

ORDINANCE NO. 535

**AN ORDINANCE OF THE CITY OF LA CRESCENT, MINNESOTA ANNEXING
LAND LOCATED IN LA CRESCENT TOWNSHIP, HOUSTON 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 La Crescent, Minnesota, was duly presented to the Council of the City of La Crescent on the July 22, 2019; and

WHEREAS, said property is unincorporated and abuts the City of La Crescent on its southerly boundary of County 6; 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 La Crescent held a public hearing pursuant to Minnesota Statutes § 414.033 Subd. 2b, on August 26, 2019, following thirty (30) days written notice by certified mail to the Town of La Crescent and to all landowners within and contiguous to the area legally described herein, 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 LA CRESCENT
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 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 La Crescent, Minnesota, are hereby extended to include the following described property, said land abutting the City of La Crescent 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:

A TRACT OF LAND IN THE SOUTHEAST QUARTER OF SECTION 9 IN TOWNSHIP 104 NORTH OF RANGE 4 WEST OF THE FIFTH PRINCIPAL MERIDIAN AS FOLLOWS:

COMMENCING AT A POINT ON THE 1/16 LINE 1198.75 FEET WEST OF THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE ABOVE NAME SECTION ACCORDING TO THE SURVEY AND DESCRIPTION BY WALTER S. WOODS, LA CROSSE, WISCONSIN, THENCE NORTH 18 DEGREES 45' E 127.9 FEET TO THE PLACE OF BEGINNING ON THE CENTER LINE OF THE PINE CREEK HIGHWAY,

THENCE CONTINUING NORTH 18 DEGREES 45' E 500.95 FEET, THENCE NORTH 71 DEGREES 15' W 92.0 FEET, THENCE SOUTH 18 DEGREES 45' W 489.9 FEET TO THE CENTER LINE OF PINE CREEK HIGHWAY, THENCE SOUTHEASTERLY ALONG THE CENTER LINE OF SAID HIGHWAY 92.65 FEET TO THE PLACE OF BEGINNING;

ALL IN THE ABOVE-NAMED QUARTER SECTION, TOWNSHIP AND RANGE, HOUSTON COUNTY, MINNESOTA.

EXCEPTING THAT PART OF THE ABOVE-DESCRIBED PARCEL LOCATED WITHIN THE RIGHT OF WAY OF CSAH 6.

The above described property consists of a total of 0.96 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. The City of La Crescent, pursuant to Minnesota Statutes § 414.036, that with respect to the property taxes payable on the area legally described herein, hereby annexed, shall make a cash payment to the Town of La Crescent in accordance with the following schedule:

- a. In the first year following the year in which the City of La Crescent could first levy on the annexed area, an amount equal to \$809.65; and
- b. In the second and final year, an amount equal to \$809.65.

5. 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 there are no special assessments or debt incurred by the Town on the subject are for which reimbursement is required.

6. That the City Administrator of the City of La Crescent 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 Houston County Auditor, and the La Crescent Township Clerk.

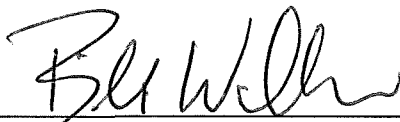
7. That this Ordinance shall be in full force and effect and final upon the date this Ordinance is approved by the Office of Administrative Hearings.

PASSED AND ADOPTED by the City Council of the City of La Crescent, Minnesota, this 26th day of August, 2019.



Mayor

ATTEST:



City Administrator

(City Seal)

