

**CITY OF HASTINGS, MINNESOTA****ORDINANCE NO. 2020-03****AN ORDINANCE OF THE CITY OF HASTINGS EXTENDING  
ITS CORPORATE LIMITS TO INCLUDE CERTAIN LAND ABUTTING  
THE CITY WHICH IS OWNED BY THE WALTER M. BAUER  
DISCLAIMER TRUST AND THE ESTATE OF ROSALIA BAUER,  
PURSUANT TO MINNESOTA STATUTES 414.033, SUBD. 2(3)****PREAMBLE**

**WHEREAS**, the City of Hastings has received a petition from Joel A. Bauer and Daniel J. Bauer, as Trustees of the Walter M. Bauer Disclaimer Trust dated October 4, 2007, as to an undivided one-half interest, and Joel A. Bauer and Daniel J. Bauer, as Personal Representatives of the Estate of Rosalia Bauer a/k/a Rosalia M. Bauer a/k/a Rose Bauer a/k/a Rosalia Mary Bauer, as to an undivided one-half interest (Petitioners) seeking annexation to the City of Hastings, and;

**WHEREAS**, the Petitioners have represented to the City of Hastings that they are the sole owners of property generally located southwest of General Sieben Drive and Northridge Drive, legally described as the Southeast Quarter of the Northeast Quarter of Section 31, Township 115, Range 17, Dakota County, Minnesota; and

**WHEREAS**, the property is unincorporated; it abuts the limits of the City of Hastings; is not included within any other municipality; is not included in any area that has already been designated for orderly annexation pursuant to Minn. Stat. 414.0325; and is approximately 39.97 acres in size, and;

**WHEREAS**, the City of Hastings held a public hearing pursuant to Minnesota Statutes 414.033, Subd. 2b, on February 18, 2020, following thirty (30) days written notice by certified mail to the Town of Nininger ("Township") 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.

**ENACTMENT**

**Section 1.** The City Council hereby determines and finds that the property described above abuts the City of Hastings; that the area to be annexed is 120 acres or less, that the property is not included in any area that has already been designated for orderly annexation pursuant Minn. Stat. 414.0325; that the City of Hastings received a properly prepared Petition for Annexation signed by all of the owners of the property;

and that the Petition for Annexation complies with all of the provisions of Minn. Stat. 414.033.

Section 2. The property is urban or suburban in character and is in need of City services which can be provided by the City of Hastings.

Section 3. The corporate limits of the City of Hastings are hereby extended to include the property described above and that same property is hereby annexed to and included within the City of Hastings as if the property had originally been a part of the City.

Section 4. The City Clerk is directed to file a certified copy of this Ordinance with the Minnesota Office of Administrative Hearings; Nininger Township; Dakota County and the Minnesota Secretary of State.

Section 5. The City of Hastings, pursuant to Minn. Stat. 414.036, shall provide reimbursement to Nininger Township to compensate the Township for loss of taxable property in the amount of six hundred forty-two dollars and 05 cents (\$642.05) payable in two annual payments: (1) on January 2, 2021 in the amount of \$321.03; and (2) on January 2, 2022 in the amount of \$321.02.

Section 6. Pursuant to Minn. Stat. 414.036 with respect to any special assessments assigned by Nininger 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, there are no special assessments or debt incurred by the Township on the subject area for which reimbursement is required.

Section 7. This Ordinance shall become effective upon its passage, seven days after its publication, the filing of the certified copies as directed in Section 4 and upon approval of this Ordinance by the Minnesota Office of Administrative Hearings.

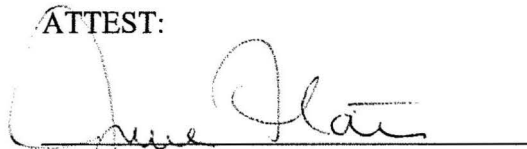
Adopted by the Hastings City Council on February 18, 2020, by the following vote:

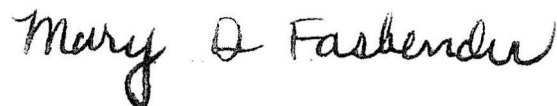
Ayes: Balsanek, Braucks, Folch, Leifeld, Lund, Vaughan and Fasbender.

Nays: None.

Absent: None.

