

## CITY OF NICOLLET

## ORDINANCE NO. 160

AN ORDINANCE ANNEXING CERTAIN LANDS  
FROM NICOLLET TOWNSHIP

**WHEREAS**, the city of Nicollet (the "City") received a petition for annexation of two parcels consisting together of approximately 1.88 acres of real property that is legally described and depicted on Exhibit A attached hereto (the "Property"); and

**WHEREAS**, the Property abuts the City, is less than 120 acres, is not presently served by public wastewater facilities and such facilities are not otherwise available, and the annexation petition was submitted by all owners of the land; and

**WHEREAS**, On July 20, 2020 in accordance with Minnesota Statutes, section 414.033, subd. 2b, the City held a public hearing after 30 days' notice thereof by certified mail to Nicollet Township and all landowners within and contiguous to the Property; and

**WHEREAS**, the Property is not contiguous to any property that was either simultaneously proposed to be annexed or previously annexed within the preceding 12 months; and

**WHEREAS**, the Property is about to become urban or suburban in character; and

**WHEREAS**, the Property is not located within a flood plain or shoreland area; and

**WHEREAS**, all conditions required under Minnesota Statutes, Section 414.033, subd. 2(3) have been met; and

**WHEREAS**, the provisions of Minnesota Statutes, section 414.033, subd. 13 are not applicable as no change in electric utility service provider will result from the annexation.

**NOW, THEREFORE**, the city council of the city of Nicollet does ordain as follows:

**Section I.** The above recitals are incorporated into this ordinance as if fully set forth herein.

**Section II.** In accordance with Minnesota Statutes, section 414.033, subd. 2(3), the city council hereby declares by ordinance that the Property, as legally described and depicted on Exhibit A, is annexed to the City on condition that the petitioner reimburses the City for its costs associated with these proceedings.

**Section III.** Taxes payable to Nicollet Township in 2020 on the Property total approximately \$10.00 and those 2020 taxes shall be paid to Nicollet Township. Pursuant to Minnesota Statutes, section 414.036, the City shall make a cash reimbursement to Nicollet Township with respect to the property taxes in accordance with the following schedule: The City shall pay Nicollet Township the sum of \$10.00 in 2021 and the sum of \$10.00 in 2022. The total two-year

reimbursement amount (\$20.00) equates to 200% of the taxes payable to Nicollet Township on the Property for 2020.

**Section IV.** There are no special assessments assigned by Nicollet Township to the Property, nor is there any debt incurred by Nicollet Township attributable to the Property.

**Section V.** The city clerk treasurer is directed to file a copy of this ordinance with the Office of Administrative Hearings (Chief Administrative Law Judge), the Nicollet Township clerk, the Nicollet County Auditor's Office, and the Minnesota Secretary of State, and doing so shall be considered an affirmation that any conditions provided herein have been satisfied.

**Section VI.** Upon annexation to the City, the Property shall be zoned Commercial on the City's official zoning map.

**Section VII.** This ordinance shall be effective following its adoption and publication and the annexation is final on the date of approval by the Chief Administrative Law Judge.

Passed by the City Council of the City of Nicollet, Minnesota, this 20<sup>th</sup> day of July, 2020.



Mayor

ATTEST:



Vanessa Drill, City Clerk/Treasurer

**CITY OF NICOLLET**

**ORDINANCE NO. 160**

**EXHIBIT A**

**PARCEL A**

That part of the East 320 feet of the Southeast Quarter of Section 4, Township 109, Range 28, Nicollet County, Minnesota, lying west of Minnesota Department of Transportation Right of Way Plat No. 52-61, and lying south of the following described line

Commencing at the southeast corner of Section 4, Township 109 North, Range 28 West; thence North 00 degrees 00 minutes 00 seconds East (assumed bearing) on the East line of said Southeast quarter, a distance of 312.45 feet to the point of beginning of said line to be described; thence North 90 degrees 00 minutes 00 seconds West, 799.30 feet and said line there terminating.

**PARCEL B**

That part of the North 40 feet of the East 320 feet of the Northeast Quarter of Section 9, Township 109, Range 28, Nicollet County, Minnesota, lying west of Minnesota Department of Transportation Right of Way Plat No. 52-61.

