

REC'D BY
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ORDINANCE NO. 566, SECOND SERIES

AN ORDINANCE OF THE CITY OF MARSHALL ANNEXING LAND
LOCATED IN THE TOWN OF LAKE MARSHALL, LYON COUNTY, MINNESOTA
TO THE CITY OF MARSHALL, LYON COUNTY, MINNESOTA, PURSUANT
TO MINNESOTA STATUTES, SECTION 414.033, SUBDIVISION 2(3),
PERMITTING ANNEXATION BY ORDINANCE

THE CITY OF MARSHALL DOES HEREBY ORDAIN:

Section 1. That the unincorporated land legally described in Exhibit A, which is attached hereto and incorporated herein by reference, located in the Town Lake Marshall, Lyon County, Minnesota, is land that is contiguous to and abuts the municipal corporate limits of the City of Marshall, Lyon County, Minnesota; is land that is 120 acres or less in size; is land that is not presently served by public sewer facilities, and for which public sewer facilities are not otherwise available than through the City of Marshall; and is land that is existing or proposed for immediate urban or suburban development.

Section 2. That the property-owner of the property legally described in Exhibit A has requested annexation for purposes of immediately developing the land for additional urban or suburban commercial uses needing municipal services, and has submitted a petition to the City Council of the City of Marshall for annexation of said land.

Section 3. That the City of Marshall held a public hearing pursuant to Minnesota Statutes, Section 414.033, Subdivision 2b, on January 29, 2007, following thirty (30) days written notice by certified mail to the Town of Lake Marshall and to all landowners within and contiguous to the area, legally described in Exhibit A, to be annexed.

Section 4. That the corporate limits of the City of Marshall are hereby extended to include the land legally described in Exhibit A, and shown on the map attached hereto and incorporated herein by reference as Exhibit B, containing 60.02 acres, and the same is hereby annexed to be included within the City of Marshall, Lyon County, Minnesota.

Section 5. That the population of the area legally described in Exhibit A, and hereby annexed, is 0.

Section 6. The City of Marshall and the Town of Lake Marshall have agreed, pursuant to Minnesota Statutes, Section 414.036, that with respect the property taxes payable on the area legally described in Exhibit A, hereby annexed, the City of Marshall shall make a cash payment to the Town of Lake Marshall for the period and in accordance with the following schedule:

- a. In the first year following the year the City of Marshall could first levy on the annexed area, an amount equal to \$44.02; and
- b. In the second and final year, an amount equal to \$44.02.


Section 7. That pursuant to Minnesota Statutes, Section 414.036 with respect to any special assessments assigned by the Township to the annexed property and any portion of debt incurred by the 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 in Exhibit A, there are no special assessments or debt incurred by the Township on the subject area for which reimbursement is required.

Section 8. That the Finance Director/City Clerk of the City of Marshall is hereby authorized and directed to file a copy of this Ordinance with the Minnesota Office of Administrative Hearings Municipal Boundary Adjustments Office, the Minnesota Secretary of State, the Lyon County Auditor, and the Lake Marshall Township Clerk.

Section 9. That this Ordinance shall be in full force and effect and final upon the date this Ordinance is approved by the Minnesota Office of Administrative Hearings.

Passed and adopted this 29th day of January, 2007.

CITY OF MARSHALL

By: 
Robert J. Byrnes, Mayor

ATTEST:

