

ORDINANCE NO. 142

**AN ORDINANCE OF THE CITY OF AMBOY, MINNESOTA ANNEXING
LAND LOCATED IN SHELBY TOWNSHIP, BLUE EARTH COUNTY, MINNESOTA
PURSUANT TO MINNESOTA STATUTES § 414.033 SUBDIVISION 2(3),
PERMITTING ANNEXATION BY ORDINANCE**

WHEREAS, a petition signed by Loren Schwarz and Amy Ketelsen, requesting that property legally described (attached exhibit A) be annexed to the City of Amboy Minnesota, was duly presented to the Council of the City of Amboy on the 15 day of May 2018; and

WHEREAS, said property is unincorporated and abuts the City of Amboy on its west boundary; is less than 120 acres; is not presently served by public sewer facilities or public sewer facilities are not otherwise available; and

WHEREAS, said property is currently residential and annexation is requested to facilitate the extension of city services for the residential development of the property; and

WHEREAS, the City of Amboy held a public hearing pursuant to Minnesota Statutes § 414.033 Subd. 2b, on August 6, 2018 ,following thirty (30) days written notice by certified mail to the Town of Shelby and to all landowners within and contiguous to the area legally described attached exhibit A, to be annexed;

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

1. The City Council hereby determines that the property as hereinafter described abuts the city limits and is or is about to become urban or suburban in nature in that residential use is being proposed for said property the construction of which requires or will need city services, including public sewer facilities.
2. None of the property is now included within the limits of any city, or in any area that has already been designated for orderly annexation pursuant to Minnesota Statute § 414.0325.
3. The corporate limits of the City of Amboy, Minnesota, are hereby extended to include the following described property, said land abutting the City of Amboy and being 120 acres or less in area, and is not presently served by public sewer facilities or public sewer facilities are not otherwise available, and the City having received a petition for annexation from all the property owners of the land, to wit:

ATTACHED EXHIBIT A

The above described property consists of a total of 2.57 acres, more or less. Copies of the corporate boundary map showing the property to be annexed and its relationship to the corporate boundaries and all appropriate plat maps are attached hereto.

4. That the population of the area legally described attached exhibit A and hereby annexed is 2.

5. The City of Amboy, pursuant to Minnesota Statutes § 414.036, that with respect to the property taxes payable on the area legally described attached exhibit A, hereby annexed, shall make a cash payment to the Town of Shelby in accordance with the following schedule:

OPTION A:

- a. In the first year following the year in which the City of Amboy could first levy on the annexed area, an amount equal to \$110.00; and
- b. In the second and third and fourth/ final year, an amount equal to \$ 110.00.

6. That pursuant to Minnesota Statutes § 414.036 with respect to any special assessments assigned by the Town to the annexed property and any portion of debt incurred by the Town 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 attached exhibit A there are no special assessments or debt incurred by the Town on the subject are for which reimbursement is required.

7. That the City Clerk of the City of Amboy 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 Blue Earth County Auditor and the Shelby Township Clerk.

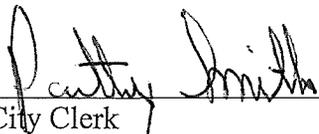
8. That this Ordinance shall be in full force and effect and final upon the date this Ordinance is approved by the Office of Administrative Hearings.

PASSED AND ADOPTED by the City Council of the City of Amboy, Minnesota, this 6th day of August, 2018.



Mayor

ATTEST:



City Clerk

(City Seal)

EXHIBIT A

Legal Description

That part of the Northwest Quarter of the Northwest Quarter of Section 23, Township 105 North, Range 28 West, Blue Earth County, Minnesota, described as follows:

Beginning at the Southwest corner of Radke Street as platted in the plat of Radke's Addition to the City of Amboy, according to the recorded plat thereof; thence on an assumed bearing of South 89 degrees 35 minutes 34 seconds West along the north right of way line of Minnesota Trunk Highway No. 30, a distance of 175.01 feet to an iron monument; thence North 0 degrees 03 minutes 34 seconds East a distance of 229.44 feet to an iron monument; thence North 89 degrees 56 minutes 26 seconds West a distance of 131.84 feet to an iron monument; thence North 0 degrees 45 minutes East a distance of 236.00 feet to an iron monument; thence South 89 degrees 56 minutes 26 seconds East a distance of 304.00 feet to an iron monument located on the west line of Radke Street; thence South 0 degrees 03 minutes, 34 seconds West, along said west line, a distance of 464.00 feet to the point of beginning, containing 2.57 acres, subject to easements now of record in said county and state.

