

Covered by
Munic. Ord.
A-975

Willmar

STATE OF MINNESOTA)
) SS
COUNTY OF KANDIYOHI)

I, DONALD J. LeBRASSEUR, the City Clerk-Treasurer, hereby certify and return that I am now, and was, on all dates mentioned and set forth in the attached Exhibits or copy of proceedings, and that I have under my possession and control all of the original records, copies of which are hereto attached; that the attached are identical, true and correct copies of all thereof on file and of record in my office, either as minutes of Council Proceedings, or as to instruments filed in my said office; that I have compared the attached with the said original, and certify that the same is true and correct.

Donald J. LeBrasseur
City Clerk-Treasurer of the City of
Willmar, Minnesota

(S E A L)

18337

Munic Ord
A-975
(Ord. not req. to be passed)

(Portland) 2
(C.C.)
#18337
D.D.

ORDINANCE NO. 464

AN ORDINANCE ~~EXTENDING~~ THE CORPORATE LIMITS OF THE CITY OF WILLMAR, A MUNICIPAL CORPORATION OF THE STATE OF MINNESOTA, TO INCLUDE CERTAIN LAND NOT EXCEEDING TWO HUNDRED (200) ACRES.

BE IT ORDAINED, by the City Council of the City of Willmar, Minnesota, as follows:

WHEREAS, A petition has been filed with the governing bodies of the City of Willmar, a municipal corporation of the State of Minnesota by a majority of the owners and persons having any interest therein, to have certain real property hereinafter described, included within the city of Willmar, Minnesota, and

WHEREAS, It is proposed to annex by virtue hereof to the said City of Willmar, said property, all of which is in Kandiyohi County in said state,

NOW THEREFORE, Be It Ordained by the City Council of the City of Willmar as follows:

Section 1. Land embraced. The quantity of land embraced within the following description is less than two hundred (200) acres and includes the following described land, all in Kandiyohi County, Minnesota:

1. Lots One (1), Four (4), Five (5), Sixteen (16), Seventeen (17), Eighteen (18), Six (6) except the Southerly 40.8 feet thereof, and Lot Nineteen (19) except the Easterly 10 feet thereof, all in Block One (1); Lots Two (2) through Eleven (11) inclusive of Block Two (2); Lots One (1), Two (2), Three (3), Six (6), Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11), Twelve (12), Thirteen (13), Fourteen (14), Fifteen (15), Sixteen (16) and Seventeen (17) of Block Three (3) Lots One (1) through Fifteen (15) inclusive and Lot Sixteen (16) except a triangular portion in the North-east corner described as follows: Beginning at the Northeast corner of said Lot Sixteen (16), thence Westerly along the North line of said Lot Sixteen (16) a distance of sixty (60) feet, thence Southeasterly to a point on the East line of said Lot Sixteen (16) which said point is Fourteen (14) feet South of the Northeast corner of said Lot Sixteen (16), thence Fourteen (14) feet North to the point of beginning, all in Block Four (4); Lots One (1) through Thirteen (13) of Block Five (5); Outlot "A"; all of the above described land being in Portland Acres, according to the plat thereof on file and of record in the Office of the Register of Deeds of Kandiyohi County, Minnesota.

All that part of the Southeast Quarter of Section Twenty-two (22), Township One Hundred Nineteen (119), Range Thirty-five (35), described by metes and bounds as follows, to-wit: Beginning at a point on the North line of the SE¼ of Sec. 22 a distance of 2321' West of the NE corner of the SE¼ of Sec. 22; thence South 1159.0' along the West line of Block 2, Portland Acres; to the SW corner of Outlot "A"; thence E. 954.9' along the South line of Outlot "A" and lots 1 through 10, Block 3, Portland Acres to the SE corner of Lot 10, Block 3; thence S. 472.0' along the West line of lots 12 through 17, Block 3, to the SW corner of Lot 17, Block 3; thence West to a point on the West line of the SE¼ of Sec. 22; thence North 1631.0' along the West line of the SE¼ to a point on the North line of the SE¼; thence East on the North line of the SE¼ of Sec. 22 to the point of beginning.

Lot One (1) and Ten (10) of Block Four (4) and Lot Six (6) of Block Two (2) of Hilltop Park, according to the plat thereof on file and of record in the office the Register of Deeds of Kandiyohi County, Minnesota.

