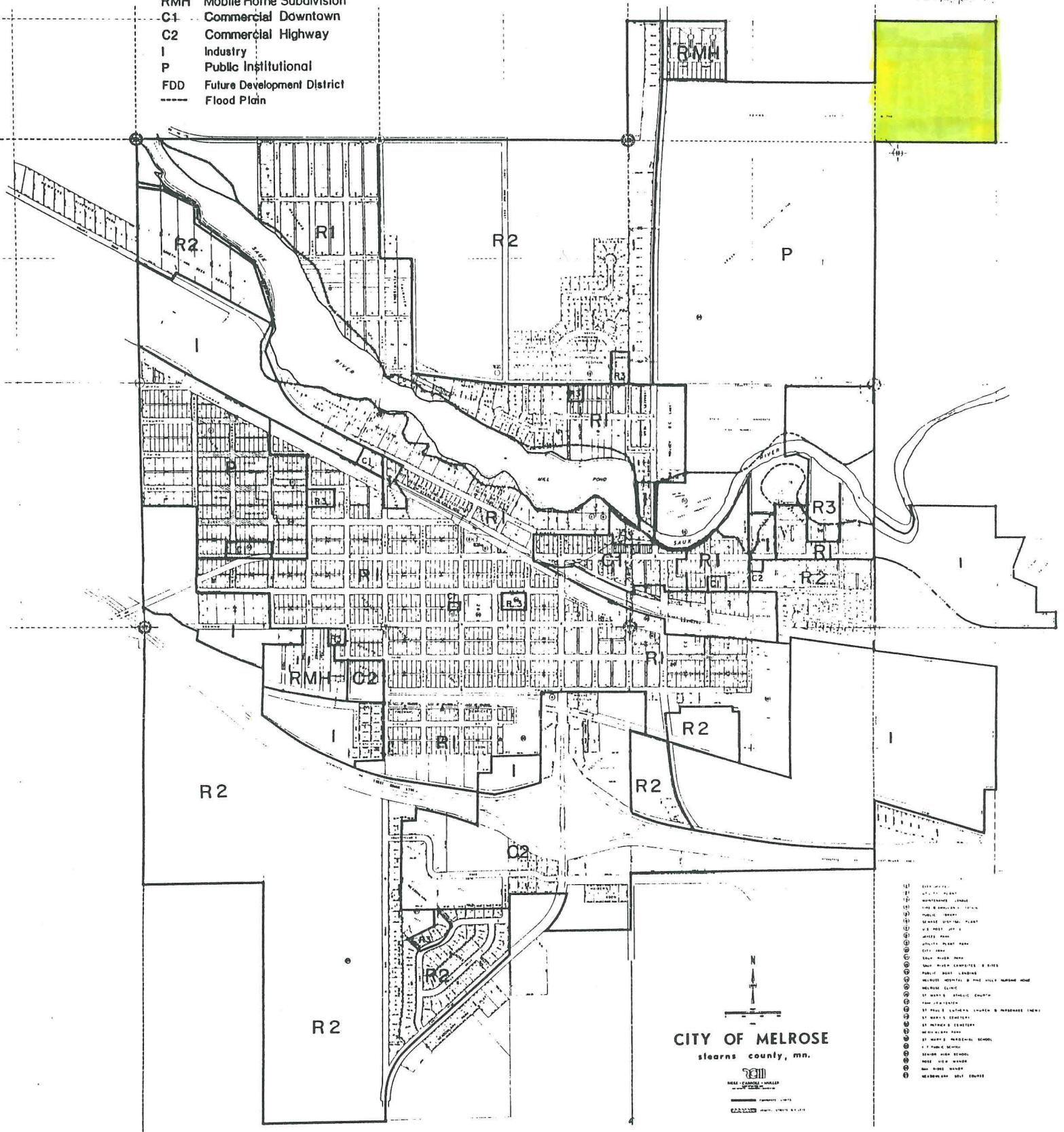
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REC'D BY  
M.M.B

JUL 22 2004

### ZONING DISTRICTS

- R1 Residential
- R2 Moderate Density Residential
- R3 Multiple Family Residential
- RMH Mobile Home Subdivision
- C1 Commercial Downtown
- C2 Commercial Highway
- I Industry
- P Public Institutional
- FDD Future Development District
- Flood Plain



**CITY OF MELROSE**  
stearns county, mn.



- (1) CITY OFFICE
- (2) CITY CLERK
- (3) CITY ENGINEER
- (4) CITY MANAGER
- (5) CITY BOARD OF SUPERVISORS
- (6) PUBLIC WORKS
- (7) MAINTENANCE DEPT
- (8) POLICE DEPT
- (9) FIRE DEPT
- (10) HEALTH DEPT
- (11) SOCIAL SERVICES
- (12) SENIOR CENTER
- (13) YOUTH CENTER
- (14) PUBLIC LIBRARY
- (15) MELROSE HOSPITAL
- (16) ST. MARY'S CATHOLIC CHURCH
- (17) ST. MARY'S LUTHERAN CHURCH
- (18) ST. MARY'S EPISCOPAL CHURCH
- (19) ST. MARY'S BAPTIST CHURCH
- (20) ST. MARY'S METHODIST CHURCH
- (21) ST. MARY'S PRESBYTERIAN CHURCH
- (22) ST. MARY'S UNITED METHODIST CHURCH
- (23) ST. MARY'S WELSH METHODIST CHURCH
- (24) ST. MARY'S EVANGELICAL LUTHERAN CHURCH
- (25) ST. MARY'S ROMAN CATHOLIC CHURCH
- (26) ST. MARY'S UNITED METHODIST CHURCH
- (27) ST. MARY'S WELSH METHODIST CHURCH
- (28) ST. MARY'S EPISCOPAL CHURCH
- (29) ST. MARY'S BAPTIST CHURCH
- (30) ST. MARY'S LUTHERAN CHURCH
- (31) ST. MARY'S CATHOLIC CHURCH
- (32) MELROSE HOSPITAL
- (33) HEALTH DEPT
- (34) POLICE DEPT
- (35) FIRE DEPT
- (36) CITY MANAGER
- (37) CITY BOARD OF SUPERVISORS
- (38) CITY CLERK
- (39) CITY ENGINEER
- (40) CITY OFFICE

POLICE 206 4241 to 206 4245  
 FIRE 206 4241  
 AMBULANCE 206 4241  
 CITY HALL 206 4241  
 CITY CLERK 206 4241  
 CITY MANAGER 206 4241  
 UTILITY PLANT 206 4241