

**0-06-13 Replaces O-06-06****CITY OF DELANO  
AMENDED  
ORDINANCE O-06-13****AN ORDINANCE ANNEXING CERTAIN PROPERTY ABUTTING THE CITY OF DELANO**

**Section 1.** The City of Delano has received a petition for annexation by ordinance from all the property owners (Paul and Rosa Merz) of the land described on Exhibit A (the "Property").

**Section 2.** The Property abuts the City of Delano, is 120 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 Delano has held a public hearing regarding annexation of the Property and given 30 days written notice of the public hearing by certified mail to Franklin Township and to all land owners within and contiguous to the Property.

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

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

**Section 7.** Property taxes payable on the Property shall continue to be paid to Franklin Township for the year in which this annexation becomes effective. If this annexation becomes effective on or before August 1, 2006, the City of Delano shall levy on the Property beginning in 2006. If this annexation becomes effective after August 1, 2006, the City of Delano shall levy on the Property beginning in 2007.

**Section 8.** In the first year following the year when the City of Delano levies on the Property pursuant to Section 7 herein, and thereafter, property taxes on the Property shall be paid to the City of Delano. The City of Delano will reimburse the Town of Franklin for all property taxes attributable to the property to be annexed in substantially equal payments of over a period of two years. The first of such payments shall be made on or before July 1, 2007, and the second payment shall be made on or before July 1, 2008.

The City of Delano will also reimburse the Town of Franklin for all special assessments assigned by the Town of Franklin to the annexed property and any portion of debt incurred by the Town of Franklin prior to the annexation and attributable to the property

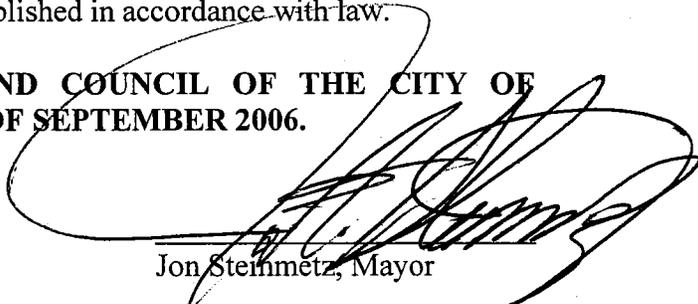
to be annexed but for which no special assessments are outstanding in substantially equal payments.

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

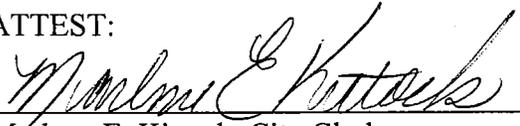
**Section 11.** This Ordinance shall be published in accordance with law.

**ADOPTED BY THE MAYOR AND COUNCIL OF THE CITY OF DELANO, MINNESOTA THIS 19<sup>TH</sup> DAY OF SEPTEMBER 2006.**



Jon Steinmetz, Mayor

ATTEST:

  
\_\_\_\_\_  
Marlene E. Kittock, City Clerk

Motion By: Hotchkiss  
Second By: Emery  
Steinmetz: Abstained  
McDonald: Aye  
Emery: Aye  
Schrupp: Aye  
Hotchkiss: Aye

## EXHIBIT A

That part of the Northwest Quarter of the Southeast Quarter of Section 23, Township 118, Range 25, Wright County, Minnesota lying South of the North 977.00 feet.

AND

That part of the East Half of the Southwest Quarter of Section 23, Township 118, Range 25, Wright County, Minnesota lying South of the North 977.00 feet and Northerly of a line described as follows:

Commencing at the Northwest corner of the Southeast Quarter of said Southwest Quarter; thence on an assumed bearing of South 00 degrees 06 minutes 24 seconds West, along the West line of said Southeast Quarter of the Southwest Quarter, a distance of 90.90 feet to the point of beginning of the line to be described; thence South 85 degrees 53 minutes 23 seconds East, a distance of 257.38 feet; thence North 89 degrees 20 minutes 10 seconds East parallel with the North line of said Southeast Quarter of the Southwest Quarter, a distance of 1064.58 feet to the East line of said Southeast Quarter of the Southwest Quarter and said line there terminating.

