

**ORDINANCE NO. 24-3**

**AN ORDINANCE OF THE CITY OF DAKOTA, MINNESOTA ANNEXING  
LAND LOCATED IN THE TOWNSHIP OF NEW HARTFORD, WINONA 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 herein be annexed to the City of Dakota, Minnesota, was duly presented to the Council of the City of Dakota on December 11, 2023; and

**WHEREAS**, said property is unincorporated and abuts the City of Dakota on its easterly 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 City of Dakota held a public hearing pursuant to Minnesota Statutes § 414.033 Subd. 2b, on February 12, 2024, following thirty (30) days written notice by certified mail to New Hartford 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.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DAKOTA  
HEREBY ORDAINS AS FOLLOWS:**

1. The City Council hereby determines that the property as hereinafter described abuts the city limits and is or is about to become urban or suburban in nature in that residential use is being proposed for said property.
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 Dakota, Minnesota, are hereby extended to include the following described property, said land abutting the City of Dakota 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 land, to wit:

Lots 17 and 18, Subdivision of Section 12, Township 105, of Range 5, being more particularly described as follows: Commencing at the East Quarter corner of said Section 12, running thence West on the Quarter line 20 chains; thence South on the East line of the NW 1/4 of the SE 1/4 of said Section 12, 2.07 chains to the southerly right of way of the public road for the point of beginning; running thence South on the East line of said NW 1/4 of SE 1/4, 17.93 chains to the southeast corner of Lot 18, thence West on the South line of said NW 1/4 of SE

1/4 9.37 chains; thence north 20 degrees 40 minutes West 8.53 chains to the southerly right-of-way of the public road; thence Northeasterly along the southerly right of way of the public road 15.24 chains to the point of beginning

Excepting from the above a tract of land conveyed to George Stritch by Deed dated February 25, 1911, filed for record in the Office of the Register of Deeds, Winona County, Minnesota on June 2, 1911 and recorded in Book 117 of Deeds, Page 232, described as follows: Commencing at the Southwesterly corner of Lot 18; running thence 100 feet East to the point of beginning; thence as follows: Thence North 20 rods, thence East 209.2 feet; thence South 20 rods; thence West 209.2 feet to the place of beginning. Said above land bounded on the East by the East line of said Lot 18, and on the South by the South line of Lot 18.

Also, excepting from the above a tract of land conveyed to Jon E. Nicholson and Anne K. Morse, by a Warranty Deed dated July 17, 1991, filed for record in the office of the County Recorder, Winona County, Minnesota on July 17, 1991, and recorded on microfilm as Document No. 343369, described as follows:

That part of Lots Seventeen (17) and Eighteen (18), Subdivision of Section Twelve (12), Township One Hundred Five (105) North of Range Five (5), West of the Fifth Principal Meridian, Winona County, Minnesota, described as follows:

Beginning at the intersection of the Southerly right of way line of C.S.A.H. No. 12 and the Westerly line of said Lot 17; thence along said Southerly right of way line North 49 degrees 18 minutes East, 485 feet; thence South 36 degrees 45 minutes East, 228 feet; thence South 40 degrees 45 minutes West, 396 feet; thence South 72 degrees 45 minutes West, 160 feet, more or less to the Westerly line of said Lot 17; thence Northwesterly along said Westerly line, 234 feet to the point of beginning.

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.

4. The City of Dakota, pursuant to Minnesota Statutes § 414.036, that with respect to the property taxes payable on the area legally described herein, hereby annexed, shall make a cash payment to New Hartford Township in accordance with the following schedule:

- a. In the first year following the year in which the City of Dakota could first levy on the annexed area, an amount equal to \$522.00; and
- b. In the second and final year, an amount equal to \$522.00.

5. 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 herein there are no special assessments or debt incurred by the Town on the subject are for which reimbursement is required.

6. That the Mayor of the City of Dakota 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 Winona County Auditor, and the New Hartford 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 Dakota, Minnesota, this 12<sup>th</sup> day of February, 2024.

A handwritten signature in dark ink, consisting of a large, stylized initial 'M' followed by a series of loops and a long horizontal stroke extending to the right.

Mayor

ATTEST:

  
City Clerk





# Proposed Annexation

Dakota, MN

## Legend

- Proposed Annexation
- City\_Limits
- WinonaParcels

