

**CITY OF HOLDINGFORD
STEARNS COUNTY, MINNESOTA**

ORDINANCE NO. 104

**AN ORDINANCE ANNEXING CERTAIN LAND
FROM THE TOWNSHIP OF HOLDING**

WHEREAS, on or about September 12, 2022, the city of Holdingford (the “City”) received a petition requesting annexation of Stearns County PIN 13.07886.0019, which consists of approximately 4.43 acres of real property legally described on Exhibit A attached hereto and depicted on Exhibit B attached hereto (the “Identified Land”); and

WHEREAS, On November 14, 2022, in accordance with Minnesota Statutes, section 414.033, subd. 2b, the City held a public hearing, giving 30 days’ notice thereof by certified mail to Holding Township and all landowners within and contiguous to the Identified Land; and

WHEREAS, the Identified Land abuts the City, is less than 120 acres, is not presently served by public wastewater facilities and such facilities are not otherwise available, and the annexation petition was submitted by the owner of the land; and

WHEREAS, the Identified Land is not contiguous to any property that was either simultaneously proposed to be annexed or previously annexed within the preceding 12 months; and

WHEREAS, the Identified Land is about to become urban or suburban in character; and

WHEREAS, the Identified Land is not located within a flood plain or shoreland area; and

WHEREAS, all conditions required under Minnesota Statutes, section 414.033, subd. 2(3) have been met; and

WHEREAS, the provisions of Minnesota Statutes, section 414.033, subd. 13 are not applicable in that there will be no change in electric utility service provider resulting from the annexation.

NOW, THEREFORE, the city council of the city of Holdingford does ordain as follows:

Section I. The above recitals are incorporated into this ordinance as if fully set forth herein.

Section II. In accordance with Minnesota Statutes, section 414.033, subd. 2(3), the city council hereby declares by ordinance that the Identified Land, as legally described on Exhibit A and depicted on Exhibit B, is annexed to the City on condition that the petitioner reimburses the City for its costs associated with these proceedings.

Section III. The Identified Land is owned and operated by a tax-exempt religious organization

and, accordingly, no taxes related to the Identified Land were paid to Holding Township in 2022 or prior years. Consequently, no tax reimbursement payment from the city of Holdingford to Holding Township is due related to the annexation of the Identified Land.

Section IV. There are no known special assessments assigned by Holding Township to the Identified Land, nor is there any known debt incurred by Holding Township attributable to the Identified Land.


Section V. Upon the satisfaction of the condition described in section II above, the city clerk treasurer is directed to file a copy of this ordinance with the Office of Administrative Hearings (Chief Administrative Law Judge) (“OAH”), the Holding Township clerk, the Stearns County Auditor’s Office, and the Minnesota Secretary of State, and doing so shall be considered an affirmation that any conditions provided herein have been satisfied. The city clerk treasurer is also directed to perform any additional actions that are deemed necessary and convenient to effectuate the intent of this ordinance.

Section VI. Upon annexation to the City, the Identified Land shall be zoned R1 – Church on the City’s official zoning map. Additionally, the city code requires buildings in the city to connect to municipal sewer and water if available. Although sewer and water utilities are not presently available to the Identified Land or the building located thereon because they are more than 200 feet away and located on private property, connection will be required if and when they become available in the future, pursuant to any then-current city requirements.

Section VII. Corrections may be made to the Exhibits attached hereto, as necessary, to ensure that the Identified Land is correctly identified and described, and to ensure that OAH receives all information necessary in order to process the annexation contemplated herein.

Section VIII. This ordinance shall be effective following its adoption and publication and the annexation is final on the date of approval by the Chief Administrative Law Judge.

Passed by the City Council of the City of Holdingford, Minnesota, this 14th day of November, 2022.



Sue Marstein
Mayor

ATTEST:



Nicky Lahr, City Clerk Treasurer

EXHIBIT A

Legal Description of the Identified Land

Lot One (1), Block Three (3), Roman's View, according to the plat and survey thereof on file and of record in the office of the County Recorder in and for Stearns County, Minnesota (Holding Township).

PIN 13.07886.0019

EXHIBIT B
Depiction of the Identified Land

