

ORDINANCE NO. 2016-102

**AN ORDINANCE OF THE CITY OF RICHMOND, MINNESOTA ANNEXING
LAND LOCATED IN MUNSON TOWNSHIP, STEARNS COUNTY, MINNESOTA
PURSUANT TO MINNESOTA STATUTES § 414.033, SUBDIVISION 3, PERMITTING
ANNEXATION BY ORDINANCE**

WHEREAS, the lands described on the attached **Exhibit A** (the “**Annexation Area**”) are presently within the unincorporated areas of Munson Township and abut the City of Richmond, Minnesota (the “**City**”); and

WHEREAS, the City desires to annex by ordinance the Annexation Area in accordance with Minn. Stat. § 414.033; and

WHEREAS, the perimeter of the Annexation Area is 60 percent or more bordered by the City and the aggregate size of the Annexation Area is 40 acres or less in accordance with Minn. Stat. § 414.033, Subd. 3; and

WHEREAS, the Annexation Area is not appropriate for annexation by ordinance under Minn. Stat. § 414.033, Subd. 2, clause (3); and

WHEREAS, said property is not located within a flood plain or shore land area; and

WHEREAS, said properties are currently owned by Larry Stanger (23.13519.0000), Thomas R. Hommerding (23.13627.0000), Wayne J. Lucken (23.14326.0051), and Michael Schriefels (23.13647.0000); and

WHEREAS, the City of Richmond served notice of intent to annex on November 24, 2015, on The Office of Administrative Hearings, and Munson Township; and

WHEREAS, on November 24, 2015, the City of Richmond served via certified mail Resolution 173-15, Notice of Intent to Annex, on the Chief Administrative Law Judge with the Office of Administrative Hearings and Munson Township; and

WHEREAS, Munson Township has not objected within ninety (90) days of the date of service of Resolution 173-15 with the Chief Administrative Law Judge; and

WHEREAS, the City may therefore annex the Annexation Area pursuant to this Ordinance.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RICHMOND
HEREBY ORDAINS AS FOLLOWS:**

1. The above recitals are affirmed by the City incorporated herein by reference.

2. The City Council hereby determines that the Annexation Area abuts the City limits and is, or is about to become, urban or suburban in nature.
3. None of the Annexation Area is now included within the limits of any city, or in any area that has already been designated for orderly annexation pursuant to Minn. Stat. § 414.0325.
4. The corporate limits of the City of Richmond, Minnesota, are hereby extended to include the Annexation Area, said land abutting the City of Richmond and being 60 percent or more boarded by the City and 40 acres or less in area, and is presently not served by public sewer facilities.
5. Parcel ID # 23.13519.0000 consists of a total of .25 acres, more or less, and Parcel ID# 23.13627.0000 consists of a total of .90 acres, more or less, and Parcel ID# 23.14326.0051 consists of a total of 1.24 acres, more or less, and Parcel ID# 23.13647.0000 consists of a total of 1.5 acres, more or less. Copies of the City boundary map showing the property to be annexed and its relationship to the City boundaries, and all appropriate plat maps are attached hereto as **Exhibit B**.
6. That the population of the Annexation Area hereby annexed is:

Parcel ID# 23.13519.0000 is One (1) and that the property is used for Residential purposes.
Parcel ID# 23.13627.0000 is One (1) and that the property is used for Residential purposes.
Parcel ID# 23.14326.0051 is One (1) and that the property is used for Residential purposes.
Parcel ID# 23.13647.0000 is Zero (0) and that the property is used for Commercial/Industrial purposes.
7. Reimbursement of the property taxes to the Township shall be based on the property taxes collected by the Township in the last year it collected on the Annexation Area, the City will pay to Munson Township two payments, one on April 1, 2016 and one payment on January 1, 2017, in the following amounts: (parcel 23.13519.0000 = \$75.19), (23.13627.0000 = \$133.57), (23.14326.0051 = \$339.80) and (23.13647.0000 = \$242.74) representing one year of Munson Township tax reimbursement of these acres.
8. That pursuant to Minn. Stat. §414.036, that 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 Annexation Area there are no special assessments or debt incurred by the Town on the subject are for which reimbursement is required.


