

CITY OF NORTH MANKATO

REQUEST FOR COUNCIL ACTION



Agenda Item #6	Department: Community Dev.	Council Meeting Date: 5/25/17																											
TITLE OF ISSUE: Public Hearing, -Consider Adoption of Ordinance of Annexation of Land.																													
BACKGROUND AND SUPPLEMENTAL INFORMATION: The City of North Mankato received a Petition for Annexation by Ordinance from Timm Farms, Inc., the sole owner of 50.134 acres adjacent to the Northport Industrial Park. Statutory requirements necessitate the City file the petition with the Office of Administrative Hearings, Nicollet County and the Belgrade Township. Townships that are affected by annexation are given 90 days to file an objection with the Office of Administrative Hearings. If they do not object, the City can pass an Ordinance of Annexation. Townships may also waive the 90-day waiting period; this allows the City to pass the Ordinance of Annexation without waiting the entire 90 days. The Belgrade Township passed the waiver and the City may now pass an Ordinance of Annexation.																													
<i>If additional space is required, attach a separate sheet</i>																													
REQUESTED COUNCIL ACTION: Conduct Public Hearing on Ordinance of Annexation of Land.																													
Motion By: _____ Second By: _____ Vote Record: <table style="margin-left: 40px; border: none;"> <tr> <td style="text-align: center;">Aye</td> <td style="text-align: center;">Nay</td> <td></td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Freyberg</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Whitlock</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Steiner</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Norland</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Dehen</td> </tr> </table>	Aye	Nay		_____	_____	Freyberg	_____	_____	Whitlock	_____	_____	Steiner	_____	_____	Norland	_____	_____	Dehen	<div style="text-align: center; border-bottom: 1px solid black; margin-bottom: 10px;"> SUPPORTING DOCUMENTS ATTACHED </div> <table style="width: 100%; border: none;"> <tr> <td style="text-align: center;">Resolution</td> <td style="text-align: center;">Ordinance</td> <td style="text-align: center;">Contract</td> <td style="text-align: center;">Minutes</td> <td style="text-align: center;">Map</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table> Other (specify) <u>Notice of Public Hearing, Petition for Annexation, Affidavit of Publication</u> _____ _____ _____	Resolution	Ordinance	Contract	Minutes	Map	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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<input type="checkbox"/>	Table until: _____																												
<input type="checkbox"/>	Other: _____																												

AFFIDAVIT OF PUBLICATION

State of Minnesota, ss.
County of Blue Earth

Steve Jameson, being duly sworn, on oath states as follows:

1. I am the publisher of The Free Press, or the publisher's designated agent. I have personal knowledge of the facts stated in this Affidavit, which is made pursuant to Minnesota Statutes §331A.07.
2. The newspaper has complied with all of the requirements to constitute a qualified newspaper under Minnesota law, including those requirements found in Minnesota Statutes §331A.02.

3. The dates of the month and the year and day of the week upon which the public notice attached/copied below was published in the newspaper are as follows:

The printed notice which is attached was cut from the columns of said newspaper, and was printed and published once each week, for 1 successive weeks; it was first published on Tuesday, the 2 day of May, 2017, and was thereafter printed and published on every Tuesday to and including Tuesday, the 2 day of May, 2017; and printed below is a copy of the lower case alphabet from A to Z, both inclusive, which is hereby acknowledged as being the size and kind of type used in the composition and publication of the notice:

abcdefghijklmnopqrstuvwxyz

4. The Publisher's lowest classified rate paid by commercial users for comparable space, as determined pursuant to § 331A.06, is as follows: \$26.88.
5. Pursuant to Minnesota Statutes §580.033 relating to the publication of mortgage foreclosure notice: The newspaper's known office is located in Blue Earth County. The newspaper complies with the conditions described in §580.033, subd. 1, clause (1) or (2). If the newspaper's known office of issue is located in a county adjoining the county where the mortgaged premises or some part of the mortgaged premises described in the notice are located, a substantial portion of the newspaper's circulation is in the latter county.

FURTHER YOUR AFFIANT SAITH NOT.

By: Steve Jameson
Steve Jameson, Publisher

Subscribed and sworn to before me on this 2 day of May, 2017.

