

ORDINANCE NO. 634
2ND SERIES

AN ORDINANCE AMENDING ORDINANCE NO. 631 ANNEXING PROPERTY LOCATED ADJACENT TO CROSS COUNTRY LANE IN LAKE MARY TOWNSHIP (NADEAU) TO THE CORPORATE LIMITS OF THE CITY OF ALEXANDRIA FOR THE PURPOSES OF MODIFYING REIMBURSEMENT TO LAKE MARY TOWNSHIP

WHEREAS, the City Council of the City of Alexandria did adopt Ordinance No. 631, annexing property to the City of Alexandria, and

WHEREAS, the City did transmit said Ordinance to the State of Minnesota for review and approval, and

WHEREAS, the State of Minnesota has reviewed said Ordinance and directed the City to modify the reimbursement provisions contained therein,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ALEXANDRIA, MINNESOTA, HEREBY ORDAINS that Ordinance No. 631 is deleted in its entirety and is replaced by the following:

WHEREAS, a majority (100%) of the property owners of the lands described below have petitioned the Alexandria City Council to annex this territory to the City of Alexandria, pursuant to Minnesota Statutes Section 414.033, Subdivision 5, and

WHEREAS, the property abuts upon the southerly boundaries of the Alexandria City Limits along the northerly boundaries of the subject property, and

WHEREAS, the property is not presently part of any incorporated city, and

WHEREAS, the property consists of unplatted land in Lake Mary Township, Douglas County, containing approximately 198.76 acres in one (1) parcel owned by one (1) property owner, and

WHEREAS, the Alexandria City Council finds that the property is suburban in character by surrounding development and usage and is not currently served by municipal water services, and

WHEREAS, the proposed uses of the subject property are commercial/industrial in nature, and

WHEREAS, the City of Alexandria has not received an Objection to Annexation Petition from Lake Mary Township after the passage of 90 days from notification to the Township of the City's receipt of aforementioned petition,

NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF ALEXANDRIA HEREBY ORDAINS:

SECTION I: That the Corporate Limits of the City of Alexandria are hereby extended to include land as described and the same is hereby annexed and included within the City.

SECTION II: That the territory to be annexed is described as:

NW ¼ and NE ¼ SW ¼, all in Section 2 Township 127 North, Range 38 West, EXCEPT that part of the above-described premises conveyed to State of Minnesota and described as such in Document 265272 as filed for record in the Office of County Recorder, Douglas County, Minnesota on December 15, 2004. Section 02, Township 127, Range 38. AC 198.76

SECTION III: That the lands hereby annexed are to be zoned as B-1, "General Business".

SECTION IV: That this Ordinance provides for reimbursement to Lake Mary Township of the property taxes payable to said Township in the following manner: The Township share of property taxes as of the effective date of this Ordinance is \$882.98, which the Township shall

retain for 2009. The City shall provide reimbursement in equal installments of \$441.48 annually for each of the years 2010, 2011, 2012, 2013, and 2014 which shall be the final year of such reimbursement.

SECTION V: That this ordinance provides for reimbursement to Lake Mary Township of all special assessments assigned to the property by the Township prior to the effective date of this Ordinance and any portion of debt incurred by the Township prior to the annexation and attributable to the property to be annexed but for which no special assessments are outstanding. Such reimbursement to be made in equal installments in 2010, 2011, 2012, 2013 and 2014 and be based upon an accounting of such assessments or debt attributable to the property as provided to the City by the Township, such accounting to be made not less than 90 days following the effective date of this Ordinance.

SECTION VI: That the City Clerk is directed to file copies of this Ordinance with the State of Minnesota, the Douglas County Auditor, and the Lake Mary Township Board of Supervisors.

SECTION VII: This Ordinance shall be in full force and effect from and after its passage, publication and approval by the State of Minnesota.

ADOPTED by the City Council of the City of Alexandria, Minnesota, this 9th day of March, 2009, by the following vote:

YES: BIGGER, MILLER, BENSON, FRANK

NO: NONE

ABSENT: CARLSON

/S/ H. Dan Ness, Mayor

ATTEST: _____
/S/ Jim Taddei, City Administrator