

To: HONORABLE MAYOR AND CITY COUNCIL.

FROM: Dave Maroney, Director of Economic Development and Planning.

SUBJECT: Moline Annexation.

DATE: September 25, 2013.

BACKGROUND.

Brent A. Moline and Moline Enterprise, LLC have petitioned for the annexation of property they own that is located immediately south and west of the new Mayo Hospital site – see accompanying map. Mr. Moline has reviewed his request with Cannon Falls Township Officials and they do not oppose the request. In the event that the property is approved for annexation, Mr. Moline will thereafter seek approvals for zoning and land development permits.

REQUESTED COUNCIL ACTION.

Following the public hearing, the City Council is asked to approve the first reading of Ordinance No. 332 annexing approximately 52 acres to the City of Cannon Falls.

**CITY OF CANNON FALLS
GOODHUE COUNTY, MINNESOTA**

ORDINANCE NUMBER 332

**AN ORDINANCE ANNEXING LAND LOCATED IN THE TOWN OF CANNON FALLS,
GOODHUE COUNTY, MINNESOTA PURSUANT TO MINNESOTA
STATUTES § 414.033, SUBDIVISION 2(3), PERMITTING
ANNEXATION BY ORDINANCE**

SECTION 1. PREAMBLE.

WHEREAS, the City of Cannon Falls received a petition dated July 12, 2013, signed by property owners Moline Enterprises, LLC and Brent A. Moline, requesting that property legally described in Exhibit A (attached for *Moline A* and *Moline B*), Goodhue County Minnesota, be annexed to the City of Cannon Falls, Minnesota and said petition was duly presented to the Council of the City of Cannon Falls on the 20th day of August, 2013, and;

WHEREAS, said property is unincorporated and abuts the City of Cannon Falls 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 currently unimproved agricultural land and annexation is requested to facilitate the extension of city services for the urban development of the property, and;

WHEREAS, the City of Cannon Falls held a public hearing pursuant to Minnesota Statutes § 414.033, Subd. 2b, on October 1, 2013, following thirty (30) days written notice by certified mail to the Town of Cannon Falls (“Township”) 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.

SECTION 2. ENACTMENT.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CANNON FALLS, MINNESOTA HEREBY ORDAINS AS FOLLOWS:

1. The City Council hereby determines that the property as described herein abuts the city limits and is or is about to become urban or suburban in nature in that urban use is being proposed for said property, the construction of which requires or will need city services, including public sewer facilities.

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 Cannon Falls, Minnesota, are hereby extended to include the following described property, said land abutting the City of Cannon Falls and being 120 acres or less in area, which is not presently served by public sewer facilities or and for which 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 as described in Exhibit A (attached for *Moline A* and *Moline B*).

The above described property consists of a total of 52.43 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 hereby annexed is zero.

5. The City of Cannon Falls, pursuant to Minnesota Statutes § 414.036, shall provide reimbursement to the Township to compensate the Township for the loss of taxable property for a five (5) year period (2015 - 2019) as follows: Year 1 at 90%; Year 2 at 70%; Year 3 at 50%; Year 4 at 30%; and Year 5 at 10%.

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 annexed, 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 Cannon Falls is hereby authorized and directed to file a copy of this Ordinance with the Municipal Boundary Adjustment Unit of the Minnesota Office of Administrative Hearings, the Minnesota Secretary of State, the Goodhue County Auditor, and the Township Clerk.

8. That the Office of Administrative Hearings is hereby requested to issue its order approving this annexation.

SECTION 3. EFFECTIVE DATE. This ordinance shall be effective immediately upon its passage and publication, and approval by the Office of Administrative Hearings, Boundary Adjustments, State of Minnesota.

ADOPTED this 1st day of October, 2013, by the City Council of the City of Cannon Falls, Minnesota.

CITY OF CANNON FALLS

BY: _____
Lyman M. Robinson, Mayor

ATTEST:

Aaron S. Reeves, City Administrator

Summary published in *Cannon Falls Beacon* on _____, 2013.