SUBJECT TO

An Easement Of Access over that part of the Northwest Quarter of the Northwest Quarter of Section 23, Township 105 North, Range 28 West, Blue Earth County, Minnesota, described as follows:

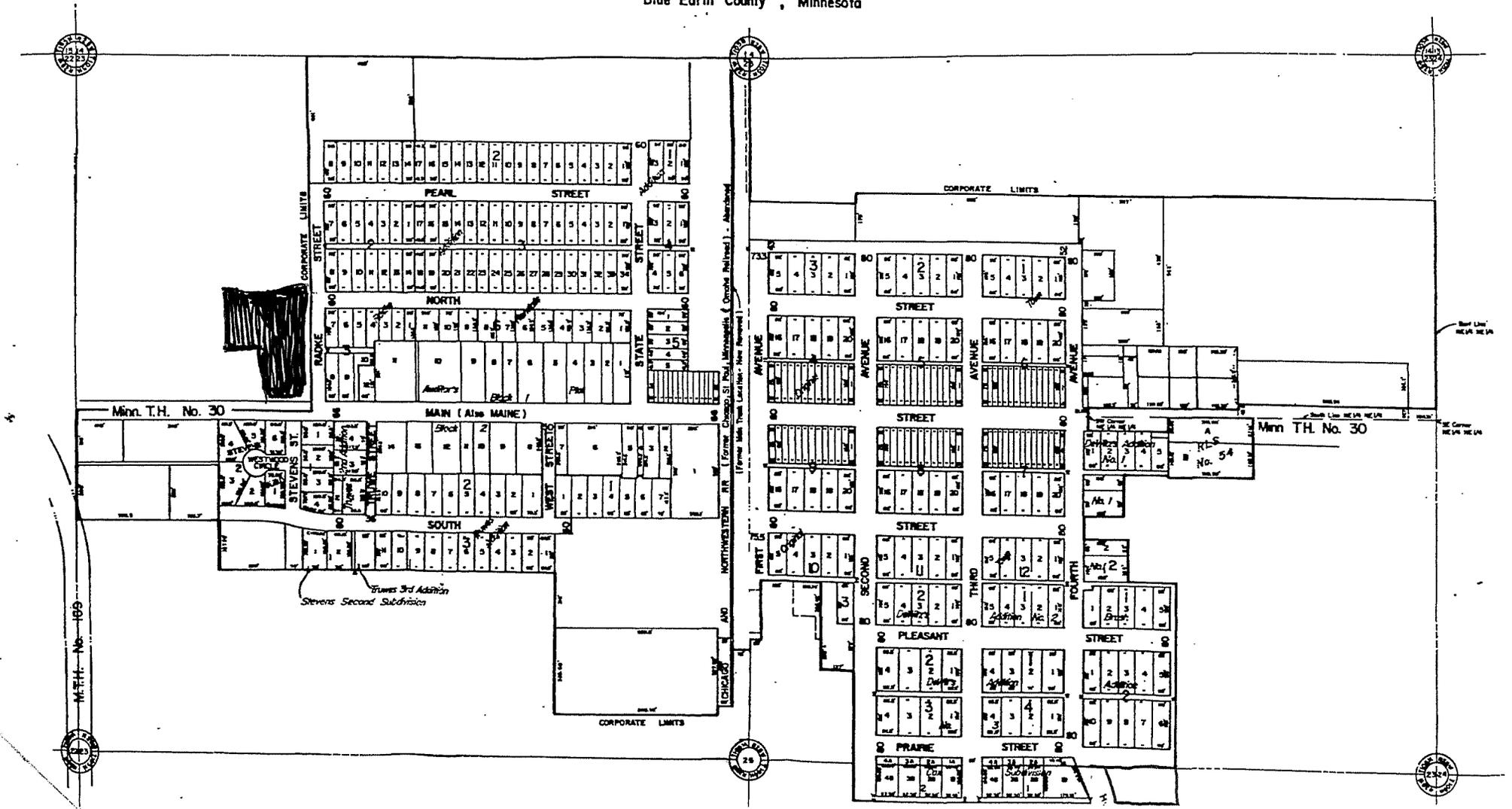
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Ben Madsen
Madsen Land Surveying Inc.
318 East Blue Earth Avenue
Fairmont, MN 56031
507-235-3780

