

ORDINANCE NO. 2012-5

AN ORDINANCE OF THE CITY OF BAXTER, MINNESOTA ANNEXING LAND LOCATED IN THE FIRST ASSESSMENT DISTRICT (UNORGANIZED TERRITORY), CROW WING COUNTY, MINNESOTA PURSUANT TO MINNESOTA STATUTES § 414.033 SUBDIVISION 2(3), PERMITTING ANNEXATION BY ORDINANCE

WHEREAS, a petition signed by all the property owners, requesting that property legally described herein be annexed to the City of Baxter, Minnesota, was duly presented to the Council of the City of Baxter on the 30th day of May, 2012; and

WHEREAS, said property is unincorporated and abuts the City of Baxter on its northern corporate 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 undeveloped and annexation is requested to facilitate the extension of city services for the commercial development of the property; and

WHEREAS, the City of Baxter held a public hearing pursuant to Minnesota Statutes § 414.033 Subd. 2b, on July 3, 2012, following thirty (30) days written notice by certified mail to all landowners within and contiguous to the area legally described herein, 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 BAXTER 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 Baxter, Minnesota, are hereby extended to include the following described property, said land abutting the City of Baxter 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 Southwest Quarter (SW1/4), Section 30, Township 134 North, Range 28 West, Crow Wing County, Minnesota, described as follows: Commencing at the southwest corner of said SW1/4; thence North 89 degrees 41 minutes 28 seconds East, assumed bearing, 741.37 feet along the south line of said SW1/4; thence North 01 degree 09 minutes 28 seconds West 684.46 feet to a point hereinafter referred to as Point A; thence North 41 degrees 01 minute 31 seconds East 609.00 feet to the westerly right of way line of Minnesota Trunk Highway Number 371; thence South 42 degrees 52 minutes 52 seconds East 342.79 feet along said westerly right of way of Minnesota Trunk Highway Number 371 to its intersection with the east line of the Southwest Quarter of said Southwest Quarter (SW1/4- SW1/4); thence South 00 degrees 12 minutes 47 seconds East 889.23 feet along said east line of the SW1/4- SW1/4 to the southeast corner of said SW1/4- SW1/4; thence South 89 degrees 41 minutes 28 seconds West 622.49 feet along said south line of the SW1/4 to the point of beginning.

The above described property consists of a total of 11.86 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 herein and hereby annexed is zero.
- 5. That the City Clerk of the City of Baxter 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, and the Crow Wing County Auditor.
- 6. 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 Baxter Minnesota, this 3rd day of July, 2012.



Mayor

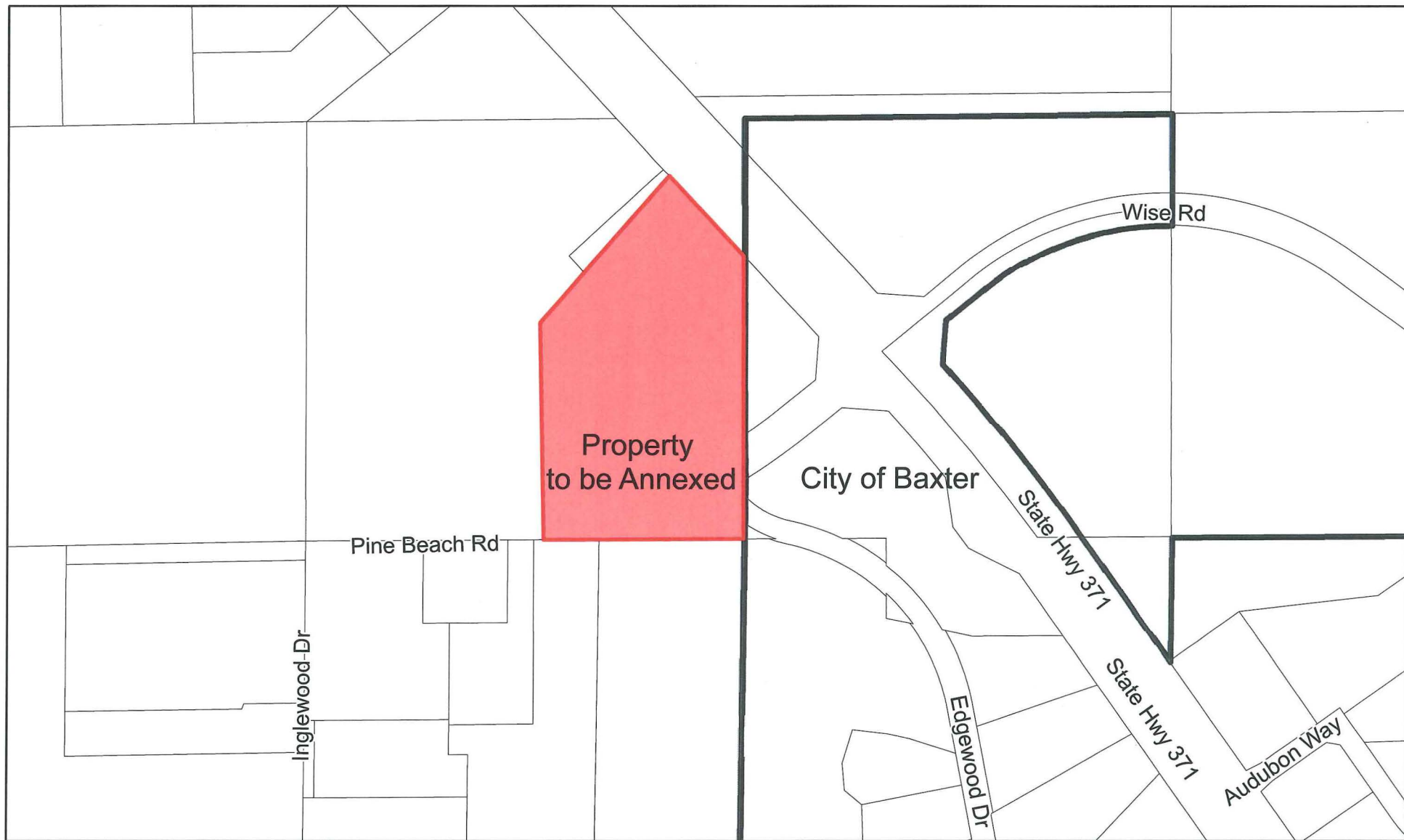
ATTEST:


City Clerk



(City Seal)

Annexation Petition

REC'D BY
MBA 'JUL 05 2012

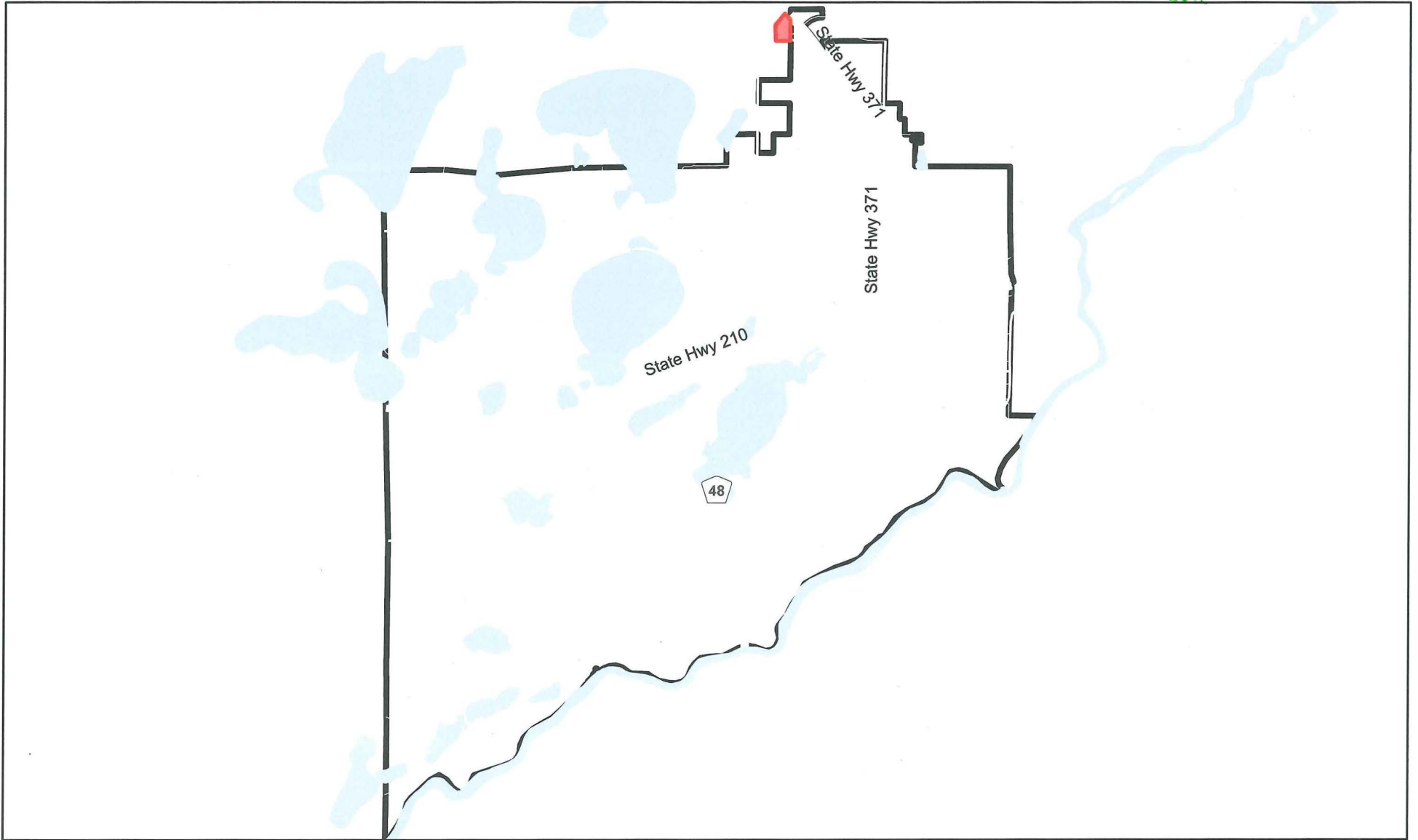


Legend



-  Property to be Annexed
-  Baxter Municipal Boundary

Annexation Petition

REC'D BY
MBA 'JUL 05 2012



Legend

-  Property to be Annexed
-  Baxter Municipal Boundary