

## CITY OF HASTINGS, MINNESOTA

### ORDINANCE NO. 2023-03

#### AN ORDINANCE OF THE CITY OF HASTINGS EXTENDING ITS CORPORATE LIMITS TO INCLUDE CERTAIN LAND ABUTTING THE CITY WHICH IS OWNED BY BEST DEVELOPMENT COMPANY LLC

#### PREAMBLE

**WHEREAS**, the City of Hastings has received a petition from Best Development Company, LLC (“Petitioners”) seeking annexation of land to the City of Hastings, and;

**WHEREAS**, the Petitioners have represented to the City of Hastings that they are the sole owners of property generally located north and east of TH 316 and Michael Avenue, and identified as PID 25-00200-51-012 and 25-01100-27-012. The property is legally described as follows:

That part of the South Half of the Southwest Quarter of Section 2, Township 114, Range 17, Dakota County, Minnesota lying north and east of CSAH #316, except that Parcel 16 MN DOT ROW Plat 19-138.

AND

That part of the west 100 acres of the Northwest Quarter of Section 11, Township 114, Range 17, Dakota County, Minnesota lying north and east of CSAH #316, except that Parcel 16 MN DOT ROW Plat 19-138.

**WHEREAS**, the property is unincorporated; it abuts the limits of the City of Hastings; is not included within any other municipality; is not included in any area that has already been designated for orderly annexation pursuant to Minn. Stat. 414.0325; and is approximately 71.0 acres in size, and;

**WHEREAS**, the City of Hastings held a public hearing pursuant to Minnesota Statutes 414.033, Subd. 2b, on January 18, 2022, and February 7, 2022, following thirty (30) days written notice by certified mail to the Town of Marshan (“Township”) and to all landowners within and contiguous to the area legally described herein 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.

## ENACTMENT

Section 1. The City Council hereby determines and finds that the property described above abuts the City of Hastings; that the area to be annexed is 120 acres or less, that the property is not included in any area that has already been designated for orderly annexation pursuant Minn. Stat. 414.0325; that the City of Hastings received a properly prepared Petition for Annexation signed by all of the owners of the property; and that the Petition for Annexation complies with all of the provisions of Minn. Stat. 414.033.

Section 2. The property is urban or suburban in character and is in need of City services which can be provided by the City of Hastings.

Section 3. The corporate limits of the City of Hastings are hereby extended to include the property described above and that same property is hereby annexed to and included within the City of Hastings as if the property had originally been a part of the City.

Section 4. The City Clerk is directed to file a certified copy of this Ordinance with the Minnesota Office of Administrative Hearings; Marshan Township; Dakota County and the Minnesota Secretary of State.

Section 5. Property taxes payable on the annexed land shall be paid to Marshan Township for year 2023, the year in which the annexation becomes effective, in accordance with Minn. Stat. 414.033, Subd. 12.

Section 6. The City of Hastings, pursuant to Minn. Stat. 414.036, shall provide reimbursement to Marshan Township to compensate the Township for loss of taxable property in the amount of eight hundred sixteen dollars and forty-eight cents (\$816.48) payable in two annual payments: (1) on January 2, 2024 in the amount of \$408.24; and (2) on January 2, 2025 in the amount of \$408.24.

Section 7. Pursuant to Minn. Stat. 414.036 with respect to any special assessments assigned by Marshan Township to the annexed property and any portion of debt incurred by the Township prior to the annexation and attributable to the property to be annexed, there are no special assessments or debt incurred by the Township on the subject area for which reimbursement is required.

Section 8. This Ordinance shall become effective upon its passage, seven days after its publication, the filing of the certified copies as directed in Section 4 and upon approval of this Ordinance by the Minnesota Office of Administrative Hearings.

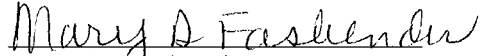
Adopted by the Hastings City Council on March 20, 2023, by the following vote:

Ayes: Fasbender, Fox, Haus, Leifeld, Lund, and Pemble

Nays: None

Absent: Folch

ATTEST:

  
Mary D. Fasbender, Mayor

  
Kelly Murtaugh, City Clerk

(City Seal)

I HEREBY CERTIFY that the above is a true and correct copy of ordinance presented to and adopted by the City of Hastings, County of Dakota, Minnesota, on the 20<sup>th</sup> day of March 2023 as disclosed by the records of the City of Hastings on file and of record in the office.

  
Kelly Murtaugh, City Clerk

(SEAL)

This instrument drafted by:  
City of Hastings (JH)  
101 4th St. E.  
Hastings, MN 55033

## LOCATION MAP



