

**ORDINANCE NO. 253, 2<sup>nd</sup> Series**

REC'D BY  
MBA

JUN 08 2012

**AN ORDINANCE OF THE CITY OF ELY, MINNESOTA, ANNEXING LAND LOCATED IN THE TOWNSHIP OF MORSE, ST. LOUIS COUNTY, MINNESOTA PURSUANT TO MINNESOTA STATUTES, SECTION 414.033 SUBDIVISION 2(1), PERMITTING ANNEXATION BY ORDINANCE**

**WHEREAS**, the City of Ely is the owner of real property legally described herein in the Township of Morse, St. Louis County, Minnesota; and

**WHEREAS**, said property is unincorporated and abuts the City of Ely on its East 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 vacant forest land and annexation is requested to facilitate the extension of city services for the residential and public use development of the property; and

**WHEREAS**, no public hearing pursuant to Minnesota Statutes § 414.033 Subd. 2b is required as this annexation is pursuant to Minnesota Statutes § 414.033 Subd. 2(1); 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 ELY 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 residential and public use is being proposed for said property.
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 Ely, Minnesota, are hereby extended to include the following described property, said land abutting the City of Ely 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 being the owner of the said land, to wit:

**See the attached Exhibit A for legal description**

The above described property consists of a total of 75 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 area legally described in the attached Exhibit A and hereby annexed is forest land with no population.
5. That the area legally described in the attached Exhibit A is owned by the City of Ely and is tax exempt.
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 the attached Exhibit A 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-Treasurer of the City of Ely is hereby authorized and directed to file a copy of this Ordinance with the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, the Minnesota Secretary of State, the St. Louis County Auditor, and the Morse Township Clerk.
8. That this Ordinance shall be in full force and effect and final upon on the date this Ordinance is approved by the office of Administrative Hearings.


**SEC. 2. Effective Date:** Pursuant to Section 3.08 of the Charter of the City of Ely, Minnesota, the adoption of this Ordinance is effective immediately after final adoption and publication.

First Reading: December 6, 2011

Second Reading: January 3, 2012

Adopted this 3<sup>rd</sup> day of January, 2012.

  
\_\_\_\_\_  
Mayor Roger Skraba

  
\_\_\_\_\_  
City Clerk/Treasurer, Terri Boese

Publication Date: December 31, 2011 and January 14, 2012  
Newspaper: Ely Echo

EXHIBIT A

TOWNSHIP SIXTY-THREE (63) NORTH, RANGE TWELVE (12) WEST, FOURTH PRINCIPAL MERIDIAN

PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE  $\frac{1}{4}$  OF SE  $\frac{1}{4}$ ) OF SECTION TWENTY-THREE (23) DESCRIBED AS FOLLOWS:

Beginning at Southwest corner of Southeast Quarter of Southeast Quarter (SE  $\frac{1}{4}$  OF SE  $\frac{1}{4}$ ), running thence North four hundred (400) feet, thence East one thousand (1000) feet, thence Southwesterly along the Westerly Right of Way line of the D. M. and I. R. RY. To the South line of said forty, thence West to point of beginning, Section Twenty-three (23);

**Containing approximately six (6) acres of land, more or less**

AND

TOWNSHIP SIXTY-THREE (63) NORTH, RANGE TWELVE (12) WEST, FOURTH PRINCIPAL MERIDIAN

PART OF THE NORTH HALF OF THE NORTHEAST QUARTER (N  $\frac{1}{2}$  OF NE  $\frac{1}{4}$ ) LYING NORTH OF THE RAILWAY RIGHT OF WAY OF THE MAIN LINE AND OF THE SIBLY MINE SPUR OF THE D. M. AND I. R. RAILWAY, SECTION TWENTY-SIX (26), TOWNSHIP SIXTY-THREE (63) NORTH, RANGE TWELVE (12) ACCORDING TO THE GOVERNMENT SURVEY THEREOF.

**Containing Twenty-nine (29) acres of land, more or less**

AND

TOWNSHIP SIXTY-THREE (63) NORTH, RANGE TWELVE (12) WEST, FOURTH PRINCIPAL MERIDIAN

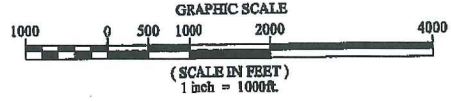
THE SOUTHWEST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER (SW  $\frac{1}{4}$  OF NE  $\frac{1}{4}$ ) IN SECTION THIRTY-FIVE (35), TOWNSHIP SIXTY-THREE (63), RANGE TWELVE (12), ACCORDING TO THE GOVERNMENT SURVEY THEREOF.