Sharon L. Toland

Notary Public



May 2, 2017
NOTICE OF PUBLIC HEARING
Notice is hereby given that the City Council of the City of North Mankato, Minnesota, will hold a Public Hearing on Monday, May 15, 2017 at 7 p.m. in the Council Chambers of the Municipal Building, 1001 Belgrade Avenue, to consider adopting an Ordinance of Annexation of Land containing 50.134 acres owned by Timm Farms, Inc. legally described as: All that part of the Northeast Quarter of the Northwest Quarter of Section 3, Township 108 North, Range 27 West. A full legal description is available at the North Mankato City Hall.
Said annexation parcel contains 50.134 acres of land.
Dated this 1st day of May 2017.
April Van Genderen
City Clerk
City of North Mankato

PETITION FOR ANNEXATION BY ORDINANCE

IN THE MATTER OF THE PETITION FOR ANNEXATION OF
ALL THAT PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 3,
TOWNSHIP 108 NORTH, RANGE 27 WEST
BY THE CITY OF NORTH MANKATO
FOR ANNEXATION PURSUANT TO MINNESOTA STATUTES 414.033, SUBD. 5

Petitioners state that the property owner or a majority of the property owners in number are required to commence a proceeding under M.S. 415.033, Subd. 5.

It is hereby requested by:

☒ the sole property owner; or
☐ all of the property owners; or
☐ a majority of the property owners of the area proposed for annexation
to annex certain property described herein lying in the Township of
Belgrade to the City of North Mankato, County of Nicollet, Minnesota.

The area proposed for annexation is described as follows:

Beginning at the southeast corner of Parcel 3S1, Nicollet County Right Of Way Plat No. 26, according to the recorded plat thereof; thence North 00 degrees 07 minutes 13 seconds East on the east line of said Parcel 3S1, a distance of 911.08 feet to the most northerly corner of said Parcel 3S1, said point also being the most southerly corner of Parcel 1N1, said Nicollet County Right Of Way Plat No. 26; thence North 20 degrees 40 minutes 51 seconds East on the east line of said Parcel 1N1, a distance of 353.83 feet; thence northeasterly 370.68 feet on said east line and on a 1060.00 foot radius curve, concave to the west, having a central angle of 20 degrees 02 minutes 10 seconds; thence North 00 degrees 38 minutes 41 seconds East on said east line, 124.96 feet to the northeast corner of said Parcel 1N1; thence South 89 degrees 21 minutes 19 seconds East on the south line of Parcel K, Nicollet County Right Of Way Plat No. 10, according to the recorded plat thereof, 932.17 feet; thence South 89 degrees 17 minutes 10 seconds East on said south line, 196.30 feet to the southeast corner of said Parcel K; thence South 00 degrees 02 minutes 47 seconds West on the east line of the Northeast Quarter of the Northwest Quarter of said Section 3, a distance of 1726.54 feet to the northeast corner of Parcel 1E1, said Nicollet County Right Of Way Plat No. 26; thence North 89 degrees 47 minutes 05 seconds West on the north line of said Parcel 1E1 and on the north line of Parcel 1N3, said Nicollet County Right Of Way Plat No. 26, a distance of 1230.82 feet; thence westerly 92.91 feet on the north line of said Parcel 1N3 and on a 860.00 foot radius curve, concave to the north, having a central angle of 6 degrees 11 minutes 25 seconds to the point of beginning.

Said parcel contains 50.134 acres of land.

1. There is one property owner in the area proposed for annexation.
2. The property owner has signed this petition. (If the land is owned by both husband and wife, both

must sign the petition to represent all owners.)

3. The population of the annexation area is 0.
4. Said property is unincorporated, abuts on the City's Northwest boundary, and is not included within any other municipality.
5. The area of land to be annexed, in acres, is 50.134

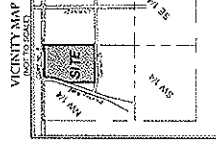
Platted 0 Unplatted 50.134 Total 50.134
6. The reason for the requested annexation is industrial development.
7. All of the annexation area is or is about to become urban or suburban in character.
8. The area proposed for annexation is not included in any area that has already been designated for orderly annexation pursuant to M.S. 414.0325.

The Petitioner requests that pursuant to M.S. 414.033, the property described herein be annexed to and included within the City of North Mankato, Minnesota.