9. That the City Clerk of the City of Richmond is hereby authorized and directed to file a copy of this Ordinance with the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, the Minnesota Secretary of State, the Stearns County Auditor, and the Munson Township Clerk.
10. That this Ordinance shall be in full force and effect upon the date this Ordinance is approved by the Office of Administrative Hearings.

PASSED AND ADOPTED by the City Council of the City of Richmond, Minnesota, this 2nd day of March, 2016.



Jim Hemmesch, Mayor

ATTEST:



Cindy Anderson, Interim
Administrator/Clerk/Treasurer

(City Seal)

EXHIBIT A
(Legal Description of Annexed Property)

23.13519.0000 Stanger

That part of the Southwest Quarter of the Southwest Quarter of Section 13, Township 123, Range 31, Stearns County, Minnesota, described as follows, to-wit: Beginning at a point on the South line of said SW1/4SW1/4, 1 foot West of the Southeast corner of said SW1/4SW1/4 thence running at right angles to said last mentioned line North a distance of 150 feet thence at right angles running West a distance of 75 feet thence running at right angle South 150 feet to the South line of said SW1/4SW1/4, thence running East along said South line, a distance of 75 feet to the point of beginning.

23.13627.0000 Hommerding

All that part of the NE ¼ of NE ¼ of Section 23, Township 123, Range 31 described as follows: Beginning at a point 395.56 feet West of the Southeast corner of said NE ¼ of NE 1/4; thence West 166.98 feet; thence North 233.67 feet; thence East 166.98 feet; thence South 233.67 feet to the point of beginning, Stearns County, Minnesota.

Together with: A 20 foot permanent easement which is located in the NE ¼ of NE ¼ of Section 23, Township 123, Range 31, beginning at a point 562.54 feet West of the Southeast Corner of said NE ¼ of NE ¼; thence North 233.67 feet to the point of beginning of the easement described; thence East a distance of 20 feet; thence North in a straight line to the South right of way of Stearns County Highway 23; thence West a distance of 20 feet, more or less, to a point directly North of the point of beginning; thence due South to the point of beginning and there terminating.

ALSO: The North 50.00 feet of the South 283.67 feet of the West 166.98 feet of the East 562.54 feet of the NE ¼ of NE ¼ of Section 23, Township 123, Range 31, City of Richmond, Stearns County, Minnesota.

23.14326.0051 Lucken

Lot 1, Block 1, Lucken Addition, Stearns County, Minnesota.

23.13647.0000 Schreifels

All that part of the Southwest Quarter of the Northeast Quarter, and of Government Lot 1, all in Section 24, Township 123, Range 31, Stearns County, Minnesota described as follows:

Beginning at the Northeast corner of said Southwest Quarter of the Northeast Quarter; thence South 89 degrees 14 minutes 06 seconds West along the north line of said Southwest Quarter of the Northeast Quarter a distance of 57.50 feet; thence South 00 degrees 54 minutes 45 seconds East 574.64 feet to the northerly line of the abandoned Burlington Northern Railroad right of way; thence North 81 degrees 35 minutes 11 seconds East along said abandoned right of way line for 52.53 feet to the east line of said Southwest Quarter of the Northeast Quarter; thence North 00 degrees 21 minutes 59 seconds West along said east line 10.10 feet to the northerly line of the abandoned Burlington Northern Railroad right of way line; thence North 81 degrees 35 minutes 11 seconds East along said abandoned right of way line for 65.65 feet; thence (assuming the west line of said Government Lot 1 bears North 03 degrees 35 minutes 26 seconds West) North 04 degrees 41 minutes 14 seconds West for 496.79 feet to an Iron monument in place on the southwesterly right of way line of Maple Ave. S.E.; thence North 49 degrees 41 minutes 56 seconds West for 77.07 feet to the point of beginning.

