

**RESOLUTION #2000-2****ORDINANCE NO. 1.404****EXTENDING THE CORPORATE LIMITS OF THE CITY OF DEER RIVER  
TO INCLUDE CERTAIN LAND OWNED BY INDEPENDENT SCHOOL  
DISTRICT No. 317 AND ABUTTING THE CITY OF DEER RIVER.**

WHEREAS, Independent School District No. 317 has filed a Petition dated December 13, 1999 requesting the annexation to the City of Deer River of that certain real estate located within the County of Itasca, State of Minnesota, described as follows:

The unplatted part of the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$  SW $\frac{1}{4}$ ) lying north of the South One Hundred Eighty feet (S. 180') and east of the extended west line of Block Two (2), Plat of Second Addition to Itasca City,  
AND

That portion of the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$  SE $\frac{1}{4}$ ) lying and being south of the Great Northern Railroad right of way, and lying and being north of the south Four Hundred Ninety-five feet of said Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$  SE $\frac{1}{4}$ ),  
AND

That portion of the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$  SE $\frac{1}{4}$ ) lying and being south of the Great Northern Railroad right of way,

All being in Section Thirty-six (36), Township One Hundred Forty-five (145), Range Twenty-five (25) West of the Fifth Principal Meridian.

and;

WHEREAS, Independent School District No. 317 represents that they are the only owner of the above described properties, all of which are contiguous, that the population of the property area is zero, that the property is located within Deer River Township and abuts on the southeasterly boundary of the City of Deer River, that the property is not included in any boundary adjustment proceeding pending before Minnesota Planning, Municipal Boundary Adjustments, that the property has an area of 40.76 acres and is partially served by Deer River municipal sewer and water facilities, the same which are not otherwise available, and that said property is or is about to become urban or suburban in character, and;

WHEREAS, the property to be annexed contains an elementary school and adjacent grounds and it is in the best interests of the school to have municipal police protection services available for the best interest of the employees and students of the school. and

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the facility itself, and it is also necessary that those new portions of the elementary school to be constructed in and after the year 2000 have municipal water and sewer service available to them, the same portions of the building which are not currently situated within the City of Deer River, and;

WHEREAS, The City of Deer River does not provide municipal electric service, and the provider of electric service to the Petitioner will remain the same utility which provided electric service prior to any annexation, and that rates for electric service shall remain unaffected by any annexation, and that the notice provisions of Minn. Stat. §414.033 Subd. 13 are inapplicable to this proceeding, and that the petitioner has waived its right to receive any notice under said statute, and;

WHEREAS, the area proposed to be annexed is not included in any area that has been designated for orderly annexation pursuant to Minn. Stat. §414.0325, and is not part of any area included in a Community Based Planning Pilot Project.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DEER RIVER, MINNESOTA, DOES HEREBY ORDAIN:

Section 1: The City Council hereby determines and finds that the property abuts the municipality, that the area to be annexed is sixty (60) acres or less, that the area to be annexed is only partially served by municipal water and sewer facilities, the same which will need to be extended to serve anticipated construction and all of which are unavailable from any other source, that the municipality has received a properly prepared Petition for Annexation from all owners of the property, that the area is appropriate for annexation by ordinance under Minn. Stat. §414.033, Subd. 2 (3), and that the Petition complies with all the provisions of Minn. Stat. §414.033.

Section 2: The property is urban or suburban in nature or about to become so.

Section 3: Minn. Stat. §414.033, Subd. 13 is inapplicable and any notice required thereunder has been waived by the Petitioner.

Section 4: Pursuant to law, a public hearing was scheduled, with proper notification given, and held on January 24, 2000, prior to City Council consideration of this ordinance for annexation.

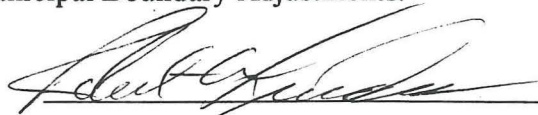
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Section 5: The corporate limits of the City of Deer River are hereby extended to include the subject property identified in the Petition, and the same is hereby annexed to and included with the City of Deer River as if the property had originally been a part thereof.

Section 6: That for the purposes of zoning in accordance with the Deer River Code of Ordinances, the property to be annexed shall be zoned as RESIDENTIAL.

Section 7: The City Clerk/Treasurer is directed to file certified copies of this ordinance with the office of Minnesota Planning - Municipal Boundary Adjustments, Deer River Township, the County of Itasca, and the Minnesota Secretary of State.


Section 8: This ordinance takes effect upon its passage and publication and filing of the certified copies as directed in Section Seven and approval of the ordinance by the office of Minnesota Planning - Municipal Boundary Adjustments.

