

ORDINANCE NO. 215

**AN ORDINANCE OF THE CITY OF BABBITT, MINNESOTA ANNEXING
LAND LOCATED IN UNORGANIZED AND UNINCORPORATED TOWNSHIP, ST.
LOUIS 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 Babbitt, Minnesota, was duly presented to the Council of the City of Babbitt on the 23rd day of July, 2013; and

WHEREAS, said property is unorganized and unincorporated and abuts the City of Babbitt on its North 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 partially used for a restaurant business with the remaining part of the property undeveloped and annexation is requested to facilitate the extension of city services for the commercial development of the property; and

WHEREAS, the City of Babbitt held a public hearing pursuant to Minnesota Statutes § 414.033 Subd. 2b, on September 4, 2013, 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 BABBITT 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 development 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 Babbitt, Minnesota, are hereby extended to include the following described property, said land abutting the City of Babbitt 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:

SEP 05 2013

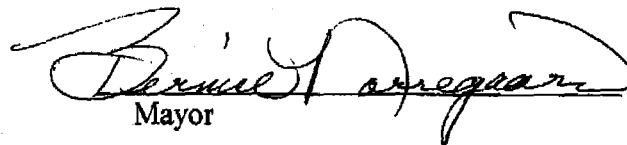
All that part of the Southwest Quarter of Southwest Quarter (SW ¼ of SW ¼), Section Thirty-five (35), Township Sixty-one (61) North, Range Thirteen (13) West, 4th Principal Meridian, described as follows:

Commencing at the Southeast corner of said SW ¼ of SW ¼; thence N 85° 27' 21" W, along the South line of said SW ¼ of SW ¼, a distance of 332.05 feet to the point of beginning; thence N 3° 37' 36" E, a distance of 400.05 feet; thence N 85° 27' 21" W, a distance of 665.58 feet; thence S 3° 37' 36" W, a distance of 400.05 feet to the South line of said SW ¼ of SW ¼; thence S 85° 27' 21" E, along said South line, a distance of 665.58 feet to the point of beginning and there terminating.

The above described property consists of a total of 6.1 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 1.
5. That the City Clerk of the City of Babbitt 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 St. Louis 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 Babbitt, Minnesota, this 4th day of September, 2013.


Mayor

ATTEST:


City Clerk

(City Seal)

Municipal Boundary Adjustment Unit Contacts

Star Holman star.holman@state.mn.us 651-361-7909

Katie Lin katie.lin@state.mn.us 651-361-7911

(June 2011)

