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By: OAH on May 23, 2022

**CITY OF MANTORVILLE
DODGE COUNTY, MINNESOTA**

ORDINANCE NO. 2022-02

**AN ORDINANCE ANNEXING CERTAIN LANDS
FROM MANTORVILLE TOWNSHIP**

WHEREAS, on or about March 4, 2022, the City of Mantorville (the “City”) received a petition requesting annexation of 26.69 acres of real property that is legally described on Exhibit A attached hereto and depicted on Exhibit B attached hereto (the “Identified Land”); and

WHEREAS, On April 25, 2022, in accordance with Minnesota Statutes, section 414.033, subd. 2b, the City held a public hearing, having given 30 days prior notice by certified mail to Mantorville Township and all landowners within and contiguous to the Identified Land; and

WHEREAS, the Identified Land abuts the City, is less than 120 acres, is not presently served by public wastewater facilities and such facilities are not otherwise available, and the annexation petition was submitted by all owners of the land; and

WHEREAS, the Identified Land is not contiguous to any property that was either simultaneously proposed to be annexed or previously annexed within the preceding 12 months; and

WHEREAS, the Identified Land is about to become urban or suburban in character; and

WHEREAS, the Identified Land is not located within a flood plain or shoreland area; and

WHEREAS, all conditions required under Minnesota Statutes, section 414.033, subd. 2(3) have been met; and

WHEREAS, the provisions of Minnesota Statutes, section 414.033, subd. 13 are not applicable in that there will be no change in electric utility service provider resulting from the annexation.

NOW, THEREFORE, the City Council of the City of Mantorville does ordain as follows:

Section I. The above recitals are incorporated into this ordinance as if fully set forth herein.

Section II. In accordance with Minnesota Statutes, section 414.033, subd. 2(3), the City Council hereby declares by ordinance that the Identified Land, as legally described on Exhibit A and depicted on Exhibit B, is annexed to the City on condition that the petitioner reimburses the City for its costs associated with these proceedings, as required in the City’s fee schedule.

Section III. Taxes payable to Mantorville Township in 2022 on the Identified Land total approximately \$193.95 and those 2022 taxes shall be paid to Mantorville Township. Pursuant to

Minnesota Statutes, section 414.036, the City shall make a cash reimbursement to Mantorville Township with respect to the property taxes in accordance with the following schedule:

The City shall pay Mantorville Township the sum of \$242.44 in 2023 and the sum of \$242.44 in 2024. The total of said two-year reimbursement amount equates to 250% of the taxes payable to Mantorville Township on the Identified Land during 2022.

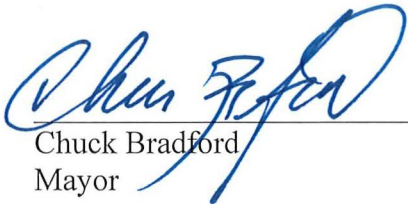
Section IV. There are no special assessments assigned by Mantorville Township to the Identified Land, nor is there any debt incurred by Mantorville Township attributable to the Identified Land.

Section V. The City Clerk-Treasurer is directed to file a copy of this ordinance with the Office of Administrative Hearings (Chief Administrative Law Judge), the Mantorville Township Clerk, the Dodge County Auditor's Office, and the Minnesota Secretary of State, and doing so shall be considered an affirmation that any conditions provided herein have been satisfied. The City Clerk-Treasurer is directed to perform any additional actions that are deemed necessary to effectuate the intent of this ordinance.

Section VI. Upon annexation to the City, the Identified Land shall be zoned R-1 Residential on the City's official zoning map.

Section VII. This ordinance shall be effective following its adoption and publication and the annexation is final on the date of approval by the Chief Administrative Law Judge.

Passed by the City Council of the City of Mantorville, Minnesota, this 25th day of April 2022.