April 18, 2017
Date

Robert F. Timm
Timm Farms, Inc.
Robert Timm

Ronald Timm
Timm Farms, Inc.
Ronald Timm



SEC 3, TWP 103, RGE 27
Nicollet County, Minnesota

FOR THE UNITED STATES OF AMERICA
BY _____

DANIEL L. STUEBER

LIC 1:3 43710.

THIS DOCUMENT IS THE PROPERTY OF THE GOVERNMENT, AND MAY NOT BE USED, COPIED OR DISCLOSED WITHOUT AUTHORIZED WRITTEN CONSENT.

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**CITY OF
NORTH MANKATO**

Page 2 of 20 2:4 - 881 114 Dec 2, 2022 7:21 AM

DATE	REVISION DATE	REV
06/20/2017	06/20/2017	001

PROJECT NO.	17-00391
CADFILE NAME	20251 ASDX
COMPANY	DAI
DESIGNED BY	*
REVISIONS	
ORIGINAL ISSUE DATE	2025-11-11
CURRENT PROJECT NO.	*

SKETCH OF DESCRIPTION

2008.8.8

30

[illegible]

ANALYSIS

This survey does not purport to show land ownership or all easements or encumbrances that affect the described property.



Legend



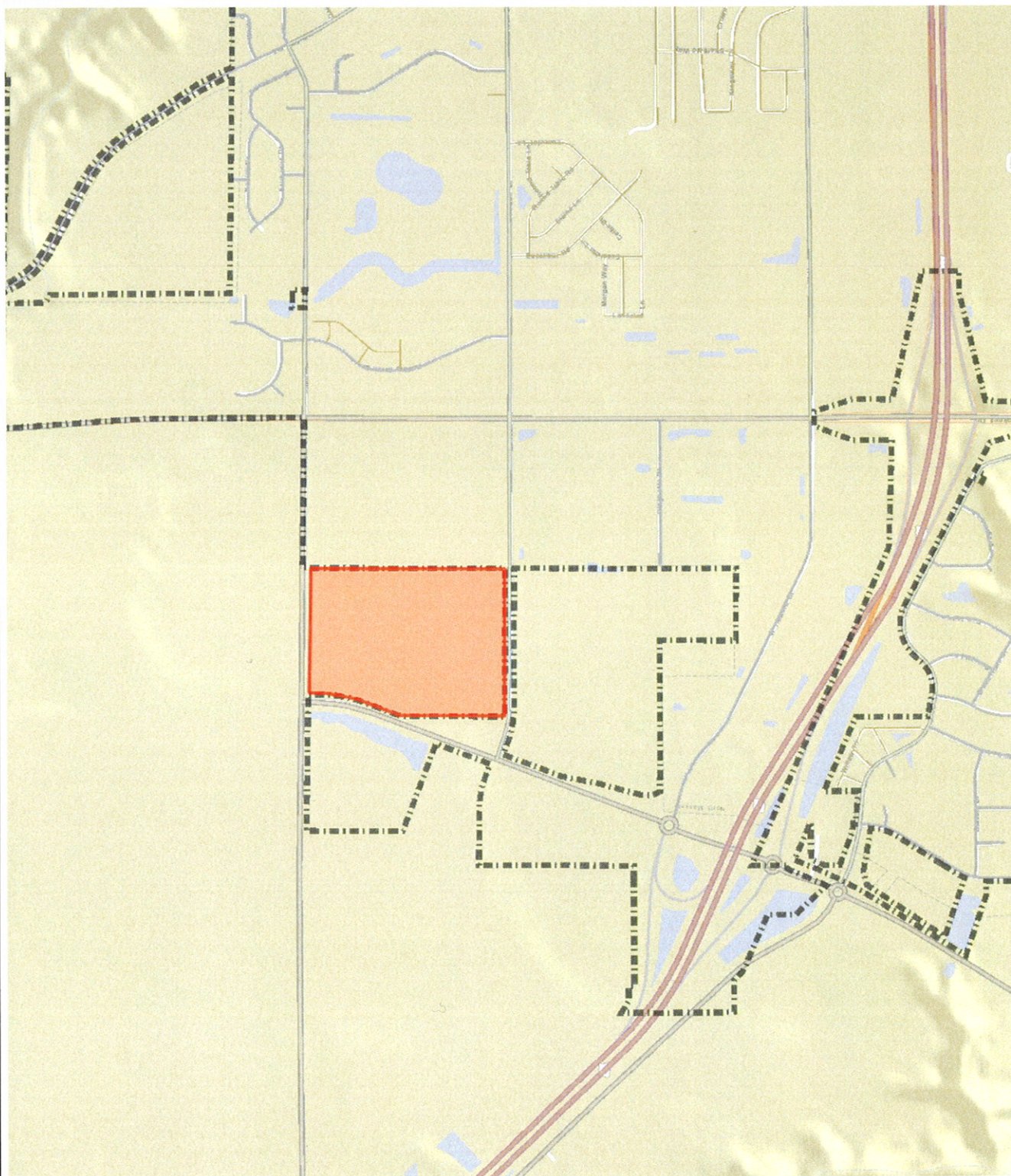
Roads

- US TRUNK HWY
- COUNTY STATE AID HWY
- MUNICIPAL STATE AID STREET
- LOCAL STREET
- RAMP
- PRIVATE STREET
- Lakes & Ponds
- Minnesota River



Disclaimer:

This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, information, and data located in various city, county, and state offices, and other sources affecting the area shown, and is to be used for reference purposes only. The City of North Mankato is not responsible for any inaccuracies herein contained.



Real People. Real Solutions.

0 1,214 Feet

© Bolton & Menk, Inc - Web GIS 4/10/2017 10:52 AM



Minnesota Department of Public Safety
Alcohol and Gambling Enforcement Division
445 Minnesota Street, Suite 222, St. Paul, MN 55101
651-201-7500 Fax 651-297-5259 TTY 651-282-6555

**APPLICATION AND PERMIT FOR A 1 DAY
TO 4 DAY TEMPORARY ON-SALE LIQUOR LICENSE**

