

TO: MAYOR AND CITY COUNCIL

FROM: NEIL JENSEN, City Administrator

SUBJECT: Ordinance #374, An Ordinance of the City of Cannon Falls, Minnesota Annexing Land Located in Cannon Falls Township, Goodhue County, Minnesota Pursuant to Minnesota Statute 414.033 Subdivision 2(3), Permitting Annexation by Ordinance

MEETING DATE: March 16, 2021

BACKGROUND

This is the second reading of the Annexation of 12.4 acres of Cannon Falls Township. Zach and Josie Hayes petitioned for annexation to develop this area for R-3 Residential housing. This area is not served by sewer and water but is available at the boundary of the parcel. Taxes paid to Cannon Falls Township will be \$22.18 the first year and \$22.18 the second year based on 2020 taxes. Upon adoption staff will file the ordinance with the proper agencies to complete the process.

STAFF RECOMMENDATION

Please approve Ordinance #374 and Summary of Publication, An Ordinance of the City of Cannon Falls, Minnesota Annexing Land Located in Cannon Falls Township, Goodhue County, Minnesota Pursuant to Minnesota Statute 414.033 Subdivision 2(3), Permitting Annexation by Ordinance.

REQUESTED COUNCIL ACTION

Please make a motion to Approve Ordinance #374 and Summary of Publication, An Ordinance of the City of Cannon Falls, Minnesota Annexing Land Located in Cannon Falls Township, Goodhue County, Minnesota Pursuant to Minnesota Statute 414.033 Subdivision 2(3), Permitting Annexation by Ordinance.

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

ORDINANCE NUMBER 374

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

WHEREAS, a petition signed by all the property owners, requesting that property legally described on attached Exhibit A and depicted on attached Exhibit B be annexed to the City of Cannon Falls, Minnesota, was duly presented to the Council of the City of Cannon Falls on the 2nd day of March, 2021; and

WHEREAS, said property is unincorporated and abuts the City of Cannon Falls on its northwest 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 not located within a flood plain or shoreland area; and

WHEREAS, said property is currently residential and agricultural and annexation is requested to facilitate the extension of city services for the residential development of the property; and

WHEREAS, the City of Cannon Falls held a public hearing pursuant to Minnesota Statutes § 414.033 Subd. 2b, on March 2, 2021, following thirty (30) days written notice by certified mail to the Town of Cannon Falls and to all landowners within and contiguous to the area 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.

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

1. The City Council hereby determines that the property as hereinafter described abuts the city limits and is or is about to become urban or suburban in nature in that residential 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, and is not presently served by public sewer facilities or 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: See Attached Exhibit A.

The above described property consists of a total of 12.40 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 legally described herein and hereby annexed is 5.

5. The City of Cannon Falls, pursuant to Minnesota Statutes § 414.036, that with respect to the property taxes payable on the area legally described herein, hereby annexed, shall make a cash payment to the Town of Cannon Falls in the amount of one year's property taxes for the property to be annexed in the total amount of \$44.35 (2020 taxes were \$3.58 per acre on the entire 157.85 acres; 12.40 acres to be annexed). The payment shall be made in accordance with the following schedule:

- a. In the first year following the year in which the City of Cannon Falls could first levy on the annexed area, an amount equal to \$22.18; and
- b. In the second year, an amount equal to \$22.18.

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 legally described herein there are no special assessments or debt incurred by the Town on the subject are for which reimbursement is required.

7. That pursuant to City Code Section 152.448 the property is presumed to be classified UR District. However, the City Council has made a determination that the appropriate classification for the annexed property is R-3 Medium Density Residential and that upon annexation the property shall be automatically classified as such without need for a separate amendment to rezone the property.

8. 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 Office of Administrative Hearings, the Minnesota Secretary of State, the Goodhue County Auditor, and the Cannon Falls Township Clerk.

9. That this Ordinance shall be in full force and effect and final upon the date this Ordinance is approved by the Office of Administrative Hearings.

PASSED AND ADOPTED by the City Council of the City of Cannon Falls, Minnesota, this 16th day of March, 2021.

John O. Althoff, Mayor

ATTEST:

Neil L. Jensen, City Administrator

Exhibit A

Legal Description of Property to be Annexed

That part of the South Half of the Northeast Quarter of Section 7, Township 112 North, Range 17 West, Goodhue County, Minnesota, lying westerly, southwesterly and southerly of the following described line:

Commencing at the east quarter corner of said Section 7, thence on an assumed bearing of North 89 degrees 20 minutes 37 seconds West, along the south line of said Northeast Quarter and along the north line of PINE TREE RIDGE REPLAT CITY OF CANNON FALLS, according to the recorded plat thereof, on file in the Goodhue County Records office, a distance of 1304.66 feet to the point of beginning of the line to be described; thence North 00 degrees 18 minutes 13 seconds West, a distance of 106.05 feet; thence North 53 degrees 37 minutes 15 seconds West, a distance of 686.52 feet; thence South 89 degrees 42 minutes 31 seconds West, a distance of 761.55 feet to the west line of said Northeast Quarter and there terminating.

