

**CITY OF FARIBAULT
ORDINANCE NO. 2023-6**

**ANNEX CERTAIN LANDS FROM WELLS TOWNSHIP AND ZONE SUCH LANDS IN THE
I-2, HEAVY INDUSTRIAL DISTRICT**

THE CITY OF FARIBAULT ORDAINS:

WHEREAS, on or about January 23, 2023, the city of Faribault (the "City") received a petition for annexation of 87.60 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 March 28, 2023, in accordance with Minnesota Statutes, section 414.033, subd. 2b, the City held a public hearing, giving 30 days' notice thereof by certified mail to the owner of the Identified Land, Wells 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 duly submitted by the fee owner of the Identified 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 City also provided the petitioner with written notice that the cost of electric utility service may change if the land is annexed into the City and such notice included an estimate of the changes in such service.

NOW, THEREFORE, the city council of the city of Faribault does hereby ordain as follows:

Section 1. 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.

Section III. Estimated taxes payable to Wells Township in 2023 on the Identified Land total \$252.42 and such 2023 taxes shall be paid to Wells Township. Pursuant to Minnesota Statutes, section 414.036, the City shall make a cash reimbursement to Wells Township with respect to the property taxes in accordance with the following schedule: The City shall pay Wells Township the sum of \$315.53 in 2024 and the sum of \$315.53 in 2025. The total of said two-year reimbursement amount equates to 250% of the estimated taxes payable to Wells Township on the Identified Land during 2023.

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

Section V. The city administrator, or his designee, is directed to promptly file a copy of this ordinance with the Office of Administrative Hearings (Chief Administrative Law Judge), the Wells Township clerk, the Rice County Auditor's Office, and the Minnesota Secretary of State. The city administrator, or his designee, is also 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 I-2, Heavy Industrial on the City's Official Zoning Map and guided for industrial use.

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.

First Reading: March 14, 2023

Second Reading and Public Hearing: March 28, 2023


Publication Date: April 4, 2023

Faribault City Council



Kevin F. Voracek, Mayor

ATTEST:



Timothy C. Murray, City Administrator

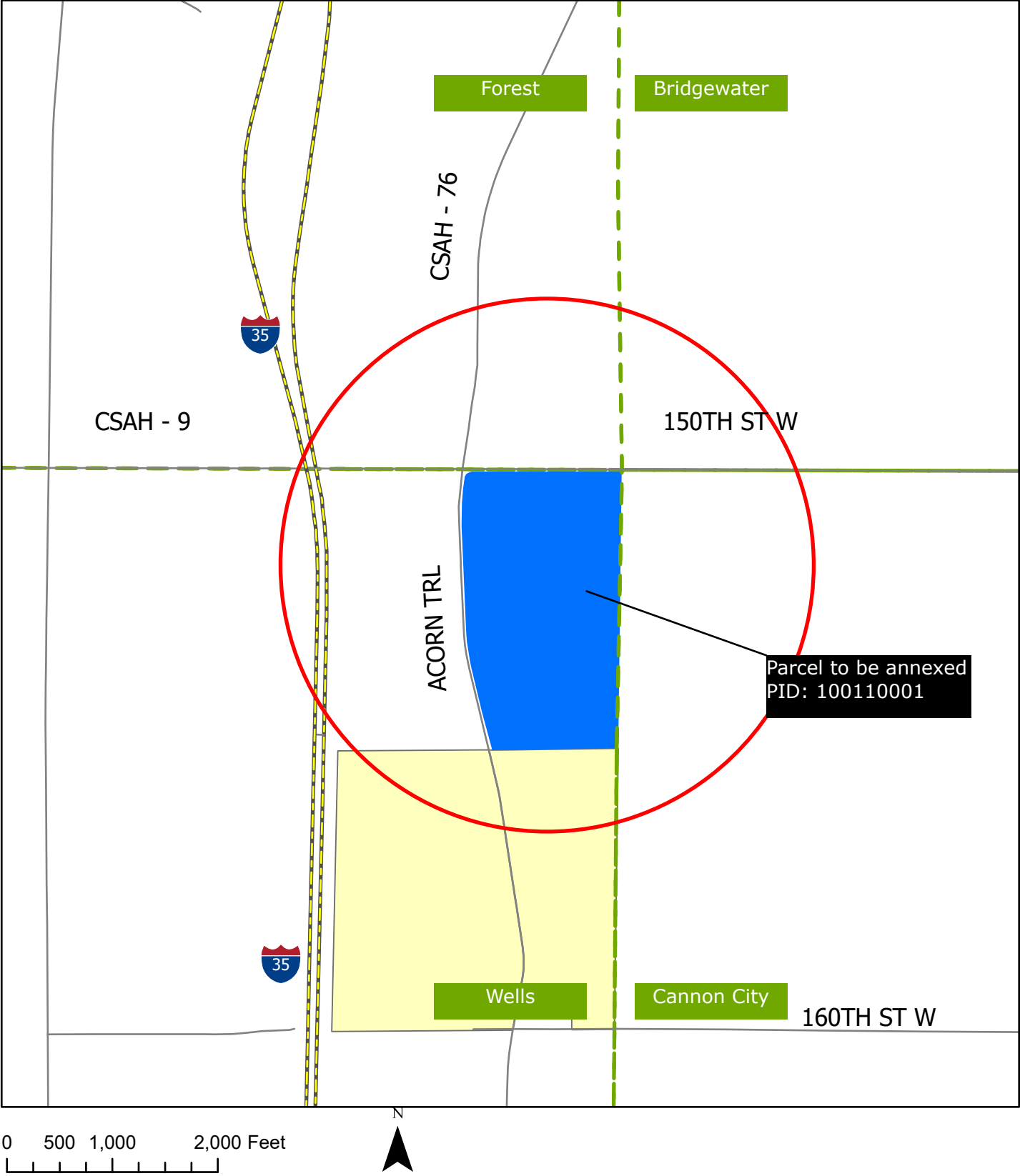
EXHIBIT A

Legal Description of the Identified Land

THAT PART OF THE NORTHEAST QUARTER (NE¼) OF SECTION 1, TOWNSHIP 110 NORTH, RANGE 21 WEST OF THE FIFTH PRINCIPAL MERIDIAN, RICE COUNTY, MINNESOTA, LYING EAST OF OLD ST. PAUL ROAD, (NOW KNOWN AS COUNTY ROAD NO. 76); SUBJECT TO ROADS, EASEMENTS, AND RESTRICTIONS OF RECORD.

EXHIBIT B

Annexation of Property in Wells Township



Vicinity of Annexation of Property in Wells Township

