

ORDINANCE NO. 120, FOURTH SERIES**AN ORDINANCE OF THE CITY OF NORTH MANKATO, MINNESOTA ANNEXING
LAND LOCATED IN BELGRADE TOWNSHIP, NICOLLET 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 in Exhibit A be annexed to the City of North Mankato Minnesota, was duly presented to the Council of the City of North Mankato on the 3rd day of September 2019; and

WHEREAS, said property is unincorporated and abuts the City of North Mankato 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 farmland and annexation is requested to facilitate the extension of city services for the industrial development of the property; and

WHEREAS, the City of North Mankato held a public hearing pursuant to Minnesota Statutes § 414.033 Subd. 2b, on October 21, 2019, following thirty (30) days written notice by certified mail to the Township of Belgrade and to all landowners within and contiguous to the area legally described in Exhibit A, 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 NORTH MANKATO
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 North Mankato, Minnesota, are hereby extended to include the following described property, said land abutting the City of North Mankato 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:

Commencing at the northeast corner of Outlot A, Northport No. 18, according to the plat thereof on file and of record with the Nicollet County Recorder; thence South 00 degrees 03 minutes 09 seconds East (assumed bearing) along the east line of said Outlot A, a distance of 287.22 feet to the most southerly corner of said Outlot A, said point being the point of beginning; thence

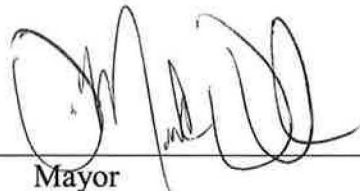
continuing South 00 degrees 03 minutes 09 seconds East, along the southerly extension of the easterly line of said Outlot A, a distance of 374.10 feet to a point on the north line of Outlot A, Northport No. 19, according to the plat thereof on file and of record with the Nicollet County Recorder; thence South 89 degrees 48 minutes 22 seconds East, along said north line, 643.76 feet to the northeast corner of Lot 1, Block 1, Northport No. 19; thence North 00 degrees 00 minutes 29 seconds West, along the North-South centerline of said Section 3, a distance of 110.78, thence North 67 degrees 35 minutes 54 seconds West, 696.66 feet to the point of beginning.

Containing 3.58 acres.

The above described property consists of a total of 3.58 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 in Exhibit B.

4. That the population of the area legally described herein and hereby annexed is 0.
5. The City of North Mankato pursuant to Minnesota Statutes §414.036, and in accordance with the reimbursement agreement (Exhibit C) that with respect to the property taxes payable on the area legally described herein, hereby annexed, shall make a cash payment to Belgrade Township of \$310.60 and shall not receive any further property tax income from the land commencing with the tax year 2018.
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 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 North Mankato 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 Nicollet County Auditor, and the Belgrade 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 North Mankato, Minnesota, this 21st day of October.



Mayor

ATTEST:



City Clerk

(City Seal)

EXHIBIT A

PETITION FOR ANNEXATION BY ORDINANCE

IN THE MATTER OF THE PETITION FOR ANNEXATION OF
ALL THAT PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 3,
TOWNSHIP 108 NORTH, RANGE 27 WEST
BY THE CITY OF NORTH MANKATO
FOR ANNEXATION PURSUANT TO MINNESOTA STATUTES 414.033, SUBD. 2(3)

Petitioners state that the property owner or a majority of the property owners in number are required to commence a proceeding under M.S. 415.033, Subd. 2 (3).

It is hereby requested by:

☒ the sole property owner; or
☐ all of the property owners; or
☐ a majority of the property owners of the area proposed for annexation
to annex certain property described herein lying in the Township of
Belgrade to the City of North Mankato, County of Nicollet, Minnesota.

The area proposed for annexation is described as follows:

That part of the Northeast Quarter of the Southwest Quarter of Section 3 Township 108 North Range 27 West, Nicollet County, Minnesota described as:

Commencing at the northeast corner of Outlot A, Northport No. 18, according to the plat thereof on file and of record with the Nicollet County Recorder; thence South 00 degrees 03 minutes 09 seconds East (assumed bearing) along the east line of said Outlot A, a distance of 287.22 feet to the most southerly corner of said Outlot A, said point being the point of beginning; thence continuing South 00 degrees 03 minutes 09 seconds East, along the southerly extension of the easterly line of said Outlot A, a distance of 374.10 feet to a point on the north line of Outlot A, Northport No. 19, according to the plat thereof on file and of record with the Nicollet County Recorder; thence South 89 degrees 48 minutes 22 seconds East, along said north line, 643.76 feet to the northeast corner of Lot 1, Block 1, Northport No. 19; thence North 00 degrees 00 minutes 29 seconds West, along the North-South centerline of said Section 3, a distance of 110.78, thence North 67 degrees 35 minutes 54 seconds West, 696.66 feet to the point of beginning.

