

**CITY OF DELANO**  
**ORDINANCE 0-18-01**  
**\*\*Corrected March 14, 2018\*\***

**AN ORDINANCE ANNEXING CERTAIN PROPERTY ABUTTING THE CITY OF DELANO**

**Section 1.** The City of Delano has received a petition for annexation by ordinance from all the property owners of the land described on Exhibit A, PID 208-200-232-102 (the "Property").

**Section 2.** The Property abuts the City of Delano boundaries, is 68.11 acres in area, and is not presently served by public sewer facilities. The City has municipal public sanitary sewer and water available in close proximity to the Property that offers both proximity and capacity to serve the Property.

**Section 3.** The Property is deemed to be urban or suburban in character or about to become so. The Property falls within Delano's Extraterritorial land use plan and within the Transitional land use area of the Wright County / Franklin Township Comprehensive Plan.

**Section 4.** The City of Delano has held a public hearing regarding annexation of the Property and given 30 days written notice of the public hearing by certified mail to Franklin Township and to all landowners within and contiguous to the Property.

**Section 5.** The Property is appropriate for annexation to the City of Delano pursuant to Minnesota Statutes 414.033, Subd. 2(3).

**Section 6.** The Property is hereby annexed to the City of Delano.

**Section 7.** Property taxes payable on the Property shall continue to be paid to Franklin Township for the year in which this annexation becomes effective. If this annexation becomes effective on or before August 1, 2018, the City of Delano shall levy on the Property beginning in 2018. If this annexation becomes effective after August 1, 2018, the City of Delano shall levy on the Property beginning in 2019.

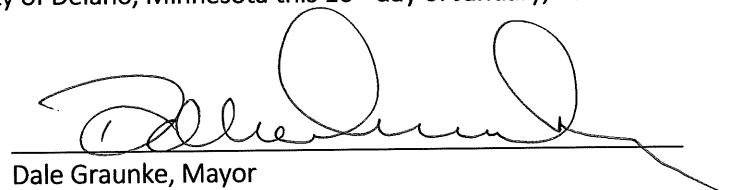
**Section 8.** The City of Delano shall reimburse Franklin Township an amount equal to the Township's share of 2018 property tax for two years (\$2,473.93), all outstanding Township assessments levied against the annexation property (\$0) and any debt that the Township incurred prior to annexation attributed to the annexation parcel. The city shall make two equal payments over the two years following annexation approval.

**Section 9.** The City Clerk shall file this Ordinance with the State of Minnesota, Office of Administrative Hearings; Franklin Township; the Wright County Auditor; and the Minnesota Secretary of State; and a copy of this Ordinance shall be delivered immediately to the Wright County Auditor.

Section 10. This Annexation Ordinance shall be final on the date the Ordinance is approved by the State of Minnesota, Office of Administrative Hearings.

Section 11. This Ordinance shall be published in accordance with law.

Adopted by the Mayor and City Council of the City of Delano, Minnesota this 16<sup>th</sup> day of January, 2018.

A handwritten signature in black ink, appearing to read "Dale Graunke".

Dale Graunke, Mayor

A handwritten signature in black ink, appearing to read "Brian R. Bloch".

Brian Bloch, Finance Director/Clerk

## LEGAL DESCRIPTION

### Property Description

**PID 208-200-232102**

All that part of the East Half of the Northwest Quarter lying east of the center of the State Road known as the Watertown and Rockford Road and all the West Half of the Northeast Quarter, all in Section 23, Township 118, Range 25, excepting from said combined tract the three following described tracts:

- 1) Forty (40) acres on the North side thereof, conveyed by Harriet Cunningham and husband to Joseph Wessollek, on April 1, 1893 by deed recorded in Book 30 of Deeds, page 191.
- 2) That part of the Southwest Quarter of the Northeast Quarter lying East of the South Fork of the Crow River, in Section 23, Township 118, Range 25.
- 3) That part of the Southeast Quarter of the Northwest Quarter and the Southwest Quarter of the Northeast Quarter of Section 23, Township 118, Range 25, Wright County, Minnesota, described as follows:

Beginning of the Southwest corner of the Southeast Quarter of the Northwest Quarter of said Section 23, thence Northerly along the West line of said Southeast Quarter of the Northwest Quarter distant 619.70 feet; thence Easterly parallel with the South line of said Southeast Quarter of the Northwest Quarter and Southwest Quarter of the Northeast Quarter 2051.90 feet more or less to the west bank of Crow River; thence Southeasterly along said river to the South line of said Southwest Quarter of the Northeast Quarter and Southeast Quarter of Northwest Quarter of said Section 23; thence Westerly along said South line 2313.40 feet more or less to the point of beginning.