By: 
Thomas M. Meulebroeck, City Clerk

Introduced on: December 18, 2006

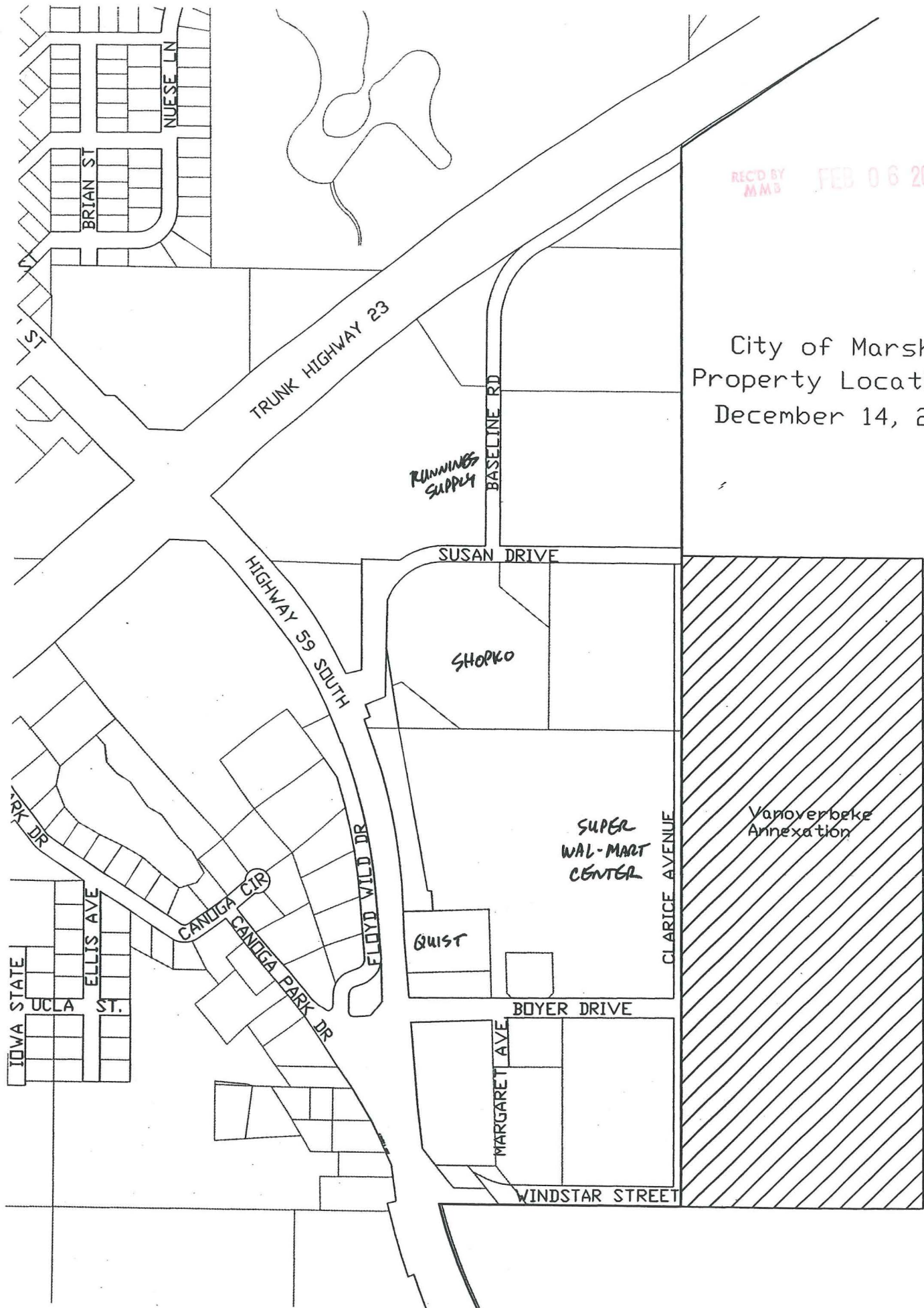
Adopted on: January 29, 2007

Published on: February 2, 2007

EXHIBIT A
Legal Description

All that part of the West Half of the Southeast Quarter of Section 10, Township 111 North, Range 41 West, Lyon County, Minnesota, being more particularly described as follows:

Beginning at the northwest corner of said Southeast Quarter; thence North 89 degrees 44 minutes 53 seconds East, bearing based on Minnesota State Plane Coordinate System Lyon County Datum, along the north line of said Southeast Quarter, a distance of 987.30 feet; thence South 00 degrees 37 minutes 25 seconds East a distance of 2648.72 feet to a point on the south line of said Southeast Quarter; thence South 89 degrees 48 minutes 15 seconds West, along said south line, a distance of 987.30 feet to the southwest corner of said Southeast Quarter; thence North 00 degrees 37 minutes 25 seconds West, along the west line of said Southeast Quarter, a distance of 2647.75 feet to the point of beginning.



City of Marshall
Property Location Map
December 14, 2006

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RUNNINGS
SUPPLY

SUSAN DRIVE

SHOPKO

SUPER
WAL-MART
CENTER

QUIST

BOYER DRIVE

MARGARET AVE

WINDSTAR STREET

CLARICE AVENUE

Vanoverbeke
Annexation

TRUNK HIGHWAY 23

HIGHWAY 59 SOUTH

FLOYD WILD DR

CANOGA PARK DR

CANOGA CIR

ELLIS AVE

IOWA STATE

UCLA ST.

BRIAN ST

NUECES LN

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EXHIBIT B Boundary Map

The municipal boundary map referenced in the attached Ordinance, showing the current City of Marshall and its relation to the Subject Area to be annexed, legally described in Exhibit A, is attached hereto.

