

ORDINANCE NO. 132

AN ORDINANCE DIVIDING THE CITY OF LAMBERTON INTO URBAN
SERVICE DISTRICT AND RURAL SERVICE DISTRICT

The City Council of the City of Lambertton, Minnesota, does ordain as follows:

Section 1. Division of City into Districts.

The City of Lambertton hereby divides the area within its limits into an Urban Service District and a Rural Service District, constituting separate taxing districts for the purpose of the municipal property taxes except those levied for the payment of bonds and judgments and interest thereon.

Section 2. Urban Service District Defined.

The Urban Service District shall include all properties within the limits of the City of Lambertton, except those set forth by ordinance as Rural Service District.

Section 3. Rural Service District Defined.

The Rural Service District shall include only such unplatted lands which need not be contiguous to one another as in the judgment of the City Council at the time of adoption of the ordinance are rural in character, and are not developed for commercial, industrial, or urban residential purposes and for these reasons are not benefited to the same degree as other lands by municipal services financed by general taxation. This ordinance may include lands outside the City of Lambertton which if annexed shall be included in the Rural Service District.

Section 4. Description of Lands Included in Rural Service District.

The following lands are included in the Rural Service District:

RURAL SERVICE DISTRICT ONE: All that tract or parcel of land, lying and being in the County of Redwood and State of Minnesota, described as follows, to-wit: The Northwest Quarter of the Northwest Quarter (NW1/4 NW1/4) of Section Twenty-three (23), Township One Hundred Nine (109) North, Range Thirty-seven (37) West of the Fifth Principal Meridian, containing 40 acres, EXCEPTING THEREFROM a tract of land in the Northwest Quarter of the Northwest Quarter (NW1/4 NW1/4) of Section 23, Township 109 North, Range 37 West described as follows: Commencing at the Northwest Corner of said Section 23 and running thence South along the West line thereof a distance of 1056.7 feet; thence deflecting 90 degrees to the left a distance of 33.0 feet to the actual point of beginning, said point being on the Easterly right of way of C.S.A.H. 6; thence deflecting 90 degrees to the right and along said Easterly right of way a distance of 75.0 feet; thence deflecting 90 degrees to the left a distance of 100.0 feet; thence deflecting 90 degrees to the left and parallel with said Easterly right of way a distance of 75.0 feet; thence deflecting 90 degrees to the left a distance of 100.0 feet to the actual point of beginning, containing 0.17 acres;

AND

The West 30 acres of Lot No. One (1) of Auditor's Subdivision Number One (1) of the South Half of the Northwest Quarter (S1/2 NW1/4) of Section Twenty-three (23), Township One Hundred Nine

(109) North of Range Thirty-seven (37) West of the Fifth Principal Meridian, EXCEPTING THEREFROM all that portion of the West One-half (W1/2) of the Northwest Quarter (NW1/4) lying and being North and outside of the Chicago & Northwestern Railway Right of Way, of Section Number Twenty-three (23), Township Number One Hundred Nine (109), Range Number Thirty-seven (37) West, described more particularly as follows, to-wit: Commencing at a point on the Center line of U.S. Highway 14 where the East boundary line of the said above-described West One-half of the Northwest Quarter of Section 23, Township 109, Range 37 intersects therewith, thence Southwesterly along said Center line of said U. S. Highway Number 14 a distance of Four Hundred Twenty-five (425) feet, thence Northerly and parallel with said East line of said West 1/2 of the Northwest 1/4 of Sec. 23, Twp. 109, Range 37, a distance of Twenty (20) rods, thence Northeasterly and parallel with the said Center line of said U. S. Highway 14 a distance of Four Hundred Twenty-five (425) feet to a point on the East boundary line of said West 1/2 of the Northwest 1/4 of Sec. 23, Twp. 109, Rge. 37, thence Southerly along said East line of said West 1/2 of the Northwest 1/4 of Sec. 23, Twp. 109, Rge. 37, to the place of beginning; said above-described land being a part of Lot 1 of County Auditor's Subdivision of the South 1/2 of the Northwest 1/4 of Sec. 23, Twp. 109, Rge. 37, containing 3.2196 acres;

