

**ORDINANCE NO. 108****AN ORDINANCE OF THE CITY OF BLACKDUCK ANNEXING LAND  
LOCATED IN THE TOWN OF HINES, BELTRAMI COUNTY, MINNESOTA  
PURSUANT TO MINNESOTA STATUTES, SECTION 414.033 SUBDIVISION  
2(3), PERMITTING ANNEXATION BY ORDINANCE**

**WHEREAS**, a petition signed by all the property owners, requesting that property legally described (herein or attached exhibit) be annexed to the City of Blackduck, Minnesota, was duly presented to the Council of the City of Blackduck on the 19<sup>th</sup> day of March 2007; and

**WHEREAS**, said property is unincorporated and abuts the City of Blackduck on its southern boundary; is less than 60 acres (after July 1, 2007 – 120 acres); is not presently served by public sewer facilities or public sewer facilities are not otherwise available; and

**WHEREAS**, said property is not located within a flood plain or shoreland area; and

**WHEREAS**, said property is currently agricultural and annexation is requested to facilitate the extension of city services for the commercial development of the property; and

**WHEREAS**, the City of Blackduck held a public hearing pursuant to Minnesota Statutes §414.033 Subd. 2b, on April 23, 2007, following thirty (30) days written notice by certified mail to the Town of Hines and to all landowners within and contiguous to the area legally described herein, to be annexed; and

**WHEREAS**, provisions of Minn. Stat. Sec. 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.

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

1. The City Council hereby determines that the property as hereinafter described abuts the city limits and is or is about to become urban or suburban in nature in that commercial use is being proposed for said property the construction of which needs or will need city services, including public sewer facilities.
2. None of the property is now included within the limits of any city, or in any area that has already been designated for orderly annexation pursuant to Minnesota Statute § 414.0325.

3. The corporate limits of the City of Blackduck, Minnesota, are hereby extended to include the following described property, said land abutting the City of Blackduck and being 120 acres or less in area, and is not presently served by public sewer facilities or public sewer facilities are not otherwise available, and the City having received a petition for annexation from all the property owners of the land, to wit:

*The Northeast Quarter of the Southwest Quarter lying northwesterly of State Truck Highway No. 71 as located in 2007, except the west 300 feet thereof and the Southeast Quarter of the Southwest Quarter lying northwesterly of State Truck Highway No. 71 as located in 2007, all in Section 13, Township 149 North, Range 31 West, Beltrami County, Minnesota. Subject to easements, restrictions and reservations of record.*

The above described property consists of a total of 30 acres, more or less. Copies of the corporate boundary map showing the property to be annexed and its relationship to the corporate boundaries and all appropriate plant maps are attached hereto.

4. That the population of the area legally described (herein or attached exhibit) and hereby annexed is 0.

5. The City of Blackduck, 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 Hines in accordance with the following schedule:

- a. *In the first year following the year in which the City of Blackduck could first levy on the annexed area, and amount equal to \$80.00; and*
- b. *In the second and final year, an amount equal to \$80.00.*

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 area for which reimbursement is required.

7. That the City Administrator-Clerk of the City of Blackduck 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 Beltrami County Auditor, and the Hines Township Clerk.

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.

REC'D BY  
M.M.B.

MAY 11 2007

First Reading: April 23, 2007  
Final Reading & Passed: May 7, 2007

PASSED AND ADOPTED by the City Council of the City of Blackduck, Minnesota, this  
7<sup>th</sup> day of May, 2007.



