

**CITY COUNCIL  
CITY OF CLEARWATER**

**ORDINANCE NO. 2022-08**

**AN ORDINANCE ANNEXING LAND  
OWNED BY THE CITY IN LYNDEN TOWNSHIP**

THE CITY OF CLEARWATER HEREBY ORDAINS AS FOLLOWS:

**SECTION 1. Legislative Findings.** The City Council of the City of Clearwater finds and determines as follows:

- a. The City owns the property legally described in the attached Exhibit A and shown on the map attached as Exhibit B ("City Property").
- b. The City is authorized by Minnesota Statutes, section 414.033, subdivision 2(1) to annex by ordinance unincorporated land that it owns.
- c. The notice and hearing requirements in Minnesota Statutes, section 414.033, subdivision 2a do not apply to the annexation of City-owned land.
- d. The floodplain, shoreland, and electric utility notice requirements of Minnesota Statutes, section 414.033, subdivisions 11 and 12 do not apply to this annexation.
- e. The City Property:
  - (1) Includes property in Lynden Township ("Town") containing approximately 14 acres identified in Stearns County records as PIN #19.10994.0030 and legally described in the attached Exhibit A;
  - (2) Is currently used as a city park and has a population of zero;
  - (3) Is not subject to real estate taxes and so the City is not required to pay any tax reimbursement to the Town under Minnesota Statutes, section 414.036 related to this annexation;
  - (4) Is not subject to any special assessments and there is no Town debt attributable to the City Property;
  - (5) Is not immediately adjacent to any Town roads; and
  - (6) Is not part of an orderly annexation agreement.

**SECTION 2. Annexation.** Per Minnesota Statutes, section 414.033, subdivision 2(1), the City Council hereby declares the City Property, as legally described in Exhibit A and shown on Exhibit B, to be annexed to the City of Clearwater effective as of the date approved by the Office of Administrative Hearings.

**SECTION 3. Filing.** The City Administrator is authorized and directed to file a copy of this Ordinance with the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, the Minnesota Secretary of State, the Stearns County Auditor, and the Town Clerk.

**SECTION 4. Designated Zoning District.** Upon the Office of Administrative Hearings' approval of the subject annexation, this Ordinance designates the zoning district of the annexed property as PI, Public/Institutional. The Official Zoning Map of the City of Clearwater shall be updated to reflect this change upon its next publication.

**SECTION 5. Not Codified.** This is a transitory ordinance and shall not be codified as part of the City Code.

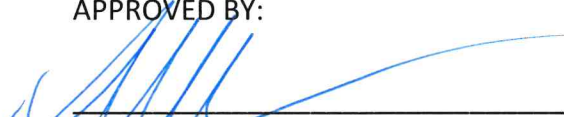
**Effective Date.** This ordinance shall be in full force and effect upon its passage and publication, which is hereby authorized by the City Council.

ADOPTED THIS 14<sup>th</sup> DAY OF NOVEMBER 2022

ATTEST:

  
\_\_\_\_\_  
Annita M. Smythe, City Administrator

APPROVED BY:

  
\_\_\_\_\_  
Andrea Lawrence Wheeler, Mayor

## Exhibit A

Block 94, CLEARWATER, according to the recorded plat thereof, Stearns County, Minnesota;

AND

That part of the Northeast Quarter of the Northeast Quarter of Section 34, Township 123, Range 27, Stearns County, Minnesota, lying southerly of the right of way of the St. Paul, Minneapolis and Manitoba Railway Company, lying southeasterly of the centerline of Hazel Street, as dedicated and delineated on the plat of CLEARWATER, according to the recorded plat thereof, Stearns County, Minnesota, and lying northerly of a line run parallel with and distant 100 feet southerly of the following described line:

From a point on the East line of said Section 34, distant 422.70 feet south of the northeast corner thereof; run southeasterly at an angle of 64 degrees 28 minutes with said east section line for a distance of 418.8 feet, to the point of beginning of line to be described; thence run northwesterly along last described course a distance of 100 feet; thence deflect to the left on a 2 degree 00 minutes curve, delta angle 30 degrees 59 minutes, for a distance of 1549.20 feet; thence on tangent to said curve for a distance of 200 feet and there terminating.

AND

That part of the Southwest Quarter of the Northwest Quarter of Section 35, Township 123, Range 27, Stearns County, Minnesota, lying northerly and northwesterly of the Clearwater River, and lying southeasterly of the south line of Block 108 and its northeasterly extension to the southwest corner of Block 109, CLEARWATER, according to the recorded plat thereof, Stearns County, Minnesota, and lying westerly of a line being the southwesterly line of said Block 109 extended southeasterly to the centerline of said river.

AND

Lots 1 and 2, Block 109, CLEARWATER, according to the recorded plat thereof, Stearns County, Minnesota, and the southwesterly half of High Street being adjacent to the northeast line of said Block 109, as dedicated and delineated on said plat of CLEARWATER, and the southeasterly half of Mill Street being adjacent to the northwest line of said Block 109, as dedicated and delineated on said plat of CLEARWATER.

