

ORDINANCE NO. 316

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF DETROIT LAKES,
MINNESOTA TO INCLUDE CERTAIN UNINCORPORATED UNPLATTED
LAND ABUTTING UPON THE CITY LIMITS
(Bristlin 49.81 Acres/Richwood Road)

WHEREAS, a certain petition dated June 19, 2007, requesting annexation of the territory hereinafter described was duly presented to the Council; and

WHEREAS, the petition was signed by all owners; and

WHEREAS, a Public Hearing was held and proper notices were sent to the adjoining property owners and the town board or the government body of any municipality whose boundaries abut upon the boundaries of the land to be annexed; and

WHEREAS, the land described in the petition abuts upon the City limits at the Northerly boundary thereof;

NOW THEREFORE, the City Council of the City of Detroit Lakes, Minnesota, does hereby ordain:

Section 1. The City Council hereby determines: 1) that the territory described herein abuts upon the City limits and is urban or suburban in character; and 2) that none of the territory is now included within the limits of any city.

Section 2. The population of the territory is zero (0).

Section 3. The territory to be annexed is 49.81 acres, more or less

Section 4. Upon annexation, the territory annexed will be zoned "R-2" One and Two Family Residential District.

Section 5. Territory Annexed. The corporate limits of the City of Detroit Lakes are hereby extended to include the unplatted territory described as follows and the same hereby annexed to and included within the City as effectually as if it had been originally been a part thereof:

Commencing at a found iron monument which designates the east quarter corner of said Section 15; thence South 01 degree 23 minutes 09 seconds West on an assumed bearing along the east line of said Section 15 for a distance of 724.75 feet to the point of beginning; thence North 88 degrees 37 minutes 43 seconds West for a distance of 50.00 feet to an iron monument; thence continuing North 88 degrees 37 minutes 43 seconds West for a distance of 734.75 feet to an iron monument; thence continuing North 88 degrees 37 minutes 43 seconds West for a distance of 547.68 feet to an iron monument on the west line of said Government Lot 8; thence South 01 degree 02 minutes 03 seconds West along the west line of said Government Lot 8 and along the west line of said Southeast Quarter of the Southeast Quarter for a distance of 1877.95 feet to an iron monument; thence continuing South 01 degree 02 minutes 03 seconds West along the west line of said Southeast Quarter of the Southeast Quarter for a distance of 34.44 feet to the southwest corner of said Southeast Quarter of the Southeast Quarter; thence South 88 degrees 43 minutes 02 seconds East along the south line of said Section 15 for a distance of 1320.70 feet to a found iron monument at the southeast corner of said Section 15; thence North 01 degree 23 minutes 09 seconds East along the east line of said Section 15 for a distance of 1910.32 feet to the point of beginning.

EXCEPTING THERE FROM that part of said Southeast Quarter of the Southeast Quarter described as follows:

Commencing at a found iron monument at the aforementioned southeast corner of said Section 15; thence North 88 degrees 43 minutes 02 seconds West along the south line of said Section 15 for a distance of 50.00 feet; thence North 01 degree 23 minutes 09 seconds East parallel with the east line of said Section 15 for a distance of 33.00 feet to the point of beginning; thence continuing North 01 degree 23 minutes 09 seconds East parallel with the east

line of said Section 15 for a distance of 422.00 feet to an iron monument; thence North 88 degrees 43 minutes 02 seconds West parallel with the south line of said Section 15 for a distance of 867.00 feet to an iron monument; thence South 01 degree 23 minutes 09 seconds West parallel with the east line of said Section 15 for a distance of 422.00 feet to a found iron monument; thence South 88 degrees 43 minutes 02 seconds East parallel with the south line of said Section 15 for a distance of 867.00 feet to the point of beginning.

The above described tract contains 49.81 acres.

Section 6. Alteration of Boundaries

No alteration of the stated boundaries is appropriated and no consideration by Municipal Boundary Adjustments is necessary. Upon receipt of this ordinance, Municipal Boundary Adjustments may review and comment but within 30 days shall order the annexation of the area herein described. The City Administrator is directed to forward this ordinance to the Municipal Boundary Adjustments upon approval and passage.

Section 7. Reimbursement to Township

The City of Detroit Lakes will reimburse Detroit Township for property taxes as follows:

<u>Year</u>	<u>Percentage</u>	<u>Amount</u>
2008	100%	\$74.00
2009	100%	\$74.00
2010	100%	\$74.00
2011	100%	\$74.00
2012	100%	\$74.00

Reimbursement of property taxes to the town shall be based on the property taxes collected by the town in the last year it collected taxes on the annexed area. However, the City at its discretion may make a lump sum payment of \$370.00 in January of 2008 as payment in full for this reimbursement.

Section 8. Filing. The City Clerk is hereby directed to file certified copies of this Ordinance with the Minnesota Department of Administration – Municipal Boundary Adjustments, the Secretary of State, the Town Clerk, and the County Auditor.

Section 9. Effective Date of Annexation. This Ordinance takes effect upon passage and publication and the filing of certified copies as directed in Section 8, and approval as required by State Law.

Passed and adopted by the City Council of the City of Detroit Lakes, Minnesota, } this 11th day of September, 2007.

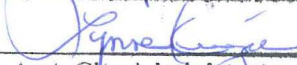
STATE OF MINNESOTA
COUNTY OF BECKER
CITY OF DETROIT LAKES

I do hereby certify that the foregoing resolution is a true and correct copy of a resolution presented to and adopted by the City Council of the City of Detroit Lakes, Minnesota, at a duly authorized meeting thereof held on the 11th day of Sept., 2007, as shown by the minutes of said meeting in my possession. I further certify that this resolution has not been rescinded or modified and is still in force and effect.

Larry G. Buboltz, Mayor

Dated this 13th day of Sept., 2007


Lynne Krieger, City Clerk


Asst. City Administrator

First Reading: August 14, 2007
Second Reading: September 11, 2007

