

ORDINANCE NO. 2008-14

AN ORDINANCE OF THE CITY OF MOORHEAD ANNEXING LAND
LOCATED IN THE TOWN OF MOORHEAD, CLAY COUNTY, MINNESOTA
TO THE CITY OF MOORHEAD, CLAY COUNTY, MINNESOTA, PURSUANT TO MINN. STAT.
§ 414.033, SUBD. 3, PERMITTING ANNEXATION BY ORDINANCE

WHEREAS, under the law of the State of Minnesota cities have no authority outside the provisions of Chapter 414 to regulate annexation of land in Minnesota; and

NOW THEREFORE THE CITY OF MOORHEAD DOES HEREBY ORDAIN:

Section 1. That the unincorporated land legally described in Exhibit A, which is attached hereto and incorporated herein by reference, located in the Town of Moorhead, Clay County, Minnesota, is land that is contiguous to and abuts the municipal corporate limits of the City of Moorhead, Clay County, Minnesota; is land that is 40 acres or less in size; is 60% or more bordered by land already within the corporate limits of the City of Moorhead; is land that is not presently served by public wastewater facilities, and for which public wastewater facilities are not otherwise available than through the City of Moorhead.

Section 2. That the City of Moorhead served a Notice of Intent to annex to Moorhead Township and the Office of Administrative Hearings.

Section 3. That The Moorhead Town Board, at its April 21, 2008 meeting, approved a waiver indicating that it has no objections to such annexation by ordinance.

Section 4. That the corporate limits of the City of Moorhead are hereby extended to include the land legally described in Exhibit A, and shown on the map attached hereto and incorporated herein by reference as Exhibit B, containing approximately 20 acres, and the same is hereby annexed to be included within the City of Moorhead, Clay County, Minnesota.

Section 5. That the population of the area legally described in Exhibit A, and hereby annexed is 0.

Section 6. That with respect to the property taxes payable on the area legally described in Exhibit A, hereby annexed, the property is publically owned right-of-way and is tax exempt and therefore there is no property tax reimbursement.

Section 7. That the City Manager of the City of Moorhead is hereby authorized and directed to file a copy of this Ordinance with the Minnesota Office of Administrative Hearings Municipal Boundary Adjustments Office, the Minnesota Secretary of State, the Clay County

REC'D BY
M.M.B

JUN 16 2008

Auditor, and the Moorhead Township Clerk.

Section 8. That this Ordinance shall be in full force and effect and final upon the date this Ordinance is approved by the Minnesota Office of Administrative Hearings.

PASSED and adopted by the City Council of the City of Moorhead this 19th day of May, 2008.

CITY OF MOORHEAD

By: 

MARK VOXLAND, Mayor

ATTEST:

By: 

KAYE BUCHHOLZ, City Clerk

First Consideration: May 5, 2008
Second Consideration: May 19, 2008
Date of Publication: June 9, 2008

Drafted by: Community Services, City of Moorhead

REC'D BY
A M B

JUN 16 2008

EXHIBIT A
Legal Description

The Subject Area to be annexed in the attached Ordinance is described as follows:

Interstate 94 and Right-of-Way area, generally described as being located south of 28th Avenue South at approximately 40th Street East in Moorhead, Minnesota and legally described as: That portion of the north 352.9 feet of the north west quarter (NW ¼) of Section 23, Township 139 North, Range 48 West of the Fifth Principal Meridian, Clay County, Minnesota, and lying adjacent to and north of the north lines of Lots 1, 2, 3 and 4 of Block 6, MCCARA First Addition to the City of Moorhead.

EXHIBIT B
Boundary Map

REC'D BY
MMB

JUN 16 2008

The municipal boundary map referenced in the attached Ordinance, showing the current City of Moorhead and its relation to the Subject Area to be annexed, legally described in Exhibit A, is attached hereto.

RECD BY
AAMB

JUN 16 2008

MOORHEAD MINNESOTA

General Location Map

