

**CITY OF LITCHFIELD**

**ORDINANCE NO. 708  
AN ORDINANCE EXTENDING THE CORPORATE LIMITS  
OF THE CITY OF LITCHFIELD TO INCLUDE  
CERTAIN UNINCORPORATED PROPERTY (51.69 ACRES)  
OWNED BY DAVID NESS; DAVID M. BINSFELD AND SUZANNE BINSFELD; C. ALVIN  
JOHNSON AND GLADYS JOHNSON; DAVID JOHNSON AND TRACY JOHNSON; MEEKER  
COUNTY, A MUNICIPAL CORPORATION; AND MEEKER COOPERATIVE LIGHT AND  
POWER ASSOCIATION; AND ABUTTING UPON THE  
LIMITS OF THE CITY OF LITCHFIELD IN DARWIN TOWNSHIP PURSUANT TO MINNESOTA  
STATUTES 414.033, SUBD. 2(3)**

**WHEREAS**, certain petitions requesting that the property described as:

That part of the Northwest Quarter, and that part of the Northeast Quarter,  
Section 18, all in Township 119 North, Range 30 West, Meeker County,  
Minnesota, described in the attached Exhibits: "A, B and C",

be annexed to the City of Litchfield, Minnesota, were duly presented to this Council on the 3<sup>rd</sup> day of  
January, 2006, and

**WHEREAS**, said petitions were 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 constitutes 51.69 acres and is unplatted, 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 used for industrial purposes and development,  
and

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

**WHEREAS**, a copy of the Petition was served upon those parties specified in Minnesota  
Statutes 414.033, subd. 2b giving them 30 days notice by certified mail of the Public Hearing, and

**WHEREAS**, a Public Hearing, duly noticed, was held on the Petitions for Annexation on  
February 21, 2006, 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 described on Exhibits A, B and C is or is about to become urban in nature in that said property is being developed for commercial/industrial 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.

The City Council further finds said land abuts the City of Litchfield and being 60.00 acres or less in area, not presently served by public sewer and water facilities or public sewer and water facilities are not otherwise available, and the City has received petitions for annexation from all the property owners of the land.

2. Territory annexed. The corporate limits of the City of Litchfield are hereby extended to include the property identified on Exhibits A, B and C.

The described property identified herein consists of a total of 51.69 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 is presently one person 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 2006 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. 2007 - an amount equal to ninety percent (90%) of the property taxes distributed to the town in regard to the annexed area in 2006;
- b. 2008 - An amount equal to seventy percent (70%) of the property taxes distributed to the town in regard to the annexed area in 2006;
- c. 2009 - an amount equal to fifty percent (50%) of the property taxes distributed to the town in regard to the annexed area in 2006;
- d. 2010 - an amount equal to thirty percent (30%) of the property taxes distributed to the town in regard to the annexed area in 2006; and
- e. 2011 - an amount equal to ten percent (10%) of the property taxes distributed to the town in regard to the annexed area in 2006.

5. Filing. The Assistant City Administrator 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.

Ordinance No. 708

Page 3


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 20th day of March, 2006.

Attest:

  
\_\_\_\_\_  
ASSISTANT CITY ADMINISTRATOR

Approved:

  
MAYOR

First Reading: March 6, 2006  
Second Reading: March 20, 2006  
Publication: March 23, 2006  
Effective Date: March 20, 2006

**Exhibit A  
Legal Description**

**PARCEL 1:**

The West 838.00 feet of the South 2040.00 feet of the Northeast Quarter of Section 18, Township 119 North, Range 30 West, Meeker County, Minnesota, which lies north of the northerly right of way line of Trunk Highway No. 12, according to the MINNESOTA DEPARTMENT TRANSPORTATION RIGHT OF WAY PLAT NO. 47-10, as recorded and on file in Envelope No. 236B in the Office of the County Recorder, Meeker County, Minnesota.

EXCEPT that part of the Northeast Quarter of Section 18, Township 119 North, Range 30 West, Meeker County, Minnesota, described as follows:

Commencing at the Northwest corner of said Northeast Quarter, thence South 89 degrees 32 minutes 35 seconds East, on an assumed bearing, along the north line of said Northeast Quarter, a distance of 26.35 feet; thence South 00 degrees 48 minutes 18 seconds West, a distance of 299.98 feet to the southeast corner of Lot 3, Block 1, JOHNS ONS ESTATES, according to the recorded plat thereof on file and of record in the Office of County Recorder, Meeker County, Minnesota and the point of beginning; thence North 89 degrees 35 minutes 55 seconds West, along the south line of said JOHNSONS ESTATES, a distance of 823.08 feet to the east line of Lot 4, Block 1, MEEKER CO-OP PARK, according to the recorded plat thereof on file and of record in the Office of County Recorder, Meeker County, Minnesota; thence South 00 degrees 48 minutes 18 seconds West, along said east line of Lot 4, a distance of 550.38 feet to the northwest corner of Outlot A of said MEEKER CO-OP PARK; thence South 89 degrees 51 minutes 35 seconds East, along the north line of said Outlot A, a distance of 490.19 feet to the northeast corner of said Outlot A; thence South 00 degrees 08 minutes 25 seconds West, along the east line of said Outlot A, a distance of 131.31 feet to the southeast corner of said Outlot A, thence South 79 degrees 51 minutes 43 seconds East, along the north line of a parcel conveyed to David and Suzanne Binsfeld by Document Number 329620, a distance of 321.28 feet to the east line of said Northwest Quarter; thence North 01 degrees 55 minutes 33 seconds East a distance of 734.08 feet to the point of beginning.

