

**ORDINANCE NO. 2017-03**

**AN ORDINANCE ANNEXING CERTAIN LANDS FROM COKATO TOWNSHIP**

**WHEREAS**, On April 10, 2017, the city of Cokato (the "City") received a petition for annexation of 6.84 acres of real property that is legally described on Exhibit A attached hereto and depicted on Exhibit B attached hereto (the "Identified Land"); and

**WHEREAS**, On May 22, 2017 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 Cokato 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 all owners 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**, all conditions required under Minnesota Statutes, Section 414.033, subd. 2(3) have been met; and

**WHEREAS**, the petitioners have submitted to the City a signed waiver of the electric utility service notice required pursuant to Minnesota Statutes, Section 414.033, subd. 13 and, moreover, no changes to the Identified Land's electric utility service will occur upon annexation.

**NOW, THEREFORE**, the city council of the city of Cokato 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.

**Section III.** Taxes payable to Cokato Township in 2017 on the Identified Land total \$81.59 and those 2017 taxes shall be paid to Cokato Township. Pursuant to Minnesota Statutes, Section 414.036, the City shall make a cash reimbursement to Cokato Township with respect to the property taxes in accordance with the following schedule: The City shall pay Cokato Township the sum of \$101.99 in 2018 and the sum of \$101.99 in 2019. The total two-year reimbursement amount (\$203.98) equates to 250% of the taxes payable to Cokato Township during 2017.


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

**Section V.** The city administrator is directed to promptly file a copy of this ordinance with the

Office of Administrative Hearings (Chief Administrative Law Judge), the Cokato Township clerk, the Wright County Auditor's Office, and the Minnesota Secretary of State.

**Section VI.** 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.

Attest:

  
\_\_\_\_\_  
Andrew Carlson, City Clerk


  
\_\_\_\_\_  
Gordy Erickson, Mayor

EXHIBIT A

Legal Description of the Identified Land

That part of the Northwest Quarter of the Southwest Quarter (NW ¼ of the SW ¼) of Section 35, Township 119 North, Range 28 West, Wright County, Minnesota, lying northeasterly of MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 86-32, according to the recorded plat thereof in and for Wright County, Minnesota, and which also lies northerly of the following described line: Commencing at the northeast corner of said NW ¼ of the SW ¼; thence on an assumed bearing of South 00 degrees 11 minutes 39 seconds West, along the east line of said NW ¼ of the SW ¼ for 310.87 feet to the point of beginning of the line herein described; thence South 88 degrees 40 minutes 13 seconds West for 140.09 feet; thence South 62 degrees 24 minutes 49 seconds West for 391.89 feet to the intersection with the northeasterly line of said MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 86-32 and there terminating





**NYQUIST FAMILY LIMITED PARTNERSHIP ("Owner") AND ELIM CHRISTIAN MISSION CHURCH  
("Purchaser") PETITION TO THE CITY OF COKATO  
FOR ANNEXATION BY ORDINANCE - 120 Acres or Less**

IN THE MATTER OF THE PETITION OF CERTAIN PERSONS FOR THE  
ANNEXATION OF CERTAIN LAND TO THE CITY OF COKATO, MINNESOTA  
PURSUANT TO MINNESOTA STATUTES § 414.033, SUBD. 2(3)

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TO: Council of the City of Cokato, Minnesota

PETITIONERS STATE:

1. All the property owners are executing this Petition as required to commence a proceeding for annexation by ordinance pursuant to Minnesota Statutes §414.033, Subd. 2(3).
2. It is hereby requested by the sole property owner, Nyquist Family Limited Partnership, a Minnesota limited partnership ("Owner"), and the purchaser thereof, Elim Christian Mission Church ("Purchaser"), a Minnesota nonprofit corporation, of the area proposed for annexation to annex certain property described herein lying in the Township of Cokato to the City of Cokato, County of Wright, Minnesota.
3. The area proposed for annexation is legally described as follows:

That part of the Northwest Quarter of the Southwest Quarter (NW ¼ of the SW ¼) of Section 35, Township 119 North, Range 28 West, Wright County, Minnesota, lying northeasterly of MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 86-32, according to the recorded plat thereof in and for Wright County, Minnesota, and which also lies northerly of the following described line: Commencing at the northeast corner of said NW ¼ of the SW ¼; thence on an assumed bearing of South 00 degrees 11 minutes 39 seconds West, along the east line of said NW ¼ of the SW ¼ for 310.87 feet to the point of beginning of the line herein described; thence South 88 degrees 40 minutes 13 seconds West for 140.09 feet; thence South 62 degrees 24 minutes 49 seconds West for 391.89 feet to the intersection with the northeasterly line of said MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 86-32 and there terminating

(the "Annexation Parcel").

