

**ORDINANCE NO. 210810-01**

**AN ORDINANCE OF THE CITY OF SPICER, MINNESOTA ANNEXING  
LAND LOCATED IN GREEN LAKE TOWNSHIP, KANDIYOHI 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 in **Exhibit A** (the “Property”) be annexed to the City of Spicer, Minnesota, was duly presented to the Council of the City of Spicer on the 15<sup>th</sup> day of June, 2021; and

**WHEREAS**, the Property is unincorporated and abuts the City of Spicer on its south 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 not located within a flood plain area; and

**WHEREAS**, the Property is currently vacant and annexation is requested to facilitate the extension of City services for the future development of the Property; and

**WHEREAS**, the City of Spicer held a public hearing pursuant to Minnesota Statutes § 414.033, Subd. 2b, on August 10, 2021, following thirty (30) days written notice by certified mail to the Town of Green Lake and to all landowners within and contiguous to the Property legally described in **Exhibit A**, 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 Spicer hereby ordains as follows:

1. The City Council hereby determines that the Property abuts the City limits and is or is about to become urban or suburban in nature, which requires 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 Spicer, Minnesota, are hereby extended to include the Property, said land abutting the City of Spicer 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 Property.

The Property consists of a total of approximately 7.79 acres, more or less, that is subdivided from a larger parcel as shown in **Exhibit B**. 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. The City of Spicer, pursuant to Minnesota Statutes § 414.036, with respect to the property taxes payable on the Property, hereby annexed, shall make a cash payment to the Town of Green Lake equivalent to the property taxes collected by the Township in the last year it collected property taxes on the Property (2021). Based upon the tax rate from the Kandiyohi County Auditor, the 7.79 acres of the Property equals property tax in the amount of \$ 23.27 . The payment will be made in accordance with the following schedule:

- a. In the first year following the year in which the City of Spicer could first levy on the annexed area, an amount equal to \$ 264.00 ; and
- b. In the second year an amount equal to \$ 264.00 .

5. There are no special assessments or debt incurred by the Township on the Property for which reimbursement is required pursuant to Minn. Stat. § 414.036.

6. That the City Clerk of the City of Spicer 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 Kandiyohi County Auditor, and the Green Lake 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 Spicer, Minnesota, this 10th day of August, 2021.

  
Dennis Baker, Mayor

ATTEST:

  
Chad Lien, Interim City Administrator

(City Seal)



[illegible]

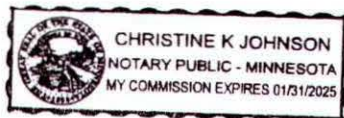
The foregoing instrument was acknowledged before me the 10<sup>th</sup> day of August, 2021, by Denny Baker, the Mayor of the City of Spicer, Minnesota, a municipal corporation, on behalf of such corporation.



Christa K Johnson  
Notary Public

[illegible]

The foregoing instrument was acknowledged before me the 10<sup>th</sup> day of August, 2021, by Chad Lien, the Interim City Administrator, of the City of Spicer, Minnesota, a municipal corporation, on behalf of such corporation.



Christa Johnson  
Notary Public

**This instrument Drafted by:**

City of Spicer  
217 Hillcrest Ave  
P O Box 656  
Spicer, MN 56288  
(320) 796-5562



### **EXHIBIT A**

That part of Government Lot 1 of Section 10 and that part of the Southeast Quarter (SE1/4) of the Northeast Quarter (NE1/4) of Section 9 all in Township 120, Range 34, Kandiyohi County, Minnesota, described as follows: Commencing at the Northeast Corner of Government Lot 2 of said Section 10; thence on an assumed bearing of S 89°29'54" W, along the North line of said Government Lots 1 and 2, a distance of 1785.14 feet to the point of beginning of the tract herein described; thence S 00°30'06" E, 176.38 feet; thence S 76°14'34" W, 390.84 feet; thence S 89°29'54" W, 318.47 feet; thence S 00°00'00" E, 200.01 feet; thence Northwesterly, 271.27 feet along a curve, concave to the north, not tangent to last said line, having a radius of 2,000.00 feet a central angle of 7°46'17" and a chord bearing and distance of N 83°15'02" W, 271.06 feet; thence N 79°21'53" W, tangent to last said curve, 133.94 feet, to a point on the easterly line of MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 34-19 as of public record, Kandiyohi County, Minnesota that is 10.00 feet northerly of Right of Way Monument B26 as measured along the easterly line of said right of way plat; thence N 11°47'22" E, along last said line, 95.00 feet to Right of Way Monument B25; thence N 04°32'43" W, along last said line, 160.00 feet to Right of Way Monument B24; thence N 11°47'22" E, along last said line 160.46 feet to its intersection with the North line of said SE1/4 of the NE 1/4; thence S 89°29'07" E, along last said line 185.71 feet, to the Northeast corner of said SE1/4 of the NE 1/4; thence N 89°29'54" E, along the North line of said Government Lot 1, a distance of 872.18 feet, to the point of beginning.

Subject to easements of record.



