

ORDINANCE NO. 2021-02

**AN ORDINANCE OF THE CITY OF ZUMBROTA, MINNESOTA ANNEXING
LAND LOCATED IN ZUMBROTA TOWNSHIP, GOODHUE 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 and attached exhibit be annexed to the City of Zumbrota Minnesota, was duly presented to the Council of the City of Zumbrota on the 16th day of September 2021; and

WHEREAS, said property is unincorporated and abuts the City of Zumbrota on its northern 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 A3 Urban Fringe District and annexation is requested to eventually facilitate the extension of city services for the commercial development of the property; and

WHEREAS, the City of Zumbrota held a public hearing pursuant to Minnesota Statutes § 414.033 Subd. 2b, on September 14th, 2021, following thirty (30) days written notice by certified mail to the Township of Zumbrota and to all landowners within and contiguous to the area legally described herein and 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 ZUMBROTA 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 Highway Commercial (C2) use is being proposed for said property.
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 Zumbrota Minnesota, are hereby extended to include the following described property, said land abutting the City of Zumbrota 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:

Lot 23 of Auditor's Subdivision of the Southwest Quarter (SW $\frac{1}{4}$) of Section 30, Township 110 North, Range 15 West; and 7.83 acres, more or less of the East Half (E $\frac{1}{2}$) of Northwest Quarter (NW $\frac{1}{4}$) of Section 30, Township 110 North, Rang 15 West, described as follows: Beginning at a point on the west line of said East Half (E $\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$) at a distance of 995.30 feet north of the southwest corner of said East Half (E $\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$) for a place of beginning, running thence east to the center of the Red Wing-Zumbrota Road, so-called; thence southwesterly along the center of the Road to the south line of said East Half (E $\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$), thence west along the south line to the southwest corner of said East Half (E $\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$), thence north along the said west line to the place of beginning, Goodhue County, Minnesota excepting the MN 58 right-of-way.

The above-described property consists of a total of 8.37 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 legally described and hereby annexed is 0.

5. The City of Zumbrota, pursuant to Minnesota Statutes § 414.036, that with respect to the property taxes payable on the area legally described herein and attached exhibit, hereby annexed, shall make a cash payment to the Township of Zumbrota in accordance with the following schedule:


- a. In the first year following the year in which the City of Zumbrota could first levy on the annexed area, an amount equal to \$40.63; and
- b. In the second year, an amount equal to \$40.63.

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 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 Zumbrota 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 Goodhue County Auditor, and the Zumbrota 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 Zumbrota, Minnesota, this 16th day of September 2021.



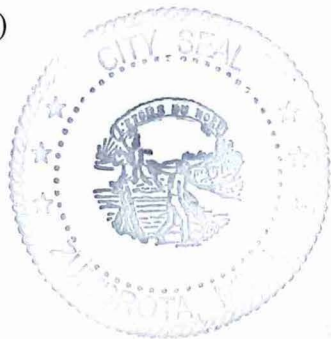
Mayor

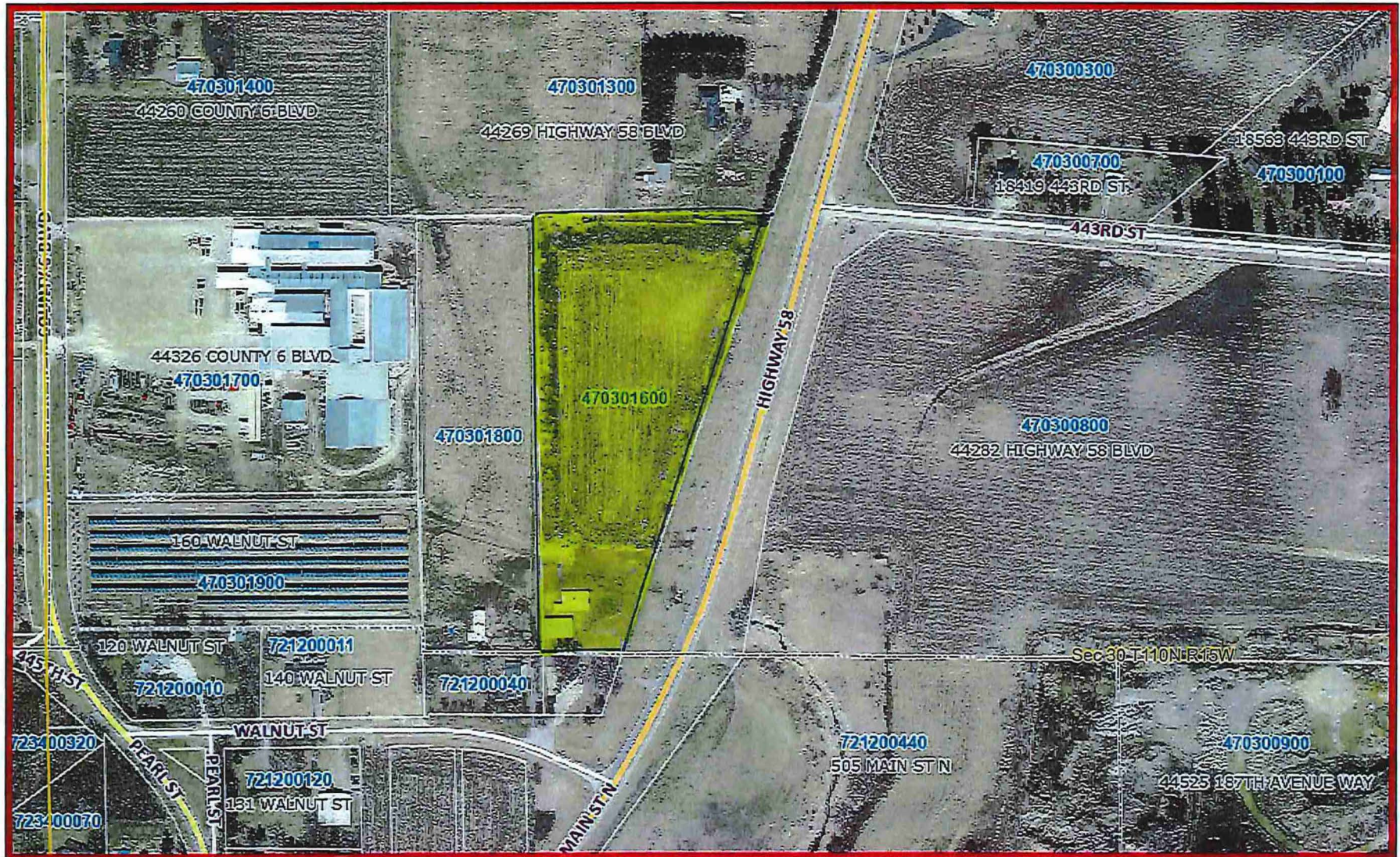
ATTEST:



City Clerk

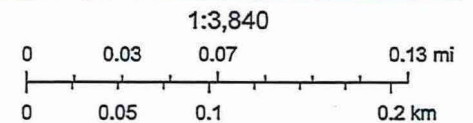
(City Seal)



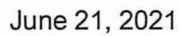


August 3, 2021

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|-------------------------|-------------------|----------------------|-------------------------|
| Public Land Survey | Major Roads 4,800 | County Roads 4,800 | Township or Other Roads |
| Municipal Boundary | State Highway | County Roads - Paved | PIN |
| Township or Other Roads | | Full Address | |



ArcGIS WebMap



1:31,200

