

AN ORDINANCE OF THE CITY OF BARNESVILLE ANNEXING LAND LOCATED IN CLAY COUNTY, MINNESOTA, TO THE CITY OF BARNESVILLE, CLAY COUNTY, MINNESOTA, PURSUANT TO MINN. STAT. § 414.033, SUBD. 2(3) PERMITTING ANNEXATION BY ORDINANCE.

WHEREAS, the City of Barnesville has received a petition for annexation from all landowners of the property to be annexed; and

WHEREAS, under state law, the landowner has the right to request annexation into the City of Barnesville, and the City of Barnesville has authority to annex such property.

NOW, THEREFORE, THE CITY OF BARNESVILLE DOES HEREBY ORDAIN:

Section 1. That the unincorporated land legally described in Exhibit A, which is attached hereto and incorporated herein by reference, located in the Town of Humboldt, Clay County, Minnesota, is land that is contiguous to and abuts the municipal corporate limits of the City of Barnesville, Clay County, Minnesota; is land that is 120 acres or less in size; is land that is not presently served by public wastewater facilities, and for which public wastewater facilities are not otherwise available than through the City of Barnesville; and is land that is existing or proposed for immediate urban or suburban development.

Section 2. That the property-owner of the property legally described in Exhibit A has requested annexation for purposes of immediately redeveloping the land for additional urban or suburban commercial uses and has submitted a petition to the City Council of the City of Barnesville for annexation of said land.

Section 3. That the City of Barnesville has, or will, hold a public hearing pursuant to Minn. Stat. § 414.033, subd. 2b, on July 13, 2015, following thirty (30) days' written notice by certified mail to the Town of Humboldt and to all landowners within and contiguous to the area, legally described in Exhibit A, to be annexed.

Section 4. That the corporate limits of the City of Barnesville are hereby extended to include the land legally described in Exhibit A, and shown on the map attached hereto and incorporated herein by reference as Exhibit B, containing approximately 6.911 acres, and the same is hereby annexed to be included within the City of Barnesville, Clay County, Minnesota.

Section 5. That the population of the area legally described in Exhibit A, and hereby annexed is 0.

Section 6. That with respect to the property taxes payable on the area legally described in Exhibit A, hereby annexed, the City of Barnesville shall make a cash payment to the Town of Humboldt in an amount equal to the Town of Humboldt's lost revenue for the period, \$7 per year for five years, as follows:

- a. In the first year following the year the City of Barnesville could first levy on the annexed area, a one-time payment of \$35.00.

Section 7. That the City Administrator of the City of Barnesville is hereby authorized and directed to file a copy of this Ordinance with the Minnesota Office of Administrative Hearings Municipal Boundary Adjustments Office, the Minnesota Secretary of State, the Clay County Auditor, and the Humboldt Township Clerk.

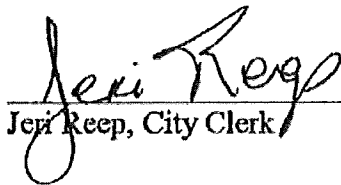
Section 8. That this Ordinance shall be in full force and effect and final upon the date this Ordinance is approved by the Minnesota Office of Administrative Hearings.

Passed and adopted this 13th day of July, 2015



Eugene Prim, Mayor

ATTEST:



Jeri Reep, City Clerk

Date of First Reading: June 8, 2015

Date of Second Reading and Final Passage: July 13, 2015

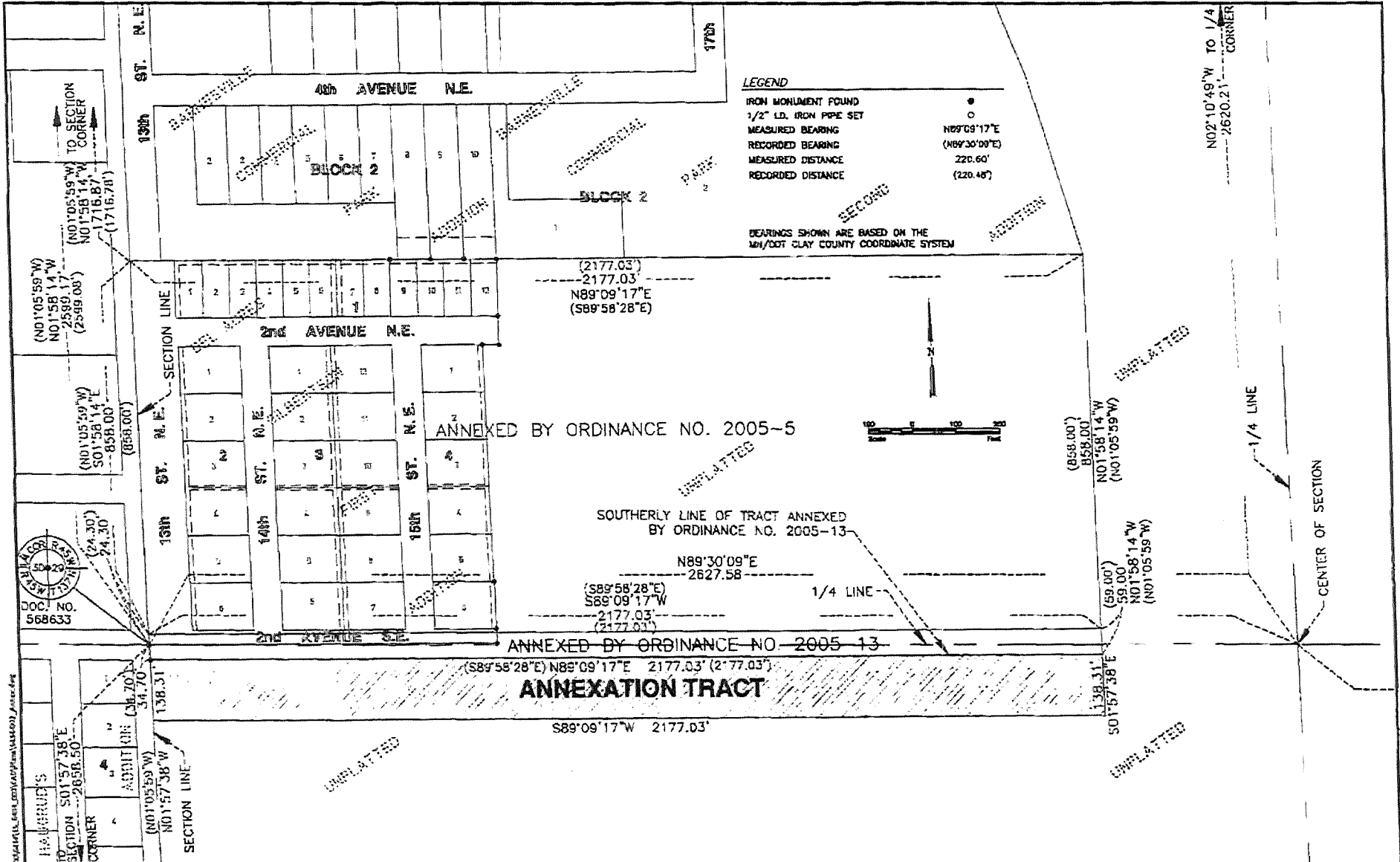
EXHIBIT A
Legal Description

The Subject Area to be annexed in the attached Ordinance is legally described as follows:

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 137 NORTH, RANGE 45 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CLAY COUNTY, MINNESOTA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 29; THENCE SOUTH 01°58'14" EAST (ASSUMED BEARING), ALONG THE WESTERLY LINE OF THE NORTHWEST QUARTER OF SAID SECTION 29, FOR A DISTANCE OF 2599.17 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 29; THENCE SOUTH 01°57'38" EAST FOR A DISTANCE OF 34.70 FEET TO THE SOUTHWEST CORNER OF THE TRACT OF LAND ANNEXED TO THE CITY OF BARNESVILLE BY ORDINANCE NO. 2005-13 AND THE TRUE POINT OF BEGINNING; THENCE NORTH 89°09'17" EAST, ALONG THE SOUTHERLY LINE OF THE TRACT ANNEXED BY SAID ORDINANCE, FOR A DISTANCE OF 2177.03 FEET TO THE SOUTHEAST CORNER OF THE TRACT ANNEXED BY SAID ORDINANCE; THENCE SOUTH 01°57'38" EAST FOR A DISTANCE OF 138.31 FEET; THENCE SOUTH 89°09'17" WEST FOR A DISTANCE OF 2177.03 FEET TO A POINT OF INTERSECTION WITH THE WESTERLY LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 29; THENCE NORTH 01°57'38" WEST, ALONG THE WESTERLY LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 29, FOR A DISTANCE OF 138.31 FEET TO THE TRUE POINT OF BEGINNING.