A.P.N. 23-13647-000

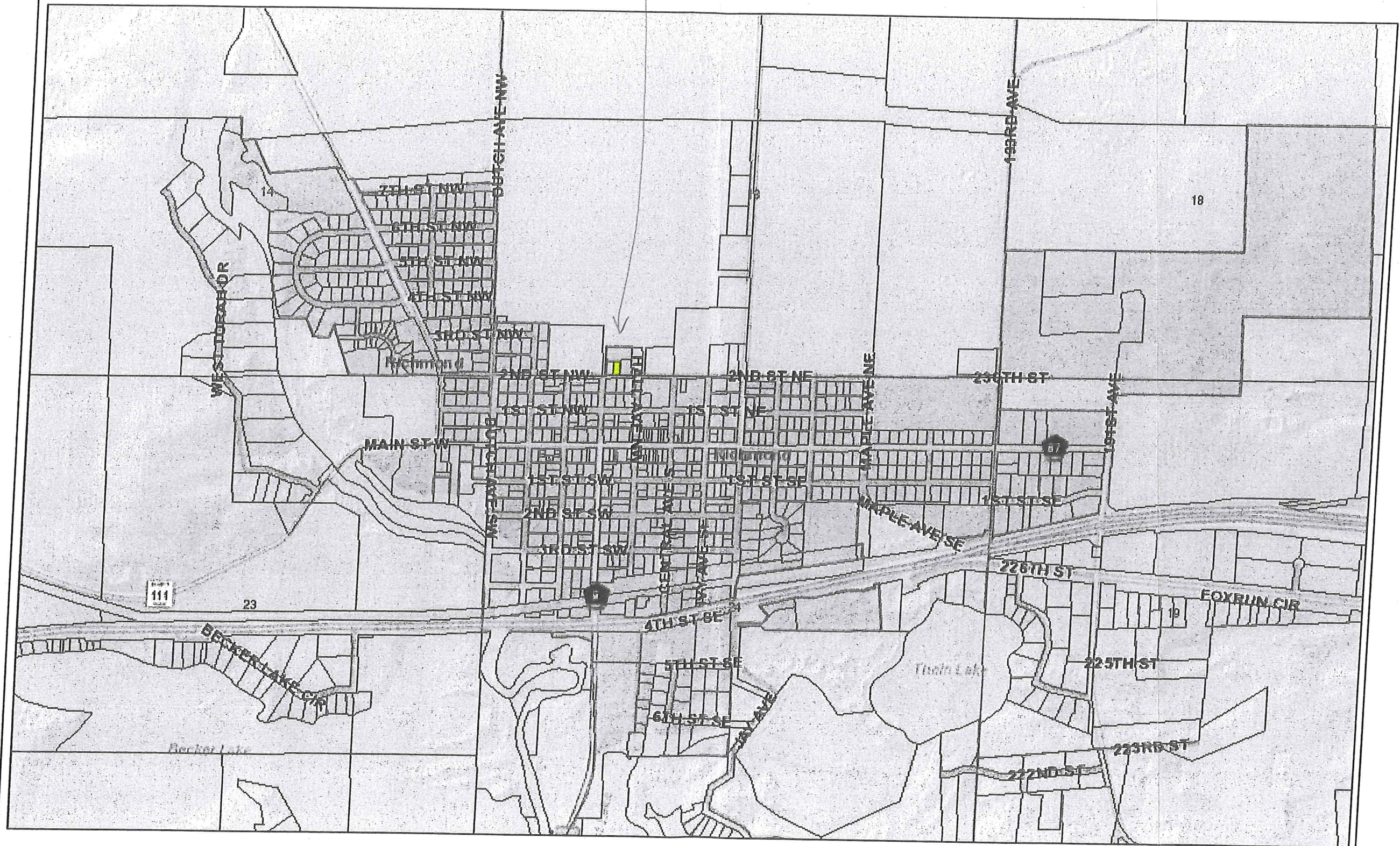
EXHIBIT B
(Map)

REC'D BY
MBA

MAR 07 2016

Stanger 23:13519.0000

REC'D BY
MBA MAR 07 2016



Data is as represented in Stearns County
Databases. It is NOT Intended for
Locational Use and Stearns County
waives all liability from this product.