Chuck Bradford
Mayor

ATTEST:



Shirley R. Buedksler
City Clerk-Treasurer

EXHIBIT A

Legal Description of the Identified Land

That part of the Northwest Quarter of the Southeast Quarter of Section 21, Township 107 North, Range 16 West, Dodge County, Minnesota, lying easterly of the following described line:

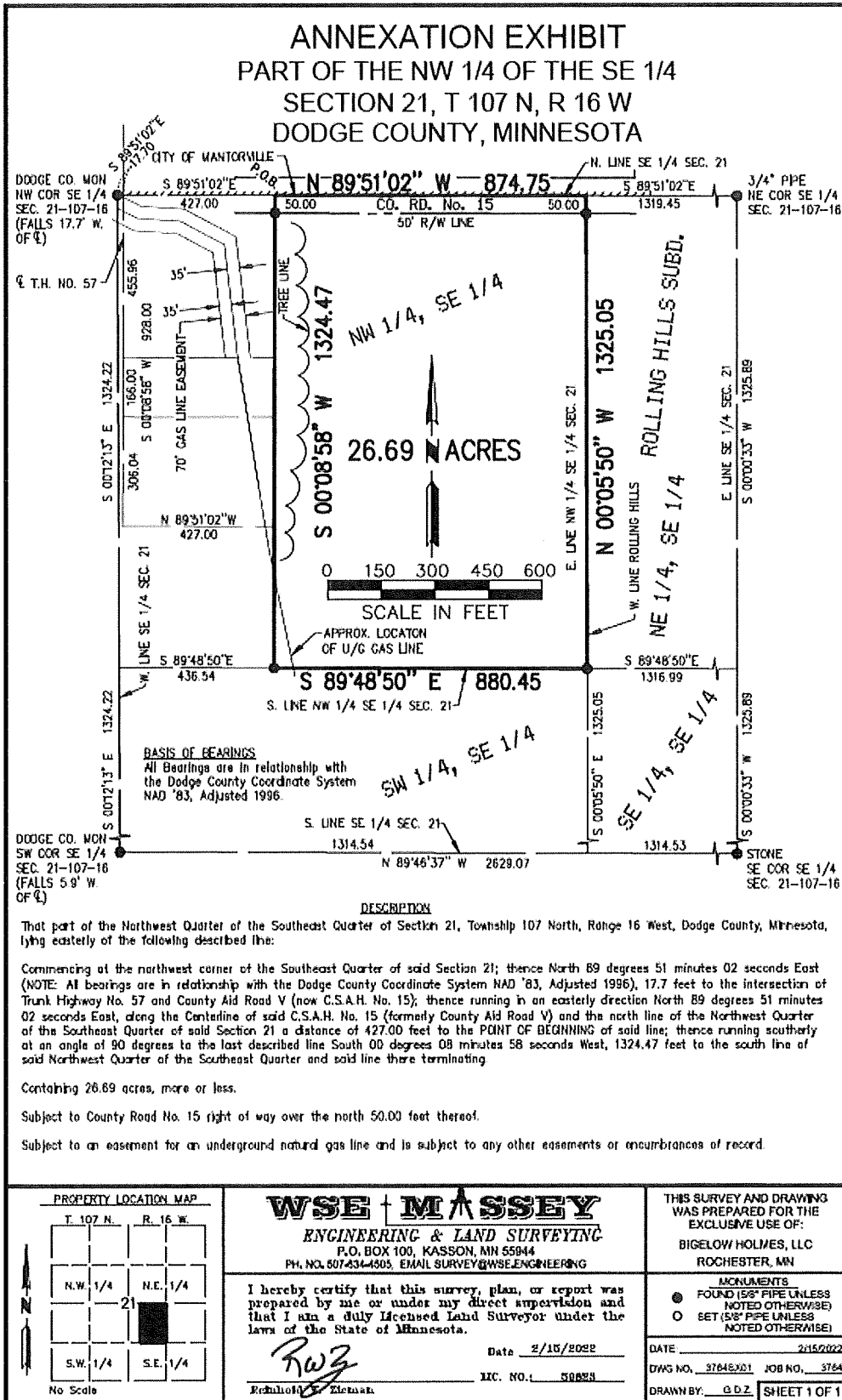
Commencing at the northwest corner of the Southeast Quarter of said Section 21; thence North 89 degrees 51 minutes 02 seconds East (NOTE: All bearings are in relationship with the Dodge County Coordinate System NAD '83, Adjusted 1996), 17.7 feet to the intersection of Trunk Highway No. 57 and County Aid Road V (now C.S.A.H. No. 15); thence running in an easterly direction North 89 degrees 51 minutes 02 seconds East, along the Centerline of said C.S.A.H. No. 15 (formerly County Aid Road V) and the north line of the Northwest Quarter of the Southeast Quarter of said Section 21 a distance of 427.00 feet to the POINT OF BEGINNING of said line; thence running southerly at an angle of 90 degrees to the last described line South 00 degrees 08 minutes 58 seconds West, 1324.47 feet to the south line of said Northwest Quarter of the Southeast Quarter and said line there terminating.

