

ORDINANCE NO. 124, 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 2nd day of December 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 residential development of the property; and

WHEREAS, the City of North Mankato held a public hearing pursuant to Minnesota Statutes § 414.033 Subd. 2b, on January 6, 2020, 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:

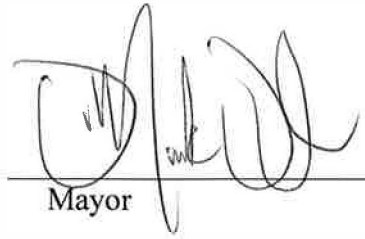
That part of the West Half of the West Half of the Southwest Quarter of Section 3 and that part of the Southeast Quarter of the Southeast Quarter of Section 4 and that part of the Northeast Quarter of the Northeast Quarter of Section 9, all in Township 108 North Range 27 West, Nicollet County, Minnesota, described as:

Beginning at the northeasterly corner of Lot 1, Block 5, Burnett's Ravine Ridge No. 3, according to the plat thereof on file and of record with the Nicollet County Recorder; thence North 71 degrees 23 minutes 29 seconds West, (Minnesota County Coordinate System - Nicollet County Zone - HARN NAD83 - 1996), along the northerly line of said Lot 1, a distance of 134.14 feet to the northwesterly corner of said Lot 1; thence North 18 degrees 36 minutes 31 seconds East, a distance of 140.00 feet; thence North 37 degrees 44 minutes 16 seconds East, a distance of 63.51 feet; thence North 32 degrees 11 minutes 09 seconds East, a distance of 512.00 feet; thence North 17 degrees 34 minutes 52 seconds East, a distance of 209.11 feet to a point on the southerly line of Parcel 9N5 according to Nicollet County Right Of Way Plat No. 26, on file and of record with the Nicollet County Recorder; thence South 81 degrees 44 minutes 09 seconds East, along said southerly line, a distance of 150.00 feet to the southeasterly corner of said Parcel 9N5, said point being on the westerly line of Raymond Drive as per Burnett's Ravine Ridge No. 4, according to the plat thereof on file and of record with the Nicollet County Recorder; thence South 05 degrees 48 minutes 27 seconds West, along said westerly line, a distance of 53.94 feet; thence southwesterly, a distance of 184.16 feet, along a circular curve to the right, having a radius of 400.00 feet and a central angle of 26 degrees 22 minutes 42 seconds; thence South 32 degrees 11 minutes 09 seconds West, along the tangent of said curve, a distance of 636.38 feet; thence southwesterly a distance of 80.98 feet, along a circular curve to the left, having a radius of 460.00 feet and a central angle of 10 degrees 05 minutes 11 seconds to the point of beginning. Containing 3.28 acres.

The above described property consists of a total of 3.28 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) with respect to the property taxes payable on the area legally described herein, hereby annexed, shall make a cash payment to Belgrade Township of \$220.10 and shall not receive any further property tax income from the land commencing with the tax year 2019.
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
6th day of January 2020.



Mayor

ATTEST:



City Clerk

(City Seal)

PETITION FOR ANNEXATION BY ORDINANCE

IN THE MATTER OF THE PETITION FOR ANNEXATION OF
ALL THAT PART OF THE WEST HALF OF THE WEST HALF OF THE SOUTHWEST QUARTER OF
SECTION 3 AND THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 9, ALL
IN 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 West Half of the West Half of the Southwest Quarter of Section 3 and that part of the Southeast Quarter of the Southeast Quarter of Section 4 and that part of the Northeast Quarter of the Northeast Quarter of Section 9, all in Township 108 North Range 27 West, Nicollet County, Minnesota, described as:

Beginning at the northeasterly corner of Lot 1, Block 5, Burnett's Ravine Ridge No. 3, according to the plat thereof on file and of record with the Nicollet County Recorder; thence North 71 degrees 23 minutes 29 seconds West, (Minnesota County Coordinate System - Nicollet County Zone - HARN NAD83 - 1996), along the northerly line of said Lot 1, a distance of 134.14 feet to the northwesterly corner of said Lot 1; thence North 18 degrees 36 minutes 31 seconds East, a distance of 140.00 feet; thence North 37 degrees 44 minutes 16 seconds East, a distance of 63.51 feet; thence North 32 degrees 11 minutes 09 seconds East, a distance of 512.00 feet; thence North 17 degrees 34 minutes 52 seconds East, a distance of 209.11 feet to a point on the southerly line of Parcel 9N5 according to Nicollet County Right Of Way Plat No. 26, on file and of record with the Nicollet County Recorder; thence South 81 degrees 44 minutes 09 seconds East, along said southerly line, a distance of 150.00 feet to the southeasterly corner of said Parcel 9N5, said point being on the westerly line of Raymond Drive as per Burnett's Ravine Ridge No. 4, according to the plat thereof on file and of record with the Nicollet County Recorder; thence South 05 degrees 48 minutes 27 seconds West, along said westerly line, a distance of 53.94 feet; thence southwesterly, a distance of 184.16 feet, along a circular curve to the right, having a radius of 400.00 feet and a central angle of 26 degrees 22 minutes 42 seconds; thence South 32 degrees 11 minutes 09 seconds West, along the tangent of said curve, a distance of 636.38 feet; thence southwesterly a distance of 80.98 feet, along a circular curve to the left, having a radius of 460.00 feet and a central angle of 10 degrees 05 minutes 11 seconds to the point of beginning. Containing 3.28 acres.

Said parcel contains 3.28 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 3.28
Platted 0 Unplatted 3.28 Total 3.28
6. The reason for the requested annexation is residential 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.

Date

11-19-19

Burnett Farms
Steven R Burnett President
Burnett Farms, Inc.
Steven R. Burnett, President

EXHIBIT B



**NORTH
MANKATO**
MINNESOTA

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 Mankato is not responsible for any inaccuracies herein contained.



**BOLTON
& MENK**
Real People. Real Solutions.

0 527 Feet

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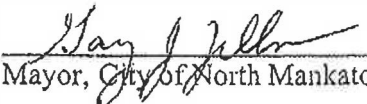
EXHIBIT C

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

1-16-07

Date



Belgrade Township Supervisor

1-9-2007

Date