

**ORDINANCE NO. 661****AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF ISANTI TO INCLUDE CERTAIN UNINCORPORATED PROPERTY (41.99 ACRES) OWNED BY BRENNAN AND REBECCA COX AND ABUTTING UPON THE LIMITS OF THE CITY OF ISANTI IN ATHENS TOWNSHIP PURSUANT TO MINNESOTA STATUTES 414.033, SUBD. 2(3), AND TO ZONE SUCH PROPERTY AS RECREATIONAL COMMERCIAL**

**WHEREAS**, a certain petition dated October 31, 2016, requesting that the property as hereinafter described be annexed to the City of Isanti, Minnesota, was duly presented to this Council on the 15<sup>th</sup> day of November 2016; and,

**WHEREAS**, said property to be annexed is described as follows:

That part of the Northeast Quarter (NE1/4) of Section Six (6), Township Thirty-four (34), Range Twenty-three (23), lying Easterly of the Easterly right-of-way line of the Burlington Northern Railway (formerly the Eastern Railway Company of Minnesota), excepting therefrom that part of said NE1/4 of Section 6, described as follows: Commencing at the Northeast corner of the Southeast Quarter of the Northeast Quarter (SE1/4 of NE1/4) of said Section 6; thence South along the East line of said Section 6, a distance of 208.7 feet for the point of beginning of the exception to be herein described; thence West and parallel to the North line of said Section 6 and to the Easterly right-of-way of said Burlington Northern Railway; thence Southerly following the Easterly line of said railroad right-of-way and to the South line of the NE1/4 of said Section 6; thence Easterly along the south line of the NE1/4 of said Section 6 to the Southeast corner thereof; thence North along the East line of the NE1/4 of said Section 6 to the point of beginning and there to terminate,

Except the Northerly 243.75 feet of the Southerly 482.10 feet of the Easterly 547.29 feet and the Southerly 238.35 feet of the Easterly 592.87 feet,

And, also excepting all that part thereof contained within the right-of-way of Polk Street Northeast.

**WHEREAS**, said petition was signed by all owners of the property; and,

**WHEREAS**, said property is unincorporated and abuts the City of Isanti on its Southerly boundary; and,

**WHEREAS**, said property is less than 120 acres; and,

**WHEREAS**, said property is not presently served by public sewer and water facilities or public sewer and water facilities are not otherwise available; and,

**WHEREAS**, the property to be annexed may be annexed by ordinance pursuant to Minnesota State Statutes Section 414.033, Subd. 2(3); and,

**WHEREAS**, the property shall be designated as a “RC” Recreational Commercial District under and pursuant to the Zoning Ordinance 445, Section 3, Subd. 3(b) and upon the City’s zoning map, subject to amendment as provided by said ordinance; and,

**WHEREAS**, said property is proposed to be developed for recreational commercial purposes; and

**WHEREAS**, to facilitate said development, the property owner has requested city services be extended to said property at such time that they become available; and

**WHEREAS**, notice of public hearing was given to those parties specified in Minnesota Statutes 414.033, subd. 2b; and

**WHEREAS**, a public hearing was duly held by the Isanti City Council on the 20<sup>th</sup> day of December 2016; and

**WHEREAS**, provisions of Minn. Statute 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 OF ISANTI DOES HEREBY ORDAINS AS FOLLOWS:**

1. The City Council hereby determines that the property as hereinafter described is or is about to become urban or suburban in nature in that the conditions set forth in MN SS section 414.033, Subd. 2(3) apply, and said property is being developed for recreational commercial purposes which need or will need city services, including public sewer and water facilities, and that none of property is now included within the limits of any city.
2. **Territory annexed.** The corporate limits of the City of Isanti are hereby extended to include the following described territory, said land abutting the City of Isanti and being 120 acres or less in area, and is not presently served by public sewer and water facilities or public sewer and water 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 Northeast Quarter (NE1/4) of Section Six (6), Township Thirty-four (34), Range Twenty-three (23), lying Easterly of the Easterly right-of-way line of the Burlington Northern Railway (formerly the Eastern Railway Company of Minnesota), excepting therefrom that part of said NE1/4 of Section 6, described as follows: Commencing at the Northeast corner of the Southeast Quarter of the Northeast Quarter (SE1/4 of NE1/4) of said Section 6; thence South along the East line of said Section 6, a distance of 208.7 feet for the point of beginning of the exception to be herein described; thence West and parallel to the North line of said Section 6 and to the Easterly right-of-way of said Burlington Northern Railway; thence Southerly following the Easterly line of said railroad right-of-way and to the South line of the NE1/4 of said Section 6; thence Easterly along the south line of the NE1/4 of said Section 6 to the Southeast corner thereof; thence North along the East line of the NE1/4 of said Section 6 to the point of beginning and there to terminate,


Except the Northerly 243.75 feet of the Southerly 482.10 feet of the Easterly 547.29 feet and the Southerly 238.35 feet of the Easterly 592.87 feet.

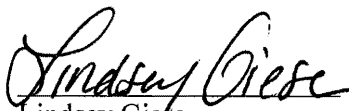
The above described property consists of a total of 41.99 acres, more or less. Copies of the corporate boundary map showing the property to be annexed and its relationship to the corporate boundaries and an appropriate plat map are attached hereto.