\_\_\_\_\_  
Mayor

ATTEST:

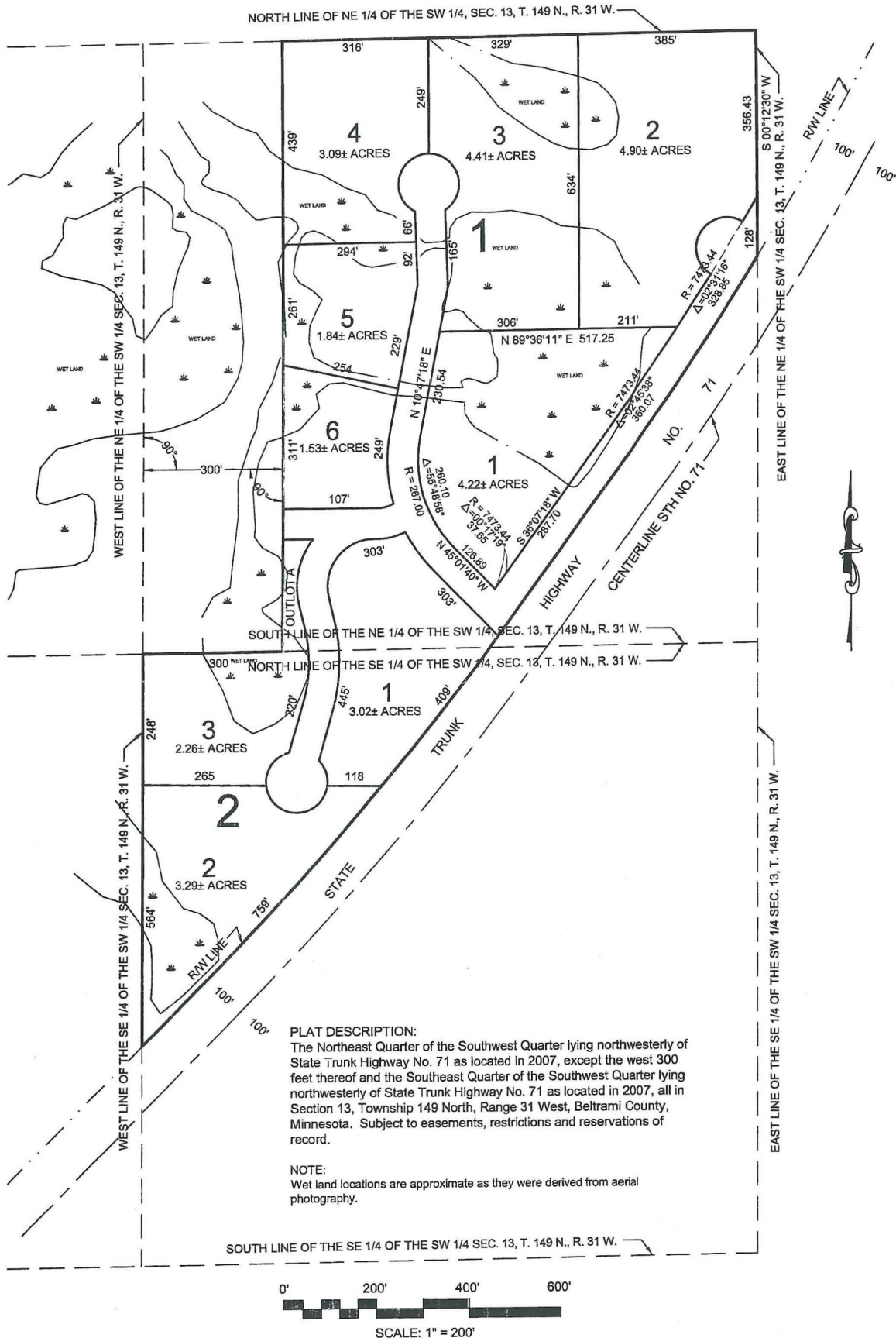
  
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City Administrator



REC'D BY  
M M B

MAY 11 2007

# SKETCH PLAN



## PLAT DESCRIPTION:

The Northeast Quarter of the Southwest Quarter lying northwesterly of State Trunk Highway No. 71 as located in 2007, except the west 300 feet thereof and the Southeast Quarter of the Southwest Quarter lying northwesterly of State Trunk Highway No. 71 as located in 2007, all in Section 13, Township 149 North, Range 31 West, Beltrami County, Minnesota. Subject to easements, restrictions and reservations of record.

## NOTE:

Wet land locations are approximate as they were derived from aerial photography.

4-5-07

# City of Blackduck Zoning Map

June 2006

REC'D BY  
M M B

MAY 11 2007

