

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF KILKENNY TO INCLUDE CERTAIN UNINCORPORATED PROPERTY ABUTTING UPON THE LIMITS OF THE CITY.

WHEREAS, the territory described below is not presently within the corporate limits of any incorporated city; and

WHEREAS, this territory abuts upon the corporate limits of the City and is deemed to be urban or suburban in character; and

WHEREAS, the area to be annexed is 60 acres or less; and

WHEREAS, the area to be annexed is not presently served by public sewer facilities; and

WHEREAS, the City received a Petition for Annexation from all the property owners of the land; and

WHEREAS, 30 day written notice of a public hearing was given by certified mail to the Town of Kilkenny, which is the only Town affected by this annexation and to all landowners within and contiguous to the area to be annexed on September 1, 2006; and

WHEREAS, notice was posted at City Hall on September 1, 2006, and published in the Lake Region Life Newspaper on September 7, 2006; and

WHEREAS, a public hearing was held on October 9, 2006; and

WHEREAS, the annexed property will increase the population of the City of Kilkenny by two (2) persons and one household; and

WHEREAS, the City of Kilkenny and the Town of Kilkenny have entered into an agreement for the reimbursement of taxes pursuant to Minnesota Statute 414.036, which requires the City of Kilkenny to make a one time payment to the Town of Kilkenny in the sum of \$250.50; and

WHEREAS, Minnesota Statute §414.033, Subd. 2 (3), grants the City the authority to annex land by Ordinance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KILKENNY ORDAINS:

Section 1. Territory annexed. The corporate limits of the City of Kilkenny are hereby extended to include the unplatted property described as follows:

Part of the Southwest Quarter of the Southeast Quarter of Section 22,
Township 110 North, Range 23 West, Le Sueur County, Minnesota;

Beginning at the Southeast Corner of Lot 6, Block 3, CORRECTED PLAT OF KILKENNY, according to the recorded plat thereof; thence South 00 degrees 00 minutes 00 seconds East (assumed bearing), on the east line of said Block 3 and its southerly extension, a distance of 176.00 feet; thence North 89 degrees 55 minutes 00 seconds East, 110.00 feet; thence North 00 degrees 00 minutes 00 seconds East, 176.00 feet; thence South 89 degrees 55 minutes 00 seconds West, 110.00 feet to the point of beginning. Subject to and together with any and all easements of record.

Section 2. Filing. The City Clerk is directed to file certified copies of this Ordinance with the Director of the Office of Strategic and Long-Range Planning, Secretary of State, the County Auditor of Le Sueur County, and the Town Clerk of the Kilkenny Township.

Section 3. Effective date of annexation. This ordinance takes effect upon its passage and publication and the filing of certified copies as directed in Section 2.

Adopted by the City of Kilkenny, Minnesota, Feb. 12th, 2007.

Attest:

Andrea Raabolla
Clerk

[Signature]
Mayor

The foregoing Ordinance was adopted by the following votes:

Ayes: *Kurt Crosby, Carl Villwock, David Sanderson, Susan Knowles*

Nayes: *—*

Absent: *Mark James*

Published in the *Lake Region Life* on *Feb 21*, 2007.

**AGREEMENT FOR REIMBURSEMENT OF TAXES
TO ANNEX LAND**

THIS AGREEMENT, made and entered into this 12th day of February, 2007, by and between the City of Kilkenny, a municipal corporation existing under the laws of the State of Minnesota and the Town of Kilkenny, a body politic under the laws of the State of Minnesota.

WHEREAS, the City of Kilkenny has received a Petition for Annexation of the following described tract of land:

Part of the Southwest Quarter of the Southeast Quarter of Section 22, Township 110 North, Range 23 West, Le Sueur County, Minnesota; Beginning at the Southeast Corner of Lot 6, Block 3, CORRECTED PLAT OF KILKENNY, according to the recorded plat thereof; thence South 00 degrees 00 minutes 00 seconds East (assumed bearing), on the east line of said Block 3 and its southerly extension, a distance of 176.00 feet; thence North 89 degrees 55 minutes 00 seconds East, 110.00 feet; thence North 00 degrees 00 minutes 00 seconds East, 176.00 feet; thence South 89 degrees 55 minutes 00 seconds West, 110.00 feet to the point of beginning. Subject to and together with any and all easements of record.

WHEREAS, the Petition has been executed by all property owners; and

WHEREAS, Minnesota Statutes provides for a reimbursement of taxes from the City to the Town for annexed land; and

WHEREAS, the parties wish to enter into an agreement for reimbursement of taxes.

NOW THEREFORE, in consideration of mutual promises and agreements contained herein, the parties agree as follows:

1. That the City of Kilkenny shall make a one time payment to the Town of Kilkenny in the sum \$250.50.
2. Based on this Agreement, the Town of Kilkenny does hereby consent to the annexation into the City of Kilkenny of the following described real estate, to-wit:

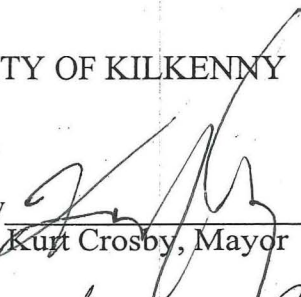
Part of the Southwest Quarter of the Southeast Quarter of Section 22, Township 110 North, Range 23 West, Le Sueur County, Minnesota; Beginning at the Southeast Corner of Lot 6, Block 3, CORRECTED PLAT OF KILKENNY, according to the recorded plat thereof; thence South 00 degrees 00 minutes 00 seconds East (assumed bearing), on the east line of said

Block 3 and its southerly extension, a distance of 176.00 feet; thence North 89 degrees 55 minutes 00 seconds East, 110.00 feet; thence North 00 degrees 00 minutes 00 seconds East, 176.00 feet; thence South 89 degrees 55 minutes 00 seconds West, 110.00 feet to the point of beginning. Subject to and together with any and all easements of record.

Witness the parties hand the day and year first written above.

CITY OF KILKENNY

By



Kurt Crosby, Mayor

By

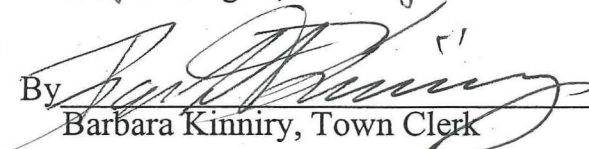

Sandra Raabolle, City Clerk

TOWN OF KILKENNY

By


James Stangler, Town Chair

By


Barbara Kinniry, Town Clerk