AND

All that part of the North One-half (N1/2) of Section 23, Township 109 North, Range 37 West: Commencing at a point in the Center of U. S. Highway No. 14 where it is intersected by the North-South Center Line of Section 23, Twp. 109, Range 37 thence Westerly (Wly) along Center of said Highway a distance of 706 feet point of beginning thence Westerly (Wly) along the Center line of said Highway to a point 458 feet Easterly (Ely) of the Center Line of the West One-half (W1/2) of said Section 23, thence due North 150 feet thence Westerly (Wly) and parallel with the Center Line of said Highway and 150 feet distant therefrom to the Center Line of the West One-half (W1/2) of said Section 23 thence North along said Center Line of the West One-half (W1/2) of said Section 23 to the North Line of said Section 23 thence East to the Center Line of said Section 23 thence due South 20 rods thence East on the South Line of the North one-half (N1/2) of the Northeast Quarter (NE1/4) of said Section 23, 300 feet more or less to the West line of the road running Northerly from said U. S. Highway 14 thence Southerly (Sly) along the West Line of said road to a point 150 feet due North of the center of said U. S. Highway where it is interesected by the West Line of said road thence Westerly (Wly) and parallel to said U. S. Highway 14 a distance of 909 feet thence due South to the point of beginning, EXCEPTING THEREFROM the following described Tracts:

TRACT 1: All that part of Lot Number One (1) of Auditor's Subdivision Number One (1) of the South One Half of the Northwest Quarter (S1/2 NW1/4) and the Southwest Quarter (SW1/4) of Section Twenty-three (23), Township One Hundred Nine (109), Range Thirty-seven (37) West, described as follows, to-wit: Commencing at a point 458 feet East of the point of intersection of the center line of Trunk Highway No. 7, now United States Highway No. 14, with the West line of said SE1/4 of NW1/4 of said Section 23, Township 109, Range 37 and commencing on center line of said highway, running thence North at right angles with herebefore described center line of Trunk Highway No. 7, now United States Highway No. 14, a distance of 150 feet to the point of beginning of this tract, thence North at right angles to said center line a

distance of 340 feet, thence Southwesterly parallel with said center line to a point on the West line of said SE1/4 of NW1/4, said point being 500 feet North, more or less, of the center line of Highway No. 14, thence South 350 feet, more or less, to a point 150 feet North of center line of Highway No. 14, thence Northeasterly parallel to said Highway No. 14 to the point of beginning, containing approximately 3.0 acres, more or less;

TRACT 2: All that part of parcel of land lying and being in the County of Redwood and State of Minnesota, described as follows, to-wit: All that part of Lot Number One (1) of Auditor's Subdivision Number One (1) of the South One Half of the Northwest Quarter (S1/2 NW1/4) and the Southwest Quarter (SW1/4) of Section Twenty-three (23), Township One Hundred Nine (109), Range Thirty-seven (37), described as follows: Beginning at a point 243 feet East of the point of intersection of the center line of Trunk Highway No. 7, now United States Highway No. 14 with the West line of said SE1/4 of the NW1/4 of said Section 23,, Township 109, Range 37 and commencing on center line of said Highway running thence North at right angles a distance of 150 feet, thence in a Northeasterly direction and parallel to the said center line of said Highway a distance of 215 feet, thence Southerly and at right angles with the herebefore described center line of Trunk Highway No. 7, now United States Highway No. 14 to said center line, thence in a Westerly direction for a distance of 215 feet, more or less, to the point of beginning, containing .74 acres, more or less;

TRACT 3: All that part of Lot Number One of Auditor's Sub-division Number One (1) of the South One-half (S1/2) of the Northwest Quarter (NW1/4) and the Southwest Quarter (SW1/4) of Section Number Twenty-three (23), Township One Hundred Nine (109) North, Range Thirty-seven (37) West, Redwood County, more fully described as follows, to-wit: Commencing at a point on the center line of United States Highway Number Fourteen (14) (formerly trunk highway number seven (7)) 458 feet Northeasterly of the point of intersection of the center line of said United States Highway Number Fourteen (14) with the West line of said Southeast Quarter (SE1/4) of the Northwest Quarter (NW1/4) of Section Twenty-three (23), Township One Hundred Nine (109) North, Range Thirty-seven (37) West, then running Northwesterly at right angles to the said center line of United States Highway Number Fourteen (14) a distance of Two Hundred and Eighty (280) feet, then Northeasterly parallel with said center line of United States Highway Number Fourteen (14) and distant Two Hundred and Eighty (280) feet from said center line a distance of Two Hundred Forty-five (245) feet; then Southeasterly at right angles a distance of Two Hundred and Eighty (280) feet to the center line of United States Highway Number Fourteen (14); then Southwesterly along said center line of United States Highway Fourteen (14) Two Hundred Forty-five (245) feet to the point of beginning, subject to easements of record;

