

REC'D BY
MMB

APR 21 2008

ORDINANCE NO. 397, SECOND SERIES

AN ORDINANCE OF THE CITY OF SAINT PETER, MINNESOTA ANNEXING LAND OWNED BY
IMMANUEL ST. JOSEPH/MAYO HEALTH SYSTEMS LOCATED WITHIN THE TOWN OF OSHAWA,
NICOLLET COUNTY, MINNESOTA PURSUANT TO MINNESOTA STATUTE 414.033, SUBD. 2,
PERMITTING ANNEXATION BY ORDINANCE

WHEREAS, the territory described below is not presently within the corporate limits of any incorporated city and abuts the corporate limits of the City of Saint Peter, Minnesota; and

WHEREAS, the Planning and Zoning Commission has determined that this territory is deemed to be urban in character; and

WHEREAS, a petition requesting annexation has been received signed by Immanuel St. Joseph/Mayo Health System, the sole owner of property within the territory subject to annexation by ordinance; and

WHEREAS, the property to be annexed includes approximately 4.33 acres of land; and

WHEREAS, there are no human inhabitants of the territory subject to annexation by ordinance; and

WHEREAS, the territory to be annexed is not currently served by City owned water or sanitary sewer services; and

WHEREAS, on January 8, 2007, following public notice as prescribed by Statute, a public hearing was conducted by the Planning and Zoning Commission regarding the annexation of the subject property; and

WHEREAS, the Planning and Zoning Commission has determined that development of the subject property would not place any unreasonable demand upon municipal services including police protection, fire protection and other emergency services; and

WHEREAS, the Planning and Zoning Commission has determined that the existing system of roadways is adequately designed to effectively manage and control the anticipated post development levels of vehicular traffic; and

WHEREAS, the Planning and Zoning Commission has determined that the post development demand for municipal and private utilities will not exceed the designed capacity of existing utility systems and that required services can be effectively extended to service the subject property; and

WHEREAS, the City Council has determined that the annexation of the subject territory is in conformance with the commercial development goals included in the Comprehensive Plan of the City of Saint Peter, namely that future commercial development should be encouraged in existing commercially developed areas of the City.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAINT PETER, NICOLLET COUNTY, MINNESOTA DOES HEREBY ORDAIN:

Section 1. Territory Annexed: Pursuant to Minnesota Statute 414.033, the corporate limits of the City of Saint Peter are hereby extended by annexation of the property described as follows:

That part of the Northeast Quarter of the Southeast Quarter of Section 17, Township 110 North, Range 26 West, Nicollet County, Minnesota, described as follows:

Commencing at the East Quarter Corner of said Section 17; thence North 00 degrees 22 minutes 59 seconds West (Nicollet County Coordinate System NAD83 96adj) along the east line of the Northeast Quarter of said Section 17, a distance of 231.35 feet to a found iron pipe survey monument designating the Southeast corner of Assemblies of God Church property; thence South 89 degrees 21 minutes 01 seconds West along the Southerly line of said Church property, a distance of 456.00 feet to the Southwest corner of said Church property; thence South 00 degrees 22 minutes 59 seconds East parallel with said east line of the Northeast Quarter of Section 17, a distance of 334.35 feet to the point of beginning; thence continuing South 00 degrees 22 minutes 59 seconds East, a distance of 413.73 feet to the north right of way line of Parcel 13E1, REVISED NICOLLET COUNTY RIGHT OF WAY PLAT NO. 1, according to the recorded plat thereof; thence easterly and southeasterly 459.45 feet along said north right of way line, being a non-tangential curve concave to the south having a radius of 1205.91 feet and a central angle of 21 degrees 49 minutes 48 seconds, the chord of said curve bears South 87 degrees 01 minutes 01 seconds East, a distance of 456.68 feet to the east line of the Southeast Quarter of said Section 17; thence North 00 degrees 22 minutes 20 seconds West along said east line, a distance of 442.67 feet to a point that bears North 89 degrees 21 minutes 01 seconds East from the point of beginning; thence South 89 degrees 21 minutes 01 seconds West, a distance of 455.98 feet to the point of beginning.

Section 2. Filing: The City Administrator is directed to file certified copies of this ordinance with the Secretary of State, the County Auditor of Nicollet County, the Town Clerk of Oshawa Township and Minnesota Planning Boundary Adjustments.


