

ORDINANCE

No. 1319

REC'D BY  
M M B

APR 14 2008

**AN ORDINANCE PROVIDING FOR  
THE ANNEXATION OF CERTAIN  
PROPERTY LOCATED IN OAK LAWN TOWNSHIP,  
CROW WING COUNTY, TO THE CITY OF BRAINERD,  
CROW WING COUNTY MINNESOTA, PURSUANT  
TO MINNESOTA STATUTE 414.033**

THE CITY COUNCIL OF THE CITY OF BRAINERD DOES ORDAIN:

SECTION ONE: That Jon and Susan Halverson, the fee owner of certain property in the County of Crow Wing, State of Minnesota, described as follows:

All of Lot 6 except west 80 feet thereof, of the Auditor's Plat of part of Lot 1 of the Auditor's Subdivision of the NW 1/4, Sec. 20, Twp. 45, Rge. 30, Oak Lawn Township, Crow Wing County  
14895 Wonderland Park Road  
P.I.N. #8110000006B889  
Section/Township/Range: 20/45/30

filed a petition with the City Council of the City of Brainerd pursuant to Section 414.033, Subdivision 2 (3) of the Minnesota Statutes. This property is located within Oak Lawn Township, Crow Wing County. This area contains approximately .26 acres of land.

SECTION TWO: That said realty abuts the City of Brainerd and is less than 60 acres in size.

SECTION THREE: That pursuant to Minnesota statutes Section 414.033, Subdivision 13, the petitioner will see no change in their electric utility service at this time.

SECTION FOUR: That pursuant to Minnesota Statutes Section 414.033, Subdivision 2b, the City of Brainerd has held the required public hearing and notified the town along with all landowners within and contiguous to the area being annexed.

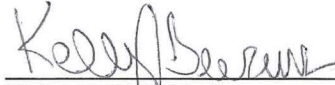
SECTION FIVE: That Council of the City of Brainerd deems the annexation of said realty to the City of Brainerd to be in the best interest of the City of Brainerd and the territory affected and accordingly, said realty is hereby annexed to the City of Brainerd as RF (Rural Residential) District so as to become and be part of the City of Brainerd and included within its corporate limits and boundaries thereof.

SECTION SIX: The property taxes payable on the annexed land shall continue to be paid to the affected town for the year in which the annexation becomes effective. If the annexation becomes effective on or before August 1, of a levy year, the City may levy on the annexed area beginning with that same levy year. If the annexation becomes effective after August 1 of a levy year, the town may continue to levy on the annexed area for that levy year, and the City may not levy on the annexed area until the following levy year. **The first year following the year when the City could first levy on the annexed area, property taxes on the annexed land shall be paid to the city. However, the City shall make a cash payment to the town for the period and in accordance with the following schedule: payments made to the Town at a rate based on 100% of the 2009 taxes payable for the next five years.**

assigned by the township 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, in substantially equal payments over five years.

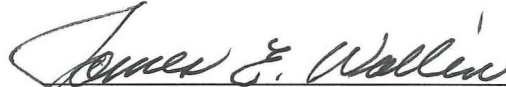
SECTION SEVEN: This Ordinance shall take effect and be in force one week from and after its publication and is further subject to final approval of Minnesota Planning Municipal Boundary Adjustments.

Adopted this 17<sup>th</sup> day of March, 2008.



KELLY BEVANS  
President of the Council

Approved this 18<sup>th</sup> day of March, 2008.



JAMES E. WALLIN  
Mayor

ATTEST:

  
DANIEL J. VOGT  
City Administrator

PUBLISHED: March 21, 2008

See attached Resolution No. 19:08 specifying "payments made to the Town at a rate based on 100% of the 2009 taxes payable for the next five years."

RESOLUTION  
NO. 19:08

REC'D BY  
M.M.B.

APR 14 2008

RESOLUTION MAKING A TECHNICAL CORRECTION TO ORDINANCE NO. 1319  
RELATING TO THE ANNEXATION OF PROPERTY INTO THE CITY OF BRAINERD

**WHEREAS**, on March 17, 2008 the Brainerd City Council adopted Ordinance No. 1319 annexing property owned by Jon and Susan Halvorson and located at 14985 Wonderland Park Road, into the City of Brainerd; and

**WHEREAS**, Section Six of Ordinance No. 1319 includes the following language:

"The first year following the year when the City could first levy on the annexed area, property taxes on the annexed land shall be paid to the city. However, the City shall make a cash payment to the town for the period and in accordance with the following schedule:"; and

**WHEREAS**, Ordinance No. 1319 did not reference on what the tax rate will be based.

**NOW, THEREFORE BE IT RESOLVED**, that the tax rate will be based on the following:

"payments made to the Town at a rate based on 100% of the 2009 taxes payable for the next five years."