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Feet



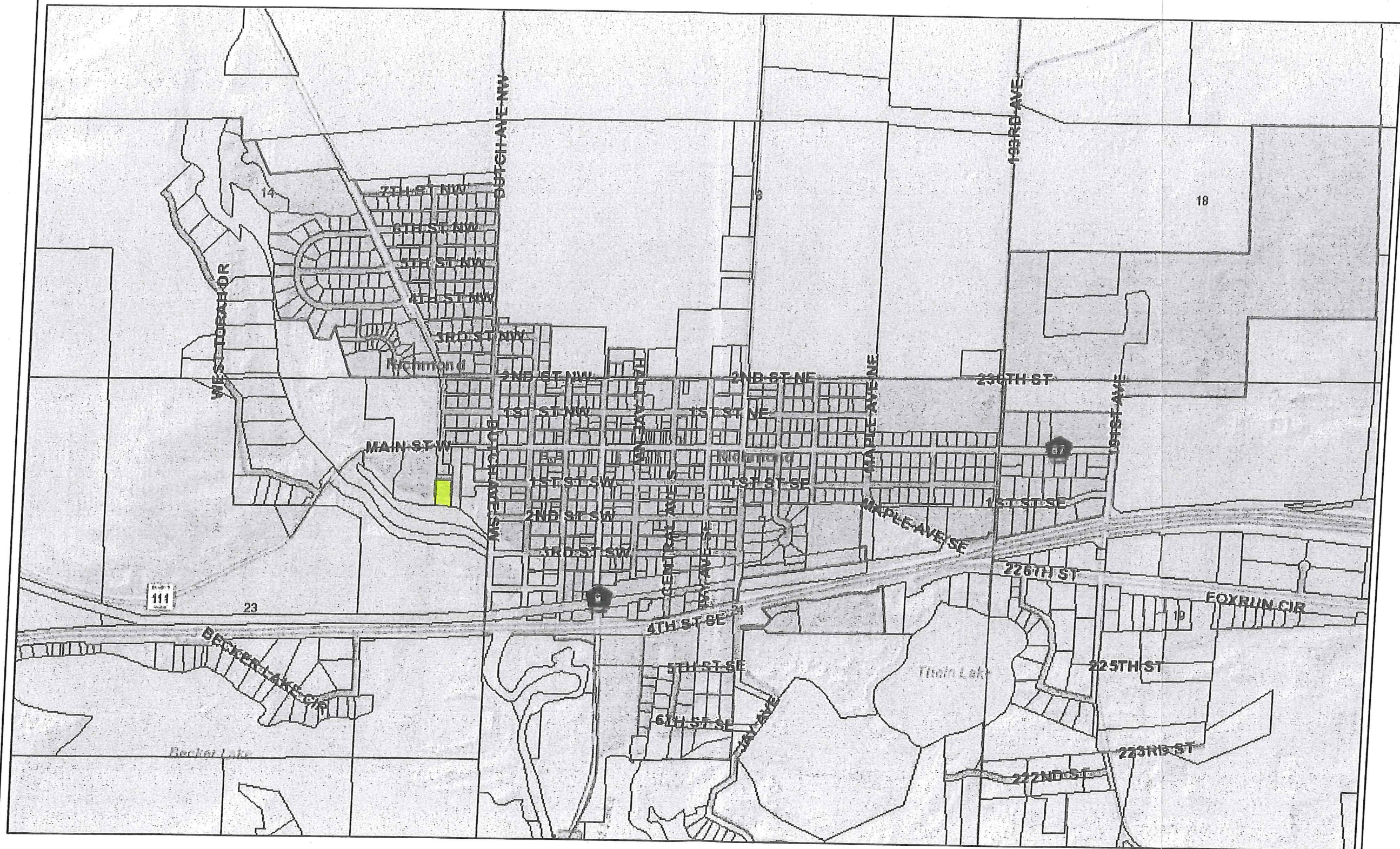
Auditor/Treasurer
Division of Land Management

