

RECEIVED

By: OAH on June 10, 2022

ORDINANCE NO.06072022-2

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 7th day of June, 2022; 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 June 7th 2022, 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 3 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 B**.

4. The City of Spicer, pursuant to Minnesota Statutes § 414.036, that with respect to the property taxes payable on the Property, hereby annexed, shall make a cash payment to the Town of Green Lake equal to the property taxes collected by the Township in the last year it collected property taxes on the Property (2022) which total \$208.77. The payment will be made in accordance with the following schedule:

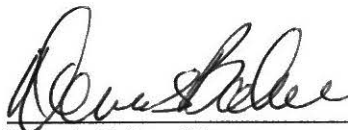
- a. In the first year following the year in which the City of Spicer could first levy on the annexed area, an amount equal to \$ 208.77;

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.

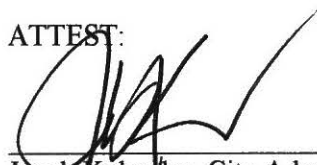
6. That the City Clerk of the City of Spicer is hereby authorized and directed to file a copy of this Ordinance with the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, the Minnesota Secretary of State, the Kandiyohi County Auditor, and the Green Lake Township Clerk.

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 7th day of June, 2022.


Dennis Baker, Mayor

ATTEST:


Jacob Kolander, City Administrator

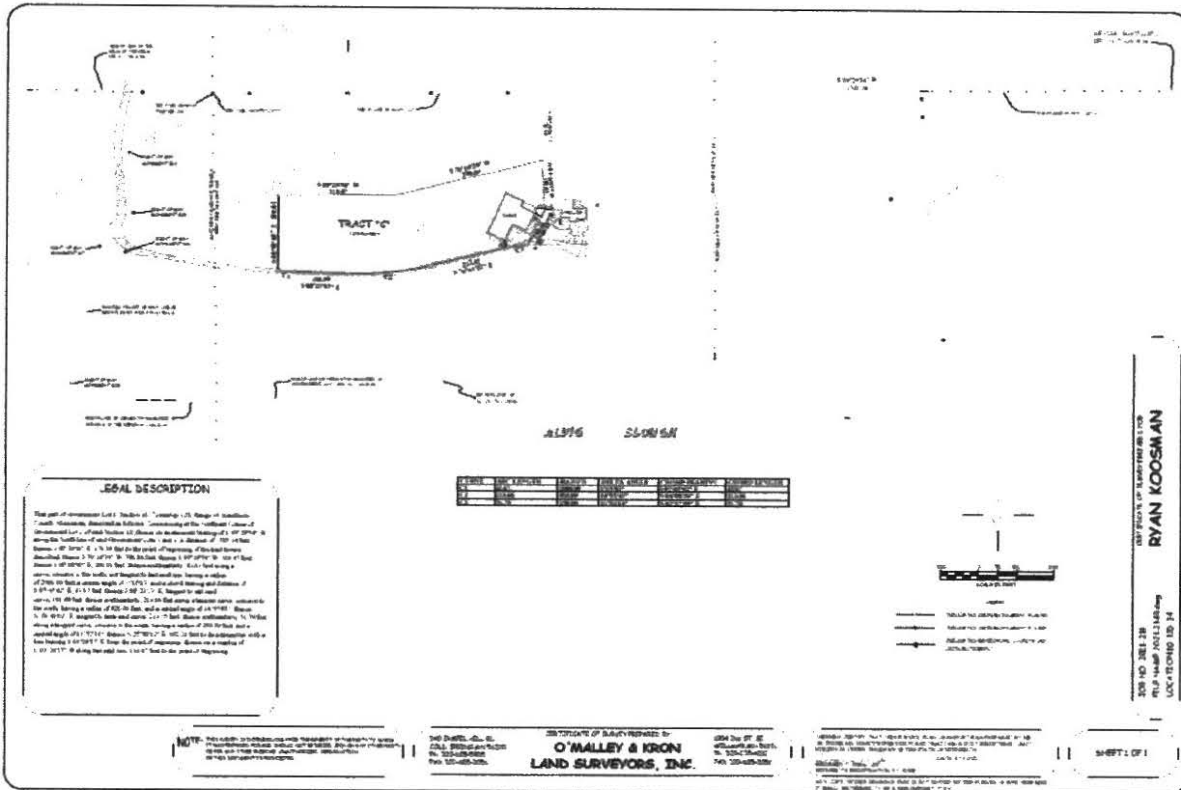


This instrument Drafted by:
City of Spicer
Jacob Kolander
217 Hillcrest Ave
P O Box 656
Spicer, MN 56288
(320)796-5562

EXHIBIT A

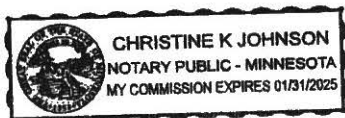
That part of Government Lot 1, Section 10, Township 120, Range 34, Kandiyohi County, Minnesota, described as follows: Commencing at the Northeast Corner of Government Lot 2 of said Section 10; thence on an assumed bearing of S 89°29'54" W, along the North line of said Government Lots 1 and 2, a distance of 1785.14 feet; thence S 00°30'06" E, 176.38 feet to the point of beginning of the tract herein described; 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 southeasterly, 43.67 feet along a curve, concave to the north, not tangent to last said line, having a radius of 2000.00 feet, a central angle of 1°15'03" and a chord bearing and distance of S 87°45'42" E, 43.67 feet; thence S 88°23'13" E, tangent to last said curve, 140.99 feet; thence northeasterly, 213.66 feet along a tangent curve, concave to the north, having a radius of 820.00 feet, and a central angle of 14°55'45"; thence N 76°41'02" E, tangent to last said curve, 213.15 feet; thence northeasterly, 51.79 feet along a tangent curve, concave to the south, having a radius of 250.00 feet, and a central angle of 11°52'14"; thence N 25°46'12" E, 102.21 feet to its intersection with a line bearing S 03°24'57" E from the point of beginning; thence on a bearing of N 03°24'57" W along last said line, 130.67 feet to the point of beginning.

Subject to easements of record.



STATE OF MINNESOTA)
)SS
COUNTY OF KANDIYOHI)

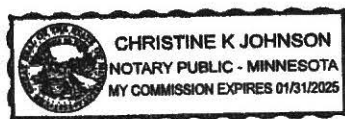
The foregoing instrument was acknowledged before me the 7th day of June, 2022, by
Dennis Baker, the Mayor of the City of Spicer, Minnesota, a municipal corporation, on behalf of such
corporation.



Christine K Johnson
Notary Public

STATE OF MINNESOTA)
)SS
COUNTY OF KANDIYOHI)

The foregoing instrument was acknowledged before me the 7th day of June, 2022, by
Jacob Kolander, City Administrator, of the City of Spicer, Minnesota, a municipal corporation, on behalf
of such corporation.



Christine K Johnson
Notary Public

