

**CITY OF ST. CLAIR****CHAPTER 155: ANNEXATION OF 75.6 ACRES (BESTMAN PROPERTY)**

WHEREAS, a petition dated August 3, 7, and 10, 2006, requesting property herein described to be annexed to the City of St. Clair was duly presented to the City Council on the September 5, 2006; and

WHEREAS, the petition for annexation included a complete legal description, map and total number of acres of property to be annexed; and

WHEREAS, the petition for annexation was signed by all property owners; and

WHEREAS, copies of the petition for annexation were forwarded to the State of Minnesota Office of Administrative Hearings Municipal Boundary Adjustments Unit, Blue Earth County, and the McPherson Township Clerk.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of St. Clair, Minnesota, that:

**SECTION 154.01 FINDINGS**

The City Council hereby determines that the unplatted property to be annexed is:

1. less than 200 acres in size;
2. abuts the City limits of St. Clair;
3. about to become urban or suburban in character;
4. not included within the limits of any City.

Further findings, pursuant to the statute, 90 days have elapsed since the service of the Petition to Annex and no objections to the annexation have been received or served on the State of Minnesota Office of Administrative Hearings Municipal Boundary Adjustments Unit and the land may be annexed by Ordinance.

**SECTION 154.02 POPULATION**

The population of the territory is zero (0).

**SECTION 154.03 PROPERTY ANNEXED**

The corporate limits of the City are hereby extended to include the unplatted land described as follows and the same is here by annexed to and included with in the City as effectually as if it had originally been part thereof:

**DESCRIPTION  
PARCEL A**

That part of the South Half of the Northeast Quarter of Section 17 and that part of the North Half of the Southeast Quarter of Section 17, all in Township 107 North Range 25 West, Blue Earth County, Minnesota, described as:

Commencing at an iron pipe monument designating the North Quarter Corner of said Section 17; thence South 00 degrees 03 minutes 13 seconds West, (assumed bearing), along the North - South center line of said Section 17 a distance of 2267.77 feet; thence continuing South 00 degrees 03 minutes 13 seconds West, along said North - South center line, 415.00 feet; thence North 89 degrees 59 minutes 00 seconds East, 466.63 feet to the point of beginning; thence North 00 degrees 06

minutes 52 seconds East, 415.00 feet; thence South 89 degrees 59 minutes 00 seconds West, 467.07 feet to a point on the North – South center line of said Section 17; thence North 00 degrees 03 minutes 13 seconds East, along said North – South center line, 944.39 feet to the Northwest corner of the South Half of the Northeast Quarter of said Section 17; thence North 89 degrees 21 minutes 32 seconds East, along the North line of the South Half of the Northeast Quarter of said Section 17, a distance of 222.69 feet to a point on the Southwesterly 75.00 foot wide right-of-way line of State Highway No. 83; thence South 48 degrees 27 minutes 43 seconds East, along said right-of-way line, 1864.53 feet to the point of curvature of a circular curve to the right; thence Southeasterly, along said right-of-way line, along a 5654.58 foot radius curve, central angle = 01 degrees 38 minutes 50 seconds, an arc distance of 162.56 feet to the point of intersection with a line which bears North 89 degrees 17 minutes 17 seconds East from the point of beginning; thence South 89 degrees 17 minutes 17 seconds West, 1273.16 feet to the point of beginning.

Said Parcel A contains 26.32 acres, subject to an easement for 607 Avenue purposes over and across the Westerly boundary. ALSO subject to any other easements of record.

**DESCRIPTION  
PARCEL B**

That part of the South Half of the Northeast Quarter of Section 17 and that part of the North Half of the Southeast Quarter of Section 17, all in Township 107 North Range 25 West, Blue Earth County, Minnesota, described as:

Beginning at the iron pipe monument designating the Southeast corner of Goodrich First Addition, according to the plat thereof on file and of record with the Blue Earth County Recorder, the same being the Northeast corner of the South Half of the Northeast Quarter of said Section 17; thence South 89 degrees 21 minutes 32 seconds West, (assumed bearing), along the South line of said Goodrich First Addition, and along the South line of Goodrich Fifth Addition, Goodrich Sixth Addition, Goodrich Fourth Addition, and Goodrich Second Addition, all according to the plats thereof on file and of record with the Blue Earth County Recorder, the same being the North line of the South Half of the Northeast Quarter of said Section 17, a distance of 1652.70 feet to the point of intersection with the Westerly right-of-way of the former Chicago, Milwaukee, St. Paul and Pacific Railroad, said point being the most Easterly corner of the St. John's Cemetery, St. Clair, Minnesota, according to the plat thereof on file and of record with the Blue Earth County Recorder; thence continuing South 89 degrees 21 minutes 32 seconds West, along the North line of the South Half of the Northeast Quarter of said Section 17, the same being along the southerly line of said St. John's Cemetery plat, a distance of 46.62 feet; thence South 00 degrees 20 minutes 04 seconds West, 431.94 feet to a point of the Northeasterly 75.00 foot wide right-of-way line of State Highway No. 83; thence South 48 degrees 27 minutes 43 seconds East, along said right-of-way line, 1055.78 feet to the point of curvature of a circular curve to the right; thence Southeasterly, along said right-of-way line, along a 5804.58 foot radius curve, central angle = 02 degrees 35 minutes 04 seconds, an arc distance of 261.83 feet to the point of intersection with the South line of the South Half of the Northeast Quarter of said Section 17; thence North 89 degrees 17 minutes 17 seconds East, along said South line, the same being the Easterly right-of-way line of State Highway No. 83, a distance of 75.54 feet, thence South 37 degrees 36 minutes 13 seconds East, along the Easterly right-of-way line of State Highway No. 83, a distance of 1068.12 feet to the point of intersection with the East line of the Southeast Quarter of said Section 17; thence North 00 degrees 09 minutes 41 seconds West, along said East line, 854.30 feet to an iron pipe monument



designating the East Quarter corner of said Section 17; thence North 00 degrees 14 minutes 08 seconds West, along the East line of the Northeast Quarter of said Section 17, a distance of 1320.04 feet to the point of beginning.

