

**CITY OF MADISON LAKE****BLUE EARTH COUNTY, MINNESOTA****ORDINANCE NO. 2021-01**

**AN ORDINANCE OF THE CITY OF MADISON LAKE, BLUE EARTH COUNTY, MINNESOTA ANNEXING LAND LOCATED IN JAMESTOWN TOWNSHIP, BLUE EARTH COUNTY, MINNESOTA PURSUANT TO MINNESOTA STATUTE§ 414.033 SUBDIVISION 2(3), PERMITTING ANNEXATION BY ORDINANCE**

**WHEREAS**, a petition signed by all the property owners requesting that property legally described on Attached Exhibit A be annexed to the City of Madison Lake, Minnesota, was duly presented to the City Council for the City of Madison Lake on the 17th day of May, 2021; and

**WHEREAS**, said property is unincorporated and abuts the City of Madison Lake 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 not located within a flood plain or shoreland area; and

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

**WHEREAS**, the City of Madison Lake held a public hearing pursuant to Minnesota Statutes §414.033 Subd. 2b, on September 21, 2020 following thirty (30) days written notice by certified mail to Jamestown Township and to all landowners within and 9ontiguous 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 MADISON LAKE 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 Madison Lake, Minnesota, are hereby extended to include the property described herein, as set forth on Attached Exhibit A, said land abutting the City of Madison Lake 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:

***Legally Described on Attached Exhibit A and as Further Set Forth on the Maps Attached Hereto as Exhibit B.***

The above described property consists of a total of 10.97 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 legally described on attached Exhibit A and hereby annexed is currently 0.

5. The City of Madison Lake, pursuant to Minnesota Statutes § 414.036, with respect to the property taxes payable on the area legally described (herein or attached exhibit) and hereby annexed, shall make a one-time cash payment to Jamestown Township in the amount of \$125 as a full and final complete agreed upon settlement of tax reimbursement for taxable year 2021 as documented by the Agreement set forth on Exhibit C.

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 Administrator of the City of Madison Lake 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 Blue Earth County Auditor, and the Jamestown Township Clerk.

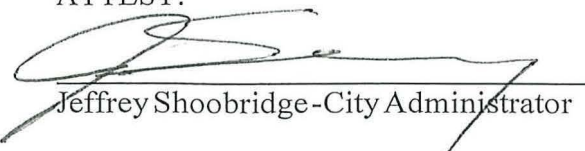
8. That this Ordinance shall be in full force and effect and final upon the date this Ordinance is approved by the Office of Administrative Hearings.

PASSED AND ADOPTED by the City Council of the City of Madison Lake, Minnesota, this 19th day of July, 2021.



Kent Hoehn Mayor

ATTEST:

  
Jeffrey Shoobridge - City Administrator

(City Seal)