4. There are two property owners adjacent to the Annexation Parcel, which are the Owner and the City of Cokato.

5. The land abuts the municipality, the area to be annexed is 120 acres or less, and the Annexation Parcel is not presently served by public wastewater facilities or public wastewater facilities are not otherwise available.
6. The Annexation Parcel is unincorporated, abuts on the City's South boundary, and is not included within any other municipality.
7. The Annexation Parcel is 6.84 acres.
8. The reason for the requested annexation is to combine the Annexation Parcel with other property being purchased by Purchaser from the City of Cokato, specifically Outlot D, Trailstone Third Addition, all for the purpose of constructing a new church thereon.

PETITIONERS REQUEST:

That pursuant to Minnesota Statutes § 414.033, the property described herein be annexed to and included within the City of Cokato, Minnesota.

*#* NYQUIST FAMILY LIMITED PARTNERSHIP, Owner

Dated: 4-7-17

Signature: *NYquist Family Limited Partnership*  
 By: *Debra S. Nyquist*  
 Its: General Partner

Dated: \_\_\_\_\_

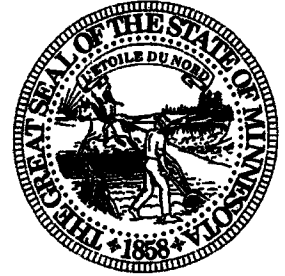
Signature: \_\_\_\_\_  
 By: \_\_\_\_\_  
 Its: General Partner

ELIM CHRISTIAN MISSION CHURCH, Purchaser

Dated: 4-7-17

Signature: *Caryl M. Linder*  
 By: *Caryl M. Linder*  
 Its: *Elder Chairman*

**Office of the Minnesota Secretary of State**  
**Minnesota Limited Partnership/Annual Renewal**  
*Minnesota Statutes, Section 5.34*



Annual Renewal Year: 2017

Annual Renewal Filing Date: 4/6/2017

Limited Partnership Name: NYQUIST FAMILY LIMITED PARTNERSHIP

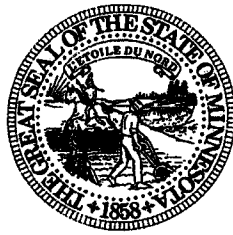
Original Filing Number: 3405837-2

Home Jurisdiction: Minnesota

**Filing Party Information:**

Party Type:	Name:	Address:
Designated Office Address		9619 Alvarado Ln N Maple Grove MN 55311
Designated Office Mailing Address		9619 Alvarado Ln N Maple Grove MN 55311
Registered Agent Address		9619 Alvarado Ln N Maple Grove MN 55311
Registered Agent Mailing Address		9619 Alvarado Ln N Maple Grove MN 55311
Registered Agent	Barbara J Nyquist	





**Work Item 944693200028**  
**Original File Number 3405837-2**

STATE OF MINNESOTA  
OFFICE OF THE SECRETARY OF STATE  
FILED  
04/06/2017 11:59 PM

*Steve Simon*

Steve Simon  
Secretary of State

**NYQUIST FAMILY LIMITED PARTNERSHIP ("Owner") AND ELIM CHRISTIAN MISSION CHURCH  
("Purchaser") TO THE CITY OF COKATO**

**WAIVER OF NOTICE UNDER MINN. STAT. §414.033, SUBD. 13**

**IN THE MATTER OF THE PETITION OF CERTAIN PERSONS FOR THE  
ANNEXATION OF CERTAIN LAND TO THE CITY OF COKATO, MINNESOTA  
PURSUANT TO MINNESOTA STATUTES § 414.033, SUBD. 2(3)**

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TO: Council of the City of Cokato, Minnesota

PETITIONERS STATE:

1. The Owner and Purchaser, as defined above, previously submitted a Petition for Annexation pursuant to Minnesota Statutes §414.033, Subd. 2(3), of certain real property into the City of Cokato, which Petition was dated April 7, 2017.

2. The area proposed for annexation is legally described as follows:

That part of the Northwest Quarter of the Southwest Quarter (NW ¼ of the SW ¼) of Section 35, Township 119 North, Range 28 West, Wright County, Minnesota, lying northeasterly of MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 86-32, according to the recorded plat thereof in and for Wright County, Minnesota, and which also lies northerly of the following described line: Commencing at the northeast corner of said NW ¼ of the SW ¼; thence on an assumed bearing of South 00 degrees 11 minutes 39 seconds West, along the east line of said NW ¼ of the SW ¼ for 310.87 feet to the point of beginning of the line herein described; thence South 88 degrees 40 minutes 13 seconds West for 140.09 feet; thence South 62 degrees 24 minutes 49 seconds West for 391.89 feet to the intersection with the northeasterly line of said MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 86-32 and there terminating

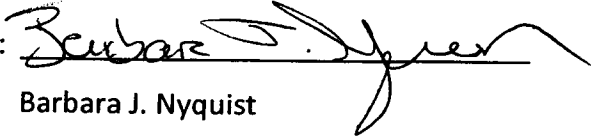
(the "Annexation Parcel").

