

ORDINANCE NO.2019-100

**AN ORDINANCE OF THE CITY OF RICHMOND, MINNESOTA ANNEXING
LAND LOCATED IN MUNSON TOWNSHIP, STEARNS 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 the attached **Exhibit A** be annexed to the City of Richmond Minnesota, was duly presented to the Council of the City of Richmond on the 2nd day of October, 2019;

WHEREAS, said property is unincorporated and abuts the City of Richmond (the “City”) on its southern and western boundary, is less than 120 acres, and is presently not served by public sewer facilities;

WHEREAS, said property is not located within a flood plain or shore land area;

WHEREAS, said properties are currently owned by Bon & Melissa Hill-Simmons (23.14326.0054 & 23.13632.0000); and annexation is requested by said property owners for the purpose to obtain city services;

WHEREAS, the City of Richmond held a public hearing pursuant to Minnesota Statutes § 414.033 Subd. 2b, on November 6, 2019 following thirty (30) days written notice by certified mail to the Township of Munson and to all landowners contiguous to the area to be annexed whose names are attached in **Exhibit B**; AND

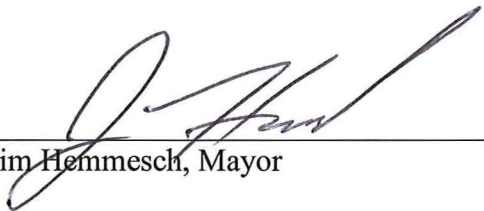
WHEREAS, provisions of Minnesota Statutes § 414.033 Subd. 13 are not applicable in that there will be no change in the electric utility service provider resulting from the annexation of the territory to the municipality.

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

1. The City Council hereby determines that the properties as hereinafter described abuts the city limits and is or is about to become urban or suburban in nature.
2. The property is not 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 Richmond, Minnesota, are hereby extended to include the following property described in the attached **Exhibit A**, said land abutting the City of Richmond and being 120 acres or less in area, and is presently not served by public sewer facilities, and the City having received a petition for annexation from all the property owners of the land.
4. The total area to be annexed is less than 120 acres. Parcel ID # 23.14326.0054 & 23.13632.0000 consists of a total of 9.80 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 as **Exhibit C**.
5. The population of the area described in **EXHIBIT A** is used for residential purposes.

6. With respect to reimbursement of property taxes payable on the area legally described in the attached **Exhibit A**, the City of Richmond shall comply with Minnesota Statute § 414.036 and will reimburse to the Township 2019 worth of township taxes (parcel 23.14326.0054 & 23.13632.0000), which equals out to \$222.41 each year for the next two years.
7. That pursuant to Minnesota Statutes §414.036, that with respect to any special assessments assigned by the Township to the annexed property and any portion of debt incurred by the Township 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 in the attached **Exhibit A** there are no special assessments or debt incurred by the Township for which reimbursement is required.
8. That the City Clerk of the City of Richmond 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 Stearns County Auditor, and the Munson Township Clerk.
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 Richmond, Minnesota, this 6th day of November, 2019.



Jim Hemmesch, Mayor

ATTEST:



Tesa Tomaschett, Administrator/Clerk/Treasurer

(City Seal)

Exhibit A
Legal Description of Annexed Property

23.14326.0054

Lot 2, Block 1, LUCKEN ADDITION, according to the recorded plat thereof, Stearns County, Minnesota.

23.13632.0000

That part of the Northeast Quarter of the Northeast Quarter (NE1/4 of NE1/4) of Section 23, Township 123, Range 31 described as follows: Beginning at a point on the West line of NE1/4 of NE1/4 of Section 23, Township 123, Range 31, 182 feet North of Southwest corner of said NE 1/4 of NE 1/4 of said Section 23; thence along the Sauk River in a Southeasterly direction 310 feet to the South line of said NE 1/4 of NE1/4; thence East on said line 132 feet; thence in a Northwesterly direction 406 feet to the West line of said NE1/4 of NE1/4; thence South on said West line 116 feet to the place of beginning.

