

David M. Brenna  
Mayor

# City of Proctor

James A. Rohweder  
Administrator

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*You Have A Place In Proctor*

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COUNCILORS  
Jake P. Benson  
Shawn A. McGovern  
James R. Schwarzbauer  
Travis J. White

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## ORDINANCE NO. 03-14 City of Proctor

An accessible version of this document for use with a screen reader (e.g. JAWS) is available upon request.

AN ORDINANCE OF THE CITY OF PROCTOR ANNEXING LAND LOCATED IN MIDWAY 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 as follows:

**SEE ATTACHED EXHIBIT "A"**

**WHEREAS**, said property is unincorporated and abuts the City of Proctor on its southerly 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 designated as residential and annexation is requested to facilitate the extension of city services for the development of the property; and

**WHEREAS**, the City of Proctor held a public hearing pursuant to Minnesota Statutes § 414.033 on August 4, 2014.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PROCTOR HEREBY ORDAINS AS FOLLOWS:**

1. The City Council hereby determines that the property hereinafter described abuts the city limits 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 with the limits of any city.
3. The corporate limits of the City of Proctor, Minnesota are hereby extended to include the following described property, said land abutting the City of Proctor 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 with:

**SEE ATTACHED EXHIBIT "A"**

The above described property consists of a total of 92 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 as Exhibit "B" and made a part hereof.

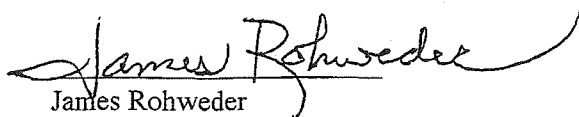
4. That the population of the area legally described is as indicated above is zero.
5. The City of Proctor, pursuant to Minnesota Statutes § 414.036, with respect to the property taxes payable on the area legally described herein, and hereby annexed, shall make a cash payment to the Town of Midway in accordance with the following schedule:
  - a. In the first year in which the City of Proctor could first levy on the annexed area, an amount equal to \$400.00.
  - b. In the second and final year, an amount equal to \$400.00.
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 herein and hereby annexed there are no special assessments.
7. That the City Clerk of the City of Proctor 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 Midway Township Clerk.
8. 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 Proctor, Minnesota, this 18<sup>th</sup> day of August, 2014.



David Brenna  
Mayor

ATTEST:



James Rohweder  
City Administrator

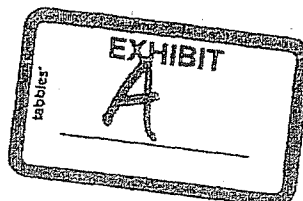
REC'D BY  
MBA

DEC 22 2014

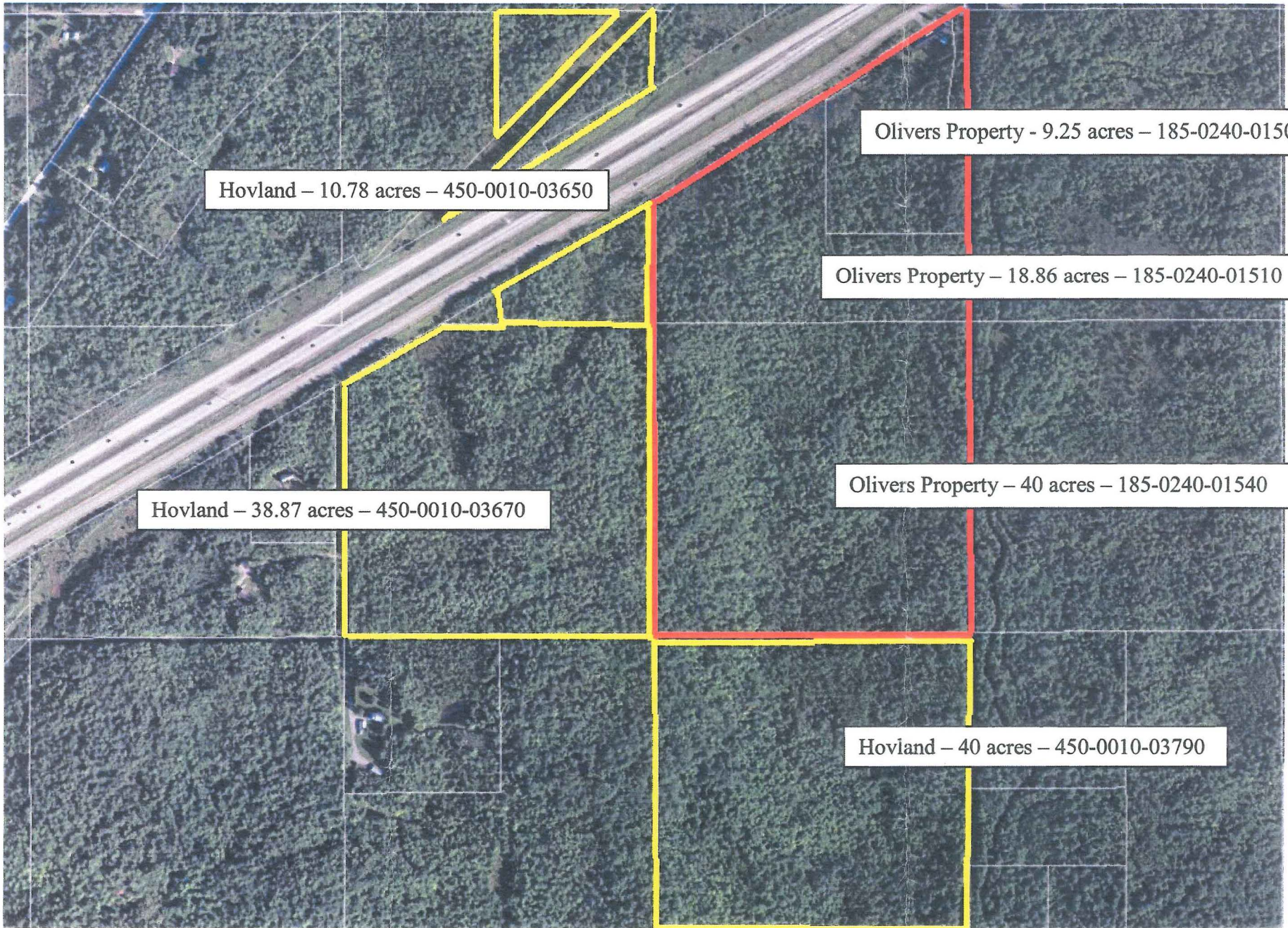
Northeast Quarter of Southeast Quarter ( $NE\frac{1}{4}$  of  $SE\frac{1}{4}$ ), Section Twenty-one (21), Township Forty-nine (49), Range Fifteen (15).

East Half of Northwest Quarter of Northeast Quarter ( $E\frac{1}{2}$  of  $NW\frac{1}{4}$  of  $NE\frac{1}{4}$ ), EXCEPT Minnesota Power & Light Company right-of-way 3.35 acres; and EXCEPT highway right-of-way, Section Twenty-one (21), Township Forty-nine (49), Range Fifteen (15).

Southwest Quarter of Northeast Quarter ( $SW\frac{1}{4}$  of  $NE\frac{1}{4}$ ), EXCEPT .07 acres for right-of-way for Minnesota Power & Light Company; and EXCEPT highway right of way, Section Twenty-one (21), Township Forty-nine (49), Range Fifteen (15).







Hovland – 10.78 acres – 450-0010-03650

Olivers Property - 9.25 acres – 185-0240-01500

Olivers Property – 18.86 acres – 185-0240-01510

Hovland – 38.87 acres – 450-0010-03670

Olivers Property – 40 acres – 185-0240-01540

Hovland – 40 acres – 450-0010-03790

B