

ORDINANCE NO. 2017-03

AN ORDINANCE ANNEXING CERTAIN LANDS FROM COKATO TOWNSHIP

WHEREAS, On April 10, 2017, the city of Cokato (the “City”) received a petition for annexation of 6.84 acres of real property that is legally described on Exhibit A attached hereto and depicted on Exhibit B attached hereto (the “Identified Land”); and

WHEREAS, On May 22, 2017 in accordance with Minnesota Statutes, Section 414.033, subd. 2b, the City held a public hearing, giving 30 days’ notice thereof by certified mail to Cokato Township and all landowners within and contiguous to the Identified Land; and

WHEREAS, the Identified Land abuts the City, is less than 120 acres, is not presently served by public wastewater facilities and such facilities are not otherwise available, and the annexation petition was submitted by all owners of the land; and

WHEREAS, the Identified Land is not contiguous to any property that was either simultaneously proposed to be annexed or previously annexed within the preceding 12 months; and

WHEREAS, the Identified Land is about to become urban or suburban in character; and

WHEREAS, all conditions required under Minnesota Statutes, Section 414.033, subd. 2(3) have been met; and

WHEREAS, the petitioners have submitted to the City a signed waiver of the electric utility service notice required pursuant to Minnesota Statutes, Section 414.033, subd. 13 and, moreover, no changes to the Identified Land’s electric utility service will occur upon annexation.

NOW, THEREFORE, the city council of the city of Cokato does ordain as follows:

Section I. The above recitals are incorporated into this ordinance as if fully set forth herein.

Section II. In accordance with Minnesota Statutes, Section 414.033, subd. 2(3), the city council hereby declares by ordinance that the Identified Land, as legally described on Exhibit A and depicted on Exhibit B, is annexed to the City.

Section III. Taxes payable to Cokato Township in 2017 on the Identified Land total \$81.59 and those 2017 taxes shall be paid to Cokato Township. Pursuant to Minnesota Statutes, Section 414.036, the City shall make a cash reimbursement to Cokato Township with respect to the property taxes in accordance with the following schedule: The City shall pay Cokato Township the sum of \$101.99 in 2018 and the sum of \$101.99 in 2019. The total two-year reimbursement amount (\$203.98) equates to 250% of the taxes payable to Cokato Township during 2017.

Section IV. There are no special assessments assigned by Cokato Township to the Identified Land, nor is there any debt incurred by Cokato Township attributable to the Identified Land.

Section V. The city administrator is directed to promptly file a copy of this ordinance with the

Office of Administrative Hearings (Chief Administrative Law Judge), the Cokato Township clerk, the Wright County Auditor's Office, and the Minnesota Secretary of State.

Section VI. This ordinance shall be effective following its adoption and publication and the annexation is final on the date of approval by the Chief Administrative Law Judge.

Attest:

Gordy Erickson, Mayor

Andrew Carlson, City Clerk

EXHIBIT A

Legal Description of the Identified Land

That part of the Northwest Quarter of the Southwest Quarter (NW ¼ of the SW ¼) of Section 35, Township 119 North, Range 28 West, Wright County, Minnesota, lying northeasterly of MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 86-32, according to the recorded plat thereof in and for Wright County, Minnesota, and which also lies northerly of the following described line: Commencing at the northeast corner of said NW ¼ of the SW ¼; thence on an assumed bearing of South 00 degrees 11 minutes 39 seconds West, along the east line of said NW ¼ of the SW ¼ for 310.87 feet to the point of beginning of the line herein described; thence South 88 degrees 40 minutes 13 seconds West for 140.09 feet; thence South 62 degrees 24 minutes 49 seconds West for 391.89 feet to the intersection with the northeasterly line of said MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 86-32 and there terminating

