

**AN ORDINANCE PROVIDING FOR
THE ANNEXATION OF CERTAIN
PROPERTIES LOCATED IN OAK LAWN TOWNSHIP,
CROW WING COUNTY, TO THE CITY OF BRAINERD,
CROW WING COUNTY MINNESOTA, PURSUANT
TO MINNESOTA STATUTE 414.033**

Ordinance No.: 1079

THE CITY COUNCIL OF THE CITY OF BRAINERD DOES ORDAIN:

SECTION ONE: That Brainerd Sports & Marine LLC, the fee owner of certain property in the County of Crow Wing, State of Minnesota, described as follows:

That part of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ Section 29, Township 45, Range 30 described as follows; commencing at the NW corner of said NW $\frac{1}{4}$ of the SE $\frac{1}{4}$, then south 88 Degrees 37 Minutes 00 Seconds east, assumed bearing 16.50 ft (1 rod) along the north line of said NW $\frac{1}{4}$ of the SE $\frac{1}{4}$, then south 01 Degree 33 Minutes 00 Seconds east parallel with the west line of said NW $\frac{1}{4}$ of the SE $\frac{1}{4}$, 197.96 ft to the westerly ROW line of State Hwy 25, the point of beginning of the tract to be described, then continuing south 01 Degree 33 Minutes 00 Seconds east, parallel to said west line of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$, 1105.54 ft, then south 88 Degrees 41 Minutes 01 Seconds east parallel to the south line of said NW $\frac{1}{4}$ of the SE $\frac{1}{4}$, 284.62 ft, (17 $\frac{1}{4}$ rods), then south 01 Degrees 33 Minutes 00 Seconds east 2.04 ft to the south line of the north 79 rods, (1303.50 ft) of said NW $\frac{1}{4}$ of the SE $\frac{1}{4}$, then south 88 Degrees 37 Minutes 00 Seconds east 284.62 ft (17 $\frac{1}{4}$ rods) along said south line of the north 79 rods, (1303.50 ft) of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$, then north 01 Degrees 33 Minutes 00 Seconds west 406.63 ft to said westerly ROW line of State Hwy 25, Then north 33 Degrees 20 Minutes 00 Seconds west 730.93 ft along said westerly ROW line of State Hwy 25, Then north 60 Degrees 58 Minutes 30 Seconds west 213.15 ft along said westerly ROW line of State Hwy 25 to the point of beginning.

filed a petition with the City Council of the City of Brainerd pursuant to Section 414.033, Subdivision 2 (3) of the Minnesota Statutes. This property is located within Oak Lawn Township of Crow Wing County. This area contains approximately 10.6 acres of land

SECTION TWO: That said realty abuts the City of Brainerd and is less than 60 acres in size.

SECTION THREE: That pursuant to Minnesota Statutes Section 414.033, Subdivision 13, the petitioner will see no change in their electric utility service at this time.

SECTION FOUR: That pursuant to Minnesota Statutes Section 414.033, Subdivision 2b, the City of Brainerd has held the required public hearing and notified the town along with all landowners within and contiguous to the area being annexed.

SECTION FIVE: That Council of the City of Brainerd deems the annexation of said realty to the City of Brainerd to be in the best interest of the City of Brainerd and the territory affected and accordingly, said realty is hereby annexed to the City of Brainerd as a B-4 (General Business) District so as to become and be part of the City of Brainerd and included within its corporate limits and boundaries thereof.

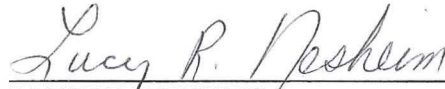
SECTION SIX: The property taxes payable on the annexed land shall continue to be paid to the affected town for the year in which the annexation becomes effective. If the annexation becomes effective on or before August 1 of a levy year, the City may levy on the annexed area beginning with that same levy 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 City may not levy on the annexed area until the following levy year. The first year following the year when the City could first levy on the annexed area, property taxes on the annexed land shall be paid to the City. However the City shall make a cash payment to the town for the period and in accordance with the following schedule:

- i. In the first year following the year the City could first levy on the annexed area, an amount equal to 90% of the property taxes distributed to the town in regard to the annexed area in the last year the property taxes from the annexed area were payable to the town;

- ii. In the second year, an amount equal to 70%;
- iii. In the third year, an amount equal to 50%;
- iv. In the fourth year, an amount equal to 30%; and
- v. In the fifth year, an amount equal to 10%.

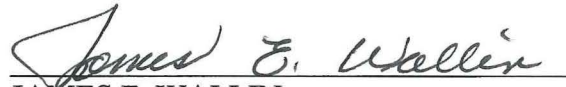
SECTION SEVEN: This Ordinance shall take effect and be in force one week from and after its publication and is further subject to final approval of Minnesota Planning Municipal Boundary Adjustments.

Adopted this 22nd day of February, 2000.




LUCY R. NESHEIM
President of the Council

Approved this 23rd day of February, 2000.



JAMES E. WALLIN
Mayor

ATTEST:


DANIEL J. VOGT
City Administrator

Published One Time: February 28, 2000

Proposed
City
Limits



T. H. 18

T. H.

Ord.
1078

A-6245

Ord
1079

Brainerd

Oak Lawn Twp

A-6246

REC'D. BY
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