

CITY OF DELANO
ORDINANCE O-10- 08

**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 (the "Property").

Section 2. The Property abuts the City of Delano, consists of .91 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 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 the year in which this annexation becomes effective. Because this annexation will not become effective on or before August 1, 2010, the City of Delano may not levy on the Property beginning in 2010. Because this annexation will become effective after August 1, 2010, the City of Delano shall levy on the Property beginning in 2011.

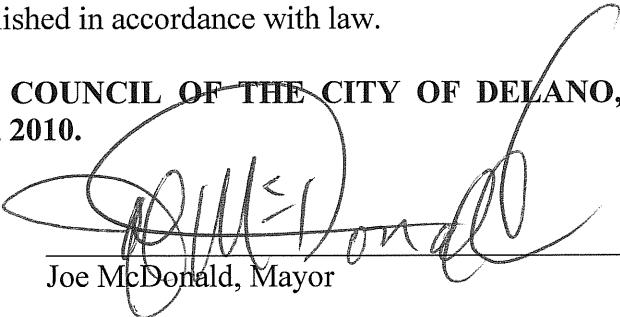
Section 9. Pursuant to Minnesota Statute §414.036, the City of Delano shall provide a reimbursement to Franklin Township of \$ 250.00, which is an amount equal to the property tax payable to Franklin Township for the year 2010. This reimbursement shall be made in two equal payments, the first of which shall be paid to Franklin Township no later than December 31, 2011, and the second of which shall be paid no later than December 31, 2012. 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, 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 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 17th DAY OF AUGUST, 2010.**



Joe McDonald, Mayor

ATTEST:



Marlene E. Kittock, Clerk/Treasurer

Motion By: Betsy Stolfa
Second By: Holly Schrupp

McDonald: Aye
Schrupp: Aye
Hotchkiss: Aye
Bartels: Aye
Stolfa: Aye

EXHIBIT A

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:

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 491.08 feet to the point of beginning of the tract to be described; 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 South 89 degrees 46 minutes 30 seconds East a distance of 18.05 feet to the East line of said Lot "A"; thence South 0 degrees 03 minutes 36 seconds West along said East line a distance of 484.43 feet to the Southeast corner of said Lot "A"; thence North 89 degrees 39 minutes 40 seconds West a distance of 110.00 feet to the Southwest corner of said East Half of the East Half; thence North 0 degrees 03 minutes 36 seconds east along the West line of said East Half of the East Half a distance of 333.92 feet to the point of beginning and there terminating. Containing approximately 0.91 acres.