Said parcel contains 3.58 acres, subject to any and all easements of record.

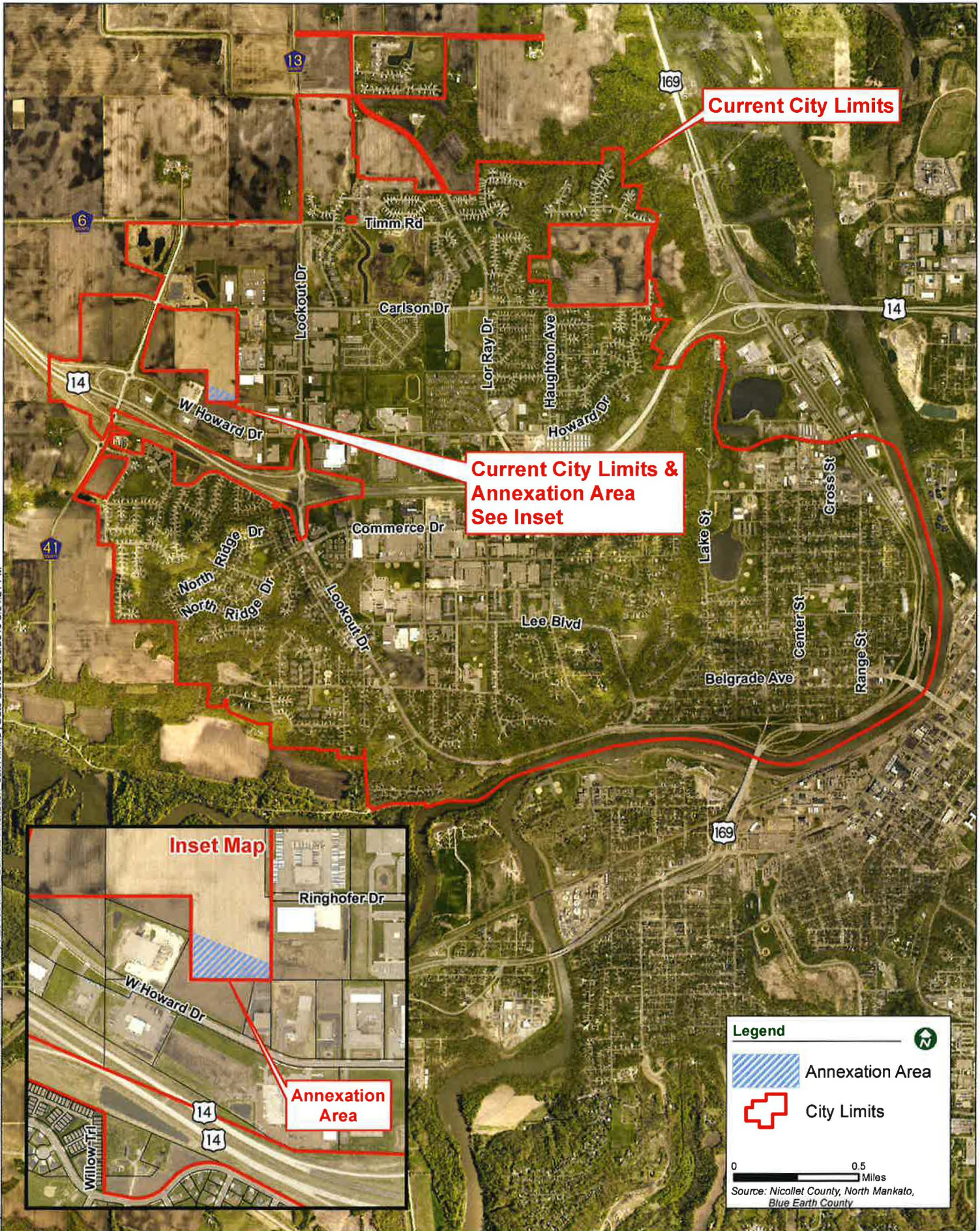
1. There is one property owner in the area proposed for annexation.
2. The property owner has signed this petition. (If the land is owned by both husband and wife, both must sign the petition to represent all owners.)
3. The population of the annexation area is 0.