EXCEPT:

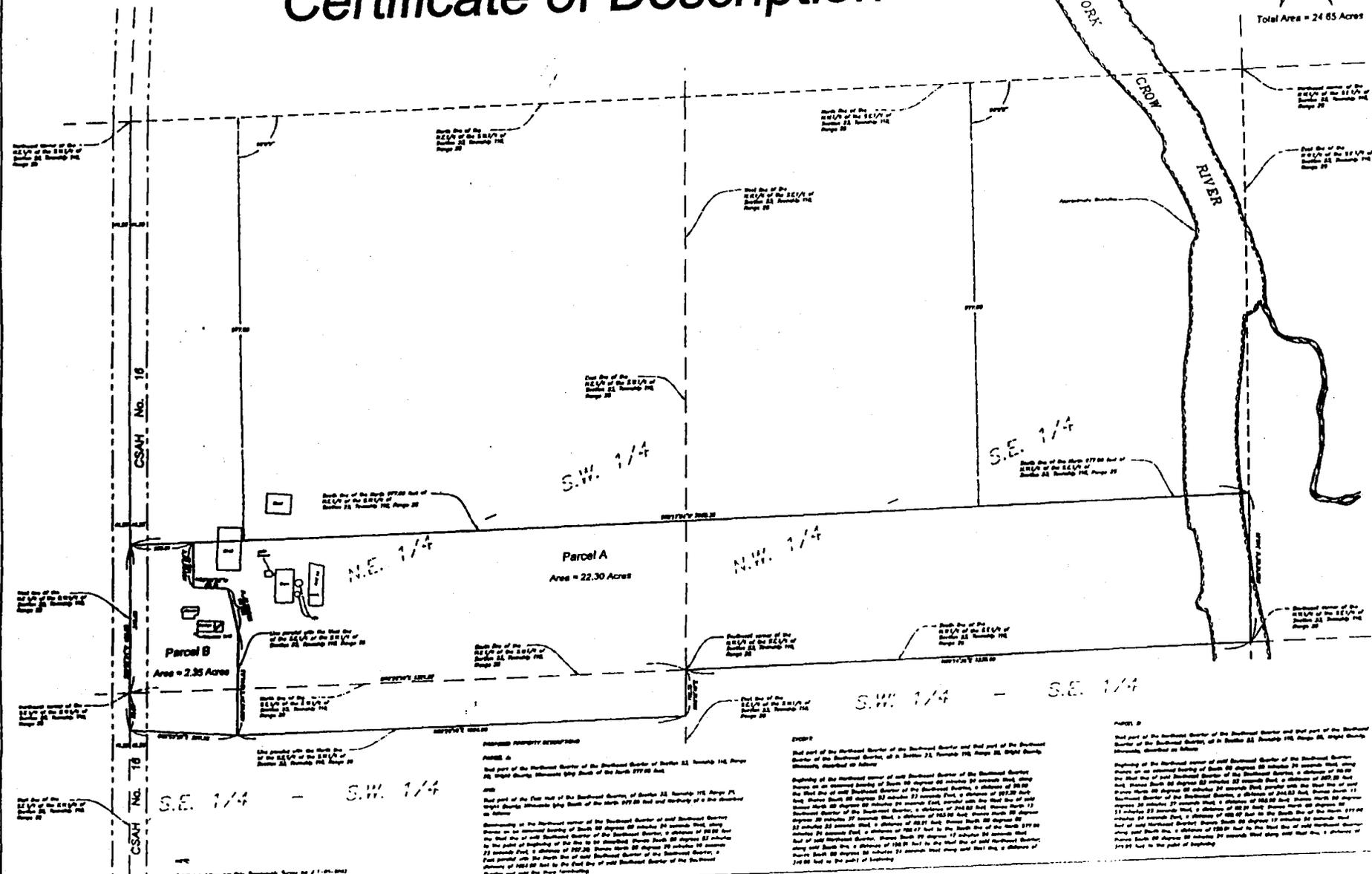
That part of the Northeast Quarter of the Southwest Quarter and that part of the Southeast Quarter of the Southwest Quarter, all in Section 23, Township 118, Range 25, Wright County, Minnesota, described as follows:

Beginning at the Northwest corner of said Southeast Quarter of the Southwest Quarter; thence on an assumed bearing of South 00 degrees 06 minutes 24 seconds West, along the West line of said Southeast Quarter of the Southwest Quarter, a distance of 90.90 feet; thence South 85 degrees 53 minutes 23 seconds East, a distance of 257.38 feet; thence North 00 degrees 06 minutes 24 seconds East, parallel with the West line of said Southeast Quarter of the Southwest Quarter, a distance of 244.83 feet, thence North 13 degrees 39 minutes 37 seconds West, a distance of 103.98 feet; thence North 85 degrees 53 minutes 23 seconds West, a distance of 82.21 feet; thence North 00 degrees 06 minutes 24 seconds East, a distance of 108.47 feet to the South line of the North 977.00 feet of said Northeast Quarter; thence South 89 degrees 17 minutes 54 seconds West along said South line, a distance of 150.01 feet to the West line of said Northeast Quarter; thence South 00 degrees 06 minutes 24 seconds West along said West line, a distance of 349.05 feet to the point of beginning.