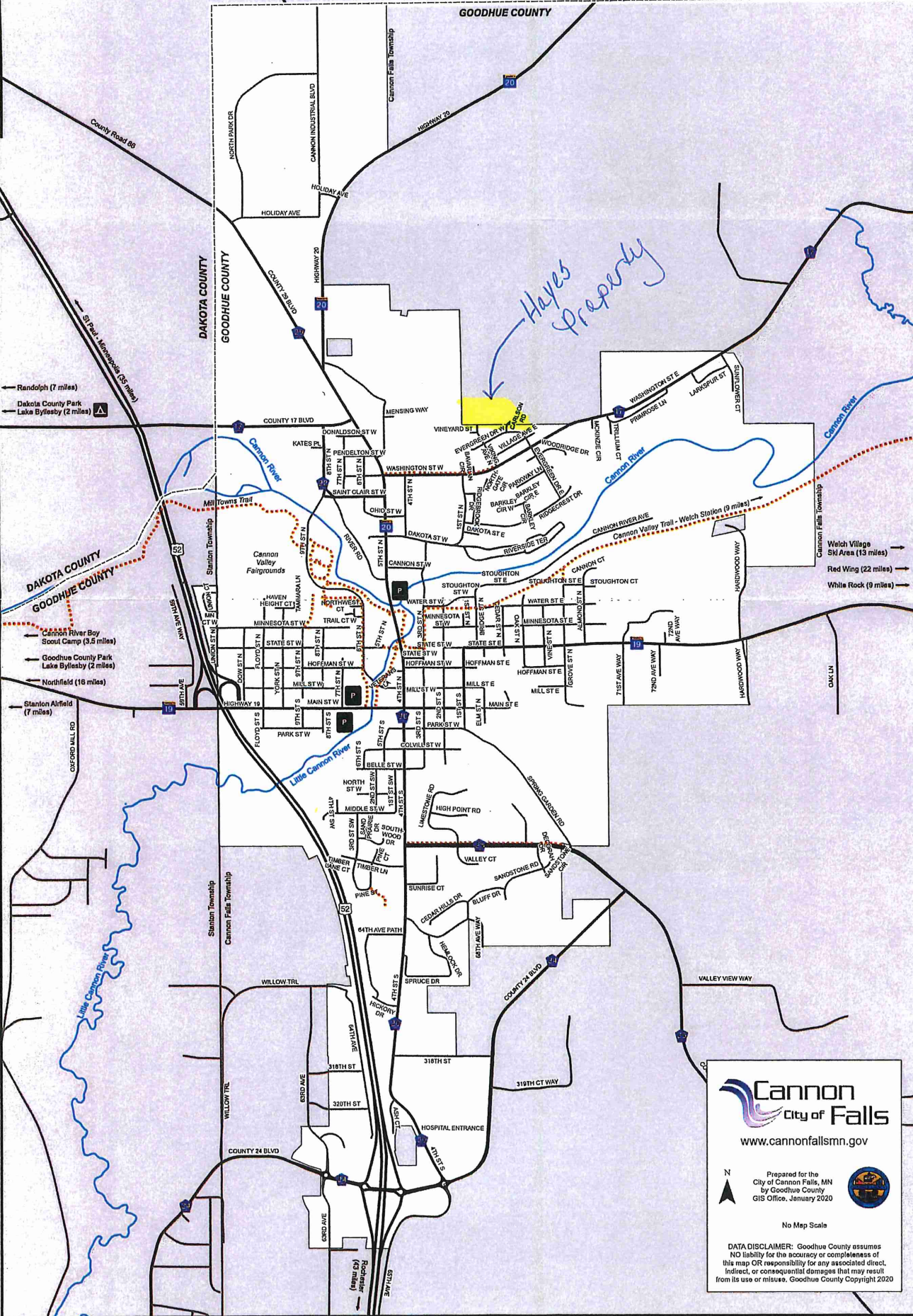
Exhibit B

Map of Property to be Annexed

See Attached PDF Survey

CANNON FALLS, MINNESOTA

DAKOTA COUNTY
GOODHUE COUNTY



- Randolph (7 miles)
- Dakota County Park Lake Bylesby (2 miles)
- Cannon River Bay Scout Camp (3.5 miles)
- Goodhue County Park Lake Bylesby (2 miles)
- Northfield (18 miles)
- Stanton Airfield (7 miles)

- Welch Village Ski Area (13 miles)
- Red Wing (22 miles)
- White Rock (9 miles)



Prepared for the City of Cannon Falls, MN by Goodhue County GIS Office, January 2020

No Map Scale

DATA DISCLAIMER: Goodhue County assumes NO liability for the accuracy or completeness of this map OR responsibility for any associated direct, indirect, or consequential damages that may result from its use or misuse. Goodhue County Copyright 2020

ArcGIS WebMap



January 25, 2021

Township or Other Roads

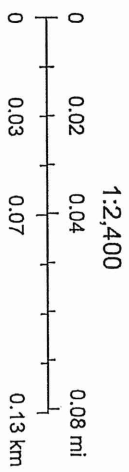
Township or Other Roads

Parcels

County Roads 2,400

Township or Other Roads

County Roads - Paved



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

SUMMARY ORDINANCE NUMBER 374

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

The following is only a summary of Ordinance No. 374. The full text will be available for public inspection after March 16, 2021 by any person during regular office hours at City Hall or on the “newly adopted ordinances” page of the City of Cannon Falls website.

SUMMARY: The Ordinance annexes certain property consisting of approximately 12.40 acres, more or less, into the City of Cannon Falls.

This ordinance shall become effective from and after its passage and publication.

PASSED AND ADOPTED by the City Council of the City of Cannon Falls, Minnesota, this 16th day of March, 2021.

John O. Althoff, Mayor

ATTEST:

Neil L. Jensen, City Administrator