

**CITY OF WATERVILLE
LE SUEUR COUNTY, MINNESOTA**

ORDINANCE NO. 153.3-2020

**AN ORDINANCE OF THE CITY OF WATERVILLE, MINNESOTA ANNEXING
LAND LOCATED IN WATERVILLE TOWNSHIP, LE SUEUR 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 (herein or attached exhibit) be annexed to the City of Waterville Minnesota, was duly presented to the Council of the City of Waterville on the 4th day of August, 2020; and

WHEREAS, said property is unincorporated and abuts the City of Waterville on its western boundary; is less than 120 acres; is not presently served by public sewer facilities or public sewer facilities are not otherwise available and is ripe for annexation under Minnesota Statute §414.033 Subd. 2(3); and

WHEREAS, said property is located within a flood plain or shoreland area. The City shall adopt or amend its land use controls to conform with chapter 103F. New development of annexed area shall be subject to chapter 103F pursuant to Minnesota Statutes § 414.033 Subd. 11; and

WHEREAS, said property is currently residential and annexation is requested to facilitate the extension of city services for the residential development of the property; and

WHEREAS, the City of Waterville held a public hearing pursuant to Minnesota Statutes §414.033 Subd. 2b, on October 6, 2020 following thirty (30) days written notice by certified mail to the Town of Waterville 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.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WATERVILLE 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 Waterville, Minnesota, are hereby extended to include the property described herein, said land abutting the City of Waterville 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:

Attached Hereto as Exhibit A

The above described property consists of a total of .59 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 B.

4. That the population of the area legally described on attached Exhibit A and hereby annexed is 2.

5. The City of Waterville, pursuant to Minnesota Statutes § 414.036, that with respect to the property taxes payable on the area legally described (herein or attached exhibit), hereby annexed, shall make a cash payment to the Town of Waterville in the amount of \$180, with said amount being paid in equal amounts over the next two years; (\$90 in 2021 and \$90 in 2022).

6. That pursuant to Minnesota Statutes § 414.036 there are no special assessments or debt incurred by the Town on the subject property.


7. That the City Clerk of the City of Waterville 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 Le Sueur County Auditor, and the Waterville 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 Waterville, Minnesota, this 6th day of October, 2020.


Alan Schmidtke Mayor

ATTEST:


Teresa K. Hill – City Administrator

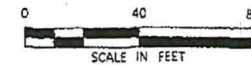
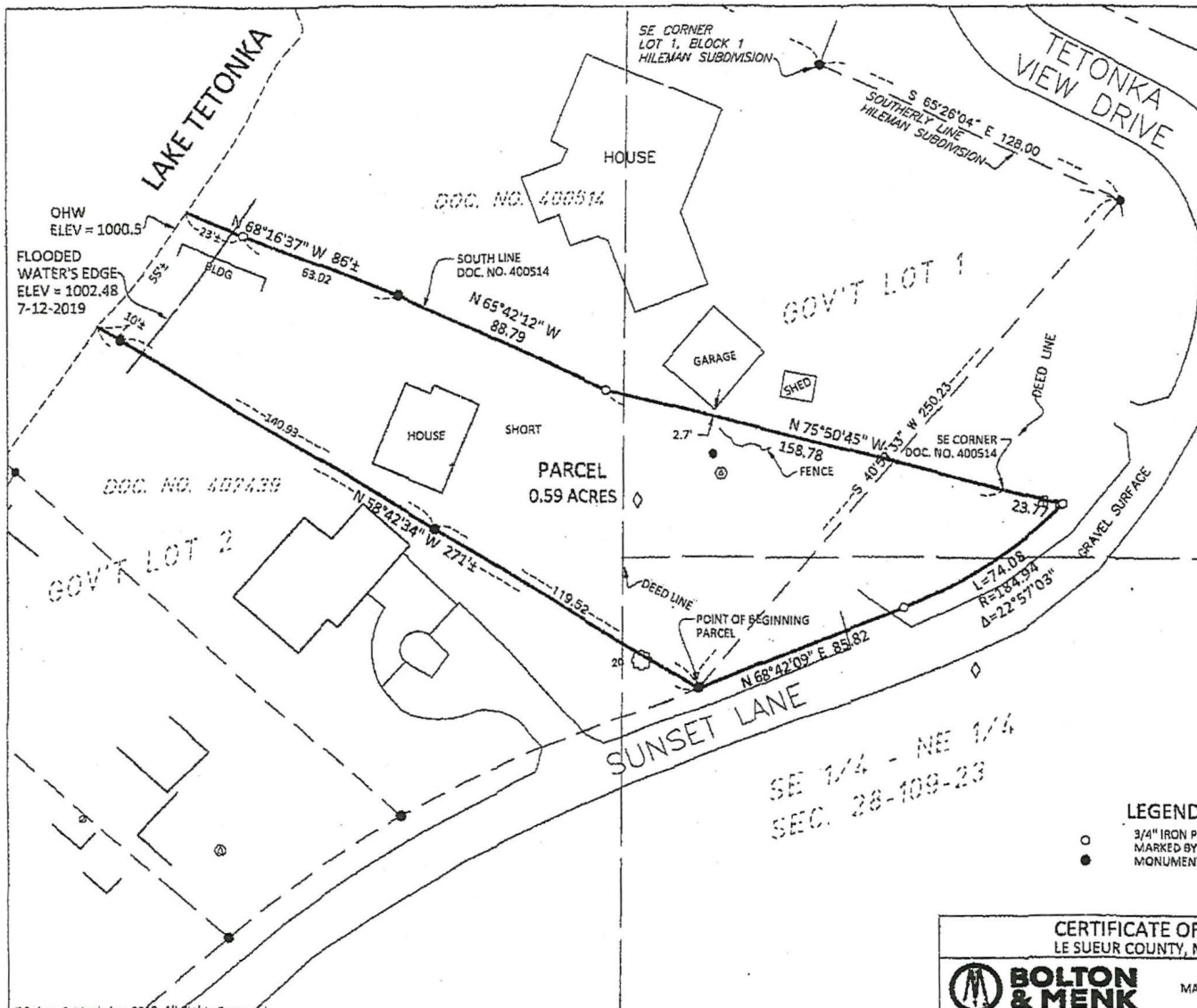
(City Seal)

Exhibit A – Legal Description

That part of the Southeast Quarter of the Northeast Quarter and that part of Government Lot 1 and Government Lot 2 of Section 28, Township 109 North, Range 23 West, Le Sueur County, Minnesota, described as follows: Commencing at the Southeast Corner of Lot 1, Block 1, HILEMAN SUBDIVISION, according to the recorded plat thereof; thence South 65 degrees 26 minutes 04 seconds East (bearings based on Le Sueur County Coordinate System NAD83, 1996 Adjustment) on the southerly line of said HILEMAN SUBDIVISION, a distance of 128.00 feet; thence South 40 degrees 59 minutes 33 seconds West, a distance of 250.23 feet to the point of beginning; thence North 68 degrees 42 minutes 09 seconds East, a distance of 85.82 feet; thence northeasterly a distance of 74.08 feet, along a tangential curve to the left, having a radius of 184.94 feet and a central angle of 22 degrees 57 minutes 03 seconds; thence North 75 degrees 50 minutes 45 seconds West not tangent to said curve, a distance of 23.77 feet to the Southeast Corner of a parcel described in Document Number 400514 recorded in the County Recorder's Office; thence continuing North 75 degrees 50 minutes 45 seconds West on the south line of said Document, a distance of 158.78 feet; thence North 65 degrees 42 minutes 12 seconds West on said south line, a distance of 88.79 feet; thence North 68 degrees 16 minutes 37 seconds West on said south line, a distance of 86 feet, more or less, to the water's edge of Lake Tetonka; thence southwesterly along said water's edge, a distance of 55 feet, more or less, to the intersection of a line that bears North 58 degrees 42 minutes 34 seconds West from the point of beginning; thence South 58 degrees 42 minutes 34 seconds East, a distance of 271 feet, more or less, to the point of beginning.

Excepting therefrom any and all land already within the corporate limits of the City of Waterville.

Said parcel contains 0.59 acres of land.