  
ROBERT LUNDEEN, Mayor

Attest: Victor Williams  
VICTOR WILLIAMS, SR., Clerk

Public Hearing: 1-24-2000  
Introduced: 1-24-2000  
Passed: 1-24-2000  
Published: 02-03-2000  
Effective: \_\_\_\_\_  
Minnesota Planning passage: \_\_\_\_\_

**I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE ORIGINAL**

  
VICTOR R. WILLIAMS  
CITY CLERK/TREASURER

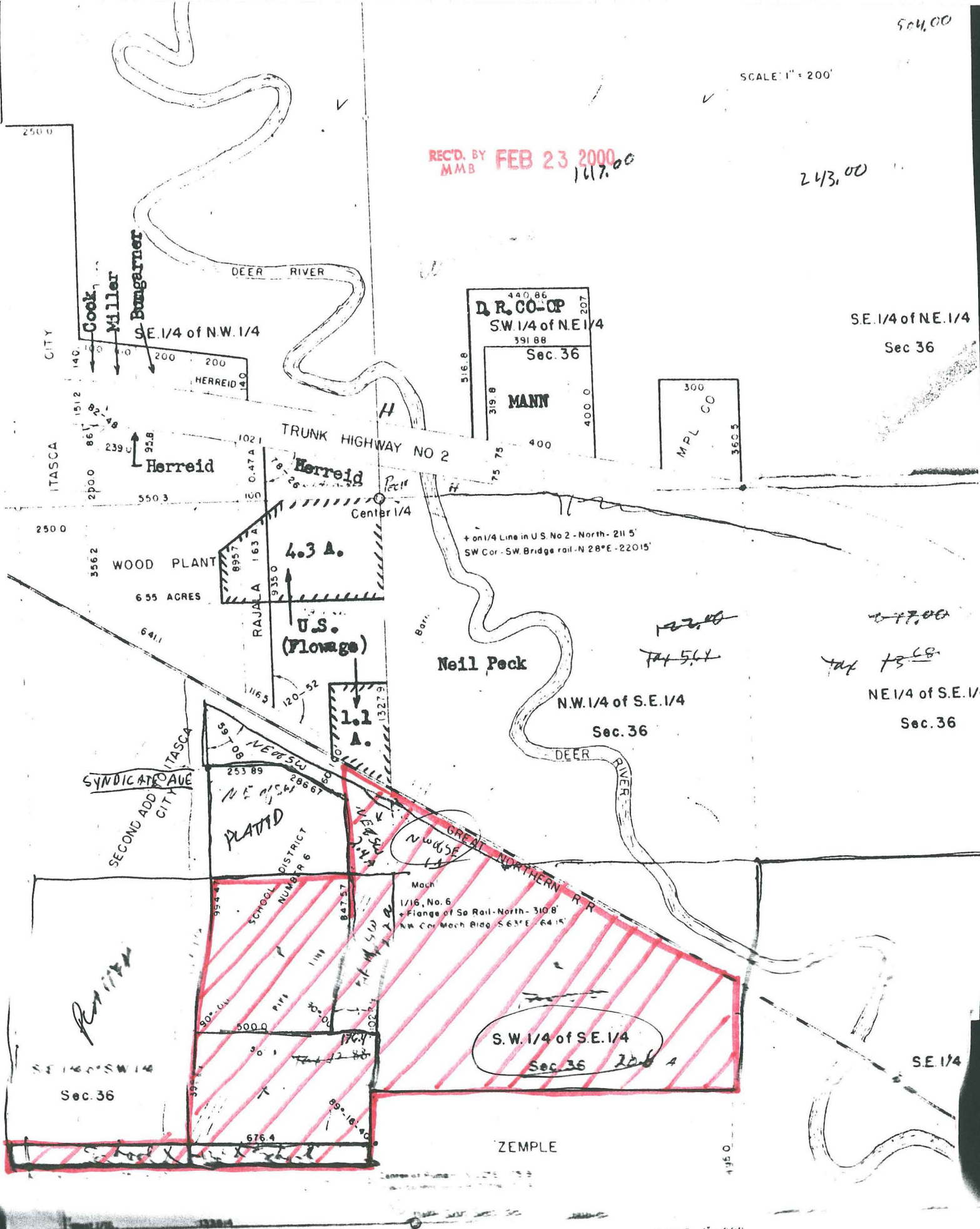


524.00

SCALE 1" = 200'

REC'D. BY FEB 23 2000  
MMB 1117.00

243.00



SE 1/4 of NE 1/4  
Sec 36

440.86  
D.R. CO-OP  
SW 1/4 of NE 1/4  
391.88  
Sec. 36  
MANN  
319.8  
400.0  
400.0  
75.75

300  
MPL CO  
360.5

Herreid  
239.0  
151.2  
86.1  
250.0  
356.2  
641.1

WOOD PLANT  
6.55 ACRES

4.3 A.

U.S.  
(Flowage)

Neil Peck

N.W. 1/4 of S.E. 1/4  
Sec. 36

NE 1/4 of S.E. 1/4  
Sec. 36

S.W. 1/4 of S.E. 1/4  
Sec. 36 20.6 A

SCALE 1" = 200'

