



## MINNESOTA OFFICE OF ADMINISTRATIVE HEARINGS

600 North Robert Street  
Saint Paul, Minnesota 55101

Mailing Address:  
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St. Paul, Minnesota 55164-0620

August 9, 2011

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Mason Schirmer, City Clerk-Administrator  
Cottonwood City Hall  
86 West Main Street  
P.O. Box 106  
Cottonwood, MN 56229

VIA E-MAIL

Docket Number: A-7771

City of Cottonwood  
M.S. 414.033, Subd. 5  
Ordinance No. 2011-4 Amended



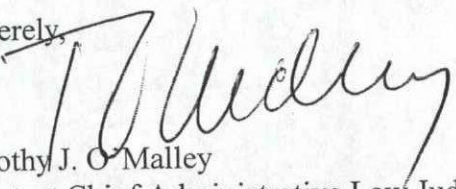
Dear Mr. Schirmer:

On August 9, 2011, the Office of Administrative Hearings approved the above ordinance in accordance with Minnesota Statutes, Chapter 414, and the Rules of Procedure. The annexation is final upon the date the ordinance is approved.

The law requires that a copy of the annexation ordinance must be delivered immediately by the governing body of the municipality to the appropriate county auditor or auditors, and filed with the township. We recommend that you also file the annexation ordinance with the County Recorder. **This office will file a copy of the ordinance with the Secretary of State.** However, you must now complete the election precinct boundary change process in coordination with the Office of the Secretary of State.

If you have any questions, please contact me or Star Holman at 651-361-7909 or [star.holman@state.mn.us](mailto:star.holman@state.mn.us).

Sincerely,

  
Timothy J. O'Malley  
Assistant Chief Administrative Law Judge  
Municipal Boundary Adjustment Unit

TJO:kjl

- c: County Auditor (via E-Mail)
- Township Clerk
- State Demographer's Office (via E-mail)
- Secretary of State (Interoffice)
- Charles Seipel, Community Development Coordinator (via E-mail)

1200433



ORDINANCE NO. 2011- 4 (AMENDED)

AN ORDINANCE ANNEXING PROPERTY LOCATED ADJACENT TO  
NORTHWOOD DRIVE IN LUCAS TOWNSHIP (NORTHWOOD SECOND  
ADDITION) TO THE CORPORATE LIMITS OF THE CITY OF COTTONWOOD

WHEREAS, a majority (100%) of the property owners of the land described below have petitioned the Cottonwood City Council to annex this territory to the City of Cottonwood, pursuant to Minnesota Statutes Section 414.033, Subdivision 5, and

WHEREAS, the property abuts upon the northerly boundaries of the Cottonwood City Limits along the southerly boundaries of the subject property, and

WHEREAS, the property is not presently part of any incorporated city, and

WHEREAS, the property consists of a preliminary plat of land in Lucas Township, Lyon County, containing approximately 1.45 acres in one (1) parcel owned by two (2) property owners (husband and wife), and

WHEREAS, The Cottonwood City Council finds that the property is about to become suburban in character and usage and is not currently served by municipal water, sewer and street services, and

WHEREAS, the existing and proposed uses of the subject property are residential in nature, and

WHEREAS, the City of Cottonwood has received a waiver from Lucas Township to waive the 90 day comment and objection period,

NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF COTTONWOOD  
HEREBY ORDAINS:

SECTION 1: That the Corporate Limits of the City of Cottonwood are hereby extended to include land as described and the same is hereby annexed and included within the City.

SECTION 2: That the territory to be annexed is described as:

All that part of Government Lot 4 of Section 4, Township 113 North, Range 40 West, Lyon County, Minnesota, being more particularly followed as:

Beginning at the northerly corner of Northwood Drive as shown on the plat of Northwood First Addition, in the City of Cottonwood, as filed and recorded in the office of the County Recorder in and for said Lyon County; thence South 64 degrees 23 minutes 10 seconds West, bearing based on Lyon County Coordinate System, along the northwesterly line of said Northwood First Addition, a distance of 338 feet, more or less, the northwesterly corner of Lot 7 Block 2 Northwood First Addition; thence beginning

again at said point of beginning; thence North 25 degrees 36 minutes 50 seconds West, along the northwesterly extension of said Northwood Drive, a distance of 166.63 feet to a point on the north line of said Government Lot 4; thence South 89 degrees 18 minutes 15 seconds West, along said north line, a distance of 320 feet, more or less, to the Ordinary High Water Line of Cottonwood Lake; thence Southeasterly, along said Ordinary High Water Line, a distance of 305 feet, more or less, to the northwesterly corner of said Lot 7, said description there terminating.

SECTION 3: That the lands hereby annexed are to be zoned as R-1, "Single Family Residential".

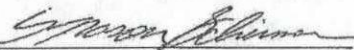
SECTION 4: That this Ordinance provides for reimbursement to Lucas Township of the property taxes payable to said Township in the following manner: The Township share of property taxes as of the effective date of this shall be retained by the Township for 2011. Thereafter, reimbursement on said land shall be based on a three (3) year schedule with a percentage of base taxes reimbursed to the Township as follows: 2012 (75%), 2013 (50%), and 2014 (25%).

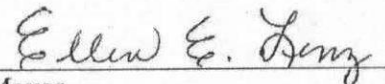
SECTION 5: That the City Clerk is directed to file copies of this ordinance with the State of Minnesota, the Lyon County Auditor and the Lucas Township Board.

SECTION 6: This Ordinance shall be in full force and effect the form and after its passage, publication and approval by the State of Minnesota.

Passed by the City Council this 5th day of July, 2011.

Attest:

  
Clerk-Administrator

  
Mayor

SEAL

Published in the Tri-County News on July 13th, 2011.