ALSO: That part of the Northwest Quarter of the Northeast Quarter (NW1/4 of NE1/4) of Section 23, Township 123, Range 31 described as follows: Beginning at a point 182 feet on the East line from the Southeast corner of the NW1/4 of NE1/4 of Section 23, Township 123, Range 31; thence North on said East line 274 feet; thence Westerly along Stearns County Road 111, 274 feet on the Northeast bank of Sauk River; thence in a Southeasterly direction along the bank of the said Sauk River 185 feet to the place of beginning.

ALSO: All that part of the Southeast Quarter of the Northeast Quarter (SE1/4 of NE1/4) lying between the north bank of the south fork and the south bank of the north fork of the Sauk River in Section 23, Township 123, Range 31. Stearns County, Minnesota

Exhibit B

Contiguous Property Owners in City of Richmond and Munson Township, Stearns County, Minnesota

Bon & Melissa Hill-Simmons
101 Red River Ave S
Cold Spring, MN 56320

Elmer & Marcella Boeckmann
20512 State Hwy 23
Richmond, MN 56368

River Bend Farm LLC
20866 Co Rd 111
Richmond, MN 56368

Douglas & Brenda Torborg
22802 West Torah Dr.
Richmond, MN 56368

Irene Plantenberg
20464 Co Rd 111
Richmond, MN 56368

Thomas & Terry Niehaus
701 Main St W
Richmond, MN 56368

Trinitro Properties LLC
691 Main St W
PO Box 522
Richmond, MN 56368

Aaron Bean
581 Main St W
Richmond, MN 56368

Thomas Hommerding
595 Main St. W
Richmond, MN 56368

Joan Lemke
565 Main St W
Richmond, MN 56368

