

**ORDINANCE NO. 120****AN ORDINANCE OF THE CITY OF HILL CITY ANNEXING LAND LOCATED IN THE TOWNSHIP OF HILL LAKE, AITKIN COUNTY, MINNESOTA PURSUANT TO MINNESOTA STATUTES § 414.033 SUBDIVISION 2(3), PERMITTING ANNEXATION BY ORDINANCE**

**WHEREAS**, a petition signed by Brian Nicklason, President of Woodland Bank, requesting that property legally described in attached exhibit be annexed to the City of Hill City Minnesota, was duly presented to the Council of the City of Hill City on the 16 day of November, 2007; and

**WHEREAS**, said property is unincorporated and abuts the City of Hill City on its South West boundary; is less than 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 agriculture and annexation is requested to facilitate the extension of city services for the commercial development of the property; and

**WHEREAS**, the City of Hill City held a public hearing pursuant to Minnesota Statutes § 414.033 Subd. 2b, on December 28, 2007, following thirty (30) days written notice by certified mail to the Township of Hill Lake and to all landowners within and contiguous to the area legally described in attached exhibit, to be annexed; and

**WHEREAS**, provisions of Minnesota Statutes § 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 HILL CITY 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 requires 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 Hill City, Minnesota, are hereby extended to include the following described property, said land abutting the City of Hill City 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:

THAT PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE 1/4-SW 1/4) OF SECTION 14, TOWNSHIP 52, RANGE 26, AITKIN COUNTY, MINNESOTA, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF THE NORTH 330 FEET OF SAID SE 1/4-SW 1/4; THENCE SOUTH 86 DEGREES 47 MINUTES 58 SECONDS EAST, ASSUMED BEARING, 829.61 FEET ALONG THE SOUTH LINE OF THE NORTH 330 FEET OF SAID SE 1/4-SW 1/4 TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG THE SOUTH LINE OF THE NORTH 330 FEET OF SAID SE 1/4-SW 1/4 SOUTH 86 DEGREES 47 MINUTES 58 SECONDS EAST 411.25 FEET TO THE CENTERLINE OF STATE HIGHWAY NO. 169; THENCE SOUTHWESTERLY 597.37 FEET ALONG A NONTANGENTIAL CURVE CONCAVE TO THE SOUTHEAST HAVING A CENTRAL ANGLE OF 13 DEGREES 26 MINUTES 26 SECONDS, A RADIUS OF 2546.54 FEET WITH A CHORD BEARING SOUTH 33 DEGREES 39 MINUTES 41 SECONDS WEST 596.00 FEET; THENCE NORTH 87 DEGREES 51 MINUTES 41 SECONDS WEST 389.13 FEET; THENCE NORTH 31 DEGREES 27 MINUTES 12 SECONDS EAST 591.40 FEET TO THE POINT OF BEGINNING.

GRANTORS RESERVES UNTO THEMSELVES, THEIR HEIRS OR ASSIGNS A 16 FOOT WIDE DRIVEWAY EASEMENT FOR INGRESS, ENGRESS AND UTILITY PURPOSES FROM STATE HIGHWAY NO. 169 WESTERLY THROUGH THE NORTH HALF OF THE ABOVE DESCRIBED PROPERTY, THE ACTUAL LOCATION TO BE DETERMINED AT A LATER DATE.

SUBJECT TO THE RIGHT OF WAY EASEMENT OF STATE HIGHWAY NO. 169 OVER THE EASTERLY 75 FEET THEREOF.

SUBJECT TO ANY OTHER EASEMENT, RESERVATIONS OR RESTRICTIONS OF RECORD

The above described property consists of a total of 4.6 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 plat maps are attached hereto.

4. That the population of the area legally described in attached exhibit and hereby annexed is zero.

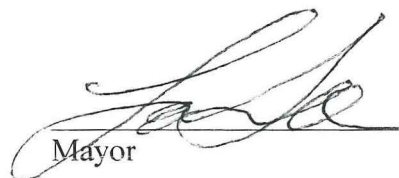
5. The City of Hill City, pursuant to Minnesota Statutes § 414.036, that with respect to the property taxes payable on the area legally described in attached exhibit, hereby annexed, shall make a cash payment to the Township of Hill Lake in accordance with the following schedule:

- a. 2007 - an amount equal to ninety percent (90%) of the property taxes distributed to the town in regard to the annexed area in 2007



- b. 2008 - an amount equal to seventy percent (70%) of the property taxes distributed to the town in regard to the annexed area in 2007
  - c. 2009 - an amount equal to fifty percent (50%) of the property taxes distributed to the town in regard to the annexed area in 2007
  - d. 2010- an amount equal to thirty percent (30%) of the property taxes distributed to the town in regard to the annexed area in 2007
  - e. 2011- an amount equal to ten percent (10%) of the property taxes distributed to the town in regard to the annexed area in 2007
6. That pursuant to Minnesota Statutes § 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 in attached exhibit there are no special assessments or debt incurred by the Town on the subject are for which reimbursement is required.
7. That the City Clerk of the City of Hill City 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 Aitkin County Auditor, and the Hill Lake 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.

PASSED AND ADOPTED by the City Council of the City of Hill City Minnesota, this 28 day of December, 2007.



Mayor

ATTEST:



City Clerk

FOOTBALL  
FIELD

OUTLOT 1

HENRIETTA AVE.

NO SCALE

HILL

REC'D BY  
JAN 14 2008

CITY LIMITS

T.H. 169

CITY REALTY CO'S. 2ND ADD.

GREENFIELD AVE.

STONER AVE.

HIGHLAND AVE.

PQUADNA AVE.

FIRST ADD.

BUCKS

24

A

B

C

D

CEDAR ST.

TO REMER

SUNNY'S

FOREST AVE.

HILL CITY REALTY CO'S.

ALICE ST.

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# CITY OF HILL CITY

RECEIVED  
2008 FEB - 8 AM 8:37  
HILL CITY  
ADMINISTRATIVE

January 23, 2008

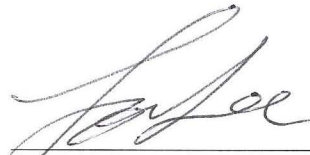
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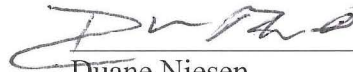
Re: A-7603 Hill City/Hill Lake Township - Ordinance Number 120

Dear Ms. Scottillo

Both the City of Hill City and Hill Lake Township agree to the mutual agreement with the reimbursement provision of one time payment of \$122.50.



Lonnie Lee  
Mayor  
City of Hill City



Duane Niesen  
Supervisor  
Hill Lake Township

PO Box 160  
Hill City, MN 55748

Phone: 218-697-2301  
Fax: 218-697-2401  
Email: [hillcity@scicable.com](mailto:hillcity@scicable.com)