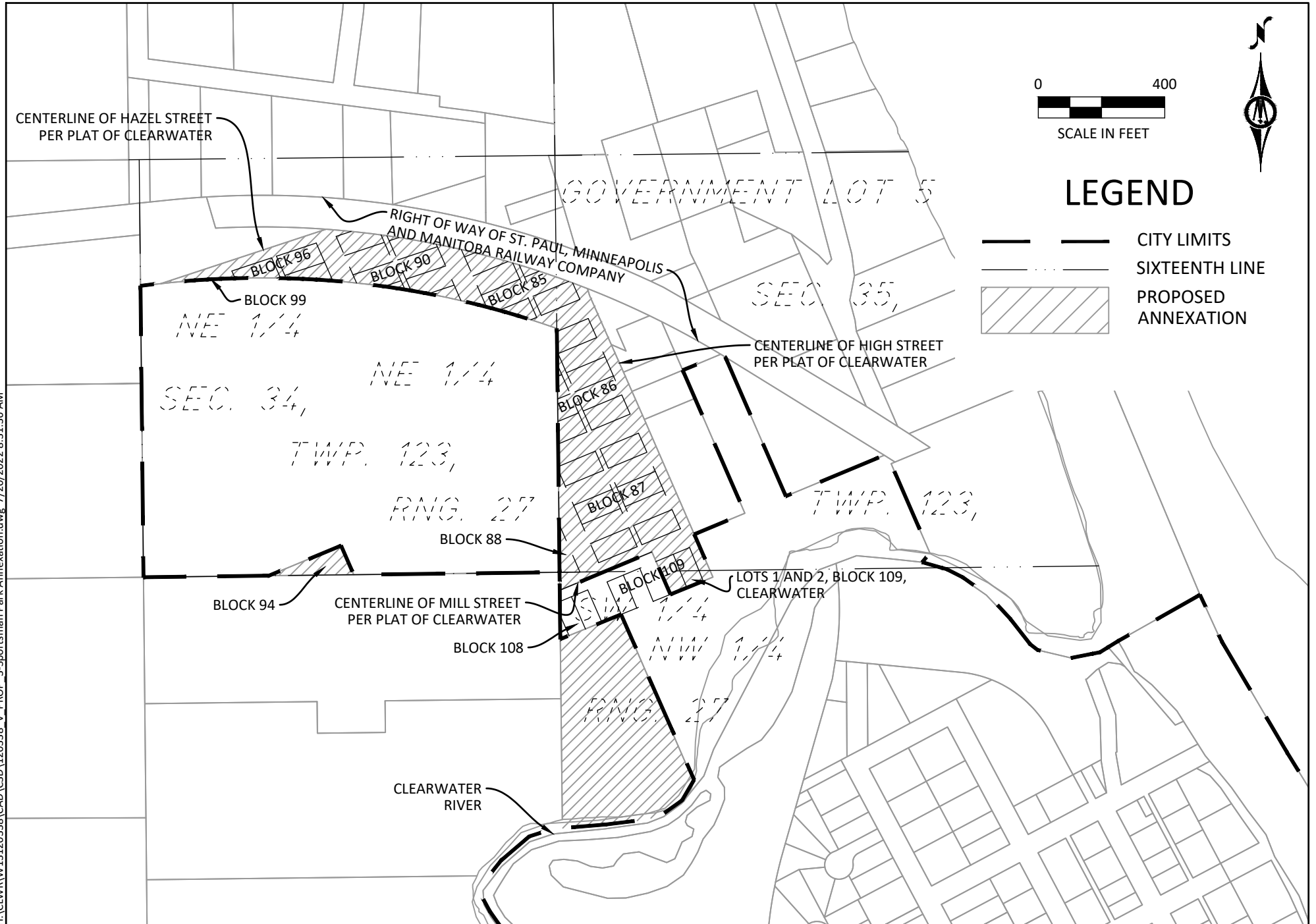
AND

That part of Government Lot 5 of Section 35, Township 123, Range 27, Stearns County, Minnesota, lying southerly of the right of way of the St. Paul, Minneapolis and Manitoba Railway Company, lying southwesterly of the center line of High Street, as dedicated and

delineated on the plat of CLEARWATER, according to the recorded plat thereof, Stearns County, Minnesota, and lying northwesterly of the centerline of Mill Street, as dedicated and delineated on said plat of CLEARWATER.

AND

The Northwesterly half of Mill Street being adjacent to the southwest lines of Blocks 87 and 88, CLEARWATER, according to the recorded plat thereof, Stearns County, Minnesota, within the Southwest Quarter of the Northwest Quarter of Section 35, Township 123, Range 27, Stearns County, Minnesota.



H:\CLWR\W13120338\CAD\C3D\120338\_V\_PROP\_3-Sportsman Park Annexation.dwg 7/20/2022 8:31:36 AM