PROPOSED DESCRIPTION

That part of the Southeast Quarter of the Northeast Quarter and that part of Government Lot 1 and Government Lot 2 of Section 28, Township 109 North, Range 23 West, Le Sueur County, Minnesota, described as follows: Commencing at the Southeast Corner of Lot 1, Block 1, HILEMAN SUBDIVISION, according to the recorded plat thereof; thence South 65 degrees 26 minutes 04 seconds East (bearings based on Le Sueur County Coordinate System NAD83, 1996 Adjustment) on the southerly line of said HILEMAN SUBDIVISION, a distance of 128.00 feet; thence South 40 degrees 59 minutes 33 seconds West, a distance of 250.23 feet to the point of beginning; thence North 68 degrees 42 minutes 09 seconds East, a distance of 85.82 feet; thence northeasterly a distance of 74.08 feet, along a tangential curve to the left, having a radius of 184.94 feet and a central angle of 22 degrees 57 minutes 03 seconds; thence North 75 degrees 50 minutes 45 seconds West not tangent to said curve, a distance of 23.77 feet to the Southeast Corner of a parcel described in Document Number 400514 recorded in the County Recorder's Office; thence continuing North 75 degrees 50 minutes 45 seconds West on the south line of said Document, a distance of 158.78 feet; thence North 65 degrees 42 minutes 12 seconds West on said south line, a distance of 88.79 feet; thence North 68 degrees 16 minutes 37 seconds West on said south line, a distance of 86 feet, more or less, to the water's edge of Lake Tetonka; thence southwesterly along said water's edge, a distance of 55 feet, more or less, to the intersection of a line that bears North 58 degrees 42 minutes 34 seconds West from the point of beginning; thence South 58 degrees 42 minutes 34 seconds East, a distance of 271 feet, more or less, to the point of beginning. Said parcel contains 0.59 acres of land.

SURVEYOR'S CERTIFICATION

I hereby certify that this survey, plan, 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.