● AREA TO BE ANNEXED

Amboy

Blue Earth County, Minnesota



SURVEY IN THE N.W. 1/4, N.W. 1/4, SEC. 23,
T. 105 N., R. 28 W., BLUE EARTH COUNTY, MINNESOTA

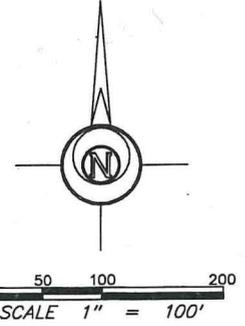
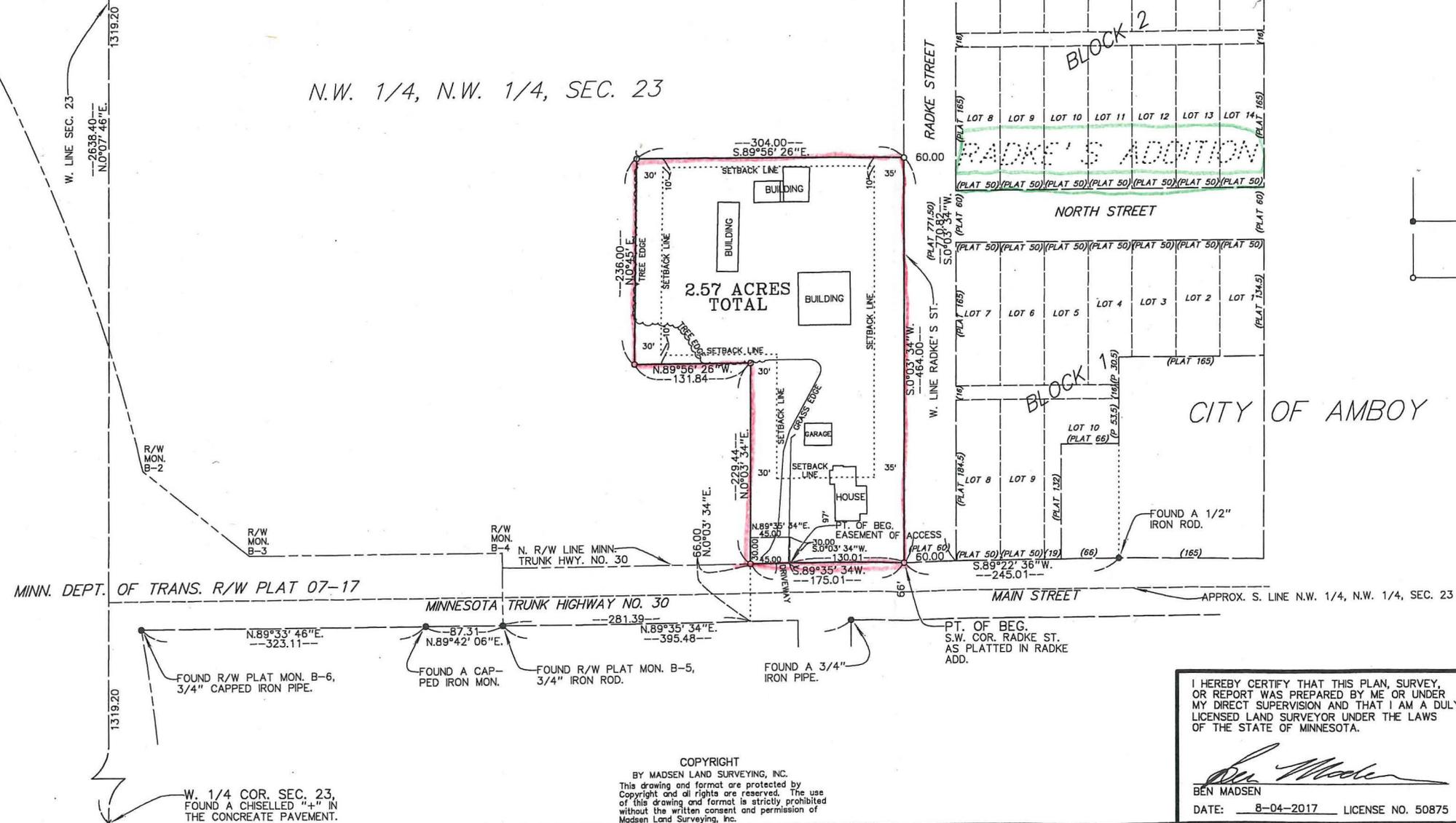
N.W. COR. SEC. 23,
(POSITION FROM MINN. DEPT.
OF TRANS. R/W PLAT NO.
07-17).

LEGAL DESCRIPTION

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N.W. 1/4, N.W. 1/4, SEC. 23



DENOTES IRON MONUMENTS FOUND
DENOTES IRON MONUMENTS SET & MARKED WITH REG. NO. 50875 UNLESS OTHERWISE SHOWN.
BEARINGS ARE ORIENTED TO THE BLUE EARTH COUNTY COORDINATE SYSTEM (NAD83 1996 ADJUSTMENT).

I HEREBY CERTIFY THAT THIS PLAN, SURVEY, OR REPORT 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.		WILLIAM E. RENNPFERD	
DRAWN S.S.		TEL: (507) 235-3780	DRAWING NUMBER 1
CHECK B.M.			FILE NO. 17171
SURVEY BY B.M.		BEN MADSEN DATE: 8-04-2017 LICENSE NO. 50875	318 EAST BLUE EARTH AVENUE FAIRMONT, MINNESOTA 56031

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