

ORDINANCE NO. 2021-1**AN ORDINANCE OF THE CITY OF KILKENNY, MINNESOTA ANNEXING
LAND LOCATED IN KILKENNY TOWNSHIP, LE SUEUR COUNTY, MINNESOTA
PURSUANT TO MINNESOTA STATUTES § 414.033 SUBDIVISION 2(3),
PERMITTING ANNEXATION BY ORDINANCE**

WHEREAS, a petition, attached hereto as Exhibit A, signed by all the sole property owner, requesting that property legally described on the Attached Exhibit B and demonstrated on the maps on Attached Exhibit C be annexed to the City of Kilkenny, Minnesota, was duly presented to the Council of the City of Kilkenny on the 12th day of August, 2021; and

WHEREAS, said property is unincorporated and abuts the City of Kilkenny on its south and western 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 is requested to facilitate the extension of city services for the development of the property; and

WHEREAS, the City of Kilkenny held a public hearing pursuant to Minnesota Statutes § 414.033 Subd. 2b, on October 14, 2021, following thirty (30) days written notice by certified mail to the Town of Kilkenny and to all landowners within and contiguous to the area legally described on the Attached Exhibit b and C 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 KILKENNY
HEREBY ORDAINS AS FOLLOWS:**

1. The City Council hereby determines that the property as hereinafter described on the Attached Exhibit B abuts the city limits and is or is about to become urban or suburban in nature in that use the owner is has 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 Kilkenny, Minnesota, are hereby extended to include the property legally described on the Attached Exhibit B, said land abutting the City of Kilkenny 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 the sole property owner of the land.

The above described property consists of a total of 1.93 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 as Exhibit C.

4. That the population of the area legally described and hereby annexed is 0.

5. The City of Kilkenny, 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 make a cash payment to the Town of Kilkenny in accordance with the following schedule:

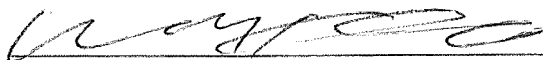
A \$75 lump sum payment pursuant to the agreement attached hereto as Exhibit D.

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 on Attached Exhibit B 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 Kilkenny 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 Le Sueur County Auditor, and the Kilkenny 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 Kilkenny, Minnesota, this 14th day of October, 2021.


Cameron Hankins, Mayor

ATTEST:



Janice Seller-City Clerk

(City Seal)

Aug 8 '21

To Whom it may Concern,

Please receive my request
for the annexation of parcel
4 to the City of Killebuck,
MN (see attached map) and
legal deed description.

For the purpose of combining
parcel 4 with parcel 2.

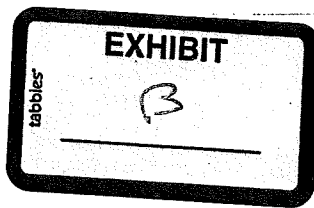
Best Regards

W. Jay Zimm

294 E Oak St

Killebuck MN 56052





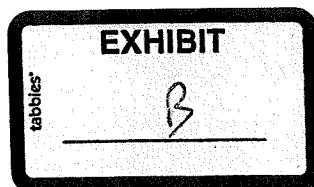
That part of Government Lot 7 of Section 22, Township 110 North, Range 23 West, Le Sueur County, Minnesota, described as follows: Commencing at the Southeast corner of Block 4, CORRECTED PLAT OF KILKENNY, according to the recorded plat thereof; thence North 00 degrees 00 minutes 00 seconds East (assumed bearing), on the east line of said Block 4 a distance of 120.00 feet to the Northeast corner of said Block 4 also being the point of beginning; thence North 89 degrees 42 minutes 06 seconds West on the north line of said Block 4 a distance of 180.00 feet to the Northwest corner of said Block 4; thence North 89 degrees 55 minutes 00 seconds West 20.00 feet to the east right-of-way line of the former Chicago Northwestern Railway; thence North 00 degrees 00 minutes 00 seconds East on said right-of-way line 153.00 feet; thence North 89 degrees 55 minutes 00 seconds East 310.00 feet; thence South 00 degrees 00 minutes 00 seconds East 154.20 feet to the North line of the Southwest Quarter of the Southeast Quarter of said Section 22; thence Westerly on said north line 110.00 feet to the point of beginning. Containing 1.08 acres and being subject to and together with any and all easements of record.