4. Said property is unincorporated, abuts on the City's boundary, and is not included within any other municipality.
5. The area of land to be annexed, in acres, is 3.58
Platted 0 Unplatted 3,58 Total 3,58
6. The reason for the requested annexation is industrial development.
7. All of the annexation area is or is about to become urban or suburban in character.
8. The area proposed for annexation is not included in any area that has already been designated for orderly annexation pursuant to M.S. 414.0325.

The Petitioner requests that pursuant to M.S. 414.033, the property described herein be annexed to and included within the City of North Mankato, Minnesota.

8/29/2019
Date

Kay Ulrich
Burnett Properties, LLLP
Kay Ulrich, Trustee





Legend

- City Limits
- Medians
- Roadways
- Parcels (6-7-2018)
- Lakes & Ponds
- Minnesota River
- Nman_cty19_3inch.sid
- Red: Band_1
- Green: Band_2
- Blue: Band_3

Map Name



Disclaimer:

This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, information, and data located in various city, county, and state offices, and other sources affecting the area shown, and is to be used for reference purposes only. The City of North Menkato is not responsible for any inaccuracies herein contained.

0 527 Feet

© Bolton & Menk, Inc - Web GIS 9/4/2019 10:19 AM



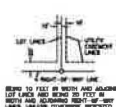
**BOLTON
& MENK**

Real People. Real Solutions.

NORTHPORT NO. 19

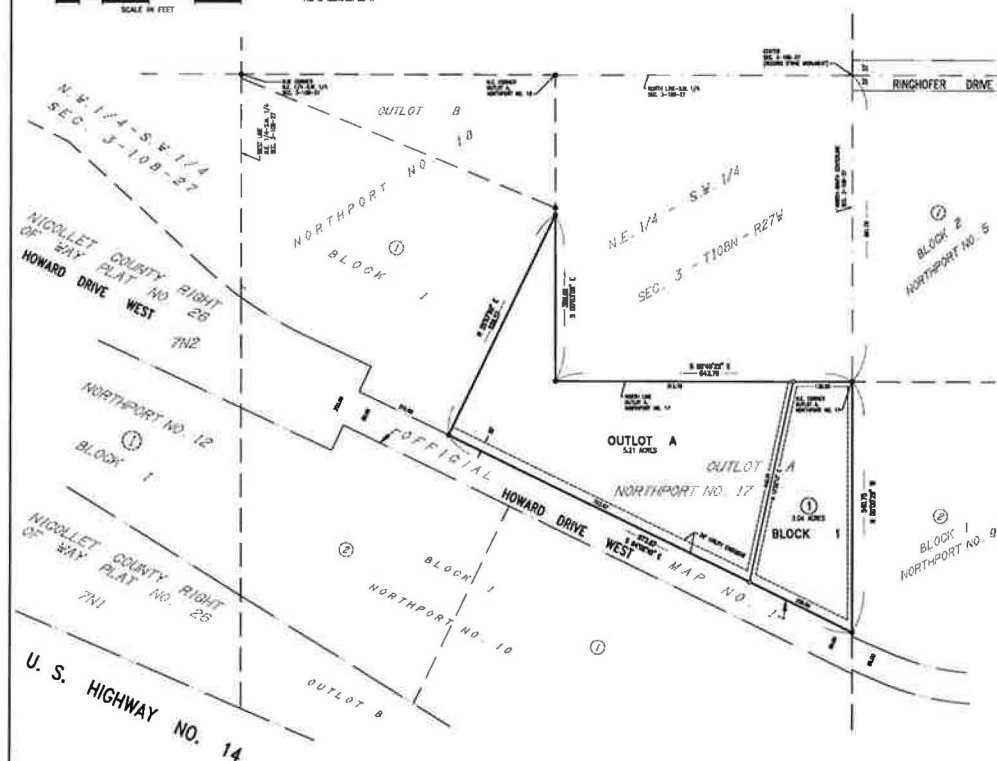
CITY OF NORTH MANKATO

NICOLLET COUNTY, MINNESOTA



SCALE IN FEET
0 100 200 300

PLAT OF NORTHPORT NO. 19



STATEMENT OF RESOLUTION

Know all men by these presents that we, the North Mankato Port Authority Commission, owners of the following described property in all:

Outlot A, Northport No. 17, according to the plat thereof on file and of record with the Nicollet County Recorder, containing 2.28 acres.

do hereby declare that we have caused the above described property to be surveyed and platted and monuments to be set, that we have named said platted area NORTHPORT NO. 19, and that we dedicate to the public use the easements shown herein.