Said Parcel B contains 47.93 acres, subject to any and all easements of record.

**DESCRIPTION  
PARCEL C**

That part of the West Half of the Northeast quarter of Section 17, Township 107 North Range 25 West, Blue Earth County, Minnesota described as:

Commencing at the iron pipe monument designating the Southeast corner of Goodrich First Addition, according to the plat thereof on file and of record with the Blue Earth County Recorder, the same being the Northeast corner of the South Half of the Northeast Quarter of said Section 17; thence South 89 degrees 21 minutes 32 seconds West, (assumed bearing), along the South line of said Goodrich First Addition, and along the South line of Goodrich Fifth Addition, Goodrich Sixth Addition, Goodrich Fourth Addition, and Goodrich Second Addition, all according to the plats thereof on file and of record with the Blue Earth County Recorder, the same being the North line of the Second Half of the Northeast Quarter of said Section 17, a distance of 1652.70 feet to the point of intersection with the Westerly right-of-way line of the former Chicago, Milwaukee St. Paul and Pacific Railroad, said point being the most Easterly corner of the St. John's Cemetery, St. Clair, Minnesota, according to the plat thereof on file and of record with the Blue Earth County Recorder, said point being the point of beginning; thence continuing South 89 degrees 21 minutes 32 seconds West, along the North line of the South Half of the Northeast Quarter of said Section 17, the same being along the Southerly line of said St. John's Cemetery plat, a distance of 46.62 feet; thence South 00 degrees 20 minutes 04 seconds West, 431.94 feet to a point on the Northeasterly 75.00 foot wide right-of-way line of State Highway No. 83; thence North 48 degrees 27 minutes 43 seconds West, along said right-of-way line, 702.77 feet to the Northwesterly corner of said St. John's Cemetery plat, the same being the Southwesterly corner of Nyquist Subdivision, according to the plat thereof on file and of record with the Blue Earth County Recorder; thence North 89 degrees 21 minutes 32 seconds East, along the Northerly line of said St. John's Cemetery plat, the said being the Southerly line of said Nyquist Subdivision and Nyquist Subdivision No. 2, according to the plat thereof on file and of record with the Blue Earth County Recorder, a distance of 544.68 feet to the Northeasterly corner of said St. John's Cemetery plat, the same being the Southeasterly corner of said Nyquist Subdivision No. 2; thence South 37 degrees 41 minutes 50 seconds East, along the Easterly line of said St. John's Cemetery plat, the same being the Westerly right-of-way line of the former Chicago, Milwaukee, St. Paul and Pacific Railroad, a distance of 50.12 feet to the point of beginning. Containing 2.89 acres.

EXCEPT therefrom St. John's Cemetery, St. Clair, Minnesota, according to the plat thereof on file and of record with the Blue Earth County Recorder.

Said Parcel C contains 1.35 acres, subject to any and all easements of record.

**SECTION 154.04 REIMBURSEMENT TO McPHERSON TOWNSHIP**

The City of St. Clair, pursuant to Minnesota Statute 414.036, that with respect to the property taxes payable on the area legally described herein, hereby annexed, shall make a cash payment to McPherson Township in accordance with the following schedule:

SEP 13 2007

1. In the first year following the year in which the City of St. Clair could first levy on the annexed area, an amount equal to \$ 200.00; and
2. In the second through the fifth and final year, and amount equal to \$ 200.00.

That pursuant to Minnesota Statute 414.036 with respect to any special assessments assigned by McPherson Township to the annexed property and any portion of debt incurred by McPherson Township prior to the annexation and attributable to the property to be annexed, but for which no special assessments are outstanding, for the area legally described herein there are no special assessments or debt incurred by McPherson Township on the subject area for which reimbursement is required.

#### SECTION 154.05 FILING

The City Clerk-Treasurer of the City of St. Clair is hereby authorized and directed to file certified copies of this Ordinance with the State of Minnesota Office of Administrative Hearings Municipal Boundary Adjustments Unit, the Secretary of State, Blue Earth County, and the McPherson Township Clerk.

#### SECTION 154.06 EFFECTIVE DATE

This Ordinance shall be in full force and effect and final upon the date this Ordinance is approved by the State of Minnesota Office of Administrative Hearings Municipal Boundary Adjustments Unit.

PASSED AND ADOPTED by the City Council of the City of St. Clair, Minnesota this 10<sup>th</sup> day of July 2007.

  
Brian Lynch, Mayor

ATTEST:

  
Catherine Seys, City Clerk-Treasurer



REC'D BY  
MMB  
JUL 05 2007