Name of organization		Date organized		Tax exempt number	
Business on Belgrade		Jan. 1, 2004		27-0582897	
Address		City	State	Zip Code	
332 Belgrade Avenue		North Mankato	Minnesota	56003	
Name of person making application		Business phone		Home phone	
James Whitlock		507-469-0415			
Date(s) of event		Type of organization			
June 17, 2017		<input type="checkbox"/> Club <input type="checkbox"/> Charitable <input type="checkbox"/> Religious <input checked="" type="checkbox"/> Other non-profit			
Organization officer's name		City	State	Zip Code	
Sandra Oachs		North Mankato	Minnesota	56003	
Organization officer's name		City	State	Zip Code	
Jim Downs		North Mankato	Minnesota	56003	
Organization officer's name		City	State	Zip Code	
Dan Lewis		North Mankato	Minnesota	56003	
Organization officer's name		City	State	Zip Code	
			Minnesota		

Location where permit will be used. If an outdoor area, describe.
1920 Lee Boulevard-

If the applicant will contract for intoxicating liquor service give the name and address of the liquor license providing the service.
Lockerbrothers Distribution

If the applicant will carry liquor liability insurance please provide the carrier's name and amount of coverage.

APPROVAL

APPLICATION MUST BE APPROVED BY CITY OR COUNTY BEFORE SUBMITTING TO ALCOHOL AND GAMBLING ENFORCEMENT

City of North Mankato			
City or County approving the license		Date Approved	
\$140.00		Permit Date	
Fee Amount			
Date Fee Paid		City or County E-mail Address	
		City or County Phone Number	

Signature City Clerk or County Official

Approved Director Alcohol and Gambling Enforcement

CLERKS NOTICE: Submit this form to Alcohol and Gambling Enforcement Division 30 days prior to event.

ONE SUBMISSION PER EMAIL, APPLICATION ONLY.

