

To: Honorable Mayor and City Council
From: Samantha Meyer, Zoning Assistant
Subject: Annexation of Property
Date: November 17, 2017

BACKGROUND.

Ryan Kranz (Buyer) and Ann Simon (Seller) have jointly made application for the annexation and rezoning of a 9.8 acre parcel located immediately north of 318th Street and east of Frontier Ag and Turf. The Board of Supervisors and Planning Commission for Cannon Falls Township have both given consent for the requested annexation. In the event that the City Council approves annexation of this property, the Cannon Falls Planning Commission will conduct a public hearing to consider a rezoning of this parcel from the UR, Urban Reserve District to the B-2 Highway Business District.

The Economic Development Authority has generally reviewed the preliminary development plan for the property and recommends that the annexation and rezoning process continue as requested by the applicants. Mr. Kranz is proposing to develop a full service recreational vehicle storage facility and possibly the future shop location for Fish-in Electric, LLC on the property.

REQUESTED COUNCIL ACTION.

The City Council is asked to hold a public hearing regarding the annexation request and approve the First Reading of the Ordinance.

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

**ORDINANCE NUMBER 356
SECOND SERIES**

**AN ORDINANCE ANNEXING CERTAIN PROPERTY ABUTTING THE CITY OF
CANNON FALLS DESCRIBED AS Section 19; Twp: 112; Rng: 017 PT of GOV LOT 7
SEC 19 112 17 BEING S800FT OF W 533.85FT OF E795FT**

WHEREAS, The City of Cannon Falls has received a petition for annexation from Ryan Kranz and property owner Ann Simon of the land described in the attached Exhibit A (the "Property").

WHEREAS, The Property abuts the City of Cannon Falls, is 120 acres or less and is not presently served by public sewer facilities or public sewer facilities are not otherwise available, and;

WHEREAS, The Property currently has a single family home and annexation is requested to facilitate the extension of city services for the commercial development of the property, and;

WHEREAS, The City of Cannon Falls has held a public hearing regarding annexation of the Property pursuant to Minnesota Statutes 414.033, Subd. 2b, on November 21, 2017, following thirty (30) days written notice by certified mail to Cannon Falls Township ("Township") and to all land owners within and contiguous to the Property, and;

WHEREAS, The 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 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 commercial 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 with as described in Exhibit A (attached).

The above described property consists of a total of 9.8 acres more or less.

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 in the amount of **TO BE DETERMINED (TBD)** payable in two annual payments: (1) on January 1, 2018, **TBD**; and (2) on January 1, 2019, **TBD** as detailed in Exhibit B (Attached).

6. That pursuant to Minnesota Statutes 414.036 with respect to any special assessments assigned by the Township to the annexed property 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, for the area annexed, there are no special assessments or debt incurred by the Township 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.

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.

PASSED AND DULY ADOPTED this ____ day of _____ 2017 by the City Council of the City of Cannon Falls.

CITY OF CANNON FALLS

By: _____
Lyman M. Robinson, Mayor

ATTEST: _____
Ronald S. Johnson, City Administrator

Exhibit A



6565 318th Street

28.019.4200

Section 19; Twp: 112; Rng: 017 PT of GOV LOT 7 SEC 19 112 17 BEING S800FT OF W
533.85FT OF E795FT

EXHIBIT B

PROPOSED PAYMENTS TO CANNON FALLS TOWNSHIP

TO BE APPROVED BY CANNON FALLS TOWNSHIP

2017	Current Year Tax Amount	\$233.47	100%	=\$233.47	Amount	Date Paid	Check Number
Year 1	2018	\$233.47	90%	=\$210.12			
Year 2	2019	\$233.47	70%	=\$163.43			
Year 3	2020	\$233.47	50%	=\$116.73			
Year 4	2021	\$233.47	30%	=\$70.04			
Year 5	2022	\$233.47	10%	=\$23.35			

Special Assessments – None.

Bonded Indebtedness – None.

NOTES:

1. The annexed area is assumed to equal 9.8 acres (Goodhue County records).
2. For taxes payable 2017, the total taxes due the Township for the entire property owned by Ann Simon amounts to \$233.47 which is equivalent of \$23.82 per acre.
3. 9.8 acres x \$23.82 per acre equals \$233.47