

REC'D BY  
AAGE

JUN 03 2005

ORDINANCE No. O-05-05

AN ORDINANCE ANNEXING TO THE CITY OF WINSTED, MINNESOTA CERTAIN LANDS IN WINSTED TOWNSHIP ABUTTING THE CITY OWNED BY ALICE G. LUECK AND SUBJECT TO A PURCHASE AGREEMENT WHEREIN TRAILHEAD LAND DEVELOPMENT CORPORATION, A MINNESOTA CORPORATION IS THE PURCHASER.

THE CITY COUNCIL OF WINSTED DOES ORDAIN:

Section 1. The City of Winsted has received a Petition for annexation by ordinance from all the property owners of the land described on Exhibit "A" (the "Property").

Section 2. The Property abuts the City of Winsted, is 60 acres or less, and is not presently served by public sewer facilities or public sewer facilities are not otherwise available.

Section 3. The Property is deemed to be urban or suburban in character or about to become so.

Section 4. The City of Winsted held a Public Hearing regarding annexation of the Property and gave thirty (30) days written notice of the Public Hearing, by certified mail, to Winsted Township and all landowners within and contiguous to the Property.

Section 5. The Property is appropriate for annexation to the City of Winsted pursuant to Minnesota Statute §414.033, Subd. 2(3).

Section 6. The Property is hereby annexed to the City of Winsted.

Section 7. Property taxes payable on the Property shall continue to be paid to Winsted Township for the year in which this annexation becomes effective. If this annexation becomes effective on or before August 1, 2005, the City of Winsted shall levy on the Property beginning in 2005. If this annexation becomes effective after August 1, 2005, the City of Winsted shall levy on the Property beginning in 2006.


Section 8. In the first year following the year when the City of Winsted levies on the Property pursuant to Section 7 herein, and thereafter, property taxes on the Property shall be paid to the City of Winsted. In the first year following the year when the City of Winsted first levies on the Property, the City of Winsted shall make a cash payment to Winsted Township in an amount equal to 90% of the property taxes distributed to Winsted Township in regard to the Property in the last year the property taxes from the Property were payable to Winsted Township; in the second year, an amount equal to 70%; in the third year, an amount equal to 50%; in the fourth year, an amount equal to 30%; and in the fifth year, an amount equal to 10%.

Section 9. The City Clerk shall file this Ordinance with the State of Minnesota, Department of Administration; Winsted Township; the McLeod County Auditor; and the Minnesota Secretary of State; and a copy of this Ordinance shall be delivered immediately to the McLeod County Auditor.


Section 10. This Annexation Ordinance shall be final on the date the Ordinance is approved by the State of Minnesota, Office of Administrative Hearings, Municipal Boundary Adjustments Unit.

Section 11. This Ordinance shall be published in accordance with law.

**ADOPTED BY THE MAYOR AND COUNCIL OF THE CITY OF WINSTED,  
MINNESOTA, THIS 31<sup>st</sup> DAY OF MAY, 2005.**

  
Don C. Guggemos, Mayor

ATTEST:

  
Deborah R. Boelter, City Clerk

Motion By:	<b>Quast</b>
Second By:	<b>Wiemiller</b>
Boldt:	<b>Aye</b>
Ollig:	<b>Aye</b>
Quast:	<b>Aye</b>
Wiemiller:	<b>Aye</b>

That part of the Southwest Quarter of the Northwest Quarter lying East of the West 800.00 feet of said Southwest Quarter of the Northwest Quarter and that part of the Northwest Quarter of the Southwest Quarter lying East of the West 800.00 feet of said Northwest Quarter of the Southwest Quarter, all being located in Section 14, Township 117, Range 27, McLeod County, Minnesota.

And

That part of the South Half of the Southwest Quarter of Section 14, Township 117, Range 27, McLeod County, Minnesota, which lies East of the West 800.00 feet of said South Half of the Southwest Quarter and Northerly of the following described Line A:

Commencing at the southwest corner of said Section 14; thence on an assumed bearing of North 0 degrees 11 minutes 27 seconds East along the West line of said South Half of the Southwest Quarter, a distance of 742.50 feet to the Point of Beginning of said Line A; thence South 87 degrees 31 minutes 04 seconds East, a distance of 2637.53 feet to a point on the East line of said South Half of the Southwest Quarter distant 557.50 feet Northerly of the southeast corner of said South Half of the Southwest Quarter and said Line A there terminating.

Containing approximately 59.3 acres.

Drawing name: G:\municipal\Winsted\Winsted\30300\BASEMAP\Winsted\30300\BASEMAP.dwg Plotted on: Apr 28, 2005 - 9:01am

DRAWN BY:	SJP				
DESIGNER:	XXX				
CHECKED BY:	TJS				
DESIGN TEAM	NO.	BY	DATE	REVISIONS	

SHORT ELLIOTT HENDRICKSON INC (SEH®) 2005. ANY USE OR REUSE OF THIS PLAN/DRAWING AND THE CORRESPONDING COMPUTER AIDED DESIGN/DRAFTING FILES WITHOUT THE EXPRESS WRITTEN CONSENT OF SEH, IS PROHIBITED. SEH SHALL NOT BE RESPONSIBLE FOR ANY UNAUTHORIZED USE OR REUSE OF THE MATERIALS, OR DAMAGES RESULTING THEREFROM.

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the state of Minnesota.  
Signature: *Thomas J. Stearns* Lic. No. 18379  
Printed Name: THOMAS J. STEARNS Date: 4/28/05

**SEH**  
310 MAIN AVE. WEST  
P.O. BOX 776  
GAYLORD, MN 55334  
PH. 800.838.8666

CITY OF WINSTED,  
MINNESOTA

PROPOSED ANNEXATION AREA

FILE NO.  
AWINST0303.00  
DATE  
02/15/05

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