

RECEIVED

by OAH on July 22, 2016



CITY OF BYRON ORDINANCE 16-03
KALMAR TOWNSHIP ORDINANCE 07201610
Annexing 48.47 Acres
Fogelson Property

Section 1. The City of Byron has received a petition from all of the owners of record of property described below requisitioning the annexation of said lands into the corporate limits of the City of Byron, which land is located in Kalmar, Township, Olmsted County, Minnesota.

Section 2. The City having reviewed the petition and lands involved has made the following findings and determinations:

- A. The land is urban or suburban in nature.
- B. The land abuts the corporate limits of the City of Byron.
- C. The land is 48.47 acres more or less in size.

Section 3. The City of Byron has notified the supervisors of Kalmar Township, all owners of record of the property described below and all landowners within and contiguous the area to be annexed, of said annexation petition was reviewed at the meeting of the Planning Commission on the 11th of July, 2016 at 6:00PM at which time the Byron Planning Commission took testimony for and against said annexation.

The property to be annexed is described as follows:

The South 60 acres of the West 100 acres of the SE ¼, Section 28, Township 107 North, Range 15 West, Olmsted County, Minnesota, except the South 18 rods thereof.

Said parcel contains 48.47 acres, more or less, including the 10th Avenue NE Right-of-Way.

Said parcel is subject to the 10th Avenue NE Right-of-Way over the Western 60.00 feet thereof and is subject to any other easements or encumbrances of record.

Section 4. The City of Byron is empowering pursuant to Minnesota statute 414.0325 to annex the subject property by Orderly Annexation and by the execution of this resolution directs that said property be annexed into the City of Byron.

Section 5. As a result of this annexation the population of Byron will increase.

Section 6. The City of Byron hereby requests that the Minnesota Planning, Municipal Boundary Adjustments, immediately order and approve said annexation upon receipt of this Ordinance. The City further requests that no further consideration of said Board is necessary and that no alteration of the stated boundaries of the annexation be made by said Board.

Section 7. The City's Zoning Code and Land Use Maps is hereby amended accordingly.

Section 8. No consideration by the Municipal Boundary Adjustments is necessary, the Municipal Boundary Adjustment may review and comments, but shall within 30 days order the annexation in accordance with the terms of this resolution.

Section 9. Municipal Reimbursement. Minnesota Statutes § 414.036. Parties agree that for a period of ten (10) years after annexation to the City pursuant to Orderly Annexation Resolution 2004-09 the City shall pay to the Township an annual amount equal to the amount of real estate tax assessed to the property in the year of annexation. There shall be no proration of the amount owed by the City to the Township in the year of annexation.

Section 9. The City hereby annexes the land noted above according to provisions set forth in Resolution 2004-09 Paragraph 3 (Ai).

Section 10. The Byron's City Clerk is directed to file a copy of this resolution with the following boards and agencies: Minnesota Planning, Kalmar Township, Olmsted County Auditor and the Minnesota Secretary of State.

Passed and Adopted by the Byron City Council this 12th day of July, 2016.


By: 
Ann M. Diercks
Mayor

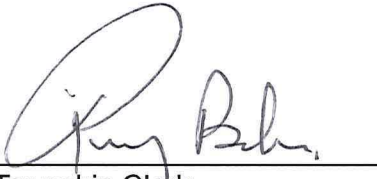
Attest: 
Mary K. Blair-Hoeft
City Administrator

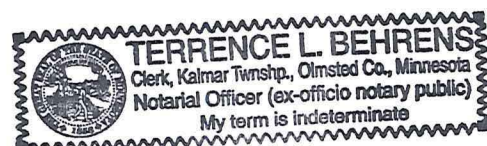
Adopted by affirmative vote of all the members of the Kalmar Township Board of Supervisors this 18th day of July 2016.

KALMAR TOWNSHIP

ATTEST:

By: 
Chairperson
Board of Supervisor

By: 
Township Clerk



CIM AT
NE COR SE 1/4
SEC. 28-107-15

