

**CITY OF DELANO
ORDINANCE 0-16-01**

**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 the property owner (LBJ Enterprises LLC) of the land described on Exhibit A (the "Property").

Section 2. The Property is completely surrounded by the City of Delano, consists of .33 of an acre, and is not presently served by public wastewater facilities or public wastewater facilities are not otherwise available.

Section 3. The Property is deemed to be urban or suburban in character or about to become so.

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 land owners within and contiguous to the Property.

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

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

Section 7. Property taxes payable for 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, 2016, the City of Delano shall levy on the Property beginning in 2016. If this annexation becomes effective after August 1, 2016, the City of Delano shall levy on the Property beginning in 2017.

Section 8. The city of Delano shall reimburse Franklin Township an amount equal to the Township's share of 2016 property tax for two years (\$417.40) , all outstanding Township assessments levied against the annexation property (\$190.00) 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, Department 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 Chief Administrative Law Judge of the office of Administrative Hearings. .

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

ADOPTED BY THE MAYOR AND COUNCIL OF THE CITY OF DELANO, MINNESOTA
THIS 19th DAY OF JANUARY, 2016



Dale Graunke, Mayor

ATTEST:



Brian R. Bloch
Brian Bloch, Clerk

Motion by: Holly Schrupp
Second by: Jack Russek
Graunke: Aye
Stolfa: Absent
Russek: Aye
Franzen: Aye
Schrupp: Aye

Exhibit A:

That part of the East Half of the East Half of Lot "A" in the Northeast Quarter of the Northwest Quarter of Section 13, Township 118, Range 25, Wright County, Minnesota described as follows: Commencing at the Northwest corner of said East Half of the East Half; thence on an assumed bearing of South 0 degrees 03 minutes 36 seconds West along the West line of said East Half of the East Half a distance of 340.79 feet to the point of beginning of the tract to be described; thence continuing on a bearing of South 0 degrees 03 minutes 36 seconds West along said West line a distance of 150.29 feet; thence South 88 degrees 16 minutes 44 seconds East a distance of 96.53 feet; thence North 1 degree 38 minutes 34 seconds West a distance of 152.89 feet; thence North 89 degrees 46 minutes 30 seconds West a distance of 91.95 feet to the point of beginning and there terminating.

Excepting therefrom Parcel 22 of Minnesota Department of Transportation Right of Way Plat No. 86-122, as the same is on file and of record in the office of the County Recorder in and for Wright County, Minnesota.

Together with an appurtenant non-exclusive easement for ingress and egress, as created in Document No. 722200, over all that part of the East Half of the East Half of Lot "A" in the Northeast Quarter of the Northwest Quarter of Section 13, Township 118, Range 25 Wright County, Minnesota described as follows:

Beginning at the Northeast corner of said Lot "A"; thence on an assumed bearing of North 89 degrees 39 minutes 40 seconds West along the North line of said Lot "A", a distance of 22.00 feet; thence South 0 degrees 03 minutes 36 seconds West a distance of 340.62 feet; thence South 89 degrees 46 minutes 30 seconds East a distance of 3.96 feet; thence South 1 degree 38 minutes 34 seconds East a distance of 152.89 feet; thence South 88 degrees 16 minutes 44 seconds East a distance of 13.51 feet to the East line of said Lot "A", thence North 0 degrees 03 minutes 36 seconds East along said East line a distance of 493.67 feet to the point of beginning and there terminating.