**Containing forty (40) acres of land, more or less**

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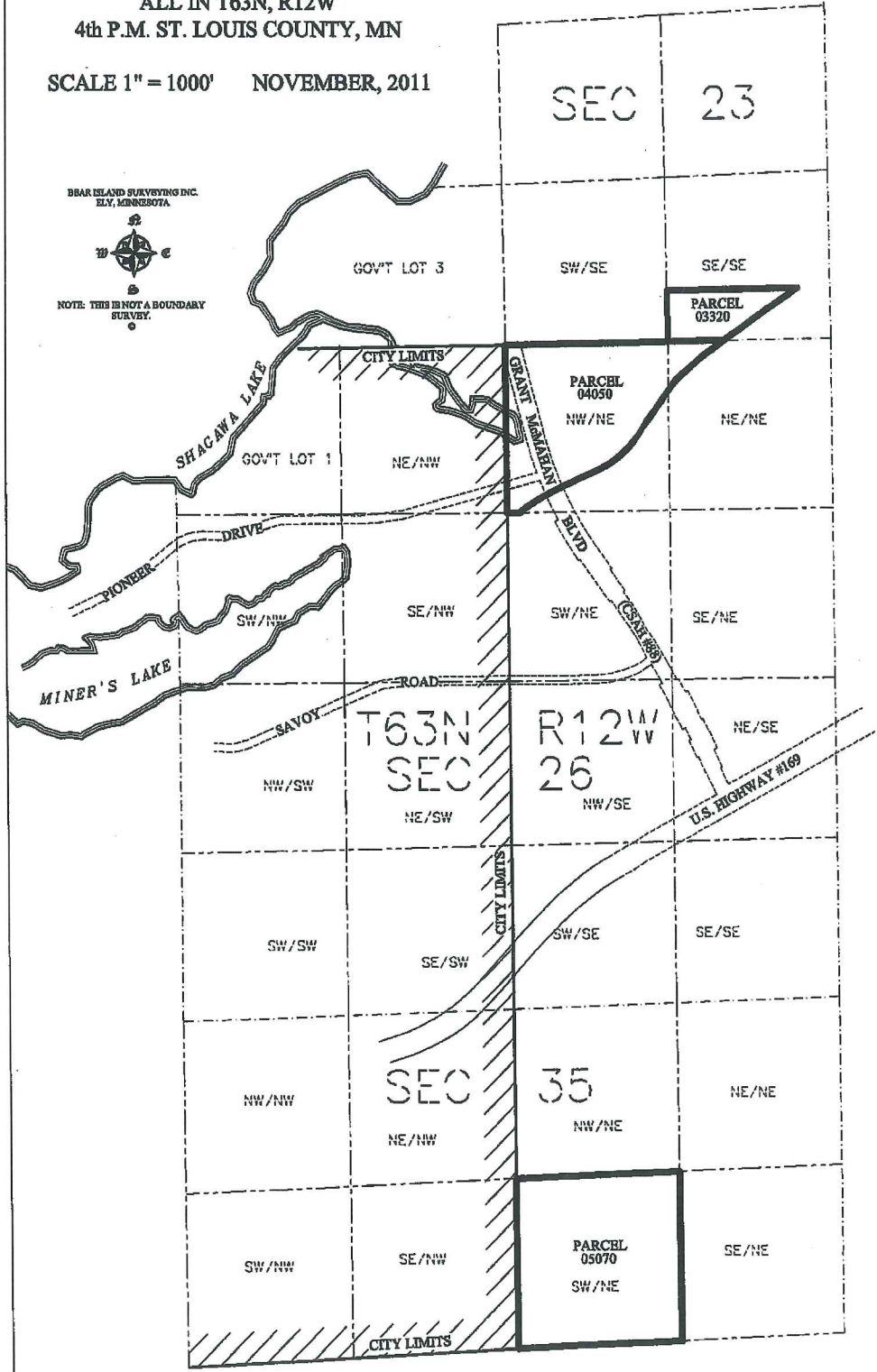
**PARCEL MAP**  
**PARCELS TO BE ANNEXED IN**  
**PART OF THE SE/SE SECTION 23;**  
**PART OF THE N 1/2 OF THE NE 1/4**  
**SECTION 26;**  
**AND THE SW/NE SECTION 35**  
**ALL IN T63N, R12W**  
**4th P.M. ST. LOUIS COUNTY, MN**



SCALE 1" = 1000' NOVEMBER, 2011

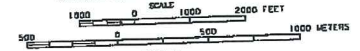
BEAR ISLAND SURVEYING INC.  
 ELY, MINNESOTA

NOTE: THIS IS NOT A BOUNDARY SURVEY.