PLEASE PROVIDE A VALID E-MAIL ADDRESS FOR THE CITY/COUNTY AS ALL TEMPORARY PERMIT APPROVALS WILL BE SENT BACK VIA EMAIL. E-MAIL THE APPLICATION SIGNED BY CITY/COUNTY TO AGE.TEMPORARYAPPLICATION@STATE.MN.US

CITY OF NORTH MANKATO

REQUEST FOR COUNCIL ACTION



Agenda Item #9A	Department: Community Dev.	Council Meeting Date: 5/25/17																											
TITLE OF ISSUE: Consider Adoption of Ordinance of Annexation of Land.																													
BACKGROUND AND SUPPLEMENTAL INFORMATION: The City of North Mankato received a Petition for Annexation by Ordinance from the sole owner of 50.134 acres, Timm Farms. In cases where the procedure is initiated by service of a petition on a municipality, the City must not pass an Ordinance of Annexation until 90 days after the township has been served, unless the town board signs a waiver stating they have no objections to the annexation. The Belgrade Township signed the waiver of annexation and the City Council is presented with an Ordinance of Annexation.																													
<i>If additional space is required, attach a separate sheet</i>																													
REQUESTED COUNCIL ACTION: Adopt Ordinance of Annexation by the City of North Mankato of Certain Land.																													
Motion By: _____ Second By: _____ Vote Record: <table style="margin-left: 40px; border: none;"> <tr> <td style="text-align: center;">Aye</td> <td style="text-align: center;">Nay</td> <td></td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Freyberg</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Whitlock</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Steiner</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Norland</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Dehen</td> </tr> </table>	Aye	Nay		_____	_____	Freyberg	_____	_____	Whitlock	_____	_____	Steiner	_____	_____	Norland	_____	_____	Dehen	<div style="text-align: center; font-weight: bold; margin-bottom: 10px;">SUPPORTING DOCUMENTS ATTACHED</div> <table style="width: 100%; border: none;"> <tr> <td style="text-align: center;">Resolution</td> <td style="text-align: center;">Ordinance</td> <td style="text-align: center;">Contract</td> <td style="text-align: center;">Minutes</td> <td style="text-align: center;">Map</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table> Other (specify) <u>Waiver of Annexation Signed by the Belgrade Township</u> _____ _____ _____	Resolution	Ordinance	Contract	Minutes	Map	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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<input type="checkbox"/> Workshop <input type="checkbox"/> Regular Meeting <input checked="" type="checkbox"/> Special Meeting	<input type="checkbox"/> Refer to: _____ <input type="checkbox"/> Table until: _____ <input type="checkbox"/> Other: _____																												

TO: Office of Administrative Hearings
Municipal Boundary Adjustment Unit
P. O. Box 64620
St. Paul, MN 55164-0620

WAIVER

MBA Docket Number A-8055 Proposed Annexation to the City of North Mankato.

The Town Board of Belgrade Township, Nicollet County pursuant to a resolution duly adopted by the town board on 5/16/17 (date) hereby states that Belgrade

Township has no objection to the annexation of the following described land to the City of North Mankato and hereby waives the 90 days before a city ordinance can be adopted.

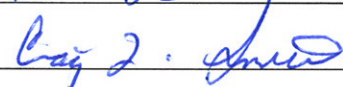
Beginning at the southeast corner of Parcel 3S1, Nicollet County Right Of Way Plat No. 26, according to the recorded plat thereof; thence North 00 degrees 07 minutes 13 seconds East on the east line of said Parcel 3S1, a distance of 911.08 feet to the most northerly corner of said Parcel 3S1, said point also being the most southerly corner of Parcel 1N1, said Nicollet County Right Of Way Plat No. 26; thence North 20 degrees 40 minutes 51 seconds East on the east line of said Parcel 1N1, a distance of 353.83 feet; thence northeasterly 370.68 feet on said east line and on a 1060.00 foot radius curve, concave to the west, having a central angle of 20 degrees 02 minutes 10 seconds; thence North 00 degrees 38 minutes 41 seconds East on said east line, 124.96 feet to the northeast corner of said Parcel 1N1; thence South 89 degrees 21 minutes 19 seconds East on the south line of Parcel K, Nicollet County Right Of Way Plat No. 10, according to the recorded plat thereof, 932.17 feet; thence South 89 degrees 17 minutes 10 seconds East on said south line, 196.30 feet to the southeast corner of said Parcel K; thence South 00 degrees 02 minutes 47 seconds West on the east line of the Northeast Quarter of the Northwest Quarter of said Section 3, a distance of 1726.54 feet to the northeast corner of Parcel 1E1, said Nicollet County Right Of Way Plat No. 26; thence North 89 degrees 47 minutes 05 seconds West on the north line of said Parcel 1E1 and on the north line of Parcel 1N3, said Nicollet County Right Of Way Plat No. 26, a distance of 1230.82 feet; thence westerly 92.91 feet on the north line of said Parcel 1N3 and on a 860.00 foot radius curve, concave to the north, having a central angle of 6 degrees 11 minutes 25 seconds to the point of beginning.