Dated this ____ day of _____, 2017 by the North Mankato Port Authority Commission, for cause.

David Arnold, President

MAYOR CERTIFICATE

State of Minnesota
County of Nicollet

On this the ____ day of _____, 2017, before me a Notary Public within and for said County, personally appeared David Arnold, who being duly sworn did say that he is the President of the North Mankato Port Authority Commission, and that said instrument was signed and sealed on behalf of said commission by authority of its Board of Directors, and said David Arnold acknowledged said instrument to be the free act and deed of said commission.

SURVEYOR'S CERTIFICATE

I, Michael M. Elshara, Licensed Land Surveyor, do hereby certify that I have surveyed or directly supervised the survey of the property described on this plat, prepared this plat or directly supervised the preparation of this plat of NORTHPORT NO. 19, that this plat is a correct representation of the boundary survey; that all metes and bounds and areas are correctly designated on this plat; that all monuments indicated on this plat have been correctly set; that all water boundaries and wet lands, as defined by Minnesota Statutes, Section 50B.01, Subd. 2, as of the date of the surveyor's certification are shown and labeled on this plat; and all public maps are shown and labeled on this plat.

Dated this ____ day of _____, 2017.

Michael M. Elshara, Licensed Land Surveyor
Minnesota License No. 46504

On this the ____ day of _____, 2017, before me a Notary Public in and for said County, appeared Michael M. Elshara, and being duly sworn did say that he has executed the foregoing instrument.

APPROVALS

By the Council of the City of North Mankato, the Planning Commission of the City of North Mankato did duly review this plat of NORTHPORT NO. 19.

Chairperson

Secretary

On this the ____ day of _____, 2017, the City Council of the City of North Mankato did duly approve this plat of NORTHPORT NO. 19, and that, as per MS 305.05, Subd. 2, this plat has been submitted to and written comments and recommendations have been received from the Nicollet County Highway Engineer.

Mayor

Clerk

I, Michael H. Kennedy, City Attorney, State of Minnesota, do hereby certify that the names as indicated herein, represent all ownership interest in the land encompassed by this plat.

Michael H. Kennedy, Licensed Attorney

PROPERTY AND PUBLIC SERVICES

I hereby certify that there are no delinquent taxes and/or delinquent special assessments, that the current taxes have been paid and that the transfer has been entered on the land described herein on the ____ day of _____, 2017.

COUNTY RECORDS

I hereby certify that this instrument was filed in my office for record on this, the ____ day of _____, 2017, at ____ o'clock ____ M., and that it was duly recorded on _____.

FINAL PLAT
PENDING FINAL REVIEW
(1-23-2017)

THIS PLAT PREPARED BY: MICHAEL M. ELSHARA, INC.

[illegible]

I hereby certify that this instrument was filed in my office for record on this, the 13 day of July, 2014, at 1 o'clock, PM, and that it was duly recorded on Page, Number .

THIS IS THE PROPERTY OF SURVEY SERVICES, INC.

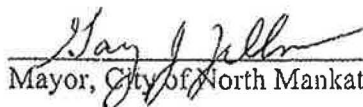
EXHIBIT C

ANNEXATION REIMBURSEMENT AGREEMENT BETWEEN THE CITY OF NORTH MANKATO AND BELGRADE TOWNSHIP

Pursuant to Minn. Stat. Sec. 414.036:

Unless otherwise agreed to by the annexing municipality and the affected town, when an order or other approval under this chapter annexes part of a town to a municipality the order or other approval must provide a reimbursement from the municipality to the town for all or part of the taxable property annexed as part of the order. The reimbursement shall be completed in substantially equal payments over not less than two nor more than eight years from the time of annexation. The municipality must reimburse the township for all special assessments assigned by the townships 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, in substantially equal payments over a period of not less than two or no more than eight years.

In accordance with this State Statute, the City of North Mankato will reimburse Belgrade Township an annual amount based on the property taxes collected by Belgrade Township in the last year it collected taxes on any land valued over \$50,000 which the City of North Mankato annexes into its City limits. There will be no reimbursement for land valued under \$50,000 which the City annexes. Any reimbursement shall be paid for a period of five years. The City reserves the right to pre-pay at any time.



Mayor, City of North Mankato



Belgrade Township Supervisor

1-16-07

Date

1-9-2007

Date