

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF WINTHROP TO INCLUDE THE AREA OF LAND OWNED BY THE CITY KNOWN AS THE DISPOSAL PLANT AND ADJACENT PROPERTY OWNED BY ALLEN BARTELS, WHICH ABUTS CITY LIMITS.

WHEREAS, on March 2nd, 2009, by its own initiative, the Winthrop City Council initiated annexation proceedings for its disposal plant and adjacent property owned by Allen Bartels;

WHEREAS, Upon initiating such proceedings, the Winthrop City Council called for a public hearing to coincide with the second reading of this ordinance and notified the affected town board and director;

WHEREAS, after due notice, said public hearing was held on April 6, 2009;

WHEREAS, Minn. Stat. § 414.033, subd. 2(1) allows municipalities to annex land owned by said municipality;

WHEREAS, Minn. Stat. § 414.033, subd. 2(3) allows municipalities to annex land that abuts the municipality when the area to be annexed is 120 acres or less, and the area to be annexed is not presently served by public wastewater facilities or public wastewater facilities are not otherwise available;

WHEREAS, The area of the disposal plant is urban or suburban in character;

WHEREAS, The property owned by Allen Bartels abuts the City at its southeaster boundary, is under 120 acres, and is not presently served by public wastewater facilities;

WHEREAS, Allen Bartels consents to the annexation;

WHEREAS, the property to be annexed, as a whole, is unincorporated unplatted land, not exceeding 200 acres in area;

WHEREAS, the property to be annexed is legally described as indicated in Exhibit A.

NOW, THEREFORE, THE CITY COUNCIL ORDAINS:

SECTION I. THE CITY COUNCIL HEREBY DETERMINES (1) THAT THE TERRITORY DESCRIBED HEREIN ABUTS UPON THE CITY LIMITS AND IS (IS ABOUT TO BECOME) URBAN OR SUBURBAN IN CHARACTER; (2) THAT NONE OF THE TERRITORY IS NOW INCLUDED WITHIN THE LIMITS OF ANY CITY; (3)

THAT THE LAND, AS A WHOLE, IS UNPLATTED, NOT EXCEEDING 200 ACRES IN AREA; AND (4) IS PARTIALLY OWNED BY THE CITY OF WINTHROP

SECTION II. THE POPULATION OF THE TERRITORY IS 0.

SECTION III. TERRITORY ANNEXED. THE CORPORATE LIMITS OF THE CITY ARE HEREBY EXTENDED TO INCLUDE THE LAND DESCRIBED IN EXHIBIT "A", AND THE SAME IS HEREBY ANNEXED TO AND INCLUDED WITHIN THE CITY AS EFFECTUALLY AS IF IT HAD ORIGINALLY BY A PART THEREOF.

SECTION IV. FILING. THE CITY ADMINISTRATOR IS HEREBY DIRECTED TO FILE CERTIFIED COPIES OF THIS ORDINANCE WITH A) THE STATE OF MINNESOTA, B) THE SECRETARY OF STATE, C) THE TOWN CLERK, AND D) THE SIBLEY COUNTY AUDITOR.

SECTION V. EFFECTIVE DATE. THIS ORDINANCE TAKES EFFECT UPON ITS PASSAGE AND PUBLICATION AND THE FILING OF THE CERTIFIED COPIES AS DIRECTED IN SECTION 3, AND APPROVAL OF THE ORDINANCE BY THE MINNESOTA PLANNING.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF WINTHROP, MINNESOTA, THIS 5TH DAY OF OCTOBER, 2009.

AYES:
NAYS:
PRESENT-NOT VOTING:
ABSENTEE:



MAYOR

ATTEST:


CITY ADMINISTRATOR

EXHIBIT A

REC'D BY
MBA

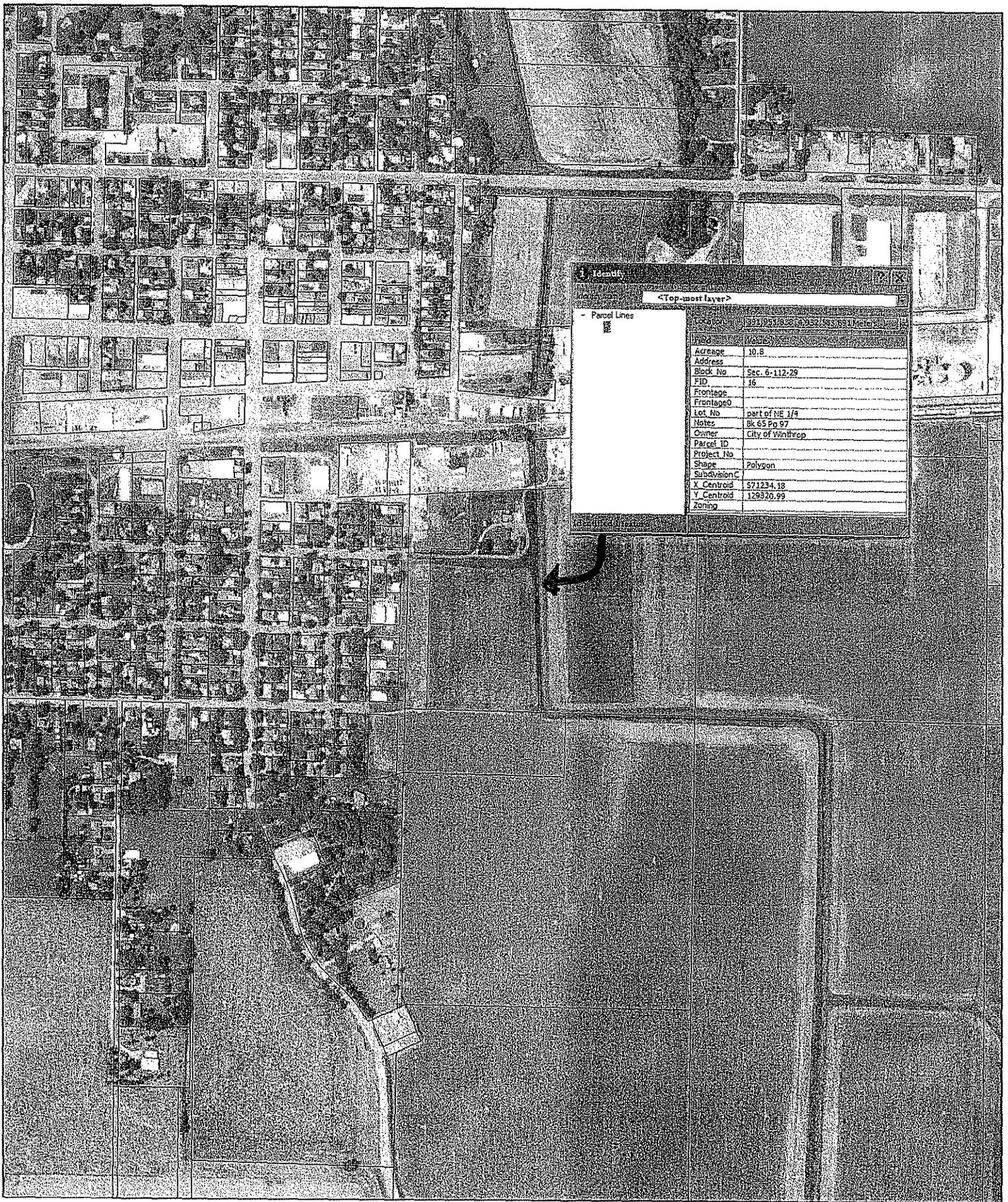
JUN 23 2010

City Disposal Plant Site:

Beginning at a point 99 feet east of the center of Section Six (6), in Township One Hundred Twelve (112) North, of Range Twenty-nine (29) West; thence running east on the East and West Quarter line of Section 6 a distance of 532.5 feet there intersecting the center line of County Ditch No. 42; thence running northerly and westerly along the center line of said County Ditch No. 42 a distance of 1041.5 feet to a point on the south right-of-way line of the Minneapolis & St. Louis Railroad (said point being 586 feet east of the North and South Quarter line of Section 6 as measured along the south right-of-way line); thence running westerly along the south right-of-way line a distance of 312 feet; thence running southerly on a line perpendicular to the South right-of-way line a distance of 128 feet; thence running westerly on a line parallel with the south right-of-way line a distance of 175 feet to a point 99 feet east of the aforementioned North and South Quarter line of Section 6; thence running south on a line parallel with and distant 99 feet east of the North and South Quarter line of Section 6 a distance of 891.9 feet to the given point of beginning and there terminating, containing 11.3 acres more or less

Bartels Site:

The West Ninety-nine (99) feet of the Southwest Quarter of the Northeast Quarter of Section Number Six (6), in Township Number One Hundred Twelve (112) North, of Range Number Twenty-nine (29) West; Excepting such portion thereof, if any, owned and occupied by the Minneapolis and St. Louis Railway Company for railroad right-of-way.



REC'D BY
MBA

JUN 23 2010

Data provided by **ITS GROUP**
One Team - 20 Years to Grow

Disposal Plant Annexation

WINTHROP, MINNESOTA