Instrument  
No. 17218Harriet A. Cunningham <sup>and</sup>  
Joseph OberleitnerFiled for record the 7 day of April  
A.D. 1893 at 5 o'clock P.M.  
James S. Parker, Register of Deeds.  
By Deputy.

This Indenture, Made this 1st day of April in the year of our Lord  
one thousand eight hundred and ninety three, between Harriet Cunningham and John Cunningham  
heirs, her husband  
of the County of Wright and State of Minnesota parties of the first part, and  
Joseph Oberleitner

of the County of Wright and State of Minnesota parties of the second part:

WITNESSETH, That the said parties of the first part, in consideration of the sum of  
Eighty Thousand Dollars, to ~~to~~ <sup>in</sup> hand paid by the said parties of  
the second part, the receipt whereof is hereby acknowledged, do ~~do~~ by these presents Grant, Bargain, Sell and Convey, to the said  
party of the second part, ~~and~~ heirs and assigns, forever, all the following described piece or parcel of land lying and  
being in the County of Wright and State of Minnesota to-wit:

Beginning at the North East corner of the North West quarter (1/4) of the North East quarter of Section twenty three (23) Twp (18) Range 25, running along the section line of Section Twenty three (23) and Twenty four (24) West to the Watertown road thence south  
westerly along the east line of said Watertown road just far  
enough south so that a line drawn parallel with said section line  
and running east to the east line of the north West quarter of the  
North East quarter of said section 23 thence back to the place of  
beginning, so that tract of land will contain in said township  
a tract of land just fifty (50) acres of land, the south line of which  
land shall be the North East quarter section line of the North  
East quarter (1/4) of said section twenty three (23) Twp One Hundred and  
Eighty (118) Rods or twenty five (25) A.

TO HAVE AND TO HOLD THE SAME, Together with all the hereditaments and appurtenances thereunto in anywise appertaining. And the said Harriet A. Cunningham and John Cunningham, her husband,

parties of the first part, do ~~do~~ covenant with the said parties of the second part, ~~and~~ heirs and assigns, as follows: That  
~~they are~~ lawfully seized of said premises in fee simple; that ~~they are~~ good right and power to grant and convey  
the same; that the same are free from all incumbrances.

that the said parties of the second part, ~~and~~ heirs and assigns, shall quietly enjoy and possess the same, and the said parties  
of the first part will Warrant and Defend the title against all lawful claims.

IN TESTIMONY WHEREOF, The said parties of the first part ~~have~~ hereunto set their hands and seals the day  
and year first above written.