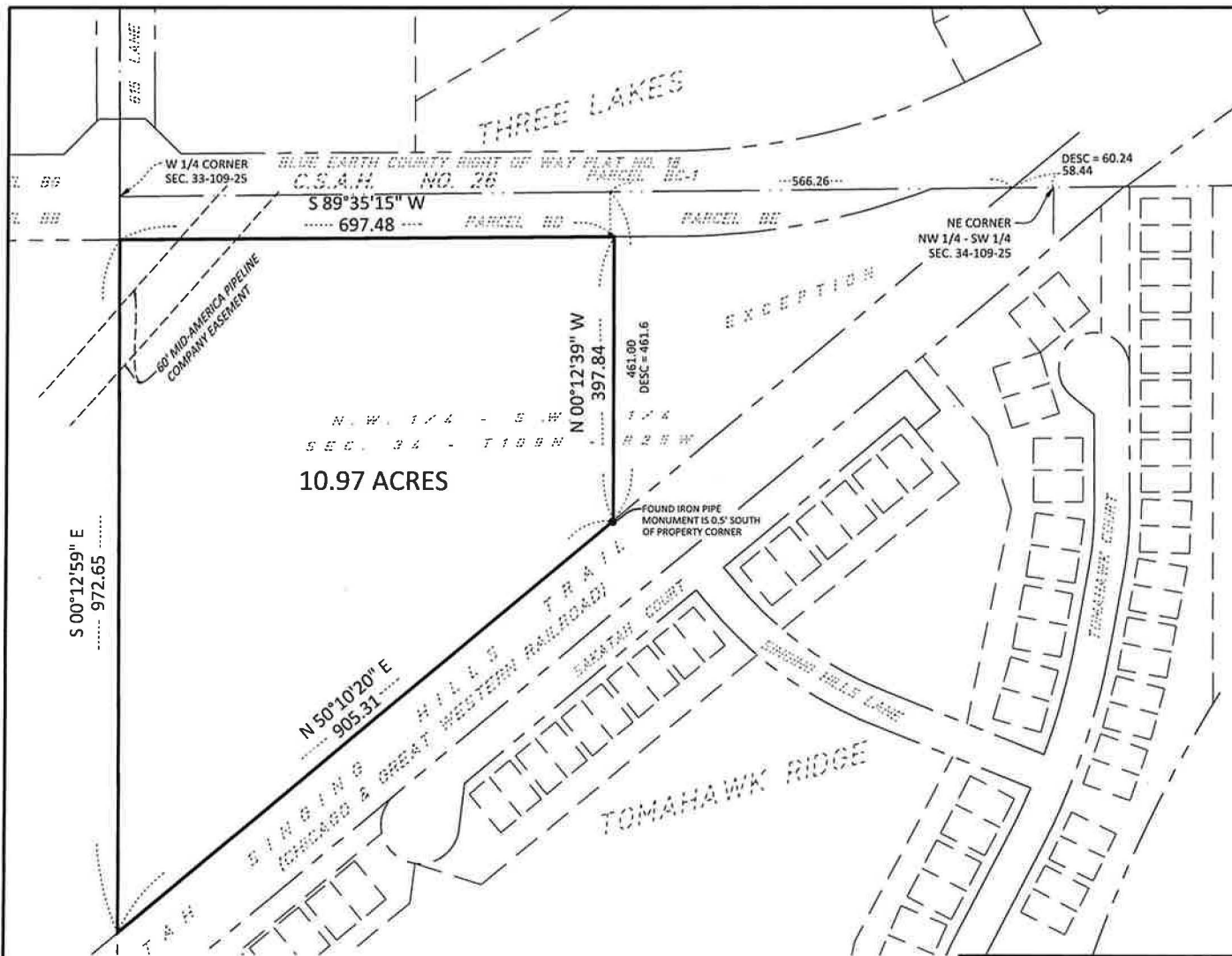


## EXHIBIT A

All that part of the Northwest Quarter of the Southwest Quarter of Section 34-109-25, Blue Earth County, Minnesota, which lies Northwesterly of the right of way of what was, in 1938, the Great Western Railway, EXCEPTING therefrom 3 acres in the Northeast corner of said area, described as, Commencing at a point 60.24 ft. west of the northeast corner of said NW 1/4 of SW 1/4 Sec. 34, on the westerly side of said right of way, running thence due west along the 1/4 line of 566.26 ft., thence due south 461. 60 ft. to the said right of way, thence north-easterly along the said right of way to place of beginning.

Excepting any land already in the City's corporate limits.





## LEGAL DESCRIPTION

Parcel 1 (R37.05.34.301.001)

All that part of the Northwest Quarter of the Southwest Quarter of Section 34-109-25, Blue Earth County, Minnesota, which lies Northwesterly of the right-of-way of what was, in 1938, the Great Western Railway, EXCEPTING therefrom 3 acres in the Northeast corner of said area, described as, Commencing at a point 60.24 ft. west of the northeast corner of said NW 1/4 of SW 1/4 Sec. 34, on the westerly side of said right of way, running thence due west along the 1/4 line 566.26 ft., thence due south 461.60 ft. to the said right of way, thence north-easterly along the said right of way to place of beginning.