AND:

Part of the Southwest Quarter of the Southeast quarter of Section 22, Township 110 North, Range 23 West, Le Sueur County, Minnesota, described as follows: Beginning at the Southeast Corner of Block 4, CORRECTED PLAT OF KILKENNY, according to the recorded plat thereof; thence South 00 degrees 00 minutes 00 seconds East (assumed bearing), on the southerly extension of the east line of said Block 4, a distance of 33.00 feet; thence North 89 degrees 55 minutes 00 seconds East, 110.00 feet; thence North 00 degrees 00 minutes 00 seconds East, 153 feet, more or less, to the north line of said Southwest Quarter of the Southeast Quarter; thence Westerly, along said north line of the Southwest Quarter of the Southeast quarter 110 feet, more or less, to the Northeast corner of said Block 4; thence South 00 degrees 00 minutes 00 seconds East, on said east line of said Block 4, a distance of 120.00 feet to the point of beginning. Contains 0.39 acres, more or less, and is subject to and together with any and all easements of record.

AND:

Part of the Southwest Quarter of the southeast Quarter of Section 22, Township 110 North, Range 23 West, Le Sueur County, Minnesota, described as follows: Commencing at the Southeast Corner of Block 4, CORRECTED PLAT OF KILKENNY, according to the recorded plat thereof; thence South 00 degrees 00 minutes 00 seconds East (assumed bearing), on the southerly extension of the east line of said Block 4, a distance of 33.00 feet to the point of beginning; thence continuing South 00 degrees 00 minutes 00 seconds East, on said southerly extension and the east line of Block 3, CORRECTED PLAT OF KILKENNY, a distance of 183.00 feet to the Southeast Corner of Lot 6, of said Block 3; thence North 89 degrees 55 minutes 00 seconds East, 110.00 feet; thence North 00 degrees 00 minutes 00 seconds East 183.00 feet; thence South 89 degrees 55 minutes 00 seconds West, 110.00 feet to the point of beginning. Contains 0.46 acres, more or less, and is subject to and together with any and all easements of record.





Beacon™ Le Sueur County, MN



Overview



Legend

- Roads
- City Limits
- Parcels
- Parcel Labels

Parcel ID	06.022.5300	Alternate ID	n/a	Owner Address	ZIMMER, HERBERT JAY
Sec/Twp/Rng	22-110-023	Class	111 - RURAL VACANT LAND		294 OAK ST E
Property Address		Acreage	1.93		KILKENNY, MN 56052
District	KILK TWP/2905-ML				
Brief Tax Description	Sect-22 Twp-110 Range-023 1.93 AC THAT PART OF SW 1/4 OF SE 1/4 & OF G.L. #7 BEG AT NE COR OF BLK 4, CORRECTED PLAT OF KILKENNY, TH W 200 FT, N 153 FT, E 310 FT, S 490.20 FT, W 110 FT, N 336 FT TO BEG (PER SURVEY)				
	(Note: Not to be used on legal documents)				

-Aerial Photo taken in April 2017

Date created: 8/13/2021

Last Data Uploaded: 8/13/2021 7:39:04 AM

Developed by Schneider GEOSPATIAL



to be annexed





Beacon™ Le Sueur County, MN



Overview



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- Roads
- City Limits

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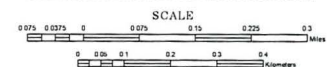
-to be annexed



MUNICIPALITY OF
KILKENNY

PREPARED BY THE
MINNESOTA DEPARTMENT OF TRANSPORTATION
OFFICE OF TRANSPORTATION SYSTEM MANAGEMENT

IN COOPERATION WITH
U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION




1 in = 400 ft

2019

North American Datum
of 1986

Population (U.S. Census 2010): 134

 - to be annexed

Tax Reimbursement Agreement

This joint Agreement is dated this 19 day of August, 2021, by and between the City of Kilkenny, hereinafter "City," and Kilkenny Township, hereinafter "Township."

Whereas, Herbert Jay Zimmer, has petitioned the City for annexation of real estate identified as parcel identification number 06.022.533 which is approximately 1.93 acres, 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 Kilkenny; and

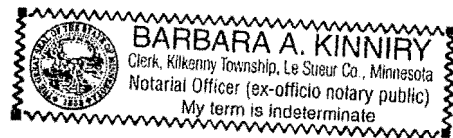
Whereas, the parties hereto agree that the tax reimbursement for the annexation under M.S.A. §414.036 shall be a flat payment of \$75 from the City to the Township and paid ninety (90) days after approval of the annexation by the Municipal Boundary Adjustments Unit of the Office of Administrative Hearings.

Whereas, all signatories to this Agreement have the authority to bind their respective units of government.

Dated: [Signature]
By:
Its: Kilkenny Township, Chair

ATTEST

Dated: [Signature]
By: Barb Kinnery
Its: Kilkenny Township, Clerk



Dated: [Signature]
By: Cameron Hankins
Its: Kilkenny, Mayor

ATTEST

Dated: [Signature]
By: Janice Sellner
Its: Kilkenny, City Administrator