Section 3. Effective Date of Annexation: This ordinance takes effect upon its passage, publication and the filing of certified copies as directed in Section 2, and its approval by the Minnesota Municipal Board, now known as Minnesota Planning Municipal Boundary Adjustments.

Section 4. Official Map: The Community Development Director is directed to amend the Official Zoning Map to reflect the new boundary of the City resulting from annexation of the property and to depict its zoning classification as "C-5" Business/Professional Office district.

Section 5. Adoption of General Provisions: All the provisions of Chapter 1, of the Saint Peter City Code are made a part hereof and applicable to this Ordinance.

Adopted by the City Council of the City of Saint Peter, Nicollet County, Minnesota this 14th day of January, 2008.

ATTEST:


Todd Prafke
City Administrator
Ken Eichmann
Mayor pro tem

Published in the Saint Peter Herald on January 24, 2008.

The foregoing Ordinance was adopted by the following votes:

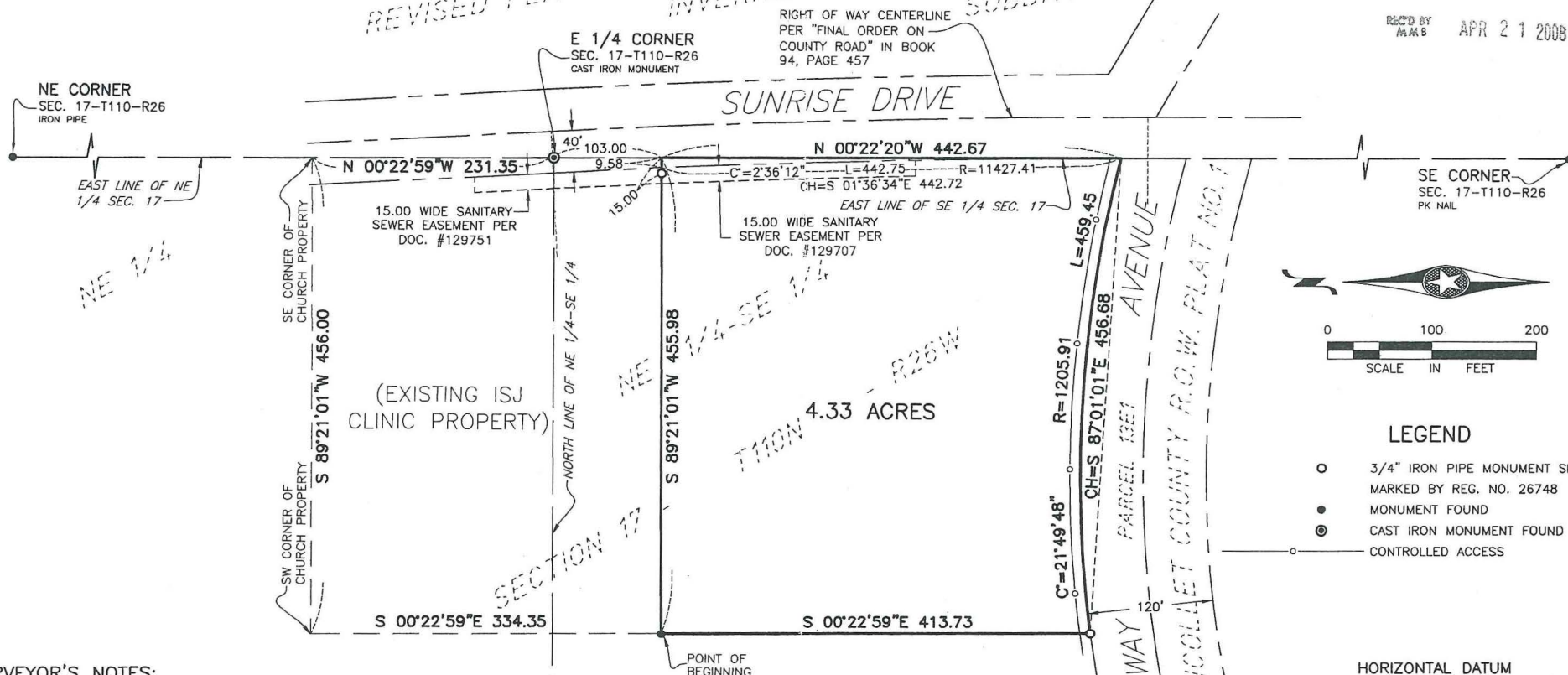
Ayes: Councilmembers Kvamme, Pfeifer, Wetherill and Eichmann

