

## ORDINANCE NO. 549

### **AN ORDINANCE OF THE CITY OF LA CRESCENT, MINNESOTA ANNEXING LAND LOCATED IN LA CRESCENT TOWNSHIP, HOUSTON 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 be annexed to the City of La Crescent, Minnesota, was duly presented to the Council of the City of La Crescent on December 23, 2020; and

**WHEREAS**, said property is unincorporated and abuts the City of La Crescent on its southwesterly and northwesterly boundaries, and the City's northeasterly boundary of County 6; 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 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 La Crescent held a public hearing pursuant to Minnesota Statutes § 414.033 Subd. 2b, on January 25, 2021, following thirty (30) days written notice by certified mail to the Town of La Crescent 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 LA CRESCENT 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 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 La Crescent, Minnesota, are hereby extended to include the following described property, said land abutting the City of La Crescent 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 SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 104, RANGE 4, HOUSTON COUNTY, MINNESOTA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SAID SECTION 9, AS MONUMENTED BY A HOUSTON COUNTY MONUMENT; THENCE SOUTH 89 DEGREES 52 MINUTES 36 SECONDS WEST, ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER, 577.32 FEET; THENCE SOUTH 26 DEGREES 27 MINUTES 28 SECONDS WEST, 223.48 FEET; THENCE NORTH 55 DEGREES 31 MINUTES 17 SECONDS WEST, 468.04 FEET TO A ONE-HALF INCH IRON PIPE MONUMENT; THENCE NORTH 56 DEGREES 53 MINUTES 13 SECONDS WEST, 133.28 FEET TO A ONE-HALF INCH IRON PIPE MONUMENT AND THE POINT OF BEGINNING OF THE LAND TO BE DESCRIBED; THENCE CONTINUE NORTH 56 DEGREES 53 MINUTES 13 SECONDS WEST, 96.97 FEET; THENCE NORTH 34 DEGREES 00 MINUTES 51 SECONDS EAST, 190.97 FEET TO A ONE-HALF INCH IRON PIPE MONUMENT; THENCE CONTINUE NORTH 34 DEGREES 00 MINUTES 51 SECONDS EAST, 182.75 FEET TO THE CENTER LINE OF HOUSTON COUNTY HIGHWAY NO. 6; THENCE SOUTH 59 DEGREES 42 MINUTES 30 SECONDS EAST, ALONG SAID COUNTY HIGHWAY CENTER LINE, 102.38 FEET TO THE INTERSECTION OF A LINE BEARING NORTH 34 DEGREES 48 MINUTES 08 SECONDS EAST FROM THE POINT OF BEGINNING; THENCE SOUTH 34 DEGREES 48 MINUTES 08 SECONDS WEST, ALONG SAID LAST INTERSECTED LINE, 378.88 FEET TO THE POINT OF BEGINNING.

EXCEPT THAT PART OF THE ABOVE DESCRIBED PARCEL CONTAINED WITHIN COUNTY ROAD 6 RIGHT OF WAY.

The above described property consists of a total of 0.857 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.

4. The City of La Crescent, pursuant to Minnesota Statutes § 414.036, that with respect to the property taxes payable on the area legally described herein, hereby annexed, shall make a cash payment to the Town of La Crescent in accordance with the following schedule:

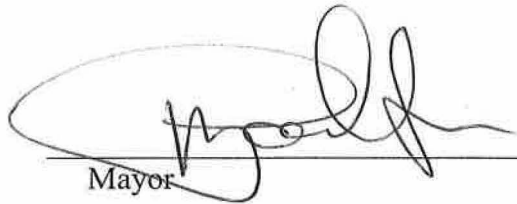
- a. In the first year following the year in which the City of La Crescent could first levy on the annexed area, an amount equal to \$478.91; and
- b. In the second and final year, an amount equal to \$478.91.

5. 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 herein there are no special assessments or debt incurred by the Town on the subject are for which reimbursement is required.

6. That the City Administrator of the City of La Crescent 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 Houston County Auditor, and the La Crescent Township Clerk.

7. 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 La Crescent, Minnesota, this 25<sup>th</sup> day of January, 2021.

