

CITY OF ZUMBROTA ORDINANCE NO. 2019-01

**AN ORDINANCE OF THE CITY OF ZUMBROTA, MINNESOTA ANNEXING
LAND LOCATED IN PINE ISLAND TOWNSHIP, GOODHUE COUNTY, MINNESOTA
PURSUANT TO MINNESOTA STATUTES § 414.033 SUBDIVISION 2(3),
PERMITTING ANNEXATION BY ORDINANCE**

WHEREAS, a petition signed by all the property owners, requesting that property legally described herein be annexed to the City of Zumbrota Minnesota, was duly presented to the Council of the City of Zumbrota; and

WHEREAS, said property is unincorporated and abuts the City of Zumbrota on its southeasterly 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 not located within a flood plain or shore land area; and

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

WHEREAS, the City of Zumbrota held a public hearing pursuant to Minnesota Statutes §414.033 Subd. 2b, on June 06, 2019, following thirty (30) days written notice by certified mail to the Township of Pine Island and to all landowners within and contiguous to the area legally described herein and attached exhibit, to be annexed; and

WHEREAS, provisions of Minnesota Statutes § 414.033 Subd. 13 are not applicable in that there will be no change in the electric utility service provider resulting from the annexation of the territory to the municipality.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ZUMBROTA 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 in nature in that Christ Lutheran Church use is being proposed for said property, the construction of which requires city services, including public sewer facilities. Upon annexation the property will be zoned R1 Residential District.
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 Zumbrota, Minnesota, are hereby extended to include the following described property, said land abutting the City of Zumbrota 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:

That part of the Northeast Quarter of Northeast Quarter of Section 6, and that part of the West Half of the Northwest Quarter of Section 5, all in Township 109 North, Range 15 West, Goodhue County, Minnesota described as follows:

Beginning at the northeast corner of the Northeast Quarter of the Northeast Quarter of said Section 6; thence South 89 degrees 50 minutes 13 seconds East, assumed bearing, along the north line of the West Half of the Northwest Quarter of said Section 5, 323.47 feet; thence South 00 degrees 05 minutes 11 seconds West, 609.57 feet; thence North 89 degrees 54 minutes 49 seconds West, 1157.24 feet to the northeasterly right-of-way line of the Township Road (formerly Trunk Highway No. 52); thence North 43 degrees 35 minutes 43 seconds West along said northeasterly right-of-way line, 615.59 feet to the west line of said Northeast Quarter of the Northeast Quarter; thence North 02 degrees 37 minutes 39 seconds West, 165.00 feet along said west line to the north line of said Northeast Quarter of the Northeast Quarter; thence South 89 degrees 54 minutes 49 seconds East, along said north line, 1266.74 feet to the point of beginning. Containing 20.00 acres, more or less.

The above described property consists of a total of 20 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 herein and hereby annexed is zero.

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

Pursuant to Minn. Stat. §414.036, the parcels from which a portion is to be annexed are approximately 121.55 acres, and the total 2019 township property taxes payable is \$565.37. This amounts to approximately \$4.65 per acre. Since the parcel proposed for annexation is 20 acres the City will therefore reimburse the township \$93.00.

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 herein or attached exhibit 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 Zumbrota 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 Goodhue County Auditor, and the Pine Island 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 Zumbrota, Minnesota,
this 6TH day of June, 2019.



Mayor Bradley Drenckhahn

ATTEST:



City Administrator Neil Jensen

(City Seal)



