

ORDINANCE NO. 670

**AN ORDINANCE OF THE CITY OF AUSTIN, MINNESOTA ANNEXING
LAND LOCATED IN LANSING TOWNSHIP, MOWER 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 or attached exhibit) be annexed to the City of Austin, Minnesota, was duly presented to the Council of the City of Austin on the 20th day of May, 2019; and

WHEREAS, said property is unincorporated and abuts the City of Austin 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 not located within a flood plain or shoreland area; and

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

WHEREAS, the City of Austin held a public hearing pursuant to Minnesota Statutes § 414.033 Subd. 2b, on May 20, 2019, following thirty (30) days written notice by certified mail to the Town of Lansing and to all landowners within and contiguous to the area legally described (herein or 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. There is no electric service at this time.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUSTIN 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 industrial 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 Austin, Minnesota, are hereby extended to include the following described property, said land abutting the City of Austin 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:

All that part of the Southeast Quarter of Section 28 and of the North Half of the Northeast Quarter of Section 33, all in Township 103 North, Range 18 West, lying west of the west right of way line of State Highway No. 218, in Mower County, Minnesota; EXCEPT: All that part of the North Half of the Northeast Quarter of Section 33, Township 103 North, Range 18 West, Mower County, Minnesota, described as follows: Commencing at the southwest corner of the North Half of the Northeast Quarter of said Section 33, thence North 88 degrees 54 minutes 29 seconds East a distance of 577.24 feet, on an assumed bearing on the south line of said North Half of the Northeast Quarter, to the point of beginning; thence North 00 degrees 32 minutes 20 seconds West a distance of 1314.32 feet, parallel with the west line of said Northeast Quarter, to a point on the North line thereof; thence North 88 degrees 44 minutes 19 seconds East a distance of 879.27 feet, on the north line of said Northeast Quarter, to a point on the west right-of-way line of the U.S. Highway No. 218; thence South 01 degrees 18 minutes 35 seconds East a distance of 1316.36 feet, on the west right-of-way line of said U.S. Highway No. 218 and a southerly extension thereof, to a point on the south line of said North Half of the Northeast Quarter; thence South 88 degrees 54 minutes 29 seconds West a distance of 896.95 feet, on the south line of said North Half of the Northeast Quarter, to the point of beginning.

And also EXCEPT:

All that part of the North Half of the Northeast Quarter of Section 33, Township 103 North, Range 18 West, Mower County, Minnesota, described as follows: Beginning at the Southwest Corner of the Northwest Quarter of said Northeast Quarter; thence North on the West line of said Northwest Quarter of the Northeast Quarter 20 rods; thence East of the Northeast Quarter 8 rods; thence South 20 rods; thence West on the South line of said Northwest Quarter of the Northeast Quarter .8 rods to the place of beginning.

PID 08.028.0040 and PID 08.033.0035

The above described property consists of a total of 108 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 as Exhibit B.

4. That the area is not populated and this annexation will not increase the population of the City of Austin.

5. The City of Austin, pursuant to Minnesota Statutes § 414.036, that with respect to the property taxes payable on the area legally described (herein or attached exhibit), hereby annexed, shall pay the Town of Lansing as follows:

The Township share of property taxes as of the date of this ordinance is \$706.15, which it shall retain for 2019. The City shall provide reimbursement to include 50% of that share (353.08) in 2020 and 50% of that share (353.08) in 2021, which shall be the final year of such reimbursement.

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 known special assessments or debt incurred by the Town on the subject are for which reimbursement is required. If any special assessments or debt are incurred by the Town on the subject area, the amounts shall be provided to the City within 90 days following the effective date of this ordinance and shall be paid to the Town in equal installments in 2020 and 2021.

7. That the City Clerk of the City of Austin 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 Mower County Auditor, and the Lansing Township Clerk.

8. The real estate described shall be zoned "I-1" Light Industrial District. This zoning designation is consistent with the city's comprehensive land use plan and future land use map.

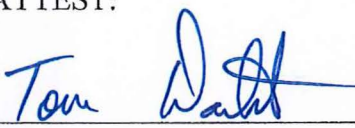
9. That this Ordinance shall be in full force and effect and final upon the date this Ordinance is approved by the Office of Administrative Hearings.

PASSED AND ADOPTED by the City Council of the City of Austin, Minnesota, this 20th day of May, 2019.

