

ORDINANCE #125

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF STOCKTON PURSUANT TO MINNESOTA STATUTES 414.033, Subd. 2 (3)

WHEREAS, a certain petition, dated October 20, 2005, requesting annexation of the territory hereinafter described, was duly presented to the City Council of the City of Stockton on November 15, 2005; said property being described on Exhibit A attached hereto and made a part hereof; and

WHEREAS, pursuant to Minnesota Statutes 414.033, Subd. 2b, the City Council of the City of Stockton directed the City Clerk – Treasurer to schedule a public hearing for said request on January 10, 2006; and

WHEREAS, pursuant to the aforesaid Order of Hearing, notice of the same was given by certified mail as required by law, to all owners of lands located within the area proposed for annexation, the owners of all lands abutting the area proposed for annexation, and the affected units of government; and

WHEREAS, the City Council held a hearing on the aforesaid Petition for the annexation of Land on the 10th day of January, 2006; and

THE CITY COUNCIL OF THE CITY OF STOCKTON FINDS THE FOLLOWING:

- (1) That the Petition for Annexation of Land, dated October 20, 2005, above described is complete in all respects as required by Minnesota Statutes 414.033, Subd. 2 (3); and
- (2) That the land proposed for annexation and described in the above referred to Petition about the City of Stockton, MN, comprise an area consisting of 35.25 acres more or less and is an area not presently serviced by public sewer and water facilities; and
- (3) That the Petition for Annexation above referred to has been signed by all of the property owners of the lands located within the area proposed for annexation in the above described Petition; and
- (4) That the area proposed for annexation on the above described Petition is about to become urban or suburban in character; and
- (5) All of the property proposed for annexation in the above described Petition lies with the Township of Hillsdale, County of Winona, State of Minnesota and is as described in the above referred to Petition; and
- (6) That the property sought to be annexed by the above described Petition abuts upon existing City Limits of the City of Stockton along the northern boundary of the existing City Limits and that none of said territory is included within the corporate limits of any incorporated City; and
- (7) That the population of the property sought to be annexed is zero; and

- (8) That property sought to be annexed is owned by the following persons:
 - a. Harold and Joan Wadewitz
8310 C Street
P.O. Box 337
Stockton, MN 55988
- (9) That the City does not believe that the cost of electrical utility service to the area described in the Petition will change as a result of the annexation of said property to the City and therefore, Minnesota Statutes 414.033, Subd. 13 is not applicable; and
- (10) The property described in said petition is not located in a floodplain or shore land area; and
- (11) That the property described in said Petition is not covered by any Community Based Planning Pilot Projects.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF STOCKTON, HAVING CONSIDERED ALL OF THE TESTIMONY OFFERED RELATIVE TO THE MATTER OF THE PETITION FOR ANNEXATION OF LAND ABOVE DESCRIBED, ORDAINS AS FOLLOWS:

Section 1. That all of the heretofore-stated Finding are incorporated herein and made a part hereof as if included in their entirety.

Section 2. The corporate limits of the City of Stockton are hereby extended to include the Unplatted land described as follows and the same is hereby extended to and included with the City of Stockton as effectively as if it had originally been a part thereof.
SEE EXHIBIT A

Section 3. The City Clerk – Treasurer of the City of Stockton is hereby directed to file certified copies of this Ordinance, and all other required documents, with the Stockton City Hall, the Secretary of State, and the Winona County Auditor.

Section 4. Upon annexation to the City, the Property shall be zoned agricultural, pursuant to the City of Stockton Zoning Ordinance.

Section 5. Pursuant to Minnesota Statutes 414.033 Subd. 12, the property taxes payable on the area legally described in Exhibit A, hereby annexed, the City of Stockton shall make a cash payment to Hillsdale Township for the period and in accordance with the following schedule:

- a. In the first year following the year the City of Stockton could first levy on the annexed area, an amount equal to ninety (90) percent of the property taxes distributed to Hillsdale Township in regard to the annexed area in the last year the property taxes from the annexed were payable to the Township;
- b. In the second year, an amount equal to seventy (70) percent;
- c. In the third year, an amount equal to fifty (50) percent;
- d. In the fourth year, an amount equal to thirty (30) percent;
- e. In the fifth and final year, an amount equal to ten (10) percent.

Section 6. This Ordinance takes effect upon its passage and publication and the final approval thereof by the Minnesota Department of Administration.

Passed and adopted this _____ day of _____, 20__.

APPROVED BY:

Jack Roberts, Mayor

ATTEST:

Bethany Winchester, Clerk - Treasurer

EXHIBIT A
ANNEXATION DESCRIPTION

Legal description: Sect 27, Twp 107, Range 008

35.25 acres in SE $\frac{1}{4}$ commencing at SE corner of Section 27
TH W 1610 feet North, going Twenty (20) degrees east, 1150 feet
east, and then 1205 feet to Section Line, then South 1090 feet to point of
beginning.

Parcel Number: 500000840

Municipality: Hillsdale Township

Steve White, clerk

25993 Steinbauer Drive

Minnesota City, MN 55959

(507) 689-2102