## S A M P L E

# PROPERTY OWNER PETITION TO MUNICIPALITY

# 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 \_\_\_\_\_\_\_\_\_\_, MINNESOTA

PURSUANT TO MINNESOTA STATUTES § 414.033, SUBD. 2(3)

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TO: Council of the City of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Minnesota

PETITIONER(S) STATE: All of the property owners in number are required to commence a proceeding under Minnesota Statutes § 414.033, Subd. 2(3).

It is hereby requested by:

\_\_\_\_\_ the sole property owner; or

\_\_\_\_\_ all of the property owners (If the land is owned by both husband and wife, *both*

 must sign the petition to represent all owners.)

of the area proposed for annexation to annex certain property described herein lying in the Township of \_\_\_\_\_\_\_\_\_\_\_ to the City of \_\_\_\_\_\_\_\_\_\_\_, County of \_\_\_\_\_\_\_\_\_\_\_, Minnesota.

The area proposed for annexation is described as follows:

 ***INSERT THE COMPLETE AND ACCURATE PROPERTY DESCRIPTION.***

 ***DO NOT USE DESCRIPTIONS FROM PROPERTY TAX STATEMENTS.***

1. There are \_\_\_\_\_ property owners in the area proposed for annexation. (If a property owner owns more than one parcel in the area proposed for annexation, he/she is only counted once as an owner - the *number* of parcels *owned* by a petitioner is not counted.)

2. The land abuts the municipality and the area to be annexed is 120 acres or less, and the

area to be annexed is not presently served by public wastewater facilities or public

wastewater facilities are not otherwise available.

*Except as provided for by an orderly annexation agreement, this clause may not be used*

*to annex any property contiguous to any property previously annexed under this clause*

*within the preceding 12 months if the property is owned by the same owners and*

*annexation would cumulatively exceed 120 acres.*

3. Said property is unincorporated, abuts on the city’s N S E W (circle one) boundary(ies), and is not included within any other municipality.

4. The area of land proposed for annexation, in acres, is \_\_\_\_\_\_\_ acres.

5. The reason for the requested annexation is \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

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PETITIONERS REQUEST: That pursuant to Minnesota Statutes § 414.033, the property described herein be annexed to and included within the City of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Minnesota.

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

Signatures: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

NOTE: Pursuant to Minnesota Statutes § 414.033, Subd. 2b, before a municipality may adopt

 an ordinance under subdivision 2, clause (2), (3), or (4), a municipality must hold a

 public hearing and give 30 days' written notice by certified mail to the town or towns

 affected by the proposed ordinance and to all landowners within and contiguous to the

 area to be annexed.

NOTE: Pursuant to Minnesota Statutes § 414.033, Subd. 11, when a municipality declares land

 annexed to the municipality under subdivision 2, clause (3), and the land is within a

 designated floodplain, as provided by section 103F.111, subdivision 4, or a shoreland

 area, as provided by section 103F.205, subdivision 4, the municipality shall adopt or

 amend its land use controls to conform to chapter 103F, and any new development of

 the annexed land shall be subject to chapter 103F.

NOTE: Pursuant to Minnesota Statutes § 414.033, Subd. 12, when a municipality annexes land

 under subdivision 2, clause (2), (3) or (4), property taxes payable on the annexed land

 shall continue to be paid to the affected town or towns for the year in which the

 annexation becomes effective. If the annexation becomes effective on or before August

 1 of a levy year, the municipality may levy on the annexed area beginning with that

 same levy year. If the annexation becomes effective after August 1 of a levy year, the

 town may continue to levy on the annexed area for that levy year, and the municipality

 may not levy on the annexed area until the following levy year.

NOTE: Pursuant to Minnesota Statutes § 414.033, Subd 13, at least 30 days before a

 municipality may adopt an ordinance under subdivision 2, clause (2), (3), or (4), the

 petitioner must be notified by the municipality that the cost of electric utility service to

 the petitioner may change if the land is annexed to the municipality. The notice must

 include an estimate of the cost impact of any change in electric utility services,

 including rate changes and assessments, resulting from the annexation.

*Municipal Boundary Adjustment Unit Contact*

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*(July 2019)*