MOLINE A
PROPOSED ANNEXATION LEGAL DESCRIPTION
(MOLINE ENTERPRISES L.L.C.)

The south 803 feet of that part of Government Lots 2 and 5, Section 30, Township 112 North, Range 17 West, Goodhue County, Minnesota, described as beginning at the northeast corner of said Government Lot 2; thence south along the east lines of said Government Lots 2 and 5 approximately 1553 feet to the north right-of-way of a town road; thence northwesterly along said north right-of-way approximately 171 feet to the easterly right-of-way of State Trunk Highway No. 52; thence northerly approximately 225 feet; westerly 80 feet; northerly approximately 1,136 feet; and northeasterly approximately 81 feet, all along said easterly right-of-way to the north line of said Government Lot 2; thence east along said north line approximately 204 feet to the place of beginning. EXCEPTING therefrom the westerly 66 feet thereof to be retained and used for public roadway purposes.

AND

That part of Government Lots 1 and 6, Section 30, Township 112, Range 17, Goodhue County, Minnesota, described as follows:
Beginning at the northwest corner of said Government Lot 1; thence South 0 degrees 01 minutes 18 seconds East (assumed bearing) along the west line of said Government Lots 1 and 6 a distance of 2019.48 feet to corner B7011 of Minnesota Department Of Transportation Right Of Way Plat No. 25-72; thence North 33 degrees 30 minutes 47 seconds East along said right of way plat 291.04 feet to corner B16; thence North 71 degrees 34 minutes 54 seconds East along said right of way plat 73.89 feet to corner B15; thence South 85 degrees 50 minutes 37 seconds East along said right of way plat 446.02 feet to corner B14; thence North 82 degrees 06 minutes 17 seconds East along said right of way plat 132.06 feet to corner B13; thence North 44 degrees 15 minutes 15 seconds East along said right of way plat 350.09 feet to corner B12; thence North 0 degrees 01 minute 47 seconds East along said right of way plat 195.00 feet to corner B11; thence North 15 degrees 58 minutes 36 seconds west along the easterly line of said right of way plat 188.51 feet to the most southerly corner of Goodhue County Right Of Way Plat No. 201; thence North 72 degrees 39 minutes 02 seconds East along the southerly line of said right of way plat no. 201 a distance of 347.86 feet to the east line of said Government Lot 1; thence North 0 degrees 01 minute 48 seconds East along said east line 1040.89 feet to the northeast corner of said Government Lot 1; thence South 89 degrees 50 minutes 02 seconds west along the north line of said Government Lot 1 a distance of 1332.32 feet to the point of beginning. EXCEPT that part platted in Evolve Addition and Evolve Replat.

subject to easements of record.

MOLINE B
PROPOSED ANNEXATION LEGAL DESCRIPTION
(BRENT A. MOLINE)

That part of the North Half of the Northeast Quarter of Section 30, Township 112, Range 17, Goodhue County, Minnesota, described as follows:
Commencing at the northwest corner of said North Half of the Northeast Quarter; thence South 0 degrees 01 minute 48 seconds West along the west line of said North Half of the Northeast Quarter 191.00 feet to the northwest corner of the property described in Document Number 600866, Goodhue County Recorders Office, and the point of beginning of the land to be described; thence continuing South 0 degrees 01 minute 48 seconds West along said west line 849.89 feet to a corner of Goodhue County Right Of Way Plat No. 201; thence North 65 degrees 28 minutes 03 seconds East along the southerly line of said right of way plat 239.59 feet to a corner of said right of way plat; thence North 36 degrees 20 minutes 34 seconds East along the easterly line of said right of way plat 223.07 feet to a corner of said right of way plat; thence North 3 degrees 19 minutes 58 seconds East along the east line of said right of way plat 574.39 feet to the north line of said Doc. No. 600866; thence south 89 degrees 35 minutes 48 seconds West along said north line 383.11 feet to the point of beginning.

subject to easements of record.