Rory Jensen
Rory Jensen
License Number 15789

07/16/2019
Date

LEGEND

- 3/4" IRON PIPE MONUMENT SET MARKED BY LIC. NO. 15789
- MONUMENT FOUND

CERTIFICATE OF SURVEY LE SUEUR COUNTY, MINNESOTA

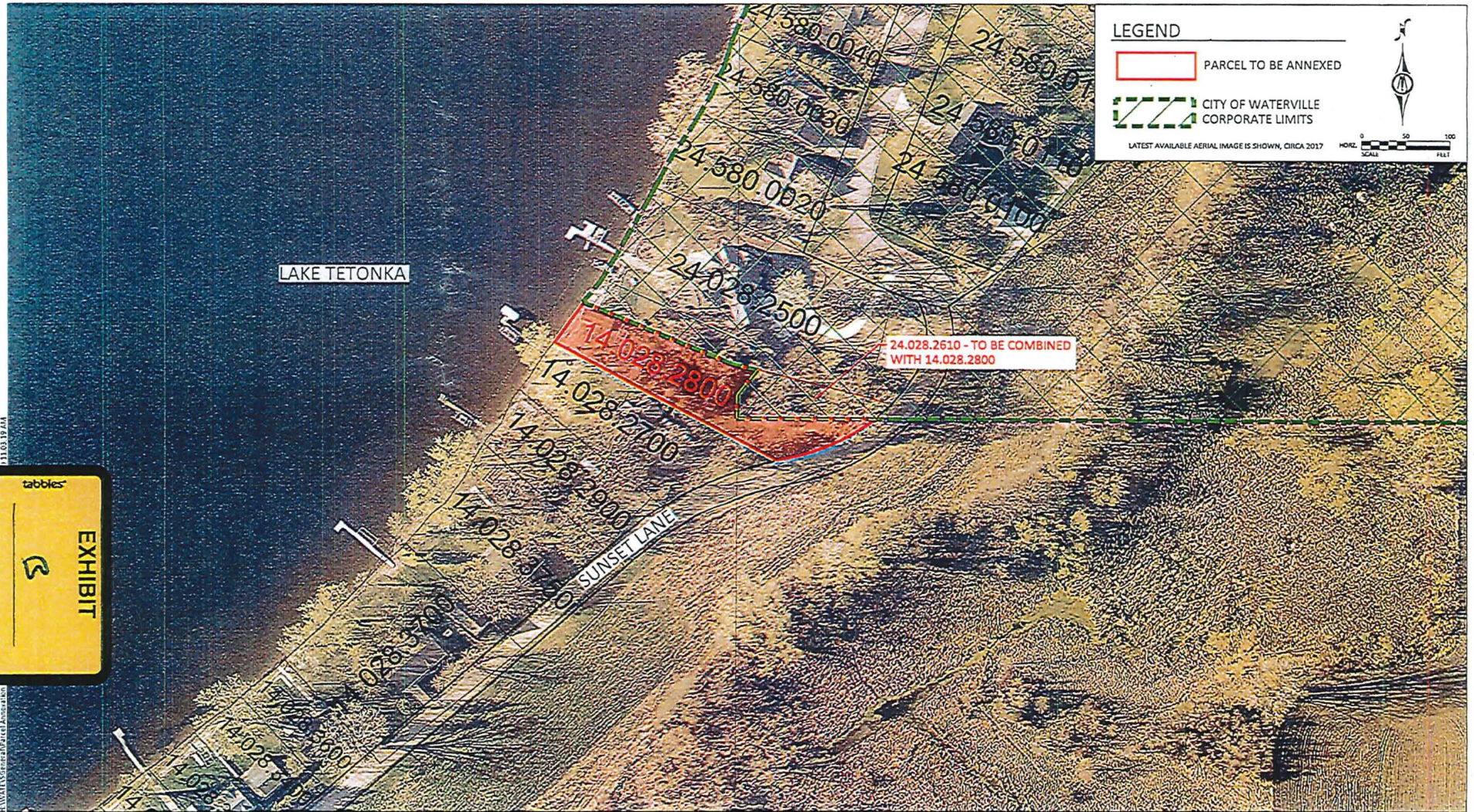


1950 PREMIER DRIVE
MANKATO, MINNESOTA 56001
(507) 625-4171

THAT PART OF THE SE 1/4 OF THE NE 1/4 & THAT PART OF GOV'T LOT 2 IN SECTION 28, TOWNSHIP 109 NORTH, RANGE 23 WEST, WATERSVILLE TWP., LE SUEUR COUNTY, MINNESOTA
FOR: CHRISTINE SHORT

EXHIBIT

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PREPARED BY THE
MINNESOTA DEPARTMENT OF TRANSPORTATION
OFFICE OF TRANSPORTATION SYSTEM MANAGEMENT

IN COOPERATION WITH
U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

1 in = 800 ft

2019

North American Datum
of 1983

Population (U.S. Census 2010): 1868

Subject
location

tabbjes®

EXHIBIT

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in an alternative format, call 651-366-4718 or 1-800-657-3774 (Greater Minnesota): 711 or 1-800-627-3529 (Minnesota Relay). You may also send an e-mail to ADArequest.dor@state.mn.us. (Please request at least one week in advance.)

MUNICIPALITY OF WATERVILLE

LE SUEUR COUNTY

SHEET

1 OF

Tax Reimbursement Agreement

This joint Agreement is dated this 7th day of October, 2020, by and between the City of Waterville, hereinafter "City," and Waterville Township, hereinafter "Township."

Whereas, John Slavik, has petitioned the City for annexation of real estate identified herein on Exhibit A, and as further depicted on the maps attached hereto as Exhibit B, and

Whereas, the Township and the City have met and agree that this annexation shall proceed. The parties further agree that the Township has no objection to allowing the real estate at issue herein being annexed into, and thus becoming a part of, the City of Waterville; and

Whereas, the parties hereto agree that the tax reimbursement for the annexation under M.S.A. §414.036 shall be a flat payment of \$180 from the City to the Township and paid ninety (90) days after approval of the annexation by the Municipal Boundary Adjustments Unit of the Office of Administrative Hearings.

Whereas, all signatories to this Agreement have the authority to bind their respective units of government.

Dated: [Signature]

By:

Its: Waterville Township, Chair

ATTEST

Dated: [Signature]

By:

Its: Waterville Township, Clerk

Dated: [Signature]

By: Alan Schmidtke

Its: Waterville, Mayor

ATTEST

Dated: [Signature]

By: Teresa Hill

Its: Waterville, City Administrator