Section 2. Appropriate for Annexation. Annexation of the above described lands will be to the best interest of the City of Willmar, Minnesota, and of the territory effected, and the property above described abuts upon the city and is so conditioned as to properly be subject to city government.

Section 3. Annexation. Said property is hereby annexed and included within the city of Willmar, Minnesota, as effectually as if it had originally been a part hereof.

Section 4. Zoning. Said property shall be zoned R-1, Residential.

Section 5. Effective date. This ordinance shall be final and shall take effect and be in full force from and after filing a certified copy hereof with the Minnesota Municipal Commission, the County Auditor of the County of Kandiyohi, Minnesota, the Town Clerk of the Township of Willmar, and the Secretary of State of Minnesota, and from and after its passage and publication.



Mayor

This Ordinance given its first reading	<u>4-6-66</u>
This Ordinance given its second reading	<u>4-20-66</u>
This Ordinance given its third reading	<u>7-7-66</u>
This Ordinance published on	<u>10-1-66</u>

BEFORE THE MUNICIPAL COMMISSION
OF THE STATE OF MINNESOTA

Robert W. Johnson	Chairman
Edward L. Henry	Vice-Chairman
Thomas R. Byrne	Member
Leo B. Gambrino	Ex-Officio Member
Keith H. Maurer	Ex-Officio Member

IN THE MATTER OF THE PETITION FOR THE ANNEXATION OF
CERTAIN LAND TO THE CITY OF WILLMAR, MINNESOTA

The petition, by the property owners, for the annexation of certain real estate situated in the County of Kandiyohi, State of Minnesota, to the City of Willmar and described in the attached Order herein came on duly for hearing before the Minnesota Municipal Commission on June 29, 1966. The Commission member present was Edward L. Henry, and the ex-officio members were County Commissioner Peterson and County Commissioner Olson. The City of Willmar appeared through its attorney, Ronald Anderson. V. W. Lundquist appeared in behalf of the petitioner, R. W. Portinga, and Robert G. Johnson and Henry W. Schmidt, appeared in behalf of the Township of Willmar. Testimony was taken both for and against the said annexation.

It was made to appear that a petition was filed with the City of Willmar for the annexation of the real estate hereinafter described to the City of Willmar, Minnesota.

It was made to appear that certified copies of said petition were duly filed with the County Board in and for Kandiyohi County, Minnesota, the Town Board in and for the Township of Willmar, Minnesota, and the Municipal Commission of the State of Minnesota.

It was made to appear that the Township of Willmar, Minnesota, duly filed objections to said annexation, within the time provided by statute, with the Municipal Commission of the State of Minnesota, by virtue of which objections, jurisdiction of said annexation vested with said Commission.

It was made to appear that Notice of said hearing was duly made and posted and that Notice of Continued Hearing was duly given.

Evidence was offered and received for and against said annexation at said hearing.

After due and careful consideration of the evidence so offered and received, together with all of the records, files and proceedings had and taken herein, and being fully advised in the premises, the Municipal Commission of the State of Minnesota now makes and files the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

I.

That due, timely and adequate notice of the petition and the hearing thereon, including the continued hearing, was posted, published, served and filed.

II.

That the property described herein abuts the legal boundaries of the City of Willmar, is partly platted and partly unplatted, the total area comprising 42.4 acres.

III.

That the petition for the annexation of said property was signed by all of the owners of said property.

That the City of Willmar approves of said annexation.

IV.

That the population of the area to be annexed is 0 and that the population of the City of Willmar is 11,400.

V.

That the area to be annexed is approximately 42.4 acres, as compared to approximately 3,250 acres in the City of Willmar.

VI.

That the assessed valuation of the area to be annexed is \$6,770.00, as compared to the assessed valuation of the City of Willmar of \$5,559,651.00.

VII.

That the area to be annexed is about to become urban or suburban in character, fully developed as residential.

VIII.

That the taxes in the area to be annexed will increase, but that the increase will be commensurate with the municipal services provided by the City of Willmar to it.

IX.

That there is a present need in the area to be annexed for all municipal services, and particularly street maintenance, police and fire protection and water and sewer service. That the evidence disclosed that there is contamination in areas near or adjacent to the area to be annexed, and that the use of sewage and water facilities from the City of Willmar would prevent any similar problem.

X.

That the City of Willmar has a Police Department and a Fire Department capable of providing full protection to the area to be annexed. That the said City is capable of providing adequate street maintenance in the area to be annexed. That the water supply of said City is capable of providing all water necessary for the area to be annexed, and will have sufficient capacity left to meet future expansion of the City. That the City now has a sewage treatment facility for the treatment of sewage, and that said sewage facilities are sufficient to take care of the needs of the area to be annexed.