Containing approximately 22.30 acres.  
Parcel A on attached Survey

# Certificate of Description

Total Area = 24.65 Acres



Services not required. Marked  
 Abstracts not required. Marked  
 Corrected and bearing  
 Corrects jurisdiction last Note

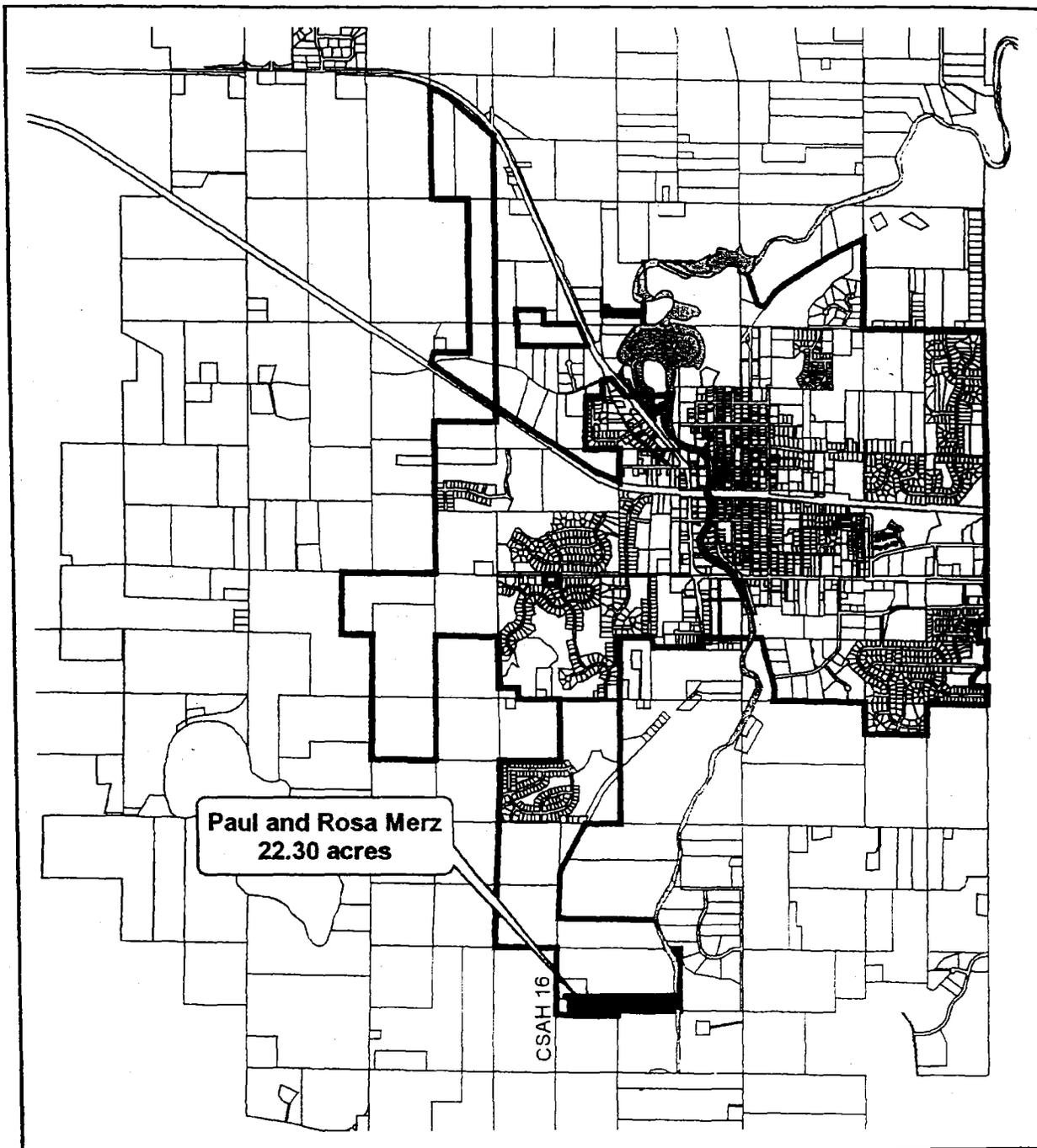
Certificate of Description for part of Township 116, Range 24, County of Crow, Minnesota  
 Date: 02/14/06  
 Prepared by: N.M.L.  
 Scale: 1"=100'  
 Drawn by: S.R.B.  
**Donnay Homes**

TITTO  
 REALTY  
 REALTY AND LAND SERVICES, INC.  
 1-05-06448

Survey made for Donnay Homes, Inc. on 1/10/06

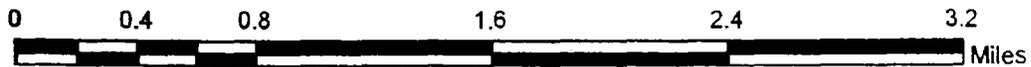
# City of Delano

## Paul & Rosa Merz Annexation



Paul and Rosa Merz  
22.30 acres

CSAH 16



REC'D BY  
A.M.B.

OCT 04 2006