

CITY OF WINTHROP
ORDINANCE NUMBER
2019-133

**AN ORDINANCE OF THE CITY OF WINTHROP ANNEXING LAND
LOCATED IN THE TOWNSHIP OF ALFSBORG (MITCHELL AND
TIFFANY HACKER) SIBLEY 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 herein be annexed to the City of Winthrop Minnesota, was duly presented to the Council of the City of Winthrop on the 5th day of August 2019; and

WHEREAS, said property is unincorporated and abuts the City of Winthrop 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 not located within a flood plain or shoreland area; and

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

WHEREAS, the City of Winthrop held a public hearing pursuant to Minnesota Statutes § 414.033 Subd. 2b, on August 5th, 2019, following thirty (30) days written notice by certified mail to the Township of Alfsborg 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.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WINTHROP 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 maintaining the residential use of the property requires 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.

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3. The corporate limits of the City of Winthrop, Minnesota, are hereby extended to include the following described property, said land abutting the City of Winthrop 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:

A parcel of land in the SW ¼ of SW ¼ of Section 32, Township 113, North of Range 29 West, described as follows:

Beginning at a point 75 feet north and 905 feet east of the Southwest corner of said Sec. 32-113-29, said point also being 75 feet north of the center line of the concrete paving of Trunk Highway No. 19, as now located; thence running north and at right angles to Trunk Highway No. 19, for a distance of 192.80 feet; thence East parallel to the south line of Sec. 32 for a distance of 200 feet; thence south and at right angles to Trunk Highway No. 19, for a distance of 192.80 feet; thence west parallel to Trunk Highway No. 19 for a distance of 200 feet to the point of beginning.

The above described property consists of a total of .94 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 2.

5. The City of Winthrop, 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 Township of Alfsborg in accordance with the following schedule:

If the annexation becomes effective on or before August 1st of a levy year, the City of Winthrop may levy on the annexed area beginning with this same levy year. Alternatively, if the annexation becomes effective after August 1st of a levy year, Alfsborg Township may continue to levy on the annexed area for this levy year. In the first year following the year in which the City of Winthrop can first levy on the annexed area, and thereafter, property taxes shall be paid to the City. The City of Winthrop shall reimburse Alfsborg Township for lost property taxes on said annexed property for a period of five years. Lost property taxes shall be calculated based upon the property taxes collected on said property by Alfsborg Township payable in the year 2020. The City of Winthrop shall reimburse Alfsborg Township on or before December 31 of each reimbursable year. The reimbursable year and dollar amount established as follows:

2021	\$67.83
2022	\$67.83

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2023 \$67.83
2024 \$67.83
2025 \$67.83

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 the City Clerk of the City of Winthrop 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 Sibley County Auditor, and the Alfsborg Township Clerk.

8. 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 Winthrop,
Minnesota, this 2nd day of September, 2019.

Mayor

ATTEST:

City Administrator

(City Seal)

First Reading: August 5th, 2019
Second Reading/Adoption: September 2nd, 2019
Publication: September 4th, 2019