

**AN ORDINANCE EXTENDING THE CORPORATE LIMITS
OF THE CITY OF LITCHFIELD TO INCLUDE
CERTAIN UNINCORPORATED PROPERTY (29.43 ACRES)
OWNED BY RIPLEY GREENS, LLC, LINNEA WECKWERTH AND KENNETH
WECKWERTH, HOPE A. MINK AND TIM MINK, HEIDI S. MITCHELL AND
STEVEN MITCHELL, ANDREA L. BROOKS AND STEPHEN BROOKS,
FIRST BAPTIST CHURCH, JEROME KALKBRENNER AND
MARGARET KALKBRENNER AND ABUTTING UPON THE
LIMITS OF THE CITY OF LITCHFIELD IN DARWIN TOWNSHIP PURSUANT TO
MINNESOTA STATUTES 414.033, SUBD. 2(3)**

WHEREAS, a certain petition dated June 21, 2004, requesting that the property as hereinafter described be annexed to the City of Litchfield, Minnesota, was duly presented to this Council on the 2nd day of August, 2004, and (See Exhibit A)

WHEREAS, said petition was signed by all owners of the property; and

WHEREAS, said property is unincorporated and abuts the City of Litchfield on its easterly boundary, and

WHEREAS, said property is less than 60 acres, and

WHEREAS, said property is not presently served by public sewer and water facilities or public sewer and water facilities are not otherwise available, and

WHEREAS, said property is currently being developed for residential and church purposes, and

WHEREAS, to facilitate said development, the property owner will be extending City services to said property, and

WHEREAS, notice of public hearing was given to those parties specified in Minnesota Statutes 414.033, subd. 2b, and

WHEREAS, a public hearing was duly held by the Litchfield City Council on the 2nd day of August 2004, and

WHEREAS, provisions of Minn. Statute 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 OF LITCHFIELD DOES HEREBY ORDAIN AS
FOLLOWS:**

1. The City Council hereby determines that the property as hereinafter described is or is about to become urban in nature in that said property is being developed for commercial purposes which need or will need city services, including public sewer and water facilities, and that none of property is now included within the limits of any city.
2. Territory annexed. The corporate limits of the City of Litchfield are hereby extended to include the following described territory, said land abutting the City of Litchfield and being 60 acres or less in area, and is not presently served by public sewer and water facilities or public sewer and water facilities are not otherwise available, and the City having received a petition for annexation from all the property owners of the land, Meeker County, Minnesota, to wit, as attached.

The described property attached consists of a total of 29.43 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.

3. Population. There are two (2) people residing on the above described land.
4. Property Taxes. Pursuant to Minnesota Statutes 414.033, subd. 12, the property taxes payable on annexed land in the year 2004 shall be paid to the Township of Darwin, Minnesota. Thereafter, the City of Litchfield shall make a cash payment, to the Township of Darwin in accordance with the following schedule:
 - a. 2005 - an amount equal to ninety percent (90%) of the property taxes distributed to the town in regard to the annexed area in 2004;
 - b. 2006 - An amount equal to seventy percent (70%) of the property taxes distributed to the town in regard to the annexed area in 2004;
 - c. 2007 - an amount equal to fifty percent (50%) of the property taxes distributed to the town in regard to the annexed area in 2004;
 - d. 2008 - an amount equal to thirty percent (30%) of the property taxes distributed to the town in regard to the annexed area in 2004; and
 - e. 2009 - an amount equal to ten percent (10%) of the property taxes distributed to the town in regard to the annexed area in 2004.

5. Filing. The Finance Director 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 the Minnesota Planning.
6. Effective date of annexation. This ordinance takes effect upon its passage and Publication and the filing of certified copies as directed in paragraph 5 and approved by the Department of Administration Municipal Boundary Adjustments.

Passed and Adopted by the City Council of Litchfield, Minnesota this 5th day of August, 2004.

Attest:

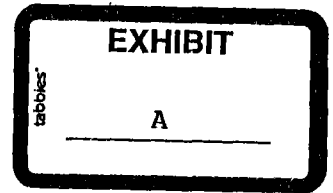
Joan Spitzer
ASSISTANT CITY ADMINISTRATOR

Approved:

Vern Medson
MAYOR

First Reading: August 2, 2004
Second Reading: August 5, 2004
Publication: August 12, 2004
Effective Date: August 20, 2004

Approved as to Form & Legality
by, City Attorney: *Mark A. Wood*
Signature: _____
Date: 8-31-04