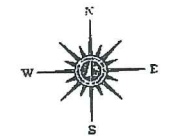


MUNICIPALITIES OF  
**SAINT LOUIS CO.**

PREPARED BY THE  
MINNESOTA DEPARTMENT OF TRANSPORTATION  
OFFICE OF TRANSPORTATION DATA & ANALYSIS  
IN COOPERATION WITH  
U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL HIGHWAY ADMINISTRATION

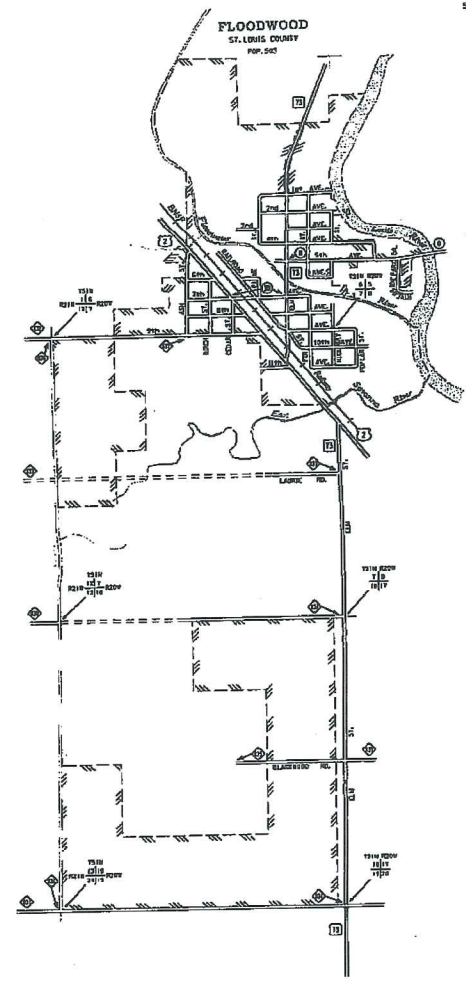
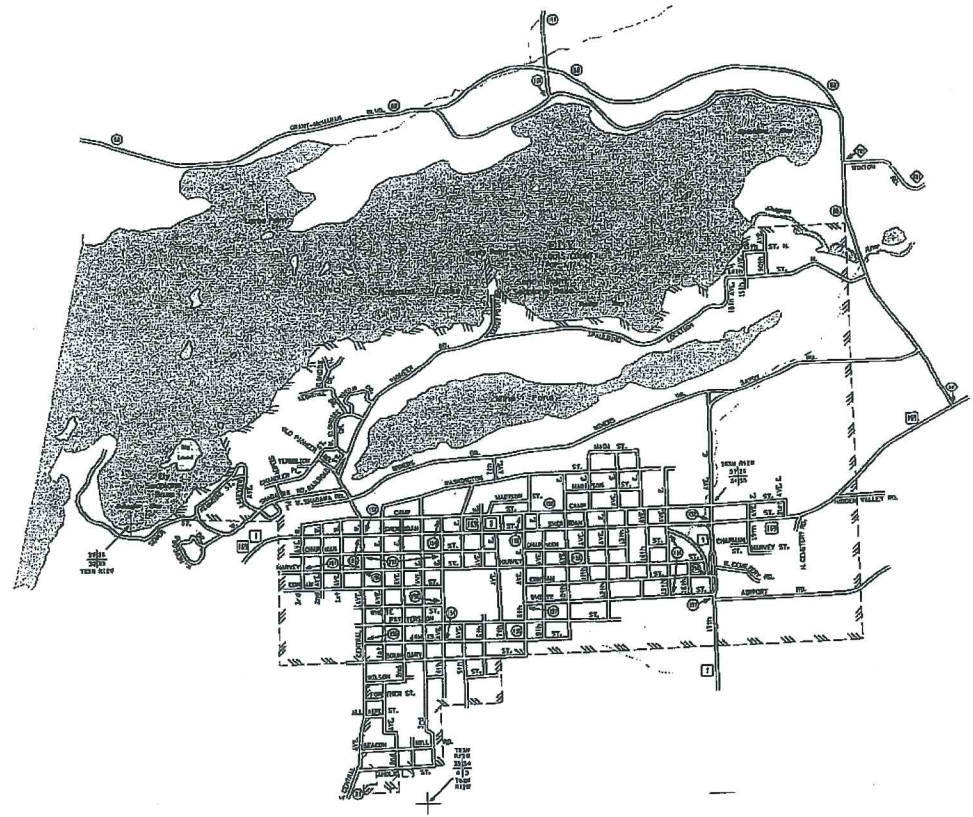


2010  
BASIC DATA - 2009



- LEGEND**
- INTERSTATE TRUNK HIGHWAY.....(I)
  - U.S. TRUNK HIGHWAY.....(U)
  - STATE TRUNK HIGHWAY.....(S)
  - COUNTY STATE AID HIGHWAY.....(C)
  - COUNTY ROAD.....(R)
  - PUBLIC ROAD.....(P)
  - PRIVATE ROAD.....(PR)
  - CORPORATE LIMITS.....(---)

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MUNICIPALITIES SHOWN  
ON THIS SHEET  
FLOODWOOD  
ELY

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