Be It Further Resolved that this resolution shall become an addendum to Ordinance No. 1319, is hereby approved, and will be sent to the Minnesota Office of Administrative Hearings, Municipal Boundary Adjustment unit for their approval.

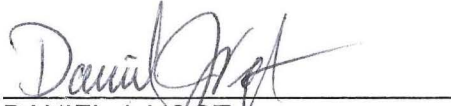
Adopted this 7<sup>th</sup> day of April, 2008.

  
KELLY J. BEVANS  
President of the Council

Approved this 5<sup>th</sup> day of April, 2008.

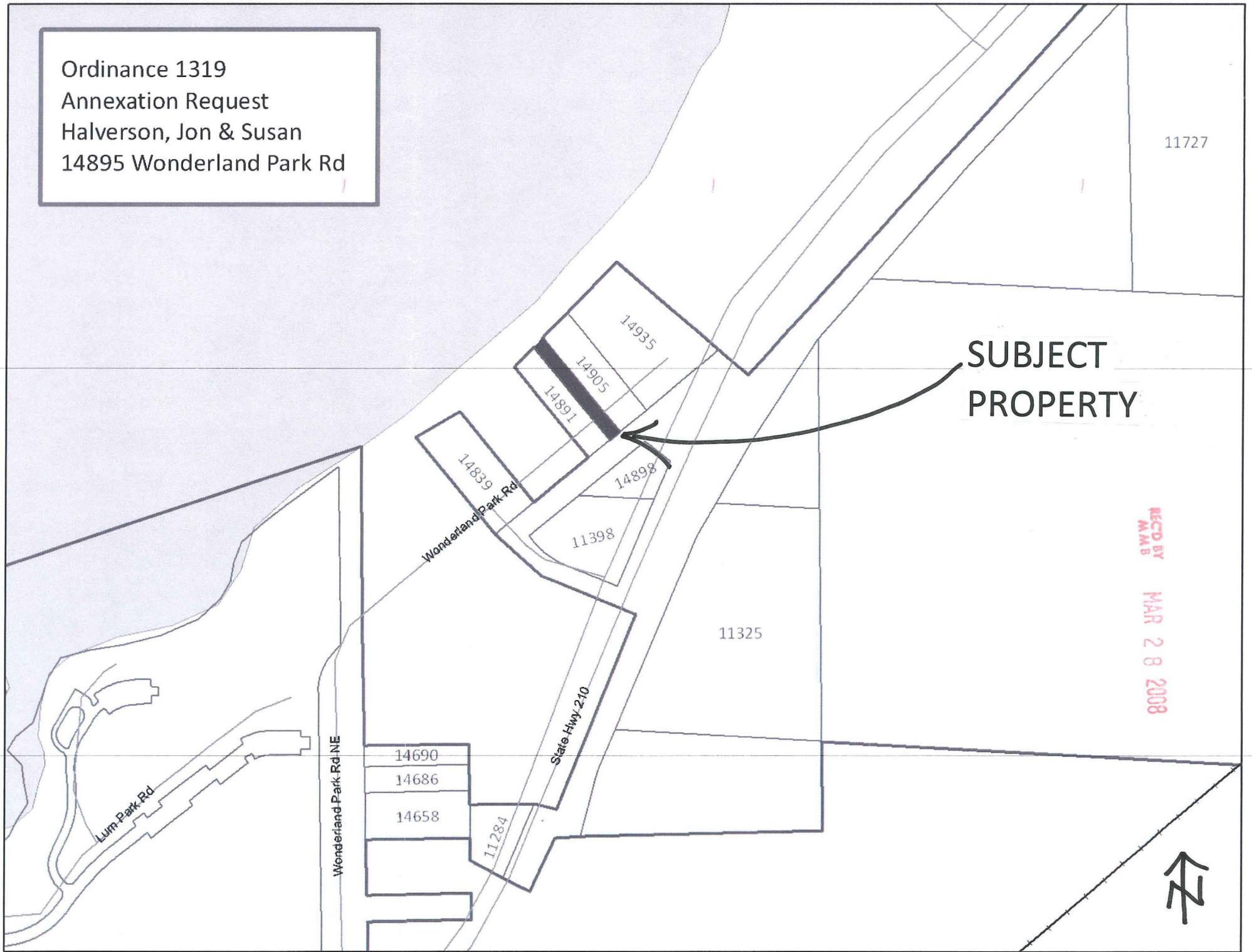
  
JAMES E. WALLIN  
Mayor

ATTEST:

  
DANIEL J. VOGT  
City Administrator



Ordinance 1319  
Annexation Request  
Halverson, Jon & Susan  
14895 Wonderland Park Rd



SUBJECT  
PROPERTY

REC'D BY  
MAM B  
MAR 28 2008