

ORDINANCE #108, SECOND SERIES

REC'D BY  
MMB APR 18 2007

CITY OF ST. FRANCIS  
ANOKA COUNTY  
STATE OF MINNESOTA

**AN ORDINANCE CREATING SECTION 20.1 ENTITLED "ANNEXING CITY OWNED LAND PURSUANT TO MINNESOTA STATUTES, SECTION 414.033, SUBDIVISION 2(1) PERMITTING ANNEXATION BY ORDINANCE"**

THE CITY OF ST. FRANCIS ORDAINS:

Section 1. Code Amended. That Section 20.1 entitled "Annexing City Owned Land Pursuant to Minnesota Statutes, Section 414.033, Subdivision 2(1) Permitting Annexation by Ordinance" shall be adopted to read as follows

**SECTION 20.1. ANNEXING CITY OWNED LAND PURSUANT TO MINNESOTA STATUTES, SECTION 414.033, SUBDIVISION 2(1) PERMITTING ANNEXATION BY ORDINANCE.**

Subd. 1. The City acquired the following described parcel on February 12, 2007 and is the fee owner of said land:

The East Half of the Southwest Quarter and the West Half of the Southeast Quarter, all in Section 22, Township 34 North, Range 24 West, Isanti County, Minnesota.

And

The East Half of the Southeast Quarter of Section 22, Township 34 North, Range 24 West, Isanti County, Minnesota, except the east 910.00 feet thereof and also except that part of the Northeast Quarter of the Southeast Quarter of said Section 22 described as follows:

Beginning at the northwest corner of the east 910.00 feet of said East Half of the Southeast Quarter; thence on an assumed bearing of South 89 degrees 33 minutes 32 seconds West along the north line of said East Half of the Southeast Quarter, a distance of 218.41 feet; thence South 00 degrees 26 minutes 28 seconds East, a distance of 43.00 feet; thence South 43 degrees 29 minutes 17 seconds East, a distance of 40.00 feet; thence South 22 degrees 52 minutes 42 seconds East, a distance of 85.00 feet; thence South 06 degrees 25 minutes 47 seconds East, a distance of 48.00 feet; thence South 21 degrees 39 minutes 15 seconds East a distance of 80.00 feet; thence South 04 degrees 47 minutes 53 seconds East, a distance of 95.00 feet; thence South 21 degrees 02 minutes 28 seconds East, a distance of 39.00 feet; thence South 01 degrees 57 minutes 53

seconds West, a distance of 41.00 feet; thence South 21 degrees 45 minutes 41 seconds East, a distance of 70.00 feet; thence South 02 degrees 17 minutes 22 seconds East, a distance of 30.00 feet; thence South 15 degrees 56 minutes 05 seconds East, a distance of 52.00 feet; thence South 05 degrees 26 minutes 51 seconds East, a distance of 71.00 feet; thence South 24 degrees 41 minutes 57 seconds East, a distance of 83.00 feet; thence South 00 degrees 25 minutes 39 seconds East, a distance of 90.00 feet; thence South 29 degrees 21 minutes 41 seconds West, a distance of 55.00 feet; thence South 26 degrees 03 minutes 03 seconds East, a distance of 71.00 feet; thence South 63 degrees 07 minutes 13 seconds East, a distance of 24.00 feet, to the west line of said east 910.00 feet; thence North 00 degrees 25 minutes 39 seconds West, along said west line, a distance of 949.78 feet, to the point of beginning of the parcel of land excepted.

Subd. 2. The property described in Subdivision 1 of this Ordinance is currently located within Athens Township within the County of Isanti and is unincorporated property that is abutting the City of St. Francis and is not located within a flood plain or shoreland area.

Subd. 3. None of the property described in Subdivision 1 of this Ordinance is included within the limits of any city, or in any area that has already been designated for orderly annexation pursuant to Minnesota Statutes Section 414.0325.