Yeas 7

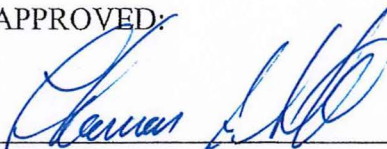
Nays 0

ATTEST:



City Recorder

APPROVED:



Mayor

This ordinance was introduced on May 20, 2019; approved on May 20, 2019; was published in the Austin Daily Herald on May 24, 2019; and becomes effective June 1, 2019.

Lansing Township

Subject Property
08.028.0040

Subject
Property
08.033.0035

Lansing Township

CITY OF AUSTIN

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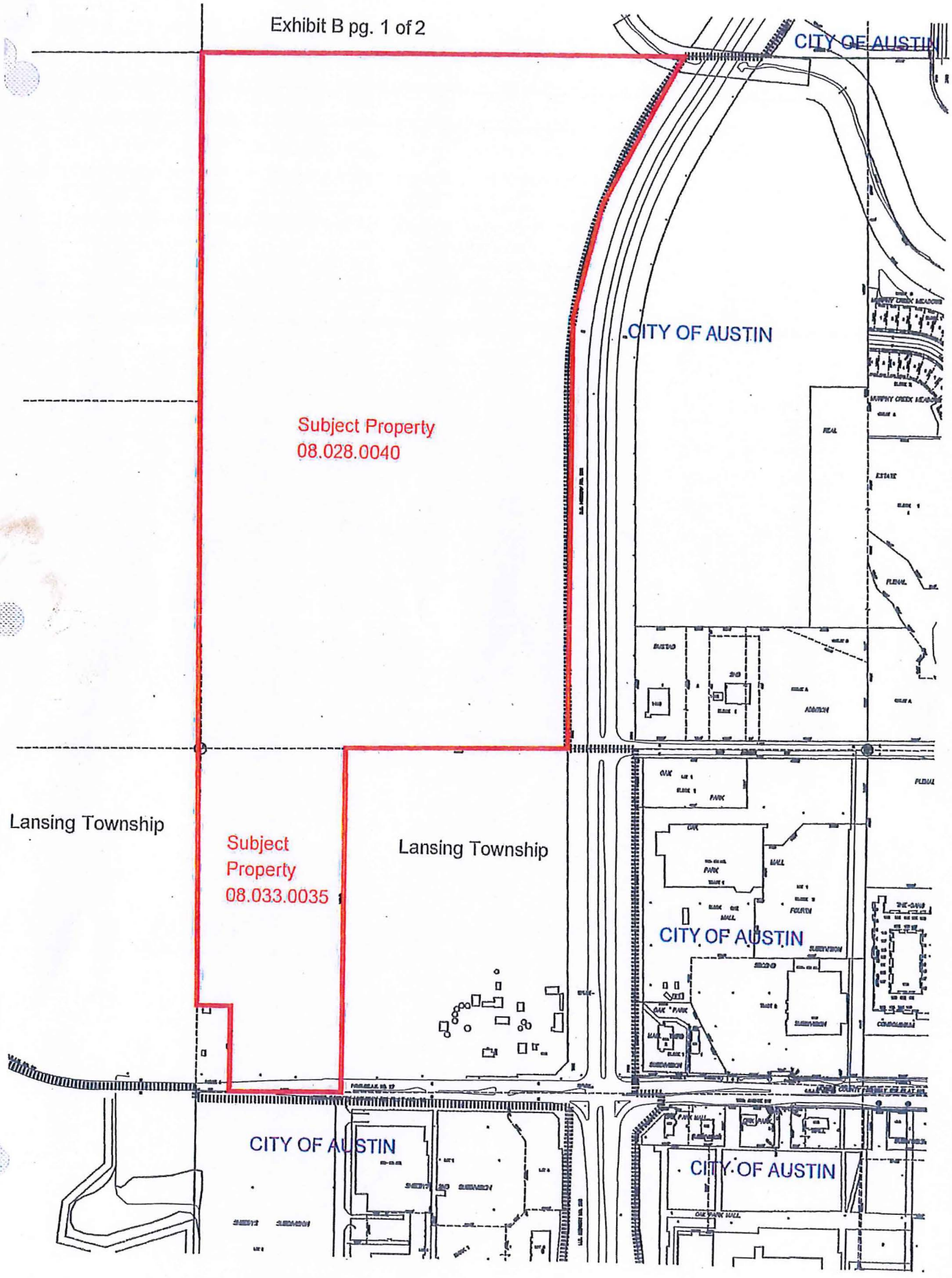
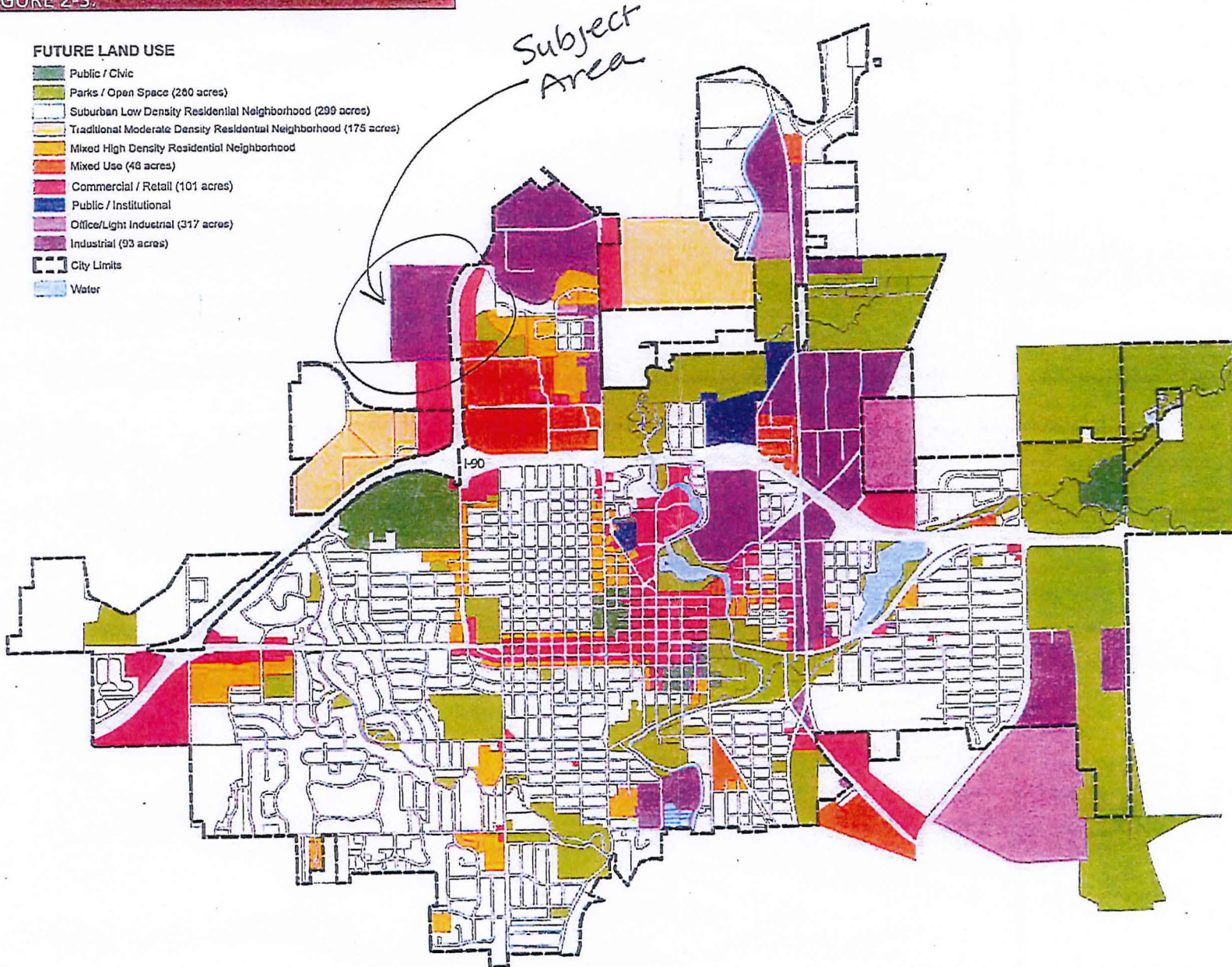


