

**To: HONORABLE MAYOR AND CITY COUNCIL.**

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

**SUBJECT: DeGarmo Annexation Petition.**

**DATE: October 30, 2013.**

**BACKGROUND.**

Kevin and Andrea DeGarmo have petitioned the City of Cannon Falls to annex approximately 6-acres of land that they own west of Highway 52 – see accompanying petition and map. The Board of Supervisors for Cannon Falls Township does not oppose the petition. In the event that the property is annexed the DeGarmo's will thereafter initiate a request for zoning, subdivision and building permits.

**REQUESTED COUNCIL ACTION.**

The City Council is asked to approve the Resolution providing notice of intent to annex and scheduling of a public hearing to consider the same on December 17, 2013.

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

**RESOLUTION NUMBER 2044**

**RESOLUTION PROVIDING NOTICE OF INTENT  
FOR ANNEXATION OF LAND TO THE CITY OF CANNON FALLS PURSUANT TO  
MINNESOTA STATUTES §414.033, SUBD. 2(3)**

**WHEREAS**, the City of Cannon Falls has received a Petition (attached hereto) from Kevin DeGarmo and Andrea Powicki DeGarmo, for the annexation of property not presently within the corporate limits of any incorporated city; and

**WHEREAS**, the area proposed for annexation is 120 acres or less in size, bordered by land already within the corporate limits of the City of Cannon Falls and is otherwise appropriate for annexation by ordinance pursuant to Minnesota Statutes §414.033, Subd. 2(3); and

**WHEREAS**, the area proposed for annexation is legally described on the attached “Exhibit A”; and

**WHEREAS**, the reason for the proposed annexation is to provide urban services to the property and to develop the property for commercial purposes; and

**WHEREAS**, the City of Cannon Falls has informed the petitioners/owners of any electric utility service changes as specified by Minnesota Statutes §414.033, Subd. 13 and that Goodhue County Cooperative Electric Association, which currently serves the property, will continue to serve the property; and

**WHEREAS**, the area proposed for annexation is not included in any other proceeding currently pending before the Office of Administrative Hearings - Municipal Boundary Adjustments; and

**WHEREAS**, the area proposed for annexation is not included in any area that has already been designated for orderly annexation pursuant to Minnesota Statutes §414.0325.

**NOW THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CANNON FALLS, MINNESOTA** that the City hereby serves a Notice of Intent to annex by ordinance the above-described property into the corporate limits of the City of Cannon Falls at or following a public hearing by the City Council on December 17, 2013 in the Council Chambers, Cannon Falls City Hall, beginning at 6:30 p.m. or as soon thereafter as possible in conjunction with the Council’s regular meeting agenda.

**ADOPTED** this 5<sup>th</sup> day of November, 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

\*To be published in *The Cannon Falls Beacon* on November 14, 2013\*

**PETITION FOR ANNEXATION PURSUANT TO  
MINN. STAT. § 414.033, SUBD. 2(3)**


**TO THE COUNCIL OF THE CITY OF CANNON FALLS, MINNESOTA:**

We, the undersigned, being all the property owners of the land described below, hereby request the City Council to annex the land to the City and to extend the City boundaries to include the land and for that purpose respectfully state:

1. The land abuts the corporate boundary of the City, is one hundred twenty (120) acres or less, and is legally described on the attached Exhibit "A" (hereinafter "Subject Property").
2. The Subject Property is not presently served by public wastewater facilities and public wastewater facilities are not otherwise available.
3. All of the Subject Property is or is about to become urban or suburban in character; and none of the Subject Property is presently included within the corporate limits of any incorporated city.
4. This petition is made pursuant to Minn. Stat. 414.033, Subdivision 2(3).
5. The undersigned certify that they constitute all of the owners of the Subject Property.

