

CITY OF DELANO
ORDINANCE 0-13-01

**ORDINANCE ANNEXING LAND LOCATED IN FRANKLIN TOWNSHIP, WRIGHT
COUNTY, MINNESOTA PURSUANT TO MINNESOTA STATUTE § 414.033
SUBDIVISION 2(3) PERMITTING ANNEXATION BY ORDINANCE.**

THE CITY COUNCIL OF DELANO ORDAINS:

Section 1. The City of Delano has received a petition for annexation by ordinance from all the property owners of the land legally described on Exhibit A and depicted on Exhibit B (the "Property").

Section 2. The Property abuts the City of Delano, consists of 97 acres, 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. The property is not located within a flood plain or shoreland area.

Section 4. The Property is not contiguous to any property previously annexed within the preceding 12 months.

Section 5. 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 6. The Property is appropriate for annexation to the City of Delano pursuant to Minnesota Statute §414.033, Subd. 2(3).

Section 7. The Property is hereby annexed to the City of Delano.

Section 8. Property taxes payable for the Property shall continue to be paid to Franklin Township for 2013. If this Annexation becomes effective on or before August 1, 2013, the City of Delano shall levy on the Property beginning in 2013. If this Annexation becomes effective after August 1, 2013, the City of Delano shall levy on the Property beginning in 2014.

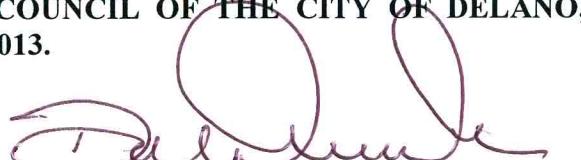
Section 9. Pursuant to Minnesota Statute §414.036, the City of Delano shall provide a one time reimbursement to Franklin Township of two and one half (2 ½) times the property tax payable to Franklin Township for the year 2013. This reimbursement shall be made in two equal payments, the first of which shall be paid to Franklin Township no later than December 31, 2014, and the second of which shall be paid no later than December 31, 2015. This reimbursement shall be in addition to, and not in lieu of, property taxes received by Franklin Township pursuant to Section 8 herein.

Section 10. The City Clerk shall file this Ordinance with the Chief Administrative Law Judge of the State of Minnesota, Franklin Township, and the Wright County Auditor.

Section 11. This Annexation Ordinance shall be final on the date the Ordinance is approved by the Chief Administrative Law Judge of the State of Minnesota.

Section 12. 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 February, 2013.**



Dale Graunke, Mayor

ATTEST:



Marlene E. Kittock
Marlene E. Kittock, City Clerk

Motion by: Betsy Stolfa
Second by: Jack Russek

Graunke: Aye
Stolfa: Aye
Schansberg: Aye
Vick: Aye
Russek: Aye

Exhibit A

The East Half of the Southeast Quarter of Section 3, Township 118, Range 25, Wright County, Minnesota, except the West 297.00 feet of the South 375.00 feet thereof

AND

That part of the Northeast Quarter of the Northeast Quarter of Section 10, Township 118, Range 25, Wright County, Minnesota, that lies Northerly of the centerline of 72nd Street Southeast, except the West 297.00 feet of the North 644.72 feet thereof.

AND

The North 773.66 feet of the West Half of the Southeast Quarter of Section 3, Township 118, Range 25, Wright County, Minnesota.

EXCEPT

The East 543.00 feet of the Southeast Quarter of Section 3, Township 118, Range 25, Wright County, Minnesota.

AND EXCEPT

That part of the East 543.00 feet of the Northeast Quarter of the Northeast Quarter that lies North of the Centerline of Southeast 72nd Street of Section 10, Township 118, Range 25, Wright County Minnesota.

Exhibit B