Date: 11/16/2015



Hommerding 23.13627.0000

REC'D BY
MBA MAR 07 2018



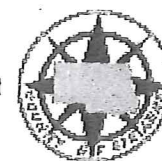
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Auditor/Treasurer
Division of Land Management

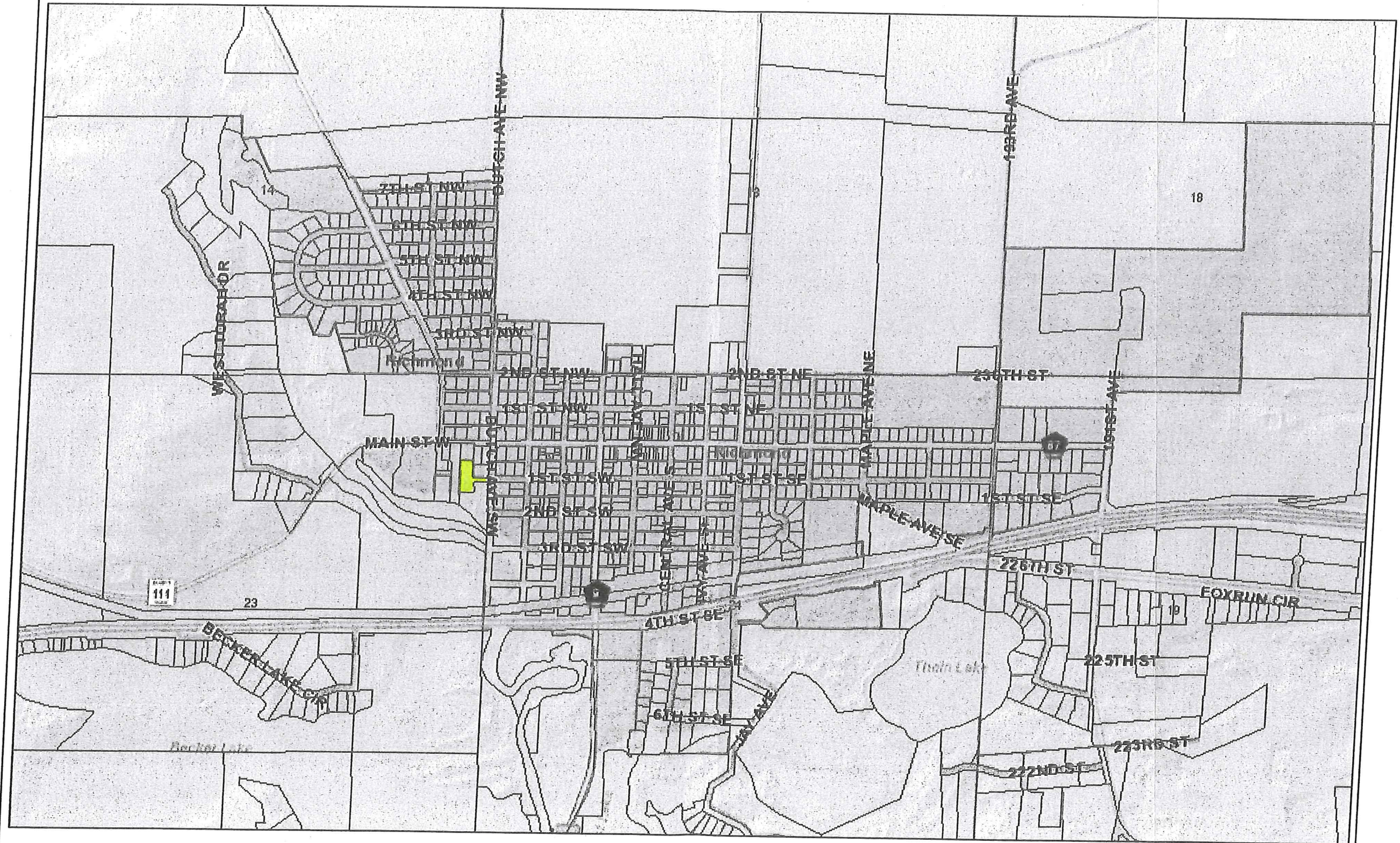
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Lucken 23.14326.0051