3. The Annexation Parcel is not presently served with any electric utilities.

4. Owner and Purchaser specifically waive the requirement contained within Minnesota Statutes § 414.033, Subdivision 13, that the City of Cokato provide it with 30 days' prior notice to adoption of an ordinance for annexation, that the cost of electric utility service to the Owner/Purchaser of the Annexation Parcel may change if in fact the Annexation Parcel is annexed into the City of Cokato.

NYQUIST FAMILY LIMITED PARTNERSHIP, Owner

Dated: 4-22-17

Signature: 

By: Barbara J. Nyquist

Its: General Partner

ELIM CHRISTIAN MISSION CHURCH, Purchaser

Dated: 4-21-17

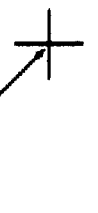
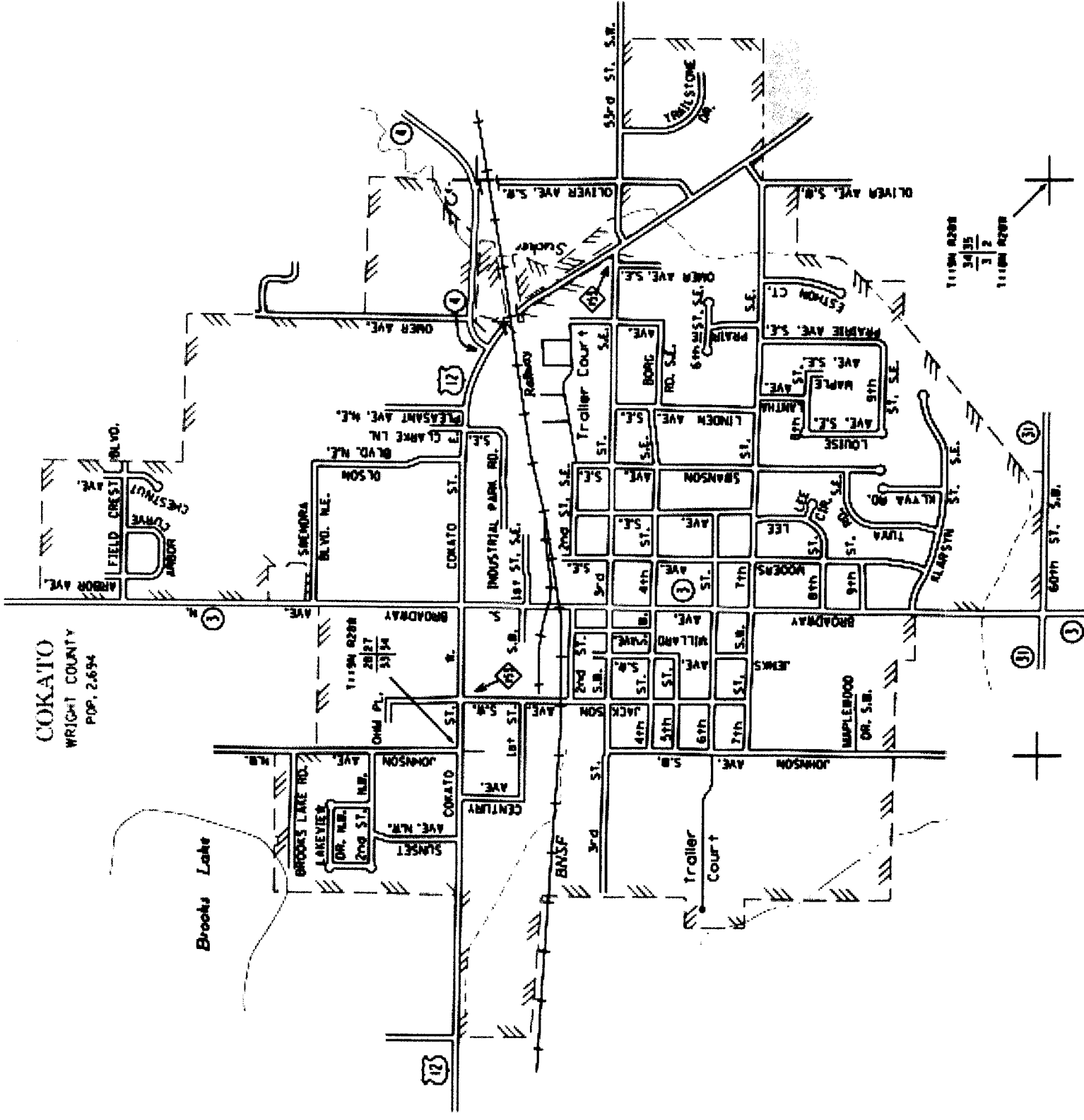
Signature: 

By: Cary M. Linder

Its: Elder Chairman

**COKATO**  
WRIGHT COUNTY  
POP. 2,654

Brooks Lake



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1" = 400'  
1" = 500'

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