Subd. 4. Pursuant to Minn. Stat. Sec. 414.033, Subd. 2(1), the City hereby declares that the land described in Subdivision 1 of this Ordinance is deemed to be urban or suburban in character or about to become so.

Subd. 5. Pursuant to Minn. Stat. Sec. 414.033, Subd. 2(1) the City hereby annexes said land to the City of St. Francis, State of Minnesota and hereby extends the corporate limits of the City of St. Francis, Minnesota to include the property described in Subdivision 1 of this Ordinance.

Subd. 6. The City of St. Francis will reimburse Athens Township for the loss of said taxable property in the amount of nine thousand two hundred one dollars and twenty five cents (\$9,201.25). This amount was calculated by taking the greater of the following formulas:

1. Utilizing the formula at repealed Minn. Stat. Sec. 414.036, the payment would be \$4,600.64 and was arrived at by taking the 2007 taxes for the township at \$1,840.25 and then applying the following: 90% is \$1,656.23, 70% is \$1,288.18, 50% is \$920.13, 30% is \$552.07 and 10% is \$184.03. Adding these amounts together results in a total payment of \$4,600.64.

2. Utilizing a payment equivalent to the 2007 taxes multiplied by five years would result in a total payment of \$9,201.25.

Subd. 7. The City is not aware of any special assessments assigned by the township to said property and any portion of debt incurred by the township prior to the annexation and attributable to said property to be annexed but for which no special assessments are outstanding. In the event that there are subsequently identified special assessments assigned by the township to said property and any portion of debt incurred by the township prior to the annexation and attributable to said property to be annexed but for which no special assessments are outstanding, the City will pay Athens Township for such amounts as noted in Subdivision 7 of this Ordinance.

Subd. 8. The amounts identified in Subdivisions 6 and 7 (if any) above are to be paid in substantially equal payments over a period of five (5) years.

Subd. 9. That the City Clerk of the City of St. Francis, State of Minnesota, is hereby authorized and directed to file a copy of this Ordinance with the Municipal Boundary Adjustment Unit of the Minnesota Office of Administrative Hearings, the Minnesota Secretary of State, the Isanti County Auditor and the Athens Township Clerk.

Section 2. Effective Date.

This Ordinance shall be in full force and effect and final upon the date this Ordinance is approved by the Office of Administrative Hearings, but no earlier than thirty (30) days following its publication.

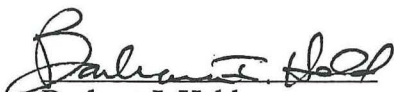
PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF ST. FRANCIS THIS 16<sup>th</sup> DAY OF APRIL, 2007.

APPROVED:



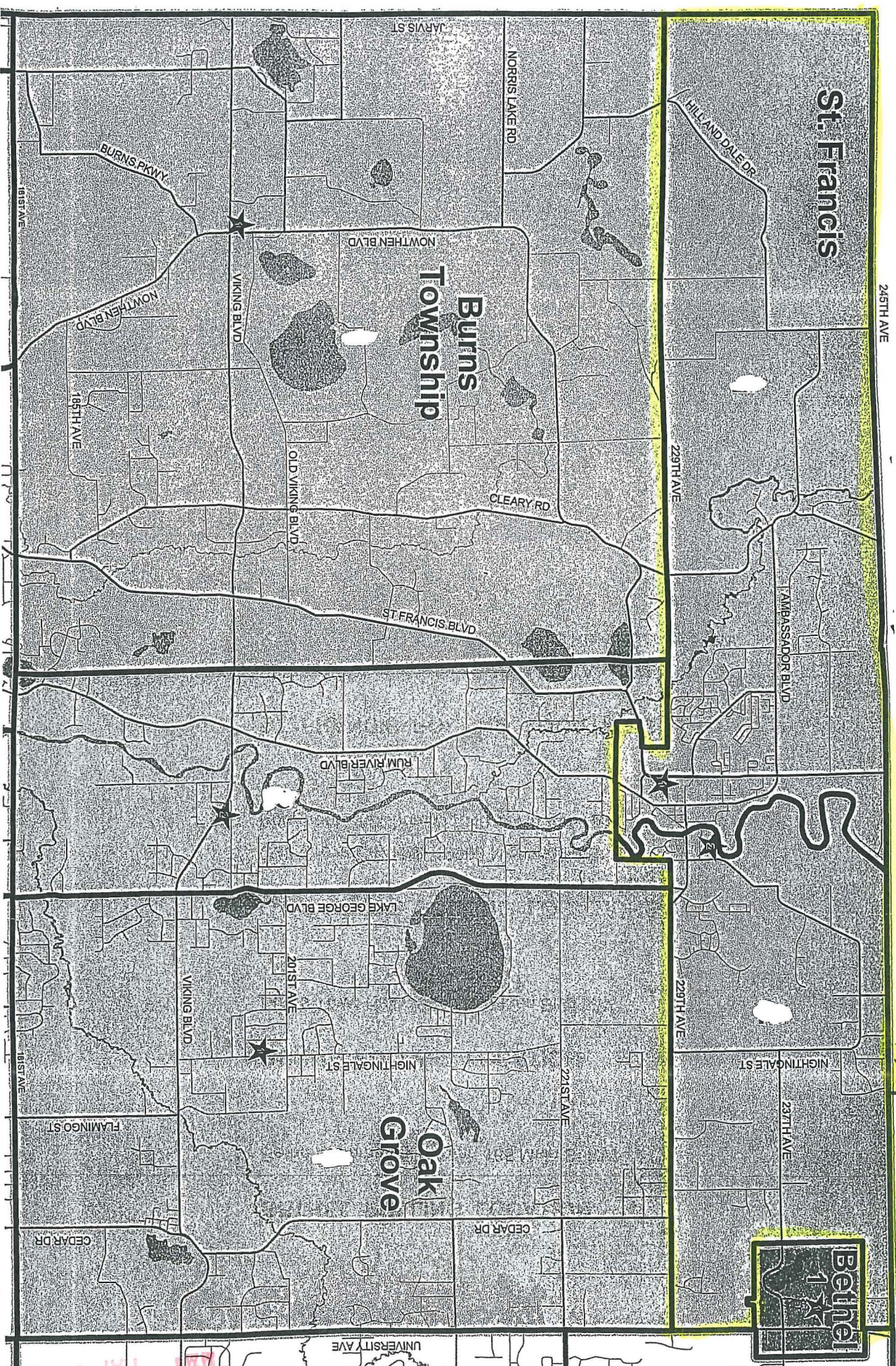
Randy Dressen  
Mayor of St. Francis

ATTEST:



Barbara I. Held  
City Clerk

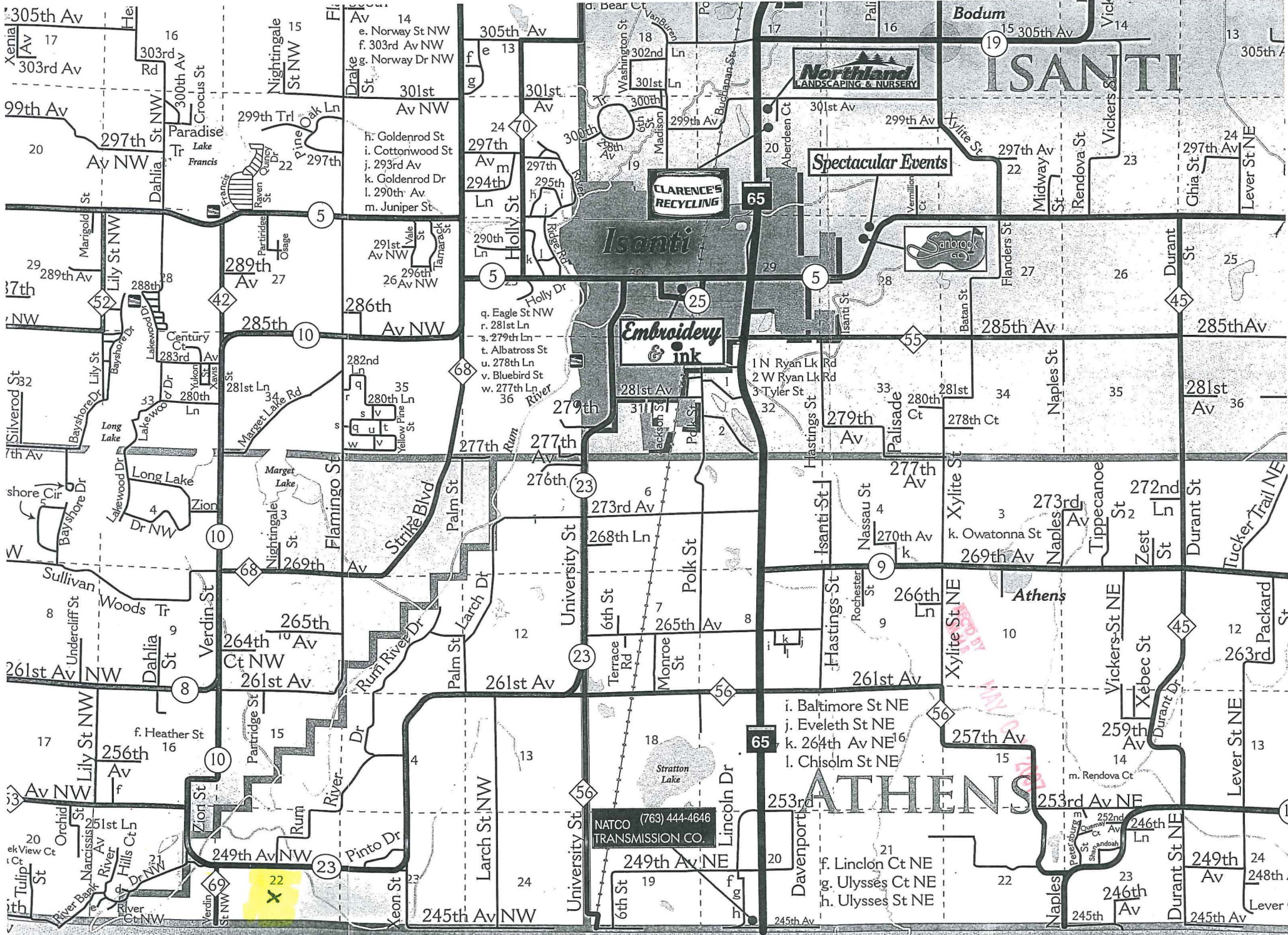




**X**  
Annexed Area

Isanti County

MAY 1 1 2007



RANGE 24 W

RANGE 23 W

NATCO (763) 444-4646  
TRANSMISSION CO.

PROPERTY



23340 Cree Street NW • PO Box 730  
St. Francis, Minnesota 55070  
763-753-2630  
FAX 763-753-9881

April 26, 2007

REC'D BY  
MAMB

MAY 01 2007

Athen's Township Board  
c/o Marlys Balfany, Clerk  
4900-269<sup>th</sup> Street NE  
Isanti, MN 55040

Dear Athens Township Board:

Once again, I would like to thank you for inviting me to the April 2, 2007 Athen's Township Board Meeting to discuss the future wastewater treatment facility for St. Francis. I hope you felt our discussion was productive, I thought there were great questions.

As I had mentioned in my presentation, the City of St. Francis has offered \$9,201.25 which reflects an offer to pay 100% of the 2007 payable for the next five years. I have not heard from you regarding this offer. I will need you to respond directly to: Ms. Christine M. Scotillo at Municipal Boundary Adjustments, Office of Administrative Hearings, 658 Cedar Street, Room 300, St. Paul, MN 55155.

If you would like to continue discussing this number or other issues, please do not hesitate to contact me. Thank you for your timely response.

Respectfully,



Matthew L. Hylan  
City Administrator