

ORDINANCE NO. O-06-05

AN ORDINANCE AMENDING ORDINANCE O-06-01 WHICH IS AN ORDINANCE ANNEXING TO THE CITY OF WINSTED, MINNESOTA CERTAIN LANDS IN WINSTED TOWNSHIP ABUTTING THE CITY OWNED BY JOINT ACRES LP, A LIMITED PARTNERSHIP

THE CITY COUNCIL OF WINSTED DOES ORDAIN:

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

Section 2. The Property abuts the City of Winsted, is 12 acres or less, and is not presently served by public wastewater facilities or public wastewater 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, 2006, the City of Winsted shall levy on the Property beginning in 2006. If this annexation becomes effective after August 1, 2006, the City of Winsted shall levy on the Property beginning in 2007.

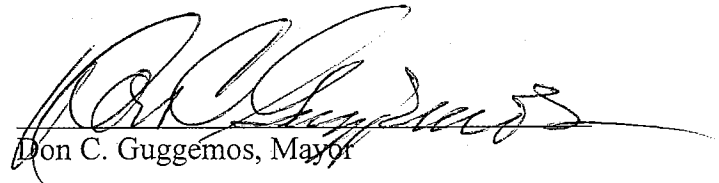
Section 8. In the first year following the year when the City of Winsted levies on the Property pursuant to Section 7 herein, and thereafter, property taxes and special assessments (if any) on the Property shall be paid to the City of Winsted. In each of the eight years following the year when the City of Winsted first levies on the Property, the City of Winsted shall make a cash payment to Winsted Township in an amount equal to one-eighth of the property taxes and special assessments (if any) attributed to Winsted Township in regard to the Property in the last year the property taxes from the Property were payable to Winsted Township.

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, Department of Administration.

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

**ADOPTED BY THE MAYOR AND COUNCIL OF THE CITY OF WINSTED,**  
**MINNESOTA, THIS 17th DAY OF OCTOBER, 2006.**

  
Don C. Guggemos, Mayor

ATTEST:

  
Deborah R. Boelter, City Clerk

## EXHIBIT "A"

That part of the Southwest Quarter of the Northeast Quarter of Section 10, Township 117 North, Range 27 West, lying southerly of a straight line drawn from a point on the east line of said Quarter - Quarter Section, distant 59 feet northerly from the southeast corner thereof, to a point on the west line thereof, distant 49 feet northerly from the southwest corner thereof.

AND ALSO that part the Northwest Quarter of the Southeast Quarter of said Section 10, Township 117 North, Range 27 West, lying northerly of a straight line drawn from a point on the east line of said Quarter - Quarter Section, distant 337.35 feet southerly from the northeast corner thereof, to a point on the west line thereof, distant 347.35 feet southerly from the northwest corner thereof.