

ORDINANCE NO. 1044

CITY OF LAKEVILLE
DAKOTA COUNTY, MINNESOTA

**AN ORDINANCE ANNEXING LAND LOCATED IN THE
TOWN OF EUREKA, DAKOTA COUNTY, MINNESOTA
PURSUANT TO MINNESOTA STATUTES § 414.033 SUBDIVISION 2(3),
PERMITTING ANNEXATION BY ORDINANCE**

WHEREAS, a majority of the property owners of the lands described below have petitioned the Lakeville City Council to annex this property to the City of Lakeville, pursuant to Minnesota Statutes Section 414.033, subdivision 2(3); and

WHEREAS, the property is unincorporated and abuts the City of Lakeville on its southerly boundary; is less than 120 acres; is not presently served by public sewer facilities or public sewer facilities are not otherwise available, and

WHEREAS, the property is currently unimproved agricultural land and annexation is requested to facilitate the extension of city services for the urban industrial development of the property, and;

WHEREAS, the area of land proposed for annexation, in acres, is approximately 91.37 acres; and

WHEREAS, the City of Lakeville held a public hearing pursuant to Minnesota Statutes § 414.033 Subd. 2b, on May 3, 2021, following thirty (30) days written notice by certified mail to the Town of Eureka 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 LAKEVILLE, MINNESOTA HEREBY ORDAINS AS FOLLOWS:

1. The City Council hereby determines that the property as described herein abuts the city limits and is or is about to become urban or suburban in nature in that urban industrial 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 Lakeville, Minnesota, are hereby extended to include the following described property, said land abutting the City of Lakeville and being 120 acres or less in area, which is not presently served by public sewer facilities or and for which 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 Northeast Quarter of Section 6, Township 113 North, Range 20 West, Dakota County, Minnesota described as follows:

Beginning at the Northwest corner of said Northeast Quarter of Section 6; thence South 00 degrees 14 minutes 33 seconds East, an assumed bearing, along the west line of said Northeast Quarter, a distance of 2150.51 feet; thence South 89 degrees 39 minutes 33 seconds East, along a line parallel with the south line of said Northeast Quarter, a distance of 1131.47 feet; thence North 00 degrees 20 minutes 27 seconds East, perpendicular to said south line, a distance of 500.00 feet; thence South 89 degrees 39 minutes 33 seconds East, along a line parallel with said south line of the Northeast Quarter, a distance of 723.93 feet to the centerline of Dodd Boulevard; thence North 10 degrees 57 minutes 25 seconds East, along said centerline of Dodd Boulevard, a distance of 828.19 feet; thence continuing northeasterly 409.51 feet along said centerline of Dodd Boulevard and along a tangential curve concave to the southeast having a radius of 1850.00 feet and a central angle of 12 degrees 40 minutes 58 seconds; thence North 23 degrees 38 minutes 23 seconds East, tangent to said curve and continuing along said centerline of Dodd Boulevard, a distance of 506.58 feet to the north line of said Northeast Quarter; thence South 89 degrees 51 minutes 30 seconds West, along said north line of the Northeast Quarter, a distance of 2349.51 feet to said point of beginning.

The above described property consists of approximately 91.37 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. That the population of the area hereby annexed is zero.

5. The City of Lakeville, pursuant to Minnesota Statutes § 414.036, shall provide reimbursement to Eureka Township with respect to the property taxes payable on the area hereby annexed, in the amount of One Thousand Ninety Dollars and Sixty-Eight Cents (\$1,090.68) equal to two years of Township taxes for the property to be annexed, payable in two annual payment in accordance with the following schedule:

- a. An amount equal to Five Hundred Forty-Five Dollars and Thirty-Four Cents (\$545.34) no later than December 31, 2022; and

•

- b. An amount equal to Five Hundred Forty-Five Dollars and Thirty-Four Cents (\$545.34) no later than December 31, 2023.

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 annexed, 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 Lakeville is hereby authorized and directed to file a copy of this Ordinance with the Chief Administrative Law Judge of the Minnesota Office of Administrative Hearings, the Minnesota Secretary of State, the Dakota County Auditor, and the Township Clerk.

8. That the Office of Administrative Hearings is hereby requested to issue its order approving this annexation.


9. This ordinance shall be effective immediately upon its passage and publication, and approval by the Office of Administrative Hearings, Boundary Adjustments, and State of Minnesota.

ADOPTED this 17th day of May 2021 by the City Council of the City of Lakeville, Minnesota

CITY OF LAKEVILLE

BY: 
Douglas P. Anderson, Mayor

ATTEST:


Charlene Friedges, City Clerk

