

ORDINANCE NO. 694

**AN ORDINANCE OF THE CITY OF AUSTIN, MINNESOTA ANNEXING
LAND LOCATED IN AUSTIN TOWNSHIP, MOWER 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 Austin, Minnesota, was duly presented to the Council of the City of Austin on the 16th day of August, 2021; and

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

WHEREAS, said property is currently residential and annexation will facilitate connection to city sewer; and

WHEREAS, the City of Austin held a public hearing pursuant to Minnesota Statutes § 414.033 Subd. 2b, on August 16, 2021, following thirty (30) days written notice by certified mail to the Town of Austin and to all landowners within and contiguous to the area legally described (herein or attached exhibit), 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 AUSTIN 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. The current use is residential, 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 Austin, Minnesota, are hereby extended to include the following described property, said land abutting the City of Austin 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:

Commencing at a point 293.5 feet North of the Southwest corner of Out Lot 2 in Plat of Out Lots in Section 15, Township of 102 North. Range 18 West, thence North along the West side of said Out Lot 2, 155 feet, thence running East Parallel with the South line of Out Lot 2 to the center of the river, thence South along the center of the river to a point directly East of the

place of beginning, thence West parallel with the South line of said Out Lot 2 to the place of beginning.

The above-described property consists of a total of 1.5 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 as attached.

4. That the population of the area legally described (herein or attached exhibit) and hereby annexed is one.
5. The City of Austin, 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 pay the Town of Austin as follows:

The Township share of property taxes as of the date of this ordinance is \$144.54, which it shall retain for 2021. The City shall provide reimbursement to include 50% of that share (72.27) in 2022 and 50% of that share (72.27) in 2023, which shall be the final year of such reimbursement.

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 legally described (herein or attached exhibit) there are no known special assessments or debt incurred by the Town on the subject area for which reimbursement is required. If any special assessments or debt are incurred by the Town on the subject area, the amounts shall be provided to the City within 90 days following the effective date of this ordinance and shall be paid to the Town in equal installments in 2022 and 2023.
7. That the City Clerk of the City of Austin 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 Mower County Auditor, and the Austin Township Clerk.
8. The real estate described shall be zoned "R-1" Residential District. This zoning designation is consistent with the city's comprehensive land use plan and future land use map.
9. 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 following vote of yeas and nays by the City Council of the City of Austin, Minnesota, this 16th day of August, 2021:

YEAS: 6

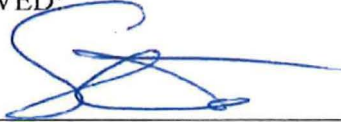
NAYS: 0

ATTEST:



City Recorder

APPROVED:



Mayor

This ordinance was introduced on August 16, 2021; approved on August 16, 2021; was unpublished; and becomes effective upon approval by the Office of Administrative Hearings.

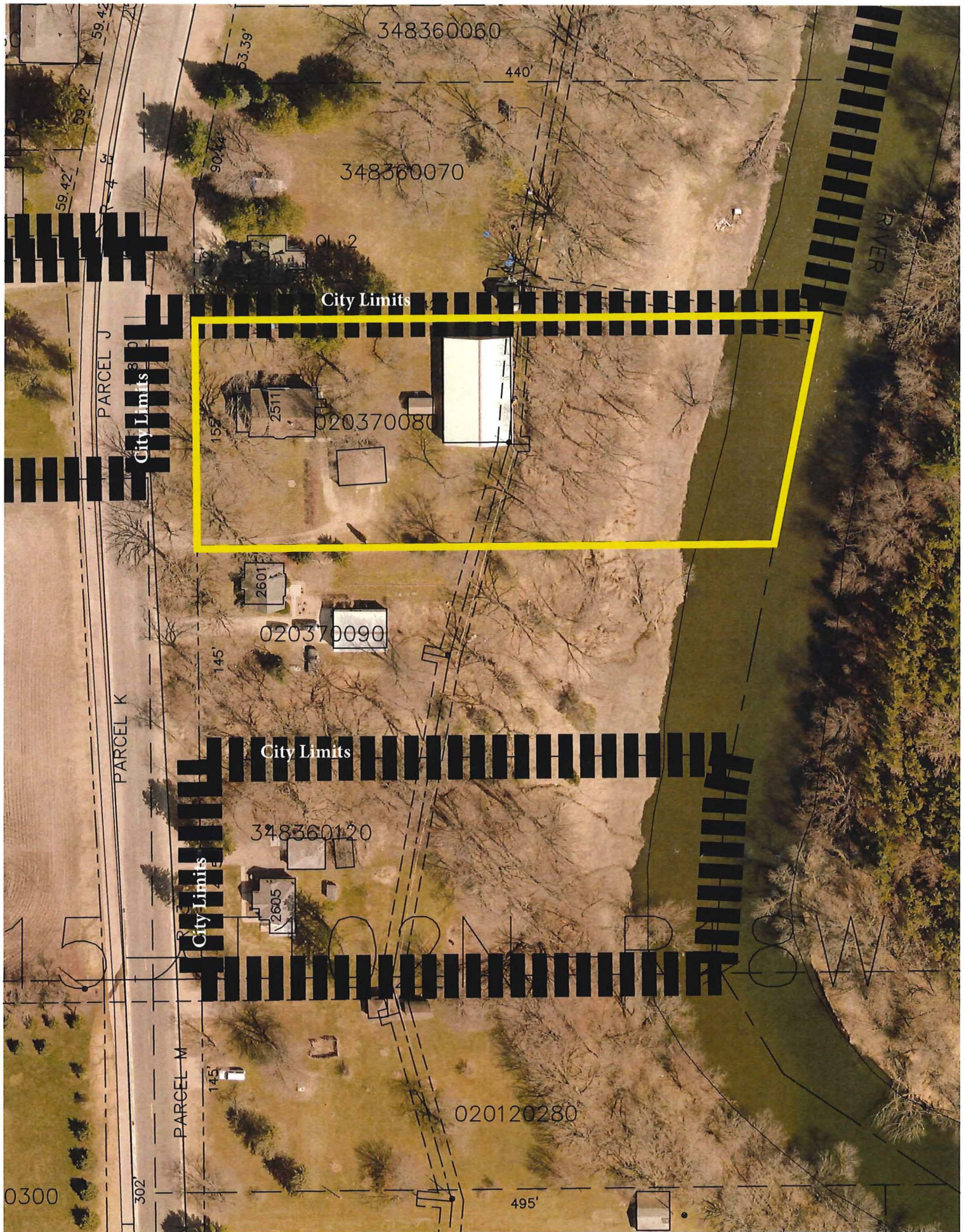


FIGURE 2-3.

FUTURE LAND USE

- Public / Civic
- Parks / Open Space (280 acres)
- Suburban Low Density Residential Neighborhood (299 acres)
- Traditional Moderate Density Residential Neighborhood (175 acres)
- Mixed High Density Residential Neighborhood
- Mixed Use (46 acres)
- Commercial / Retail (101 acres)
- Public / Institutional
- Office/Light Industrial (317 acres)
- Industrial (93 acres)
- City Limits
- Water

