

ORDINANCE NO. 155

**AN ORDINANCE OF THE CITY OF LAMBERTON, MINNESOTA, ANNEXING LAND
LOCATED IN LAMBERTON TOWNSHIP, REDWOOD COUNTY, MINNESOTA
PURSUANT TO MINNESOTA STATUTES § 414.033 SUBDIVISION 2(3),
PERMITTING ANNEXATION BY ORDINANCE**

WHEREAS, a petition signed by all the property owners, requesting that property legally described herein be annexed to the City of Lamberton, Minnesota, was duly presented to the Council of the City of Lamberton on the 14th day of March, 2016; and

WHEREAS, said property is unincorporated and abuts the City of Lamberton on its Southern boundary; is less than 120 acres; is not presently served by public sewer facilities or public sewer facilities are not otherwise available; and

WHEREAS, said property is not located within a flood plain or shoreland area; and

WHEREAS, said property is currently agricultural, but includes a residential structure with a failed septic system, and annexation is requested to provide sewer service to the residential structure located on the property; and

WHEREAS, the City of Lamberton held a public hearing pursuant to Minnesota Statutes § 414.033 Subd. 2b, on the 14th day of March, 2016, following thirty (30) days written notice by certified mail to the Township of Lamberton and to all landowners within and contiguous to the area legally described herein, to be annexed; and

WHEREAS, provisions of Minnesota Statutes § 414.033 Subd. 13 are not applicable in that there will be no change in the electric utility service provider resulting from the annexation of the territory to the municipality.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF LAMBERTON,
MINNESOTA, HEREBY ORDAINS AS FOLLOWS:**

1. The City Council hereby determines that the property as hereinafter described abuts the city limits and is or is about to become urban or suburban in nature in that the property includes a structure of residential use which requires connection to sanitary sewer service.
2. None of the property is now included within the limits of any city, or in any area that has already been designated for orderly annexation pursuant to Minnesota Statute § 414.0325.
3. The corporate limits of the City of Lamberton, Minnesota, are hereby extended to include the following described property, said land abutting the City of Lamberton and being 120 acres or less in area, and is not presently served by public sewer facilities or public sewer facilities are not otherwise available, and the City having received a petition for annexation from all the property owners of the land, to wit:

Part of the Northwest Quarter of the Northwest Quarter of Section 26, Township 109 North, Range 37 West, Redwood County, Minnesota, described as follows:

Commencing at the Northeast Corner of said Northwest Quarter of the Northwest Quarter; thence North 89 degrees 41 minutes 41 seconds West (bearings based on the Redwood County Coordinate System, NAD 83, 1996 adjustment), along the north line of said Section 26, a distance of 284.00 feet to the point of beginning; thence continuing North 89 degrees 41 minutes 41 seconds West, along said north line, a distance of 127.12 feet; thence South 00 degrees 41 minutes 41 seconds East, a distance of 464.07 feet; thence South 89 degrees 41 minutes 41 seconds East, a distance of 25.32 feet; thence South 00 degrees 18 minutes 19 seconds West, a distance of 2.00 feet; thence South 89 degrees 41 minutes 41 seconds East, a distance of 93.70 feet; thence North 00 degrees 18 minutes 19 seconds East, a distance of 466.00 feet to the point of beginning.

The above described property consists of a total of 1.32 acres, more or less. Copies of the corporate boundary map showing the property to be annexed and its relationship to the corporate boundaries and all appropriate plat maps are attached hereto.

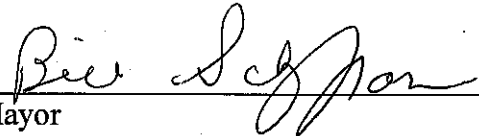
4. That the population of the area legally described herein or attached exhibit and hereby annexed is two (2).
5. The City of Lamberton, pursuant to Minnesota Statutes § 414.036, that with respect to the property taxes payable on the area legally described herein, hereby annexed, shall make a cash payment to the Township of Lamberton in accordance with the following schedule:

Reimbursement of the property taxes to the Town shall be based on the property taxes collected by the Town in the last year it collected taxes on the annexed area, in a total amount equivalent to that payable under the former law, but adjusted to be paid in substantially equal payments over five (5) years in accordance with the 2006 amendments to Minn. Stat. §414.036.

6. That pursuant to Minnesota Statutes § 414.036 with respect to any special assessments assigned by the Town to the annexed property and any portion of debt incurred by the Town prior to the annexation and attributable to the property to be annexed, but for which no special assessments are outstanding, for the area legally described herein there are no special assessments or debt incurred by the Town on the subject area for which reimbursement is required.
7. That the City Clerk of the City of Lamberton is hereby authorized and directed to file a copy of this Ordinance with the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, the Minnesota Secretary of State, the Redwood County Auditor, and the Lamberton Township Clerk.

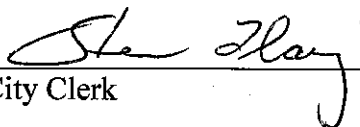
8. That this Ordinance shall be in full force and effect and final upon the date this Ordinance is approved by the Office of Administrative Hearings.

PASSED AND ADOPTED by the City Council of the City of Lambert, Minnesota, this 14th day of March 2016.



Mayor

Attest:



City Clerk