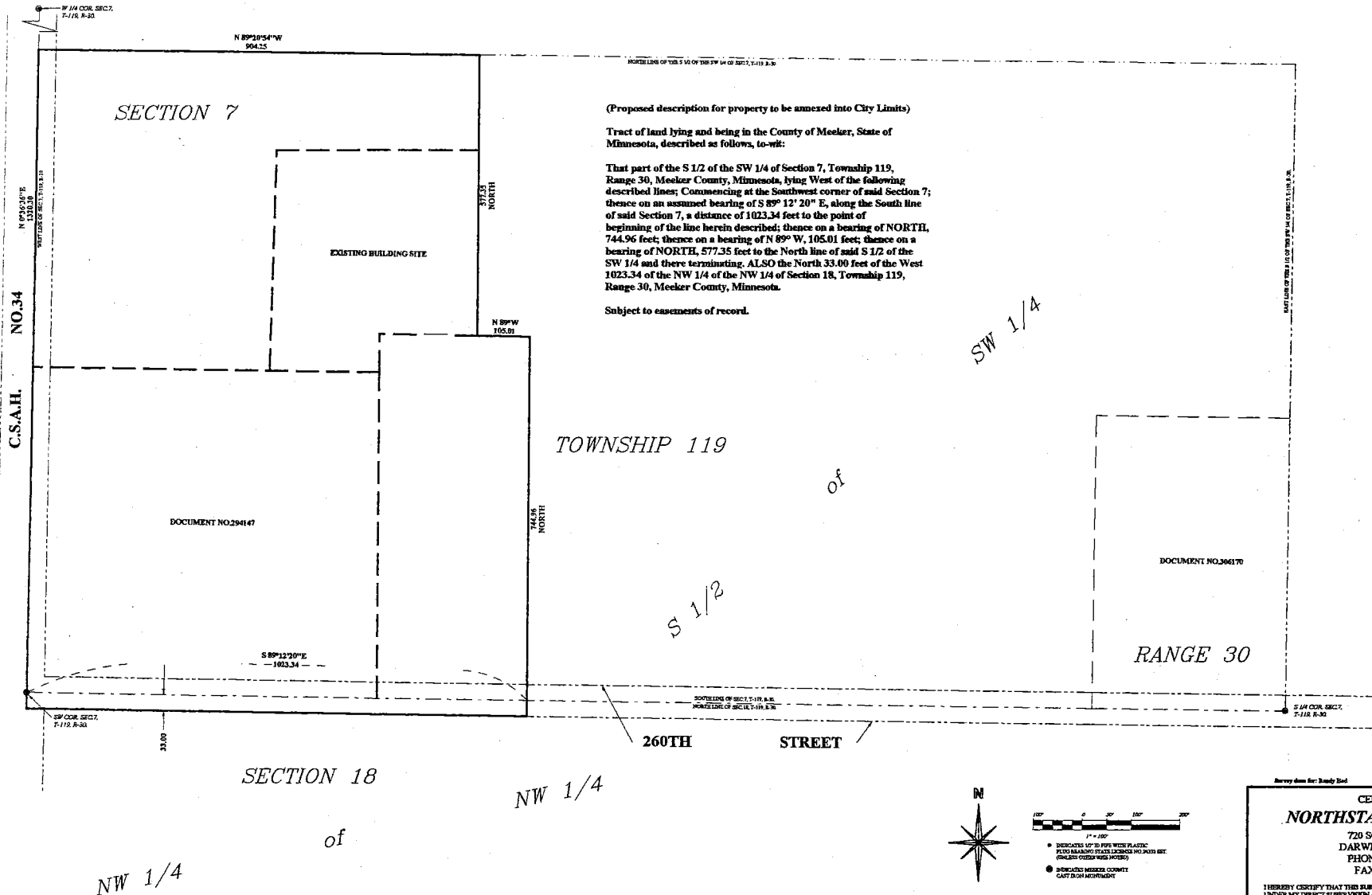
REC'D BY
MMB

SEP 07 2004

The area proposed for annexation is described as follows:

That part of the South Half of the Southwest Quarter (S 1/2 of SW 1/4) of Section Seven (7), Township One Hundred Nineteen (119) North, Range Thirty (30) West, Meeker County, Minnesota, lying west of the following described lines: Commencing at the southwest corner of said Section Seven (7); thence on an assumed bearing of South 89 degrees 12 minutes 20 seconds East, along the south line of said Section Seven (7), a distance of 1023.34 feet to the point of beginning the line herein described; thence on a bearing of North,

744.96 feet; thence on a bearing of North 89 degrees West, 105.01 feet; thence on a bearing of North 577.35 feet to the north line of said South Half of the Southwest Quarter (S 1/2 of SW 1/4) and there terminating. ALSO the North 33.00 feet of the west 1023.34 feet of the Northwest Quarter of the Northwest Quarter (NW 1/4 of NW 1/4) of Section Eighteen (18), Township One Hundred Nineteen (119) North, Range Thirty (30) West, Meeker County, Minnesota.



(Proposed description for property to be annexed into City Limits)

Tract of land lying and being in the County of Meeker, State of Minnesota, described as follows, to-wit:

That part of the S 1/2 of the SW 1/4 of Section 7, Township 119, Range 30, Meeker County, Minnesota, lying West of the following described lines; Commencing at the Southwest corner of said Section 7; thence on an assumed bearing of S 89° 12' 20" E, along the South line of said Section 7, a distance of 1023.34 feet to the point of beginning of the line herein described; thence on a bearing of NORTH, 744.96 feet; thence on a bearing of N 89° W, 105.01 feet; thence on a bearing of NORTH, 577.35 feet to the North line of said S 1/2 of the SW 1/4 and there terminating. ALSO the North line of said S 1/2 of the SW 1/4 of the NW 1/4 of the NW 1/4 of Section 18, Township 119, Range 30, Meeker County, Minnesota.

Subject to easements of record.

REC'D BY
M.M.B.
SEP 07 2004

Survey done for: Randy Eick Date of Survey: 6-01-2004

CERTIFICATE OF SURVEY
NORTHSTAR SURVEYING INC.
 720 SOUTH FIRST STREET
 DARWIN MINNESOTA 55324
 PHONE NO. (320) 693-3710
 FAX NO. (320) 693-1003

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.

REG. NO. 24352 DATE