  
Mayor

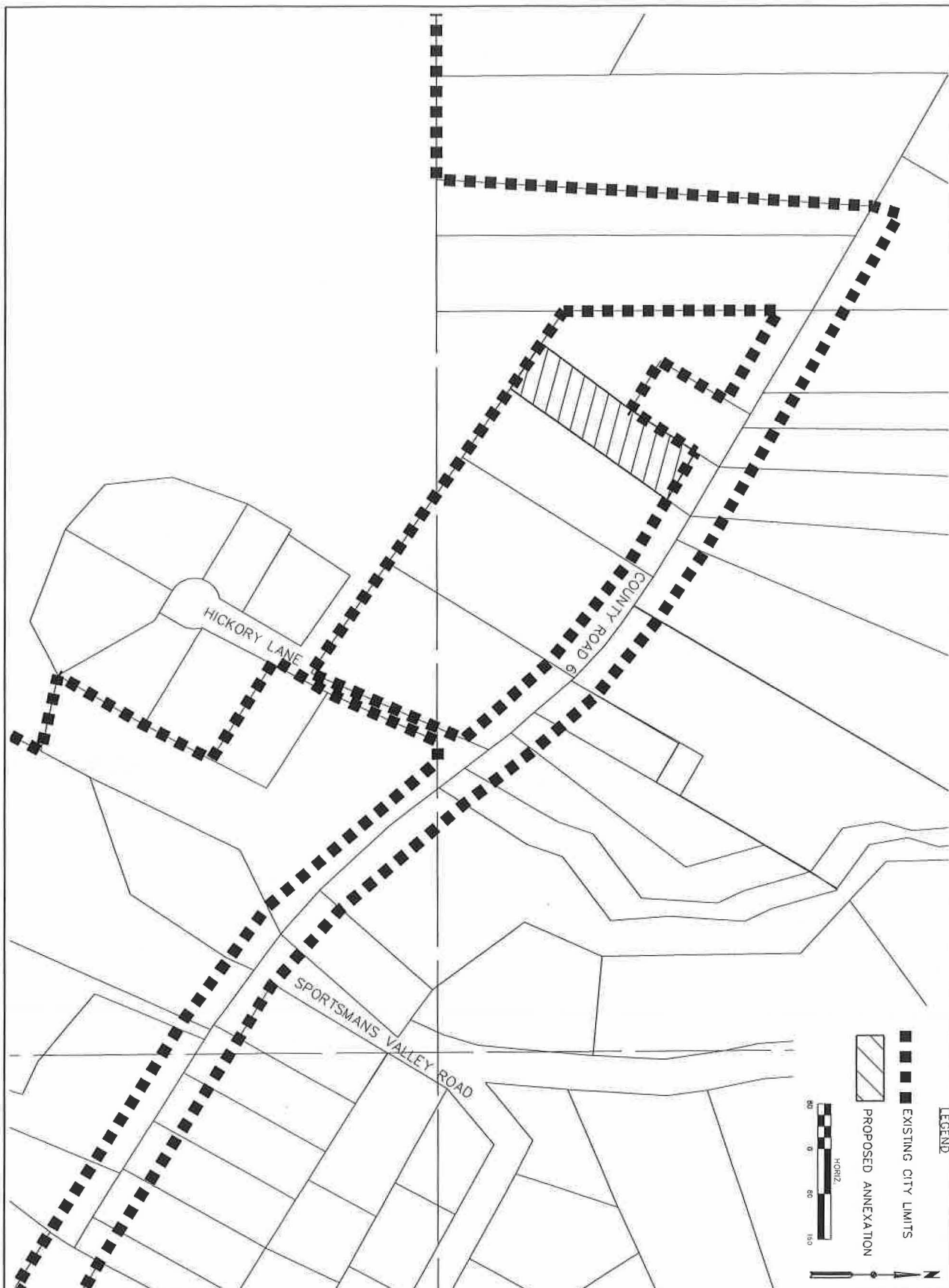
ATTEST:





City Administrator

(City Seal)





LEGEND

-  EXISTING CITY LIMITS
-  PROPOSED ANNEXATION



PROPOSED ANNEXATION BOUNDARIES  
LA CRESCENT, MN  
8008

| REVISIONS |             |
|-----------|-------------|
| NO.       | DESCRIPTION |
|           |             |
|           |             |
|           |             |
|           |             |
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|------------------|
| SCALE: AS SHOWN  |
| PROJECT NO: 8008 |
| DRAWN BY: SCL    |
| CHECKED BY: SCL  |
| SHEET 1 OF 1     |