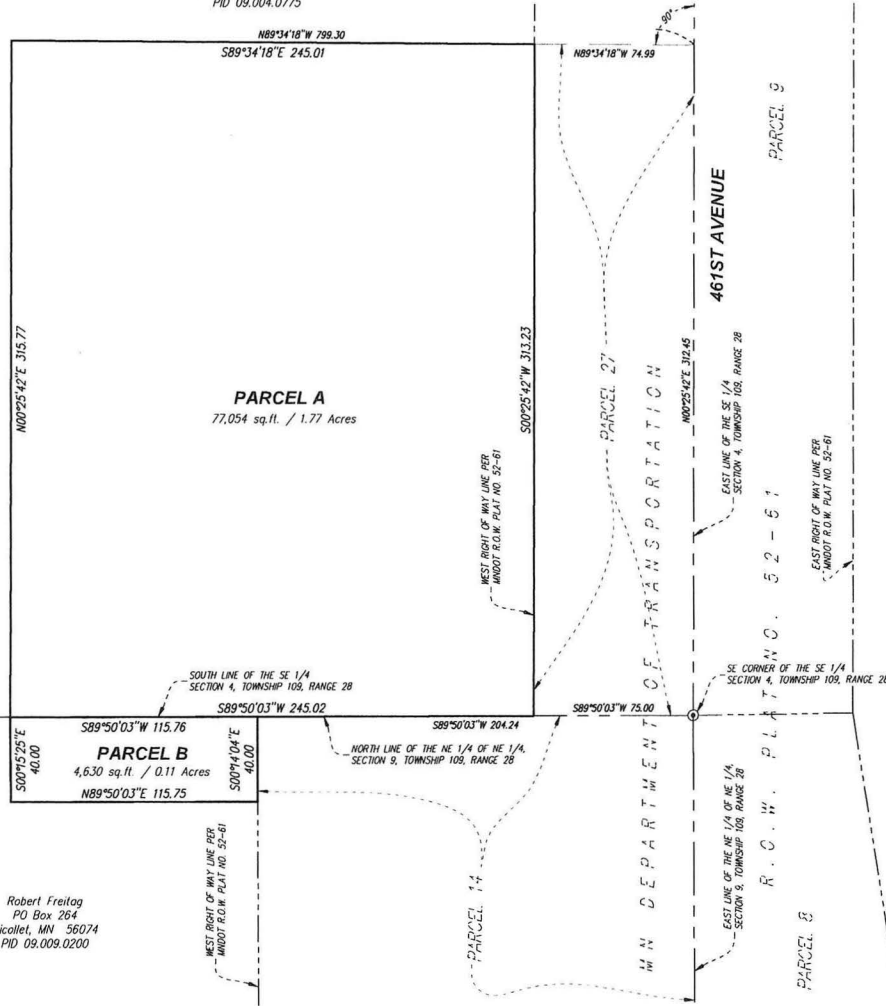
# Annexation Exhibit

for: Ratcliff Development

Pt. of the SE 1/4 of Sec. 4  
& Pt. of the NE 1/4 of Sec. 9  
Township 109, Range 28  
Nicollet County, MN

John Blume  
46928 461ST AVENUE  
Nicollet, MN 56074  
PID 09.004.0775

John Blume  
46647 Blume Road  
Nicollet, MN 56074  
PID 09.004.0800



Robert Freitag  
PO Box 264  
Nicollet, MN 56074  
PID 09.009.0200

## OWNER INFORMATION:

PARCEL A  
John Blume  
46647 Blume Road  
Nicollet, MN 56074  
Part of PID 09.004.0800

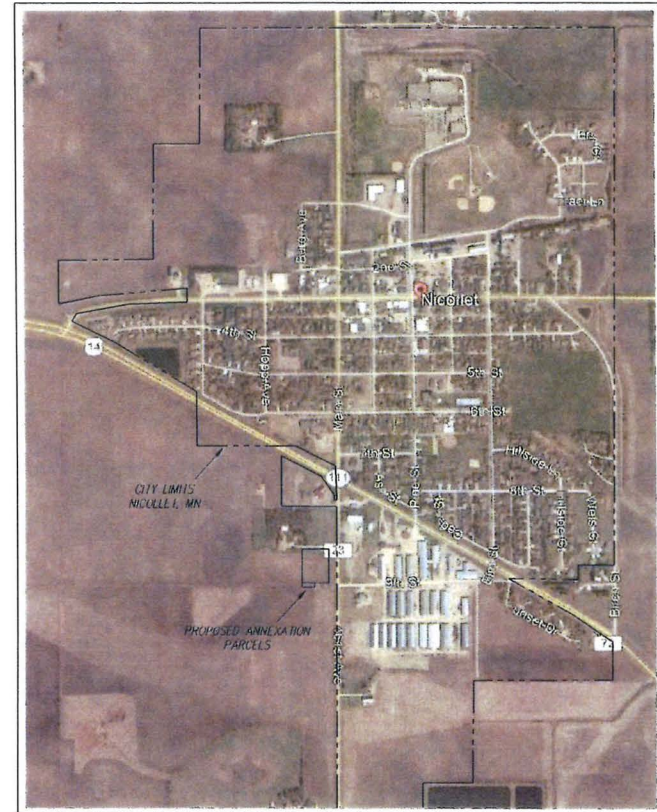
PARCEL B  
Robert Freitag  
PO Box 264  
Nicollet, MN 56074  
Part of PID 09.009.0200

## LEGAL DESCRIPTION OF PARCELS TO BE ANNEXED:

PARCEL A  
That part of the East 320 feet of the Southeast Quarter of Section 4, Township 109 Range 28, Nicollet County, Minnesota, lying west of Minnesota Department of Transportation Right of Way Plat No. 52-61, and lying south of the following described line:  
Commencing at the southeast corner of Section 4, Township 109 North, Range 28 West; thence North 00 degrees 00 minutes 00 seconds East (assumed bearing) on the East line of said Southeast quarter, a distance of 312.45 feet to the point of beginning of said line to be described; thence North 90 degrees 00 minutes 00 seconds West, 799.30 feet and said line there terminating.

PARCEL B  
That part of the North 40 feet of the East 320 feet of the Northeast Quarter of Section 9, Township 109, Range 28, Nicollet County, Minnesota, lying west of Minnesota Department of Transportation Right of Way Plat No. 52-61.

LOCATION MAP



I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.  
Print Name: Kyle J. Roddy License # 42627  
Signature: [Signature] Date: 4/04/2020