XI.

That the area to be annexed constitutes a small geographical part of the Township of Willmar, and only a small part of the Township which is or is about to be urban in character.

XII.

That the Township of Willmar is unable to meet the problems of the area to be annexed which are urban problems; namely the water and sewer problems, and was unable to show any possibility of meeting these problems in the immediate future.

That the said Township does not have an adequate Fire Department, and the Police Department consists of only one part-time constable.

CONCLUSIONS OF LAW

I.

The Minnesota Municipal Commission duly acquired, and now has, jurisdiction of the within proceedings.

II.

That the area to be annexed herein is so conditioned and so located as to be properly subjected to municipal government by the City of Willmar, Minnesota.

III.

That the interests of the City of Willmar and the area to be annexed would be best served by the annexation of said area to the City of Willmar, Minnesota.

IV.

Municipal government and the corresponding municipal services are required in the area to be annexed for the preservation and protection of the public health, welfare and safety in the area to be annexed and in the City of Willmar.

V.

The Township form of government is not adequate to meet the problems found to exist in the area to be annexed.

VI.

The City of Willmar can meet the problems existing in the area to be annexed, can remedy them and provide any and all governmental service presently required and which may become necessary in the future in the area to be annexed.

VII.

An Order should be issued by the Municipal Commission ordering the annexation of the land described herein to the City of Willmar. Let an Order for such annexation be entered and filed accordingly. Enacted by the vote of the Municipal Commission of the State of Minnesota, the following Order being filed.

BEFORE THE MUNICIPAL COMMISSION

OF THE STATE OF MINNESOTA

IN THE MATTER OF THE PETITION FOR THE ANNEXATION
OF CERTAIN LAND TO THE CITY OF WILLMAR, MINNESOTA

O R D E R

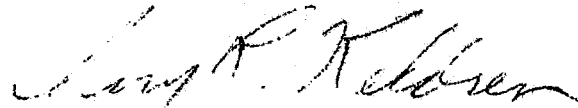
IT IS HEREBY ORDERED: That certain real estate lying in and being a part of the County of Kandiyohi, State of Minnesota, and described as follows, to-wit:

Block 1, Portland Acres -Lot 1, 4, 5, 16, 17 and 18; Lot 6 except the S40.8'; Lot 19 except the E10'.
Block 2, Portland Acres-Lot 2 through 11, inclusive.
Block 3, Portland Acres-Lot 1, 2, 3, and 6 through 17 inclusive
Block 4, Portland Acres-Lots 1 through 15 inclusive; Lot 16 except a triangular portion in the NEcorner described as follows: Beginning at the NEcorner of said Lot 16; thence West 60' to a point of the N line of Lot 16; thence SE to a point on the E line of Lot 16; thence 14' N to the point of beginning.
Block 5, Portland Acres-Lots 1 through 13 inclusive.
Outlot "A"

All that part of the SE $\frac{1}{4}$ of Sec. 22, T119N, R35W described by metes and bounds as follows:
Beginning at a point on the N line of the SE $\frac{1}{4}$ of Sec. 22 a distance of 2321' W of the NE corner of the SE $\frac{1}{4}$ of Sec. 22; thence S 1159.0' along the W line of Block 2, Portland acres; to the SW corner of Outlot "A"; thence E 954.9' along the South line of Outlot "A" and lots 1 through 10, Block 3, Portland Acres to the SE corner of Lot 10, Block 3; thence S 472.0' along the West line of Lots 12 through 17, Block 3, to the SW corner of Lot 17, Block 3; thence West to a point on the W line of the SE $\frac{1}{4}$ of Sec. 22; thence N 1631.0' along the W line of the SE $\frac{1}{4}$ to a point on the N line of the SE $\frac{1}{4}$; thence E on the N line of the SE $\frac{1}{4}$ of Sec. 22 to the point of beginning.

being, and the same hereby is annexed to the City of Willmar, Minnesota, the same as if it had originally been made a part thereof.

MINNESOTA MUNICIPAL COMMISSION
459 Rice Street
St. Paul, Minnesota 55103



Irving R. Keldsen
S e c r e t a r y

Dated this 16th day of August, 1966.

18337
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
AUG 19 1966



Joseph P. Johnson
Secretary of State