**PARCEL 2:**

That part of the Northwest quarter and that part of the Northeast Quarter of Section 18, Township 119 North, Range 30 West, Meeker County, Minnesota, described as follows:

Commencing at the Northwest corner of said Northeast Quarter, thence South 89 degrees 32 minutes 35 seconds East, on an assumed bearing, along the north line of said Northeast Quarter, a distance of 26.35 feet; thence South 00 degrees 48 minutes 18 seconds West, a distance of 299.98 feet to the southeast corner of Lot 3, Block 1, JOHNSONS ESTATES, according to the recorded plat thereof on file and of record in the Office of County Recorder, Meeker County, Minnesota and the point of beginning; thence North 89 degrees 35 minutes 55 seconds West, along the south line of said JOHNSONS ESTATES, a distance of 823.08 feet to the east line of Lot 4, Block 1, MEEKER CO-OP PARK, according to the recorded plat thereof on file and of record in the Office of County Recorder, Meeker County, Minnesota; thence South 00 degrees 48

minutes 18 seconds West, along said east line of Lot 4, a distance of 550.38 feet to the northwest corner of Outlot A of said MEEKER CO-OP PARK; thence South 89 degrees 51 minutes 35 seconds East, along the north line of said Outlot A, a distance of 490.19 feet to the northeast corner of said Outlot A; thence South 00 degrees 08 minutes 25 seconds West, along the east line of said Outlot A, a distance of 131.31 feet to the southeast corner of said Outlot A, thence South 79 degrees 51 minutes 43 seconds East, along the north line of a parcel conveyed to David and Suzanne Binsfeld by Document Number 329620, a distance of 321.28 feet to the east line of said Northwest Quarter; thence North 01 degrees 55 minutes 33 seconds East a distance of 734.08 feet to the point of beginning.

PARCEL 3:

The west 66 feet of Lot 2, Block 1, JOHNSONS ESTATES, according to the recorded plat thereof on file and of record in the Office of the County Recorder, Meeker County, Minnesota.

PARCEL 4:

Outlot A, MEEKER CO-OP PARK, according to the recorded plat thereof on file and of record in the Office of the County Recorder, Meeker County, Minnesota.

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**Exhibit B**  
**Legal Description**

That part of the Northwest Quarter, Section 18, Township 119 North, Range 30 West, Meeker County, Minnesota, described as follows: Beginning at the intersection of the west line of the East 316.40 feet of said Northwest Quarter with the northerly line of that strip denoted as EXIST. T.H. 12 R/W on the Right of Way Plat No. 47-10 of Trunk Highway No. 12 as recorded in Envelope No. 236B in the office of the County Recorder of said County; thence northwesterly along said northerly line, a distance of 554.90 feet; thence North parallel with the east line of said Northwest Quarter, a distance of 606.00 feet; thence East at a right angle, a distance of 531.32 feet to the west line of said East 316.50 feet; thence South, a distance of 766.02 feet to the point of beginning; EXCEPT therefrom that part taken for right of way according to said plat. The here described tract containing 7.83 acres, more or less, and being subject to easements of record, if any.

**Exhibit C**  
**Legal Description**

That part of the Northwest Quarter of Section 18, Township 119 North, Range 30 West, Meeker County, Minnesota, described as follows:

That part of the East 316.40 feet of said Northwest Quarter which lies north of the northerly right of way line of Trunk Highway No. 12, according to the Right of Way Plat No. 47-10 as recorded and on file in Envelope No. 236B in the Office of the County Recorder of said County and which lies south of the following described line and its extensions:

Said line commencing at the intersection of the west line of the said East 316.40 feet of said Northwest Quarter and the north line of EXIST. T.H. 12 R/W, according to said Right of Way Plat; thence northwesterly, along said north line of EXIST. T.H. 12R/W, a distance of 554.90 feet; thence northerly and parallel with said east line of Northwest Quarter, a distance of 607.00 feet; thence east at a right angle, a distance of 531.32 feet to the point of beginning of said line; thence South 79 degrees 51 minutes 42 seconds East (it is assumed that the east line of said Northwest Quarter bears North 00 degrees 08 minutes 30 seconds East), a distance of 321.28 feet and said line terminating thereat; containing 5.32 acres, more or less.



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