Containing 26.69 acres, more or less.

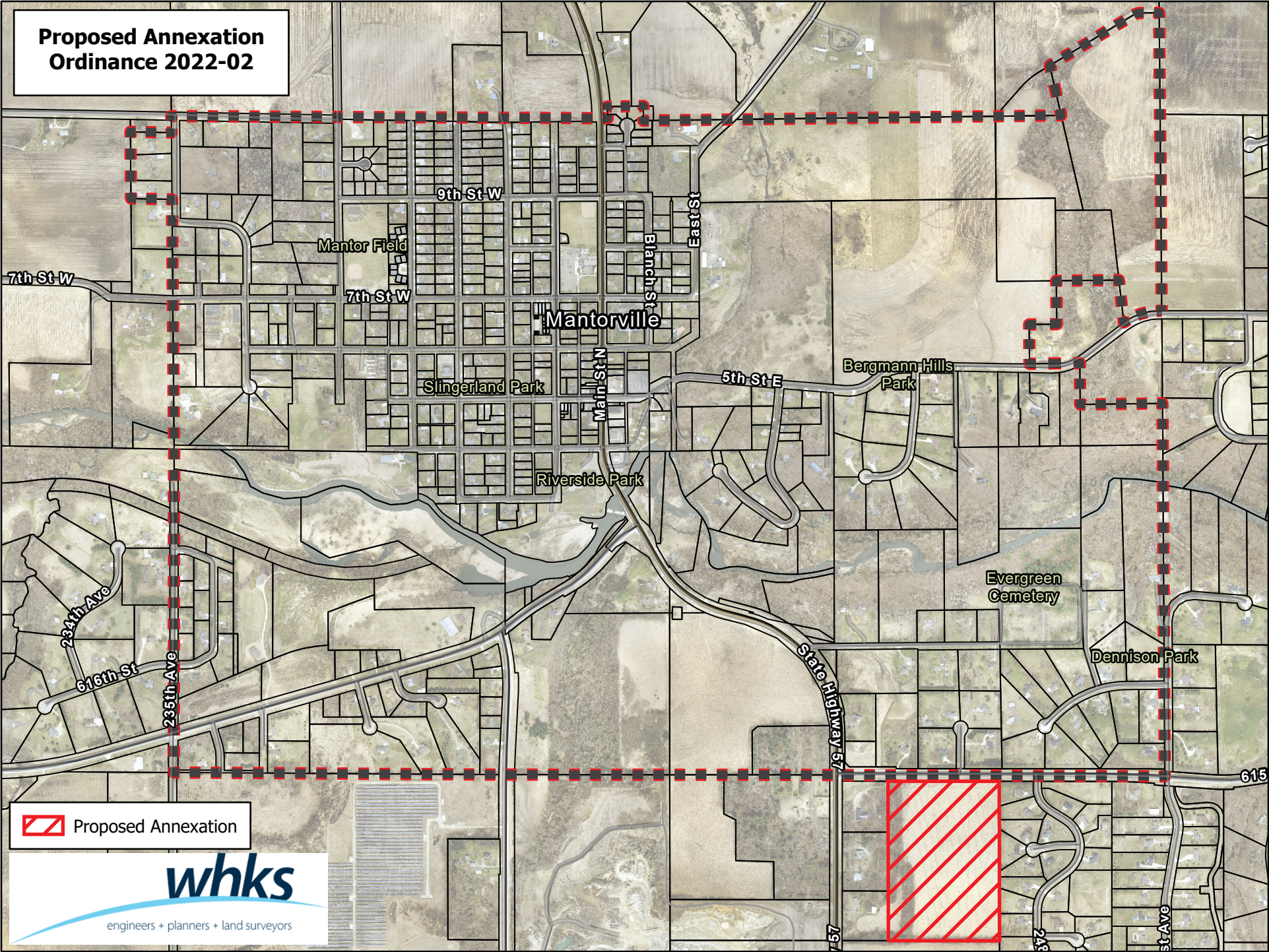
Subject to County Road No. 15 right of way over the north 50.00 feet thereof.


Subject to an easement for an underground natural gas line and is subject to any other easements or encumbrances of record.

EXHIBIT B
Depiction of the Identified Land



**Proposed Annexation
Ordinance 2022-02**



 Proposed Annexation

whks

engineers + planners + land surveyors