ATTEST:

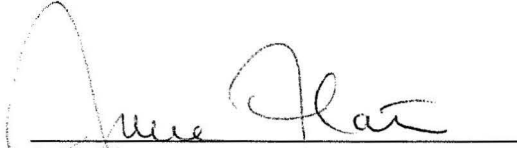
  
Julie Flaten, City Clerk



Mary D. Fasbender, Mayor

(City Seal)

I HEREBY CERTIFY that the above is a true and correct copy of ordinance presented to and adopted by the City of Hastings, County of Dakota, Minnesota, on the 18<sup>th</sup> day of February 2020 as disclosed by the records of the City of Hastings on file and of record in the office.

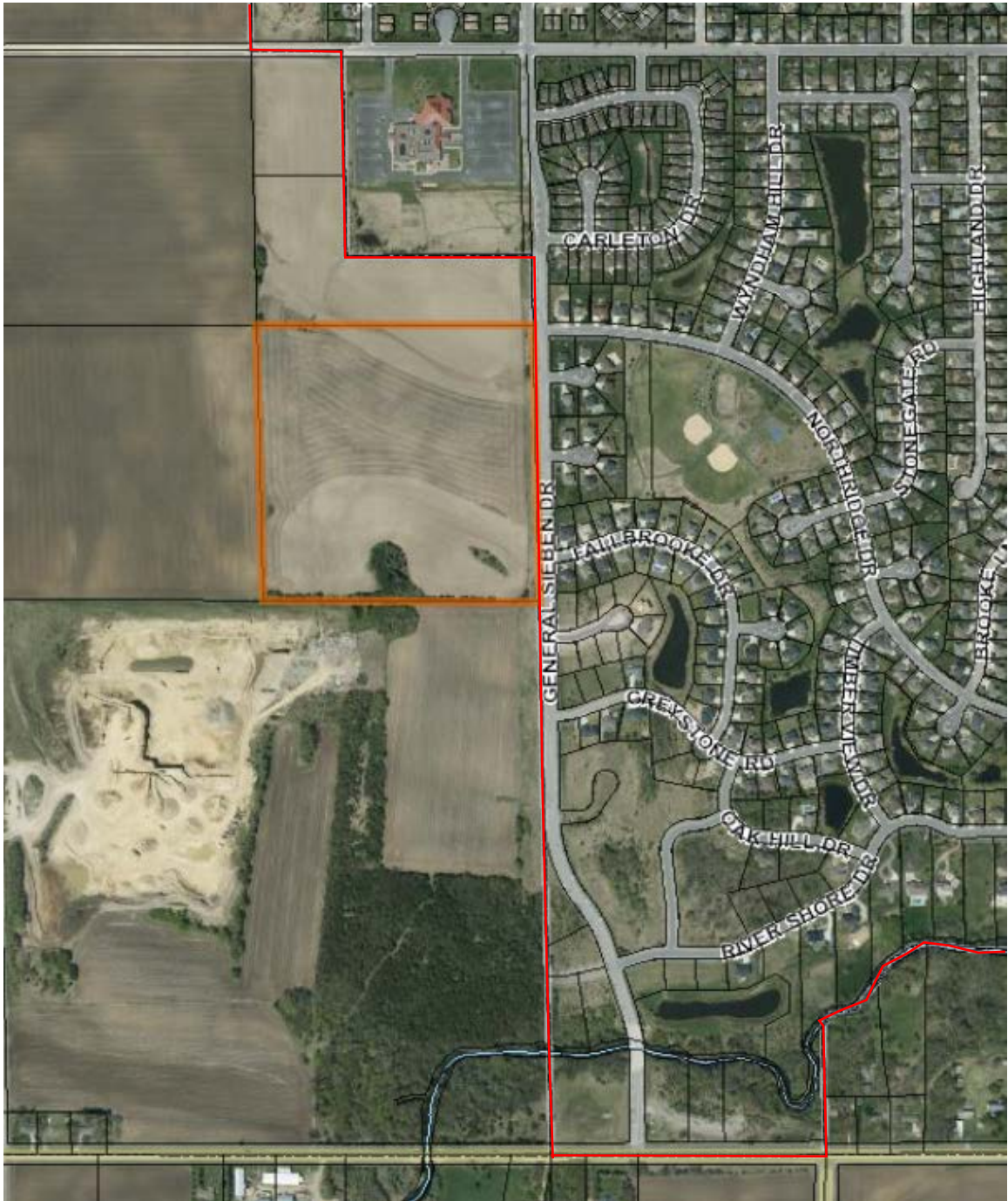
  
\_\_\_\_\_  
Julie Flaten, City Clerk

(SEAL)

This instrument drafted by:  
City of Hastings (JH)  
101 4th St. E.  
Hastings, MN 55033



## LOCATION MAP



- Corporate Limits
- Proposed Annexation