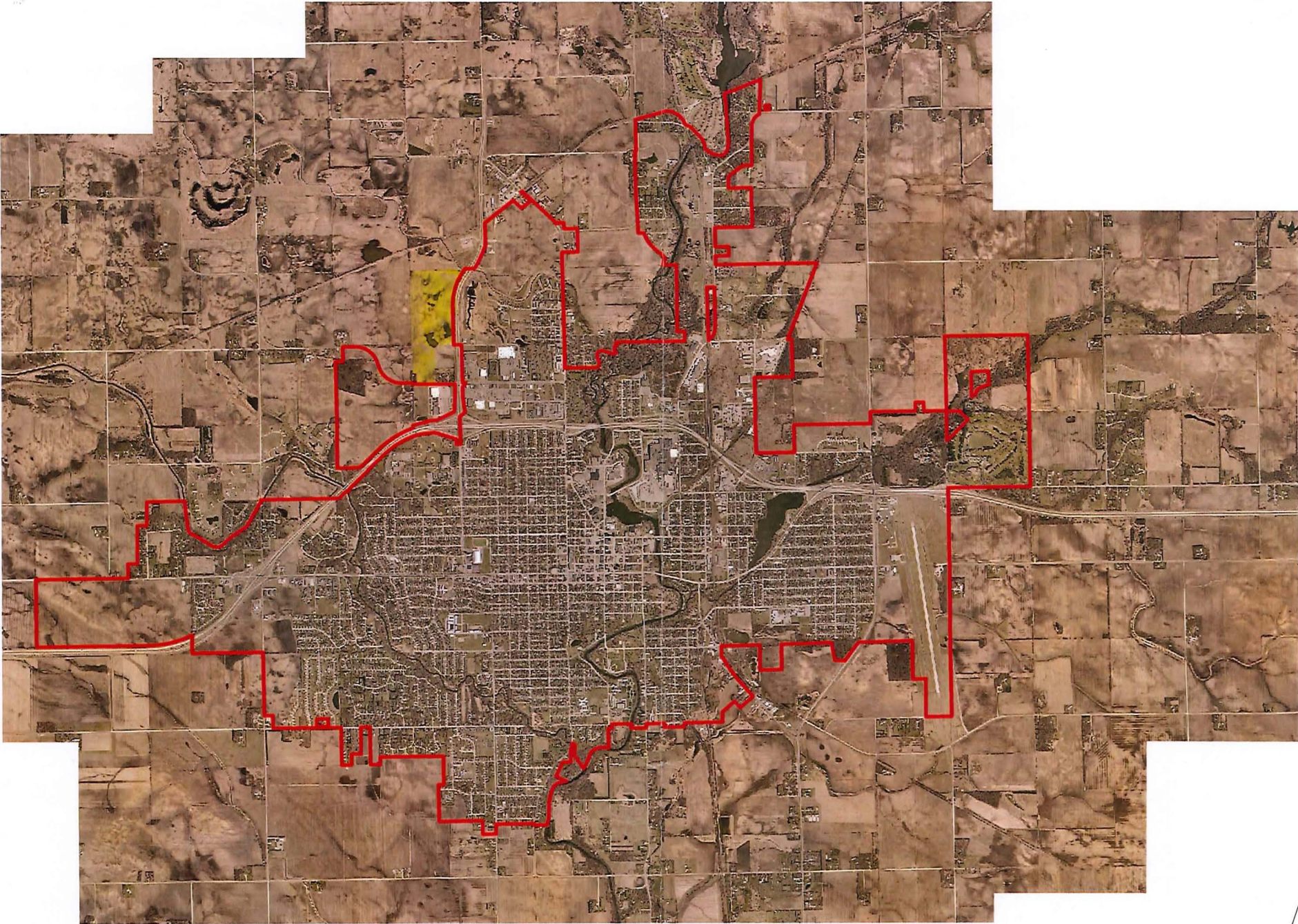
FIGURE 2-3.

FUTURE LAND USE

- Public / Civic
- Parks / Open Space (280 acres)
- Suburban Low Density Residential Neighborhood (299 acres)
- Traditional Moderate Density Residential Neighborhood (175 acres)
- Mixed High Density Residential Neighborhood
- Mixed Use (46 acres)
- Commercial / Retail (101 acres)
- Public / Institutional
- Office/Light Industrial (317 acres)
- Industrial (93 acres)
- City Limits
- Water



City of Austin



— City Limits