Owned by Timm Farms, Inc.

Date

 5/16/17

Signature



PLEASE NOTE: WAIVERS SHOULD ALSO BE FILED WITH THE CITY.

This form only applies to filings under 414.033, Subdivisions 3 or 5.

Municipal Boundary Adjustment Unit Contacts

Star Holman star.holman@state.mn.us 651-361-7909

Katie Lin katie.lin@state.mn.us 651-361-7911

(June 2011)

ORDINANCE NO. 90, FOURTH SERIES
AN ORDINANCE OF ANNEXATION BY THE CITY OF NORTH MANKATO, MINNESOTA,
OF CERTAIN LAND TO-WIT:
PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP
108 NORTH, RANGE 27 WEST BY THE CITY OF NORTH MANKATO
FOR ANNEXATION PURSUANT TO MINNESOTA STATUTES 415.033, SUBD. 5.

THE CITY COUNCIL OF THE CITY OF NORTH MANKATO, MINNESOTA ORDAINS:

Section 1. The described tract of unincorporated property abuts the municipal limits of the City of North Mankato, Minnesota.

Section 2. The legal description of said land is as follows:

Beginning at the southeast corner of Parcel 3S1, Nicollet County Right Of Way Plat No. 26, according to the recorded plat thereof; thence North 00 degrees 07 minutes 13 seconds East on the east line of said Parcel 3S1, a distance of 911.08 feet to the most northerly corner of said Parcel 3S1, said point also being the most southerly corner of Parcel 1N1, said Nicollet County Right Of Way Plat No. 26; thence North 20 degrees 40 minutes 51 seconds East on the east line of said Parcel 1N1, a distance of 353.83 feet; thence northeasterly 370.68 feet on said east line and on a 1060.00 foot radius curve, concave to the west, having a central angle of 20 degrees 02 minutes 10 seconds; thence North 00 degrees 38 minutes 41 seconds East on said east line, 124.96 feet to the northeast corner of said Parcel 1N1; thence South 89 degrees 21 minutes 19 seconds East on the south line of Parcel K, Nicollet County Right Of Way Plat No. 10, according to the recorded plat thereof, 932.17 feet; thence South 89 degrees 17 minutes 10 seconds East on said south line, 196.30 feet to the southeast corner of said Parcel K; thence South 00 degrees 02 minutes 47 seconds West on the east line of the Northeast Quarter of the Northwest Quarter of said Section 3, a distance of 1726.54 feet to the northeast corner of Parcel 1E1, said Nicollet County Right Of Way Plat No. 26; thence North 89 degrees 47 minutes 05 seconds West on the north line of said Parcel 1E1 and on the north line of Parcel 1N3, said Nicollet County Right Of Way Plat No. 26, a distance of 1230.82 feet; thence westerly 92.91 feet on the north line of said Parcel 1N3 and on a 860.00 foot radius curve, concave to the north, having a central angle of 6 degrees 11 minutes 25 seconds to the point of beginning.

Total annexation parcel contains 50.134 acres, subject to any and all easements of record.

Section 3. Such land is now or is about to become urban or suburban in character.

Section 4. The land proposed for annexation is unplatted and contains. 50.134 acres.

Section 5. The North Mankato City Council received a petition dated April 18, 2017, bearing signatures of one hundred percent (100%) of the ownership interest in such land petitioned for annexation of the land to the City.

Section 6. The City of North Mankato 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 Belgrade Township of \$4,349.85 and shall not receive any further property tax income from the land commencing with the tax year 2017.

Section 7. Such land is hereby annexed to the City of North Mankato, Minnesota, and is declared to be included within its municipal limits.

Section 7. This ordinance shall be published once in the official newspaper of the City after adoption, signing and attestation and following this ordinance is approved by the Municipal Board of the State of Minnesota. The ordinance shall be in effect on and after the day following such publication.

Adopted by the Council this 25th day of May, 2017.

Mayor

ATTEST:

City Clerk