Wayne Lucken
163 Dutch Ave SW
Richmond, MN 56368

Brent & Michele Peterson
555 Main St W
PO Box 801
Richmond, MN 56368

Robert Wieber
545 Main St W
Richmond, MN 56368

Frederick Strub
13 Dutch Ave SW
Richmond, MN 56368

Paul Olmscheid
55 Dutch Ave SW
Richmond, MN 56368

Darren Hemmesch
457 Main St W
Richmond, MN 56368

Richard & Ruth Ethen
441 Main St W
Richmond, MN 56368

Richard & Sharon Janssen
460 1st St SW
PO Box 41
Richmond, MN 56368

Shane Mayers
430 1st St SW
Richmond, MN 56368

Dolores Rohe
453 1st St SW
Richmond, MN 56368

Casey Hopfer
362 2nd St SW
Richmond, MN 56368

City of Richmond
201 Elm Ave SW
Richmond, MN 56368

Virgil & Carol Spoden
151 Elm Ave SW
PO Box 304
Richmond, MN 56368

Andrew Merchant
119 Elm Ave SW
Richmond, MN 56368

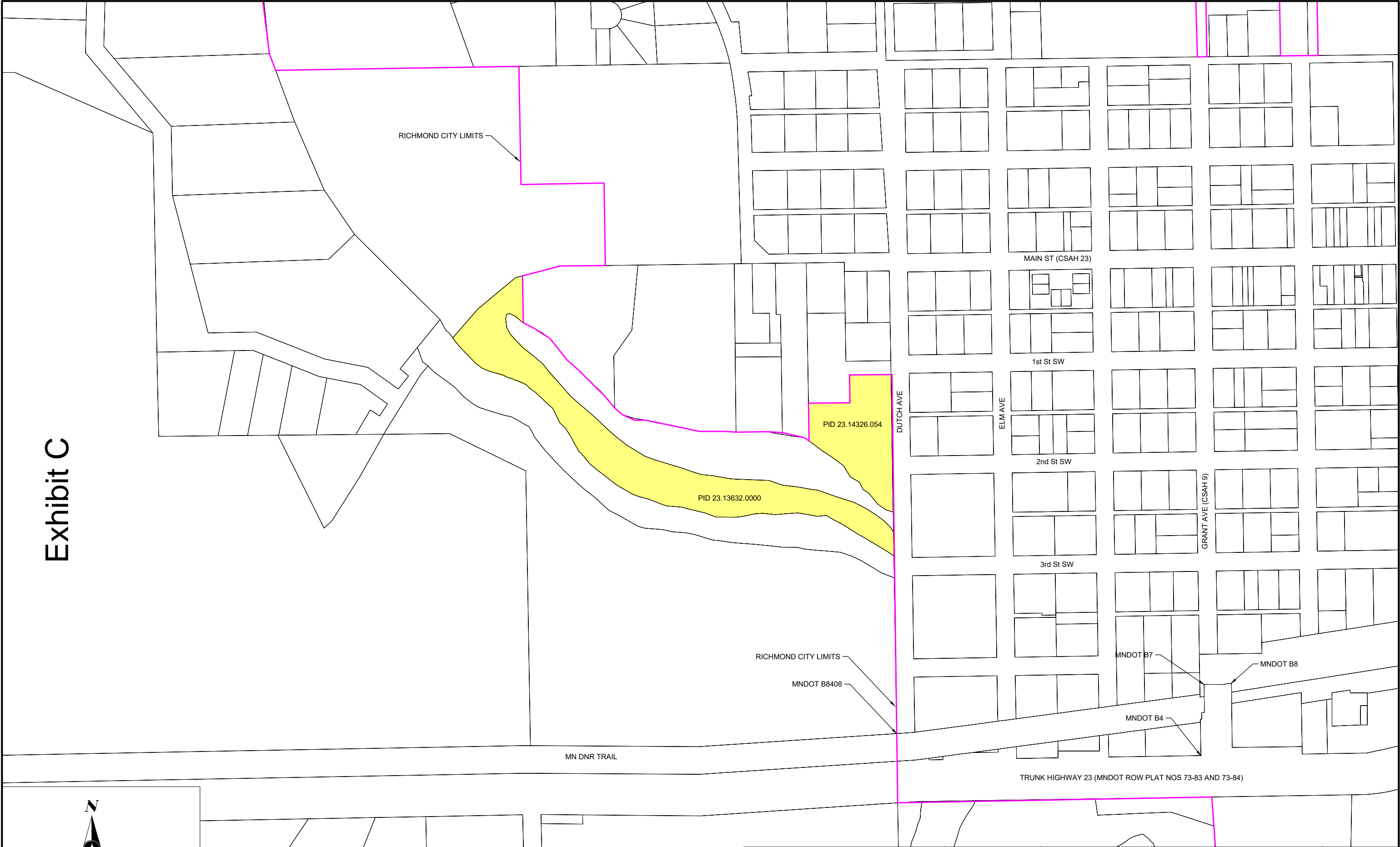
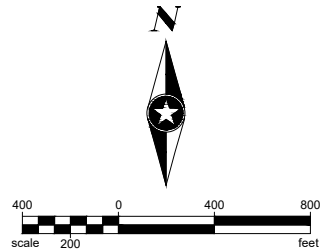
David Adams Trust Agreement
29 Elm Ave SW
Richmond, MN 56368

Munson Township Board Members
23857 Co RD 23
Richmond, MN 56368

Office of Administrative Hearings
Municipal Boundary Adjustment Unit
PO Box 64620
St. Paul, MN 55164-0620

Save: 10/7/2019 3:18 PM dbloomel Plot: 10/8/2019 9:40 AM P:\PT\RIC\H\COMMON\General Numbers\D15 2005 Munson Township Annex\5 final-dgn\51-drawings\10-Civil\cad\dwg\exhibit\Bernard Annexation EX1.dwg

Exhibit C





PHONE: 320.229.4300
1200 25TH AVENUE SOUTH
P.O. BOX 1717
ST. CLOUD, MN 56302-1717
www.sehinc.com

FILE NO. RICMCOMMON
DATE: 10/08/2019

BERNARD ANNEXATION

**EXHIBIT
NO. 2**