Nayes: None

Absent: Councilmembers Schultz and Vogel and Mayor Strand

REVISED PLAT OF INVERNESS HEIGHTS SUBDIVISION

RECD BY
MAB APR 21 2008



SURVEYOR'S NOTES:

1) The adjacent right of way of Sunrise Drive lying to the east of the East line of Section 17 was dedicated per the REVISED PLAT OF INVERNESS HEIGHTS SUBDIVISION. The portion of the 80 foot Sunrise Drive right of way shown hereon within subject property's boundary is assumed to exist per a prescriptive easement. Its location is based on a centerline description recorded in Book 94, Page 457, Nicollet County Records.

2) This survey was performed, and the survey map prepared, without benefit of either a title insurance commitment or an attorney's title opinion. The record boundary and easement information (if any) shown hereon is based on information provided by the client. This surveyor has not researched the current title to the property surveyed, nor has this surveyor researched the titles and record descriptions of adjoining properties.

©Bolton & Menk, Inc. 2007, All Rights Reserved

CERTIFICATE OF SURVEY ST PETER, MINNESOTA

BOLTON & MENK, INC.
Consulting Engineers & Surveyors

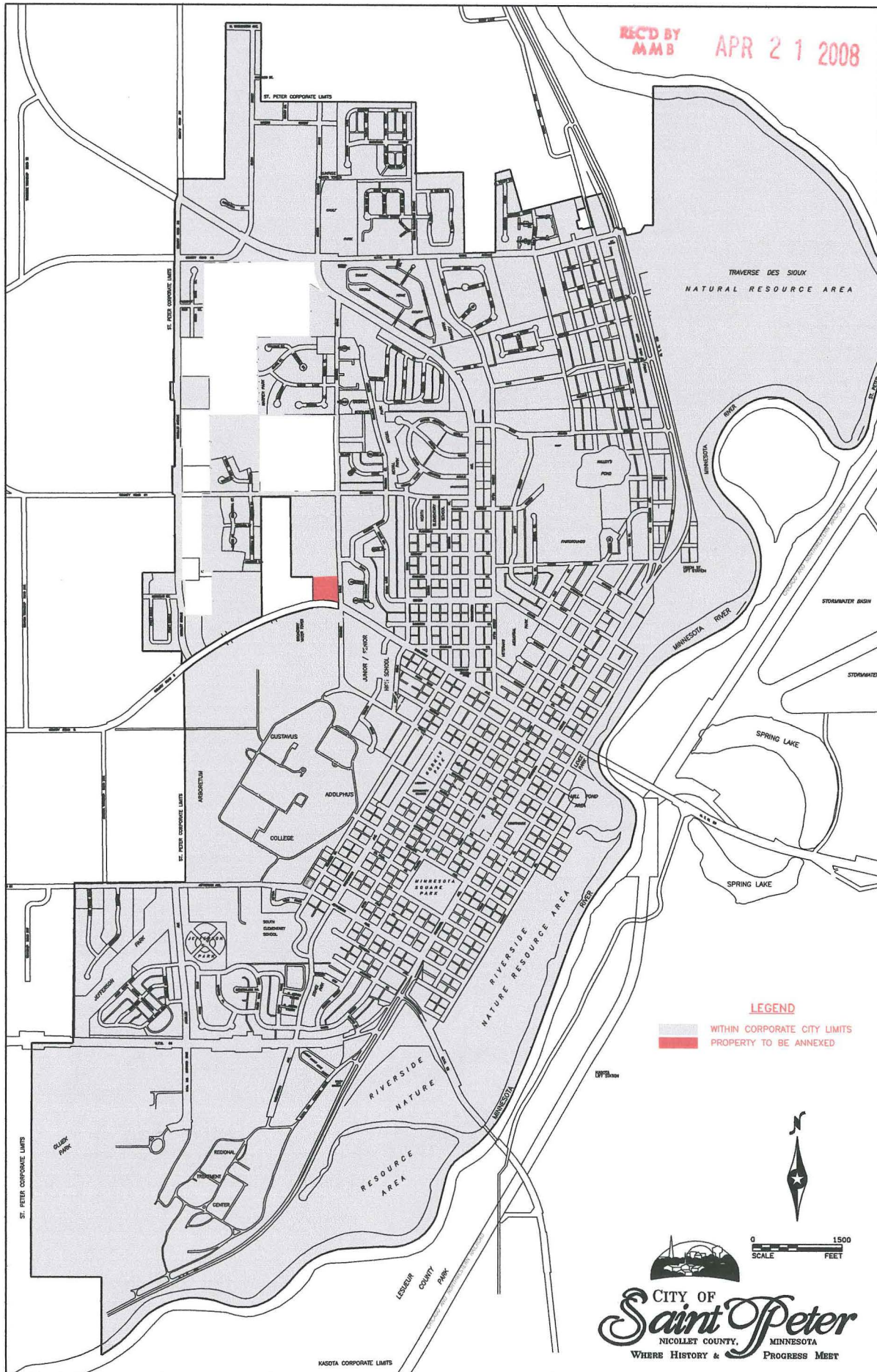
1960 PREMIER DRIVE, MANKATO, MN 56001 (507) 625-4171
MANKATO, MN FAIRMONT, MN SLEEPY EYE, MN BURNSVILLE, MN
WILLMAR, MN CHASKA, MN RAMSEY, MN AMES, IA