**OWNERS:**

Dated: 10/21/13

  
\_\_\_\_\_

Dated: 10/21/13

  
\_\_\_\_\_

**EXHIBIT "A"**  
**TO**  
**PETITION FOR ANNEXATION**

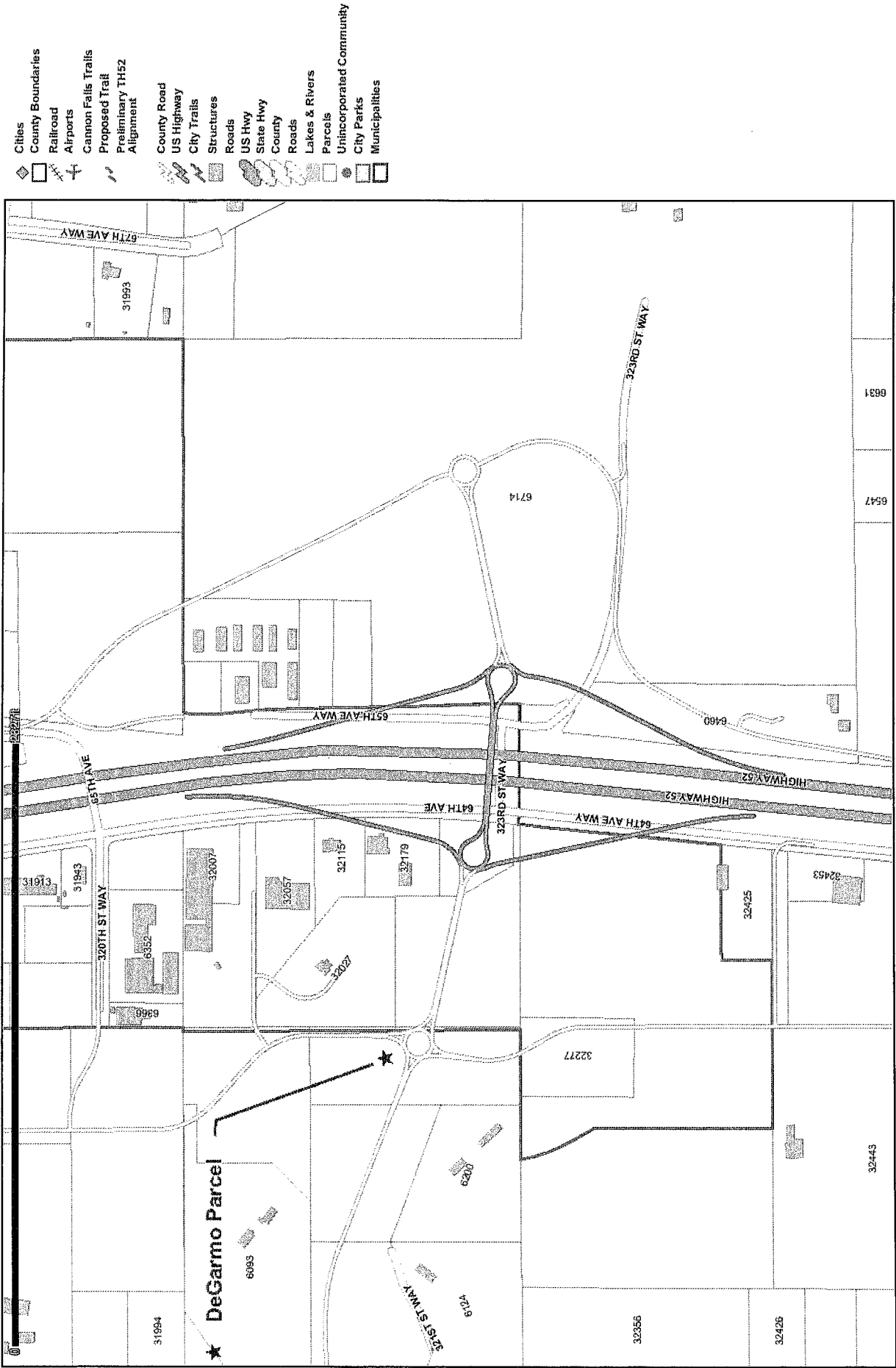
**Legal Description of Subject Property:**

That part of Government Lot 3, Section 30, Township 112, Range 17, Goodhue County, Minnesota, described as follows:

Commencing at the northwest corner of said Government Lot 3; thence North 89 degrees 50 minutes 01 second East (HARN adjustment of the 1983 Goodhue County Coordinate System) along the north line thereof 1473.22 feet to corner B7335 of Minnesota Department Of Transportation Right Of Way Plat No. 25-74; thence South 22 degrees 34 minutes 01 second East along a westerly line of parcel 10 of said right of way plat 55.57 feet to the south line of Document Number 597789, Goodhue County Records Office and the point of beginning of the land to be described; thence continuing South 22 degrees 34 minutes 01 second East along the westerly line of parcel 9 of said right of way plat a distance of 111.32 feet to a corner of said right of way plat; thence South 80 degrees 46 minutes 10 seconds East along a southerly line of said parcel 9 a distance of 134.57 feet to a corner of said right of way plat; thence South 46 degrees 49 minutes 20 seconds East along a westerly line of said parcel 9 a distance of 222.46 feet to a corner of said right of way plat; thence South 34 degrees 20 minutes 45 seconds East along said westerly line of parcel 9 a distance of 93.04 feet to a corner of said right of way plat; thence South 0 degrees 04 minutes 48 seconds East along said westerly line of parcel 9 a distance of 303.41 feet to a corner of said right of way plat; thence South 67 degrees 55 minutes 59 seconds West along a northerly line of said parcel 9 a distance of 121.41 feet to a corner of said right of way plat; thence North 73 degrees 32 minutes 48 seconds West along said northerly line of parcel 9 a distance of 110.45 feet to a corner of said right of way plat; thence North 66 degrees 53 minutes 01 second West along said northerly line of parcel 9 a distance of 390.13 feet to a corner of said right of way plat; thence North 78 degrees 42 minutes 56 seconds West along the northerly line of parcel 9 of Minnesota Department Of Transportation Right Of Way Plat No. 25-76 a distance of 371.88 feet to corner B15 of said right of way plat; thence North 89 degrees 50 minutes 01 second East 391.96 feet to the most westerly corner of the property described in Document Number 597790, Goodhue County Records Office; thence North 44 degrees 52 minutes 42 seconds East along the northwesterly line of said Document Number 597790 a distance of 212.29 feet to the most northerly corner thereof; thence North 0 degrees 04 minutes 49 seconds West 293.62 feet to the southwest corner of said Document Number 597789; thence North 89 degrees 48 minutes 43 seconds East along the south line of said Document Number 597789 a distance of 9.91 feet to the point of beginning.

# DeGarmo Annexation Petition

November 5, 2013



This map is neither a legally recorded map nor a survey and is not intended to be used as one. This map is a compilation of records, information and data located in various city, county, state and federal offices and other sources regarding the area shown, and is to be used for reference purposes only. Created From Cannon Falls Online Mapping Site. Sources: Goodhue County, MN; City of Cannon Falls, MN. Map Created: 10/28/2013