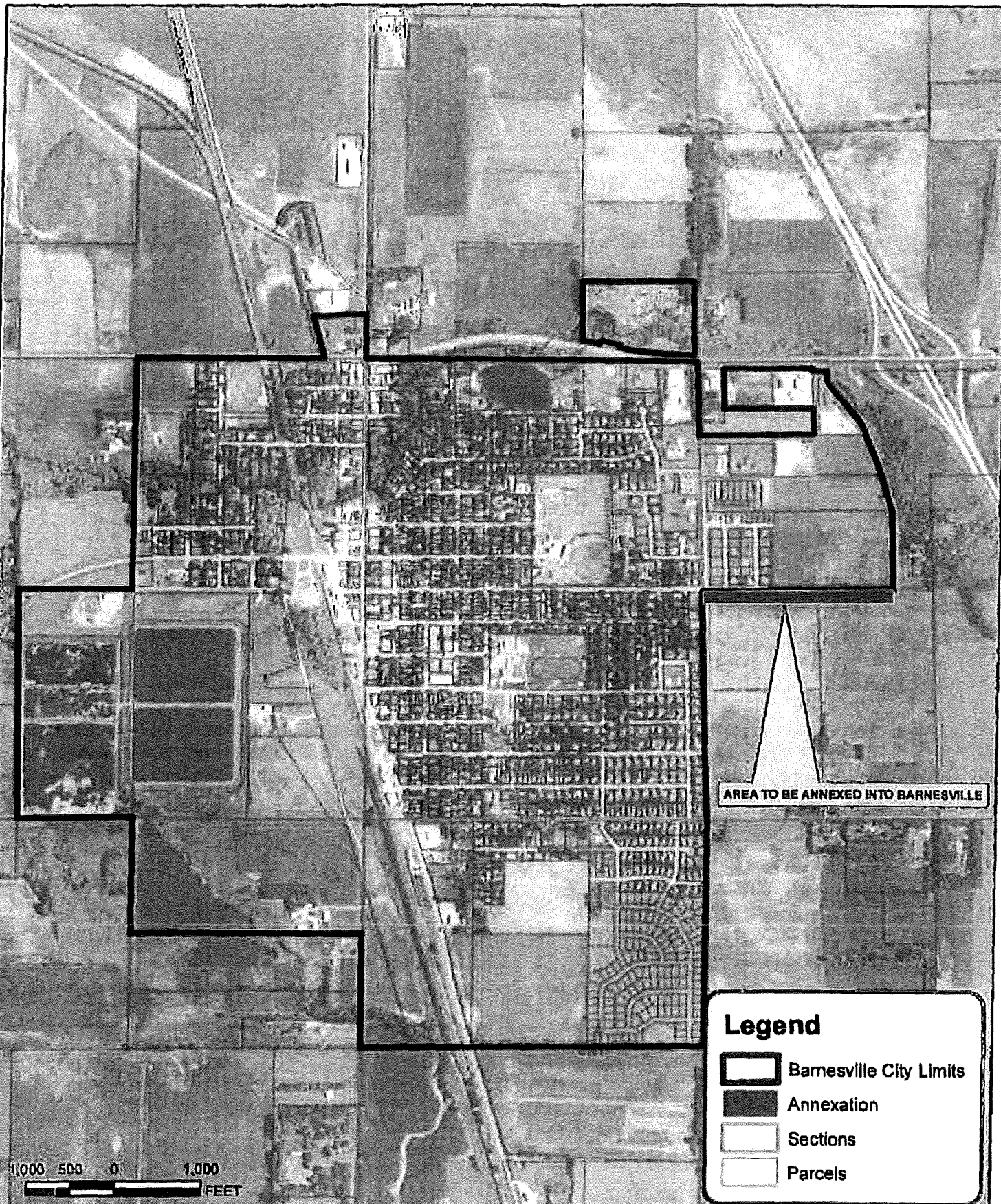
SAID TRACT CONTAINS 6.911 ACRES, MORE OR LESS, AND IS SUBJECT TO EASEMENTS AS MAY BE OF RECORD.



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1. I hereby certify that this Survey, Plan, or Report was prepared by me or under my direct supervision, and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota. <i>[Signature]</i> 5-05-2015	Fargo	Drawn by CAS	Date 5-05-15	BARNESVILLE ECONOMIC DEVELOPMENT AUTHORITY PART OF SECTION 28, T. 137 N., R. 45 W. CLAY COUNTY, MINNESOTA	CERTIFICATE OF SURVEY PROJECT NO. 5434-002	SHEET 1 of 2
	Date By Date	Checked by CAS	Scale AS SHOWN			





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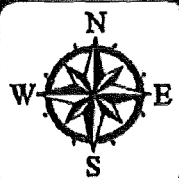


AREA TO BE ANNEXED INTO BARNESVILLE



Legend

-  Barnesville City Limits
-  Annexation
-  Sections
-  Parcels



Del Acres Gilbertson Expansion Project

REC'D BY
MBA
AUG 04 2015