CERTIFICATE OF SURVEY

A Boundary Survey in

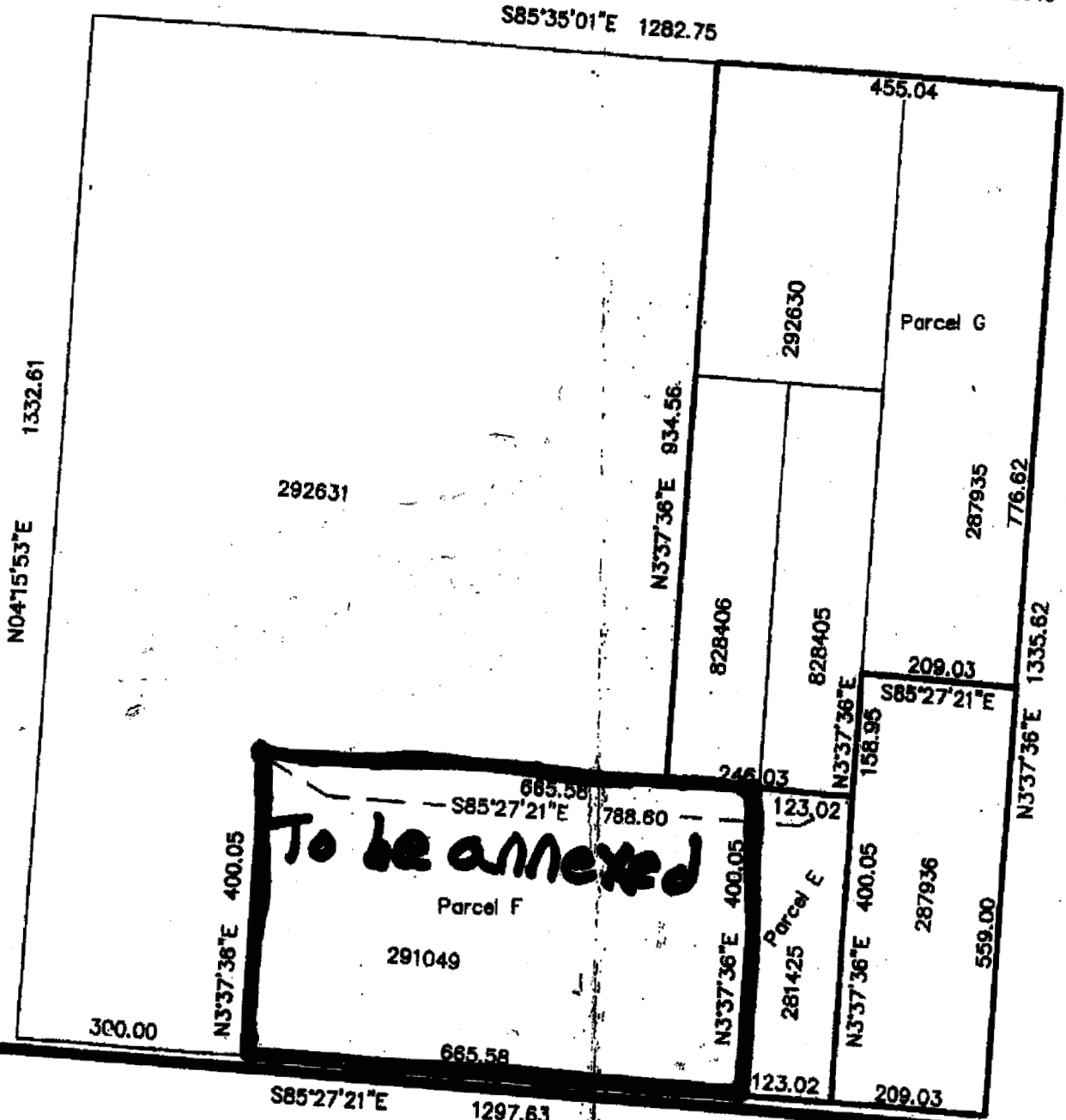
The SW 1/4 of the SW 1/4, Section 35

Township 61 North, Range 13 West

St. Louis County, Minnesota

REC'D BY
MBA

SEP 05 2013



To be annexed

Parcel F

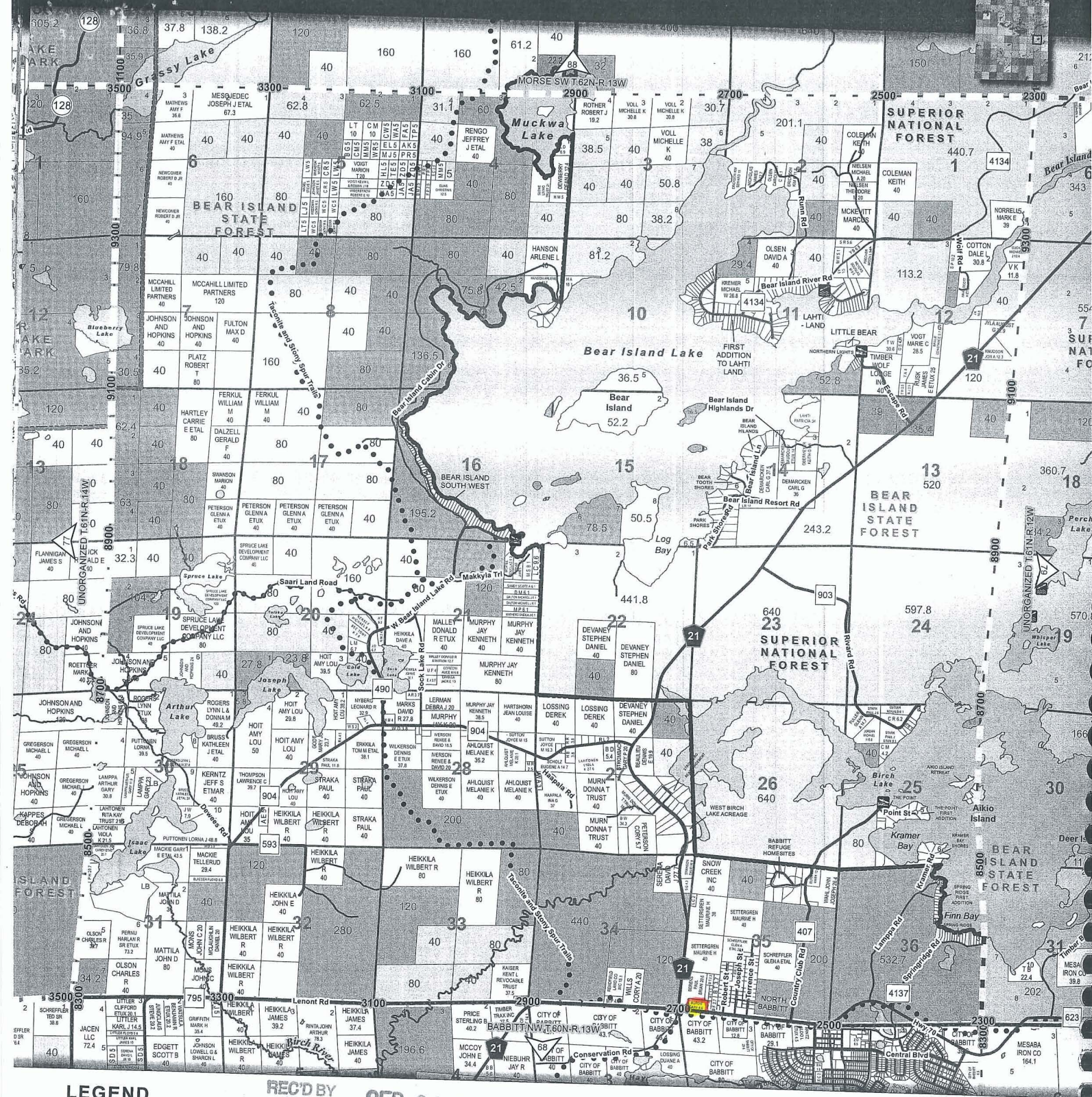
291049

HWY 70

0 100 200 400

SCALE IN FEET

City of Rabbit



LEGEND

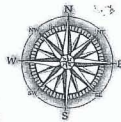
- CITY
- INTERSTATE HIGHWAY
- US HIGHWAY
- MINNESOTA HIGHWAY
- COUNTY ROADS
- LOCAL ROADS
- RAILROADS
- STATE TRAILS
- CARRY-IN
- BOAT LAUNCH

REC'D BY
MBA

SEP 05 2013

- USA
- STATE OF MINNESOTA
- STATE OF MN TAX FORFEIT
- ST. LOUIS COUNTY
- PRIVATE
- SUBDIVISION
- TOWNSHIP
- SECTION
- COUNTY
- MUNICIPALITY

- LAKE
- PIT LAKE
- DRY LAKE BED
- RIVER/STREAM
- VOYAGEURS NATIONAL PARK
- RESERVATION
- NATIONAL FOREST
- STATE FOREST
- STATE PARK
- BOUNDARY WATERS CANOE AREA WILDERNESS



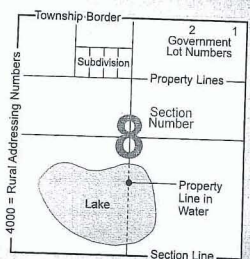
0 0.5 1 MILES
ONE SECTION = ONE MILE (APPROXIMATE)

OWNERSHIP ABBREVIATIONS

ETAL= AND OTHERS
ETUX= AND WIFE
ETUW= AND HUSBAND
PRTN= PARTNERSHIP

ROAD NAME ABBREVIATIONS

AVE= AVENUE
BLVD= BOULEVARD
CL= CIRCLE
CT= COURT
DR= DRIVE
LP= LOOP
EXP= EXPRESSWAY
HWY= HIGHWAY
LNE= LANE
PKWY= PARKWAY
PL= PLACE
RD= ROAD
ST= STREET
TR= TRAIL
TERR= TERRACE
TR= TRAIL
WY= WAY



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Parcel "G"

All that part of the SW1/4 of the SW1/4, Section 35, Township 61 North, Range 13 West, 4th Principal Meridian described as follows:

Commencing at the Southeast corner of said SW1/4 of the SW1/4; thence N3°37'36"E, along the East line of said SW1/4 of the SW1/4, a distance of 559.00 feet to the point of beginning; thence continuing N3°37'36"E, along said East line, a distance of 776.62 feet to the Northeast corner of said SW1/4 of the SW1/4; thence N85°35'01"W, along the North line of said SW1/4 of the SW1/4, a distance of 455.04 feet; thence S3°37'36"W, a distance of 934.56 feet; thence S85°27'21"E, a distance of 246.03 feet to the West line of the Easterly 209.00 feet of said SW1/4 of the SW1/4; thence N3°37'36"E, along said West line, a distance of 158.95 feet; thence S85°27'21"E, a distance of 209.03 feet to the point of beginning and there terminating.

Parcel "F"

All that part of the SW1/4 of the SW1/4, Section 35, Township 61 North, Range 13 West, 4th Principal Meridian, described as follows:

Commencing at the Southeast corner of said SW1/4 of the SW1/4; thence N85°27'21"W, along the South line of said SW1/4 of the SW1/4, a distance of 332.05 feet to the point of beginning; thence N3°37'36"E, a distance of 400.05 feet; thence N85°27'21"W, a distance of 665.58 feet; thence S3°37'36"W, a distance of 400.05 feet to the South line of said SW1/4 of the SW1/4; thence S85°27'21"E, along said South line, a distance of 665.58 feet to the point of beginning and there terminating.

Parcel "E"

All that part of the SW1/4 of the SW1/4, Section 35, Township 61 North, Range 13 West, 4th Principal Meridian, described as follows:

Commencing at the Southeast corner of said SW1/4 of the SW1/4; thence N85°27'21"W, along the South line of said SW1/4 of the SW1/4, a distance of 209.03 feet to the point of beginning; thence continuing N85°27'21"W, along said South line, a distance of 123.02 feet; thence N3°37'36"E, a distance of 400.05 feet; thence S85°27'21"E, a distance of 123.02 feet; thence S3°37'36"W, a distance of 400.05 feet to the point of beginning and there terminating.