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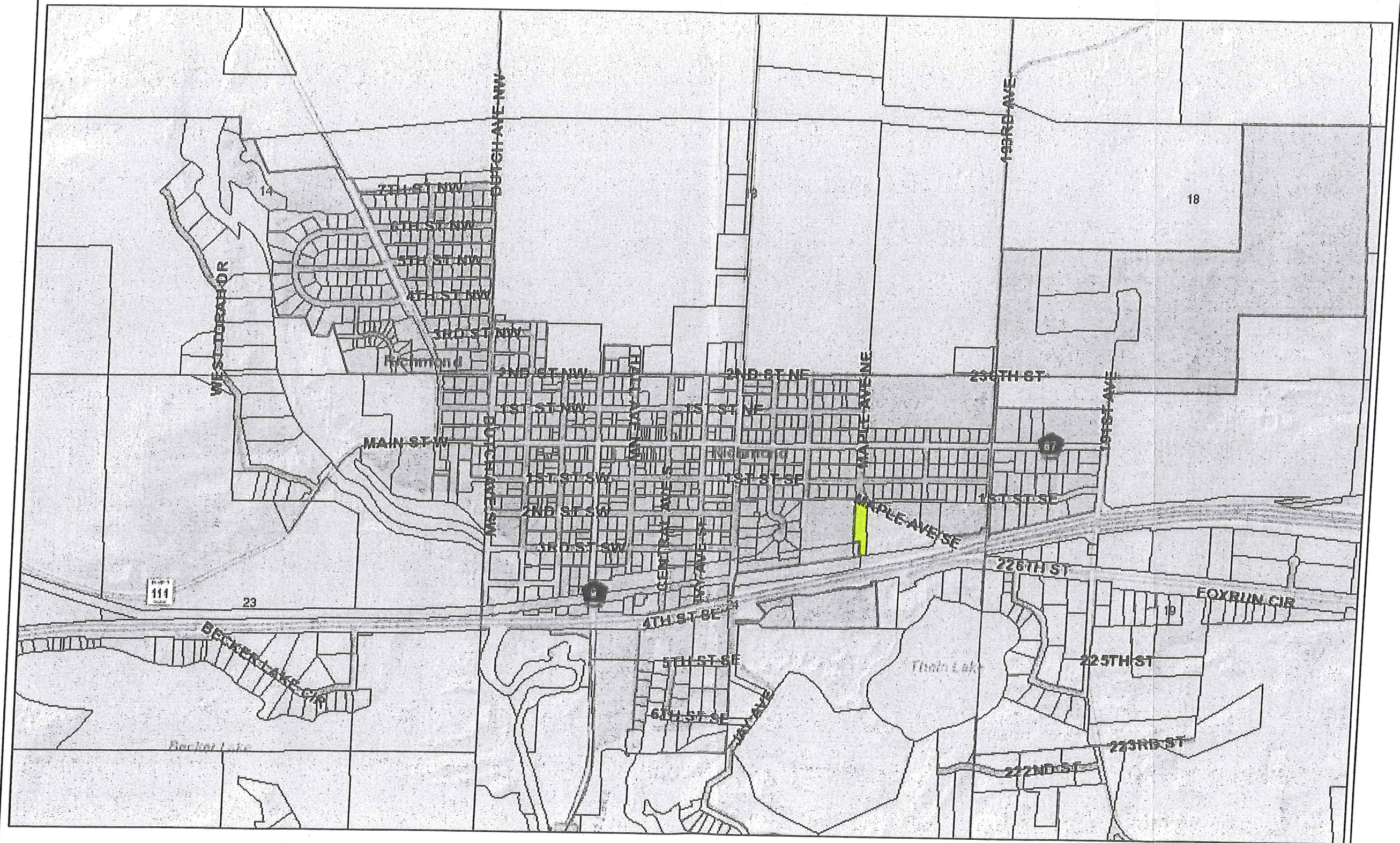
Date: 11/16/2015



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Schrefels 23.13647.0000

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Feet



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