PART OF NE 1/4-SE 1/4,
SEC. 17, T110N, R26W,
NICOLLET COUNTY, MINNESOTA

FOR: ISJ CLINIC - ST PETER

SHEET 1 OF 2

REC'D BY
MMB APR 21 2008



REC'D BY
M M B

APR 21 2008

March 11, 2008

Mr. Russ Wille
Community Development Director
227 South Front Street
Saint Peter, MN 56082

RE: ISJ – Mayo Health Systems (Annexation)

Dear Mr. Wille,

Thank for the opportunity for Oshawa Township to comment on the proposed annexation of land located at the corner of Broadway Avenue and Sunrise Drive.

Oshawa Township would like to offer its support to the City of Saint Peter's efforts to annex this property into the city to support future development. Such support is provided without condition and with no expectation of a shared taxation of the property. ✓

The proposed development of an orderly annexation agreement between Oshawa Town and the City of Saint Peter would rightly serve to endorse previous understandings between the two entities. The town appreciates the City of Saint Peter's effort to ensure that developments are undertaken in a manner which does not place an undue burden on municipal services or unnecessarily impede the operations of surrounding towns.

Thank you once again for the opportunity. I look forward to further discussions with the City of Saint Peter regarding development of the agreement.

Respectfully,

Ray Vulcan, Clerk
Oshawa Township

A handwritten signature in dark ink, appearing to read "Ray Vulcan", followed by a stylized flourish or signature element.

REVISED PLAT OF INVERNESS HEIGHTS SUBDIVISION

RECD BY MMB APR 21 2008

NE CORNER
SEC. 17-T110-R26
IRON PIPE

E 1/4 CORNER
SEC. 17-T110-R26
CAST IRON MONUMENT

RIGHT OF WAY CENTERLINE
PER "FINAL ORDER ON
COUNTY ROAD" IN BOOK
94, PAGE 457

SUNRISE DRIVE

SE CORNER
SEC. 17-T110-R26
PK NAIL

EAST LINE OF NE
1/4 SEC. 17

N 00°22'59"W 231.35

N 00°22'20"W 442.67

15.00 WIDE SANITARY
SEWER EASEMENT PER
DOC. #129751

15.00 WIDE SANITARY
SEWER EASEMENT PER
DOC. #129707

CH=S 01°36'34"E 442.72
L=442.75
R=11427.41

EAST LINE OF SE 1/4 SEC. 17

SE CORNER OF
CHURCH PROPERTY

S 89°21'01"W 456.00

(EXISTING ISJ
CLINIC PROPERTY)

NORTH LINE OF NE 1/4-SE 1/4

S 89°21'01"W 455.98

4.33 ACRES

S 00°22'59"E 334.35

S 00°22'59"E 413.73

POINT OF
BEGINNING

NORTH R/W LINE
OF PARCEL 13E1

C=21°49'48"
R=1205.91

CH=S 87°01'01"E 456.68

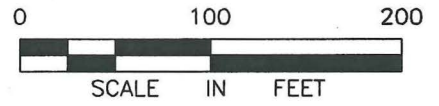
L=459.45

PARCEL 13E1

120°

BROADWAY

REVISED NICOLLET COUNTY R.O.W. PLAT NO. 1



LEGEND

- 3/4" IRON PIPE MONUMENT SET
MARKED BY REG. NO. 26748
- MONUMENT FOUND
- ⊙ CAST IRON MONUMENT FOUND
- CONTROLLED ACCESS

HORIZONTAL DATUM
Nicollet County Coordinate System
NAD83 - 1996 adjustment

DATE OF ORIGINAL: 6-21-07
DATE OF REVISION: 1-16-08

SHEET 1 OF 2

SURVEYOR'S NOTES:

1) The adjacent right of way of Sunrise Drive lying to the east of the East line of Section 17 was dedicated per the REVISED PLAT OF INVERNESS HEIGHTS SUBDIVISION. The portion of the 80 foot Sunrise Drive right of way shown hereon within subject property's boundary is assumed to exist per a prescriptive easement. Its location is based on a centerline description recorded in Book 94, Page 457, Nicollet County Records.

2) This survey was performed, and the survey map prepared, without benefit of either a title insurance commitment or an attorney's title opinion. The record boundary and easement information (if any) shown hereon is based on information provided by the client. This surveyor has not researched the current title to the property surveyed, nor has this surveyor researched the titles and record descriptions of adjoining properties.

©Bolton & Menk, Inc. 2007, All Rights Reserved

CERTIFICATE OF SURVEY
ST PETER, MINNESOTA



BOLTON & MENK, INC.
Consulting Engineers & Surveyors

1960 PREMIER DRIVE, MANKATO, MN 56001 (507) 625-4171
MANKATO, MN FAIRMONT, MN SLEEPY EYE, MN BURNSVILLE, MN
WILLMAR, MN CHASKA, MN RAMSEY, MN AMES, IA

PART OF NE 1/4-SE 1/4,
SEC. 17, T110N, R26W,
NICOLLET COUNTY, MINNESOTA

FOR: ISJ CLINIC - ST PETER

RECD BY
MMB APR 21 2008


PROPOSED DESCRIPTION

That part of the Northeast Quarter of the Southeast Quarter of Section 17, Township 110 North, Range 26 West, Nicollet County, Minnesota, described as follows:

Commencing at the East Quarter Corner of said Section 17; thence North 00 degrees 22 minutes 59 seconds West (Nicollet County Coordinate System NAD83 96adj) along the east line of the Northeast Quarter of said Section 17, a distance of 231.35 feet to a found iron pipe survey monument designating the Southeast corner of Assemblies of God Church property; thence South 89 degrees 21 minutes 01 seconds West along the Southerly line of said Church property, a distance of 456.00 feet to the Southwest corner of said Church property; thence South 00 degrees 22 minutes 59 seconds East parallel with said east line of the Northeast Quarter of Section 17, a distance of 334.35 feet to the point of beginning; thence continuing South 00 degrees 22 minutes 59 seconds East, a distance of 413.73 feet to the north right of way line of Parcel 13E1, REVISED NICOLLET COUNTY RIGHT OF WAY PLAT NO. 1, according to the recorded plat thereof; thence easterly and southeasterly 459.45 feet along said north right of way line, being a non-tangential curve concave to the south having a radius of 1205.91 feet and a central angle of 21 degrees 49 minutes 48 seconds, the chord of said curve bears South 87 degrees 01 minutes 01 seconds East, a distance of 456.68 feet to the east line the Southeast Quarter of said Section 17; thence North 00 degrees 22 minutes 20 seconds West along said east line, a distance of 442.67 feet to a point that bears North 89 degrees 21 minutes 01 seconds East from the point of beginning; thence South 89 degrees 21 minutes 01 seconds West, a distance of 455.98 feet to the point of beginning.

SURVEYOR'S CERTIFICATION

I hereby certify that this survey was prepared by me or under my direct supervision and that I am a duly licensed land surveyor under the laws of the State of Minnesota.


Janale Fowlds
License Number 26748

1-16-08
Date

DATE OF ORIGINAL: 6-21-07
DATE OF REVISION: 1-16-08

SHEET 2 OF 2

CERTIFICATE OF SURVEY ST PETER, MINNESOTA



BOLTON & MENK, INC.

Consulting Engineers & Surveyors

1960 PREMIER DRIVE, MANKATO, MN 56001 (507) 625-4171
MANKATO, MN FAIRMONT, MN SLEEPY EYE, MN BURNSVILLE, MN
WILLMAR, MN CHASKA, MN RAMSEY, MN AMES, IA

PART OF NE 1/4-SE 1/4,
SEC. 17, T110N, R26W,
NICOLLET COUNTY, MINNESOTA

FOR: ISJ CLINIC - ST PETER