TRACT 4: The Northerly Fifty (50) feet of a tract of land described as commencing at a point on the North boundary line of the right of way of Minnesota Trunk Highway No. 14 Two Hundred Seventy (270) feet, measured along said North boundary line, Westerly of a point on the East line of the Northwest Quarter (NW1/4) of Section No. Twenty-three (23), Township No. One Hundred Nine (109) North, Range No. Thirty-seven (37) West, where said East line is intersected by the said North boundary line of said highway, running thence Southerly at right angles to the

center line of said highway, thence Westerly along said center line a distance of Four Hundred Thirty-six (436) feet, thence Northerly at right angles to said center line a distance of Two Hundred (200) feet, thence Easterly parallel with said center line of said highway a distance of Four Hundred thirty-six (436) feet, thence Southerly at right angles a distance of One Hundred Fifty (150) feet to the point of beginning on said North boundary line of said highway. Said tract being a part of Lot No. 1 of Auditor's Subdivision No. 1 of the SE1/4 of the NE1/4 and S1/2 of the NW1/4 and the SW1/4 of Section No. 23, Township 109, Range 27;

TRACT 5: Commencing at the point of intersection of the North boundary of the right of way of Trunk Highway No. 14 with East line of the Northwest Quarter (NW1/4) of Section Twenty-three (23), Township One Hundred Nine (109), Range Thirty-seven (37), running thence Southwesterly along said North highway boundary line a distance of Two Hundred Seventy (270) feet, thence at right angles Northwesterly a distance of One Hundred (100) feet to the point of beginning; thence from said point of beginning Northeasterly parallel with and distant One Hundred (100) feet from said North highway boundary line a distance of Four Hundred Ninety-four (494) feet, thence due North to a point One Hundred Fifty (150) feet Northerly of said North highway boundary line as measured at right angles to said North highway boundary line; thence Southwesterly parallel with, and distant One Hundred Fifty (150) feet from, said North highway boundary line to a point Fifty (50) feet Northerly of the point of beginning as measured on a line drawn at right angles to said North highway boundary line and through said point of beginning; thence Southerly Fifty (50) feet to the point of beginning, said tract being a part of the Southwest Quarter (SW1/4) of the Northeast Quarter (NE1/4) of Section Twenty-three (23), Township One Hundred Nine (109) North, Range Thirty-seven (37) West and a part of Lot Number One (1) of Auditor's Subdivision Number One (1) of the South Half (S1/2) of the Northwest Quarter (NW1/4) and the Southwest Quarter (SW1/4) of Section Twenty-three (23), Township One Hundred Nine (109) North, Range Thirty-seven (37) West

Section 5. Transfer of Land from One District to Another.

Whenever any parcel of land included in the Rural Service District is platted in whole or in part; or whenever application is made for a permit for construction of a commercial, industrial, residential or agricultural building or improvement; or whenever such improvement or building is commenced without a permit the governing body shall make and enter an order by resolution transferring such parcel or part thereof from the Rural Service District to the Urban Service District. No parcel shall be included in a Rural Service District of five acres or less and no parcel shall remain in a Rural Service District unless such parcel consists of five acres or more.

Section 6. Ratio of Benefits.

In the judgment of the City Council, the ratio which exists between the benefits resulting from tax supported municipal service to parcels in the Rural Service Districts to parcels in the Urban Service District is Twelve percent (12%), plus any municipal property taxes levied for payment of bonds, and judgments, and interest thereon.

Section 7. Regulations generally.

a) No city service beyond that normally provided by the townships of Redwood County will be provided by the City in a Rural Service District, except fire, police and planning services;

b) Land in a Rural Service District must be open, rural in character and maintained in farm crops or seeded;

c) Grading is not considered as development provided grading is such as to hold storm runoff on the land and not produce storm runoff problems and provided graded areas are cropped or reseeded within one year;

d) Any fill hauled in shall be graded off and seeded at least once each year.

PRELIMINARY APPROVAL GIVEN BY THE CITY COUNCIL OF THE CITY OF LAMBERTON, MINNESOTA, THIS 8th DAY OF MAY, 1989.

Ron Kelsey, Mayor
Ron Kelsey, Mayor

ATTEST:

Steven Flaig
Steven Flaig, City Clerk

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FINAL APPROVAL GIVEN AFTER THE June 12th, 1989, HEARING ON THE ABOVE ORDINANCE.