**ORDINANCE NO.\_\_\_\_\_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF \_\_\_\_\_\_\_\_\_\_, MINNESOTA ANNEXING**

**LAND LOCATED IN \_\_\_\_\_\_\_\_\_\_ TOWNSHIP, \_\_\_\_\_\_\_\_\_\_ COUNTY, MINNESOTA PURSUANT TO MINN. STAT.** § **414.033 SUBD. 2(2),**

**PERMITTING ANNEXATION BY ORDINANCE**

**WHEREAS,** the City of \_\_\_\_\_\_\_\_\_\_\_\_\_ desires to annex property pursuant to Minn. Stat.
§ 414.033, subd. 2(2).

**WHEREAS,** the following described property *(or attached as Exhibit \_\_\_\_)* is not presently within the corporate limits of any incorporated city and is completely surrounded by land within the municipal limits of the City of \_\_\_\_\_\_\_\_\_\_, Minnesota:

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

***OR ATTACH AS EXHIBIT.***

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

**WHEREAS,** the Property consists of \_\_\_\_\_\_ acres; and is currently *(\_\_\_\_\_land use type\_\_\_\_; annexation is requested because \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_).*

**WHEREAS,** provisions of Minn. Stat. § 414.033, subd. 13 are not applicable in that there will be no change in the electric utility service provider resulting from the annexation of the territory to the municipality. *(Or if they are applicable, either a statement of compliance OR property owners can waive. Attach written statement of waiver signed by property owner.)*

**WHEREAS**, the City of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_held a public hearing pursuant to Minn. Stat.
§ 414.033, subd. 2b, on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,following thirty (30) days written notice by certified mail to the Town of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_and to all landowners within and contiguous to the area legally described *(above or attached as Exhibit \_\_\_\_)*, to be annexed.

**NOW, THEREFORE**, THE CITY COUNCIL OF THE CITY OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ HEREBY ORDAINS AS FOLLOWS:

1. The City Council hereby determines that the property described above is completely surrounded by land within its municipal limits and is or is about to become urban or suburban in nature in that its current use is *(\_\_\_\_\_land use type\_\_\_\_; annexation is requested because \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_).*

2. None of the property is now included within the corporate limits of any city.

3. Pursuant to Minn. Stat. § 414.033, subd. 2(2), the corporate limits of the City of \_\_\_\_\_\_\_\_\_ are hereby extended by annexation of the property described above

4. The above described property consists of a total of \_\_\_\_\_\_\_\_\_\_ acres, more or less.

-2-

5. The City of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, pursuant to Minn. Stat. § 414.036, that with respect to the property taxes payable on the area legally described (herein or attached exhibit), hereby annexed, shall make a cash payment to the Town of \_\_\_\_\_\_\_\_\_\_\_\_\_\_in accordance with the following schedule:

 *OPTION A:*

 a. In the first year following the year in which the City of

 \_\_\_\_\_\_\_\_\_\_\_could first levy on the annexed area, an amount equal

 to $\_\_\_\_\_\_\_\_\_\_; and

 b. In the second year, an amount equal to $\_\_\_\_\_\_\_\_\_\_.

 (Or payments can extend up to 8 years.)

 *OPTION B:*

Parties may agree to other payment terms. Include written documentation of such an agreement.

6. That pursuant to Minn. Stat. § 414.036 with respect to any special assessments assigned by the Town to the annexed property and any portion of debt incurred by the Town prior to the annexation and attributable to the property to be annexed, but for which no special assessments are outstanding, for the area legally described (herein or attached exhibit) there are [no special assessments or debt incurred by the Town on the subject are for which reimbursement is required.] *OR* there are …..and the City will ……

7. That the City ( title ) is hereby 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 \_\_\_\_\_\_\_\_\_ County Auditor, and the \_\_\_\_\_\_\_\_\_\_\_\_Township.

8. That this Ordinance shall be in full force and effect and final upon the date this Ordinance is approved by the Office of Administrative Hearings.

PASSED AND ADOPTED by the City Council of the City of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Minnesota , this \_\_\_\_\_\_day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_.

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

 Mayor

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

City Clerk