Signed, Sealed and Delivered in Presence of

F. H. Lindley

Viola Cunningham

Harriet Cunningham

John Cunningham

SEAL

SEAL

SEAL

SEAL

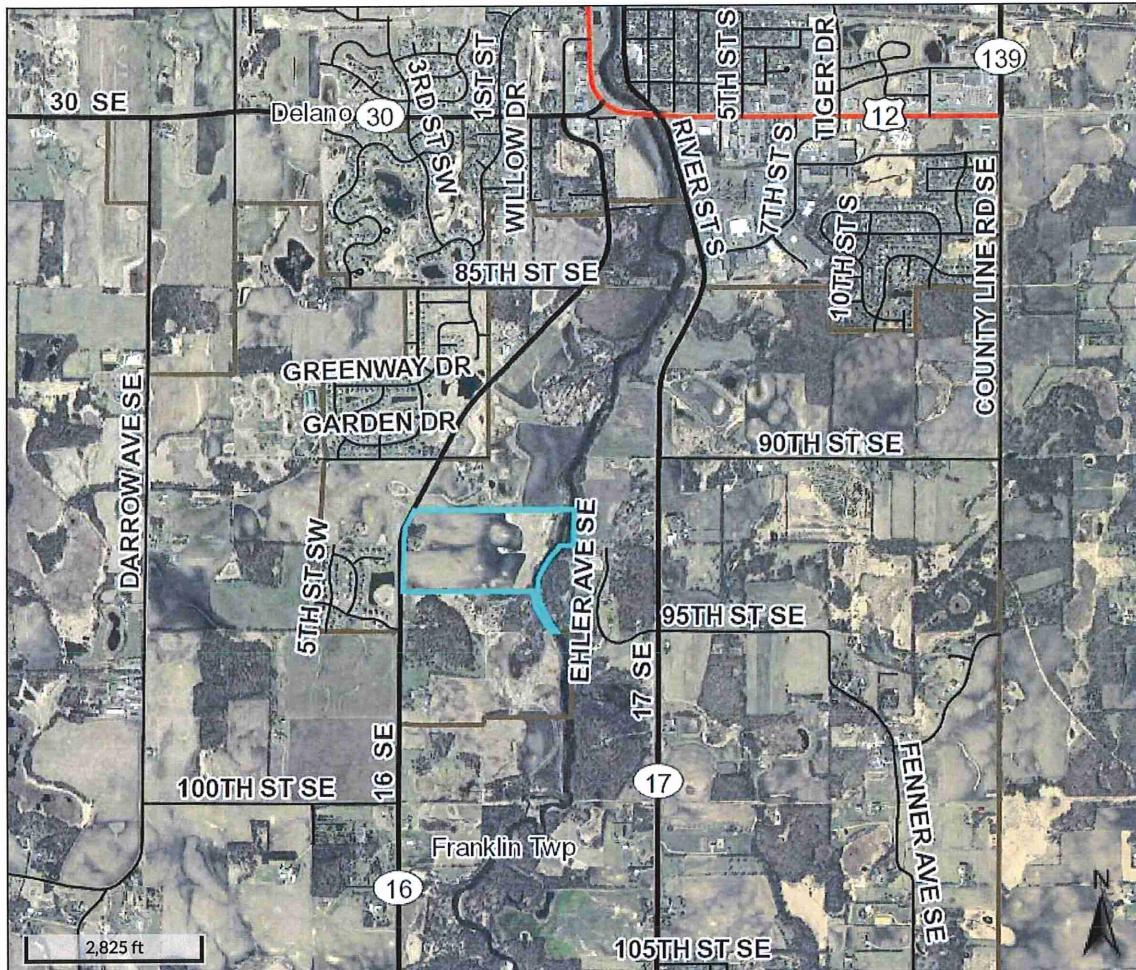
STATE OF MINNESOTA  
COUNTY OF Wright ss.

On this 1st day of April 1893,

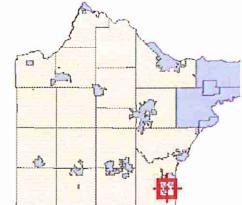
before me, the undersigned personally came Harriet Cunningham and John  
Cunningham, her husband  
to me personally known to be the identical individuals named in and who executed the foregoing Deed, and  
acknowledged that ~~they~~ executed the same freely and voluntarily, for the uses and purposes therein  
expressed.



F. H. Lindley  
Notary Public  
Minneapolis



## Overview



## Legend

Roads	
—	CSAHL
—	CTYCL
—	MUNICL
—	PRIVATECL
—	TWPCL
Highways	
—	Interstate
—	State Hwy
—	US Hwy
City/Township Limits	
<input type="checkbox"/>	c
<input type="checkbox"/>	t
<input checked="" type="checkbox"/>	Parcels

Parcel ID	208200232102	Alternate ID	n/a	Owner Address	WINJUM,JOANN M & THOMAS A
Sec/Twp/Rng	23-118-025	Class	101 - AGRICULTURAL	11577 82ND AVEN	
Property Address	9254 COUNTY ROAD 16 SE DELANO	Acreage	68.11	MAPLE GROVE, MN 55369	
District	2403 TOWN OF FRANKLIN 879				
Brief Tax Description	Sect-23 Twp-118 Range-025 UNPLATTED LAND FRANKLIN TWP3 68.11 AC (NW1/4OF NE1/4&E1/2OF NW1/4)E OF RD EX N40A ALSO SW1/4OF NE1/4EX PRT LYG E OF CROW RIV EXC TR DESC ON232400				
(Note: Not to be used on legal documents)					

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