## 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.

*Michael M. Eichers*

Michael M. Eichers  
License Number 46564

08/23/2021  
Date

## CORRECTIVE ANNEXATION EXHIBIT MADISON LAKE, MINNESOTA



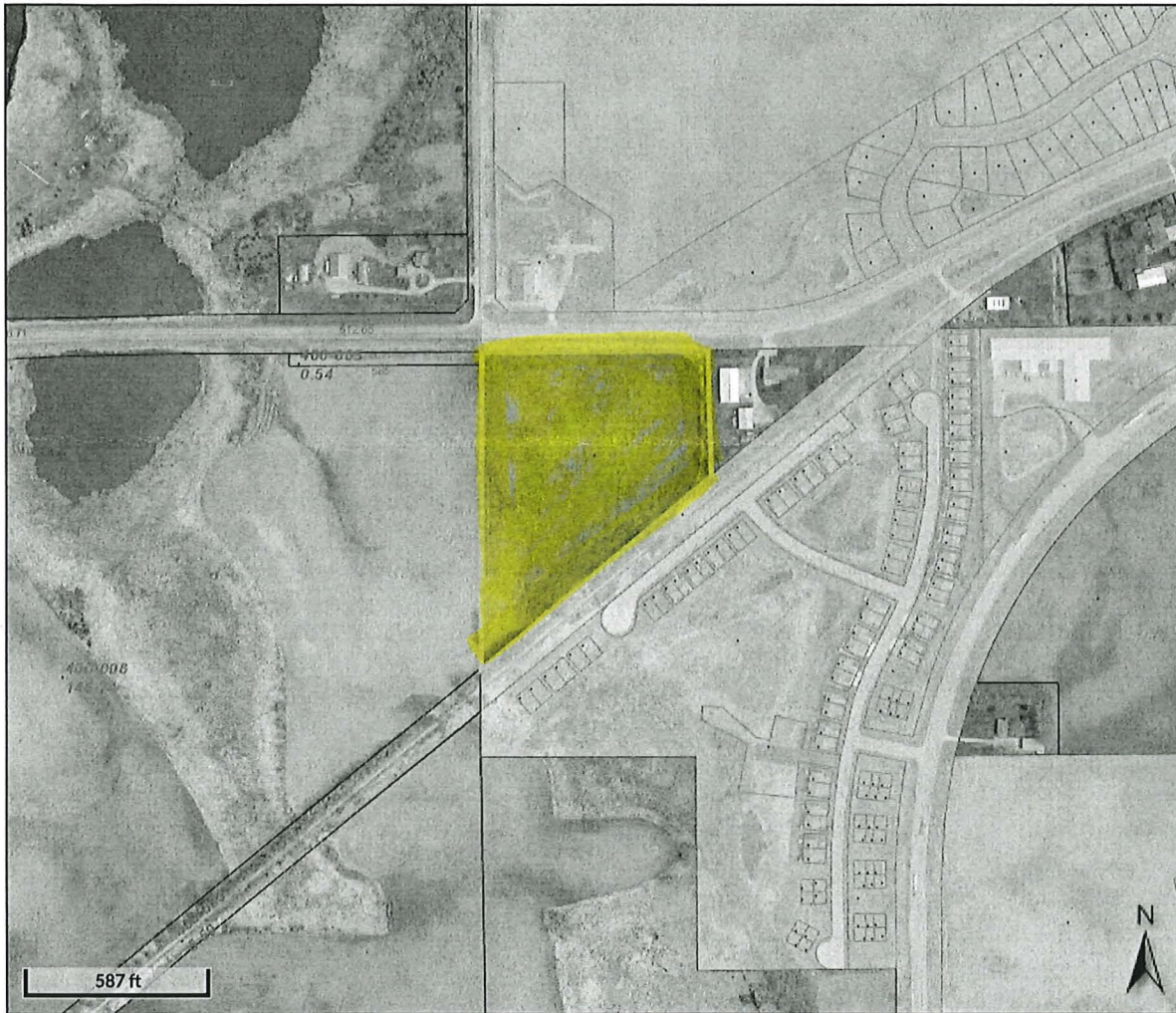
1960 PREMIER DRIVE  
MANKATO, MINNESOTA 56001  
(507) 625-4171

PART OF THE NW 1/4 - SW 1/4  
SECTION 34 T109N R25W

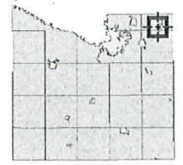
FOR: WOODFELLS LAWN AND LANDSCAPING  
TYLER BAKA

EXHIBIT

B



### Overview



### Legend

#### Parcel Point Urban

- Centroid
- Non Centroid

 Tax Parcels

 Monument

<b>Parcel ID</b>	R370534301001	<b>Class</b>	2AREM-Agricultural Homestead - Remainder	<b>Owner Address</b>	BAKA TYLER & KELLI
<b>Sec/Twp/Rng</b>	34/109/25	<b>Acreage</b>	10.92		220 JACKS DR
<b>Property Address</b>					MADISON LAKE MN 56063
<b>District</b>	JAMESTOWN TWP SCH 0077				
<b>Brief Tax Description</b>	11.9A IN NW4 OF SW4 LYG NW OF RR EX.98A CSAH 26 ROW 034 109 25 010.920A (Note: Not to be used on legal documents)				

Date created: 6/2/2021  
Last Data Uploaded: 6/2/2021 6:27:51 AM

Developed by  **Schneider  
GEOSPATIAL**





Population 1017

Population 1017

EXHIB

B

Tax Reimbursement Agreement

This joint Agreement is dated this 13th day of July, 2021, by and between the City of Madison Lake, hereinafter "City," and Jamestown Township, hereinafter "Township."

Whereas, Tyler Baka, 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 Madison Lake; 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 \$125 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.

7-13-2021  
Dated: \_\_\_\_\_  
By: [Signature]  
Its: Jamestown Township, Chair

ATTEST

7/13/2021  
Dated: \_\_\_\_\_  
By: Gina M. Adams-Morris  
Its: Jamestown Township, Clerk

[Signature]  
Dated: \_\_\_\_\_  
By: Kent Hoehn  
Its: Madison Lake, Mayor

ATTEST

[Signature]  
Dated: \_\_\_\_\_  
By: Jeff Shoobridge  
Its: Madison Lake, City Administrator