3. **Population.** There are no people residing on the above described land.
4. **Property Taxes.** Pursuant to Minnesota Statutes 414.033, subd. 12, property taxes on annexations effective after August 1 of a levy year shall be payable to the Township of Athens, Minnesota for 2017. Thereafter, for property taxes payable in 2018, the property taxes shall be payable to the City of Isanti.
5. **Zoning.** Pursuant to Ord. No. 445, Section 3, Subd. 3(b), the property shall be designated as "RC" Recreational Commercial District.
6. **Filing.** The City Clerk is directed to file certified copies of this ordinance with the Chief Administrative Law Judge, the Township, the County Auditor and the Secretary of State.
7. **Effective date of annexation.** This ordinance takes effect upon its approval by the Chief Administrative Law Judge pursuant to Minnesota Statutes 414.033, subd. 7.

Passed and Adopted by the City Council of Isanti, Minnesota this 20<sup>th</sup> day of December 2016.

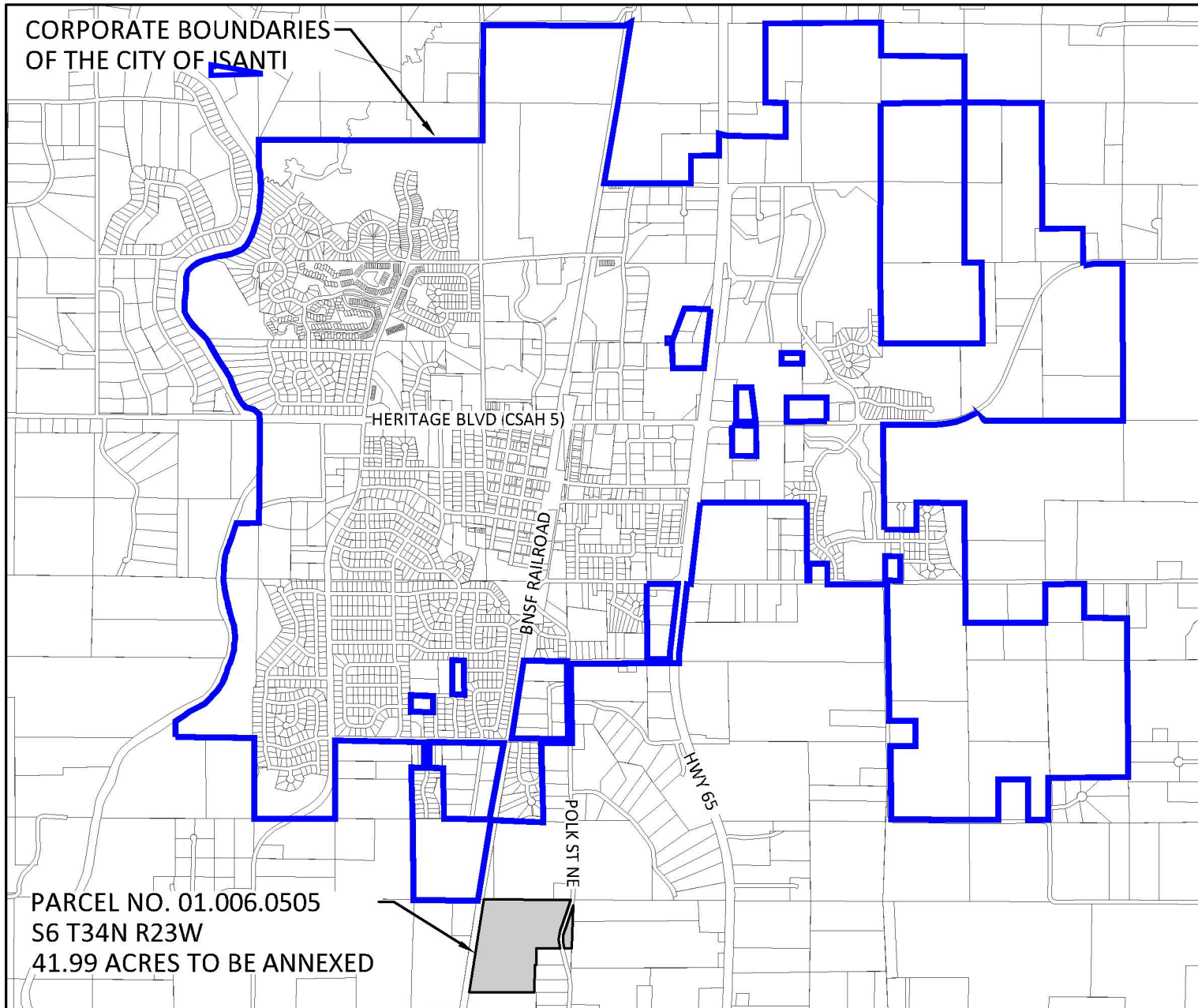
Attest:

  
\_\_\_\_\_  
George A. Wimmer, Mayor

  
Lindsey Giese  
Human Resources / City Clerk

(SEAL)

CORPORATE BOUNDARIES  
OF THE CITY OF ISANTI



PARCEL NO. 01.006.0505  
S6 T34N R23W  
41.99 ACRES TO BE ANNEXED

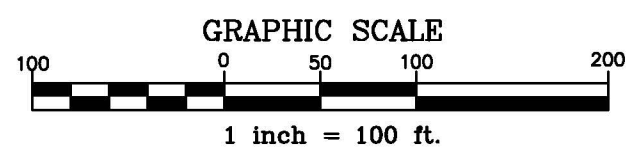
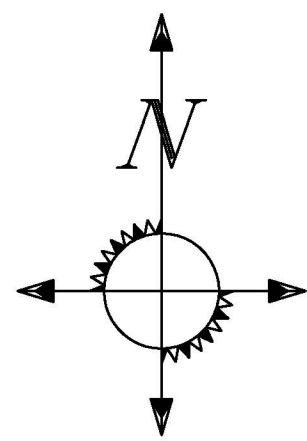


**BOLTON  
& MENK**

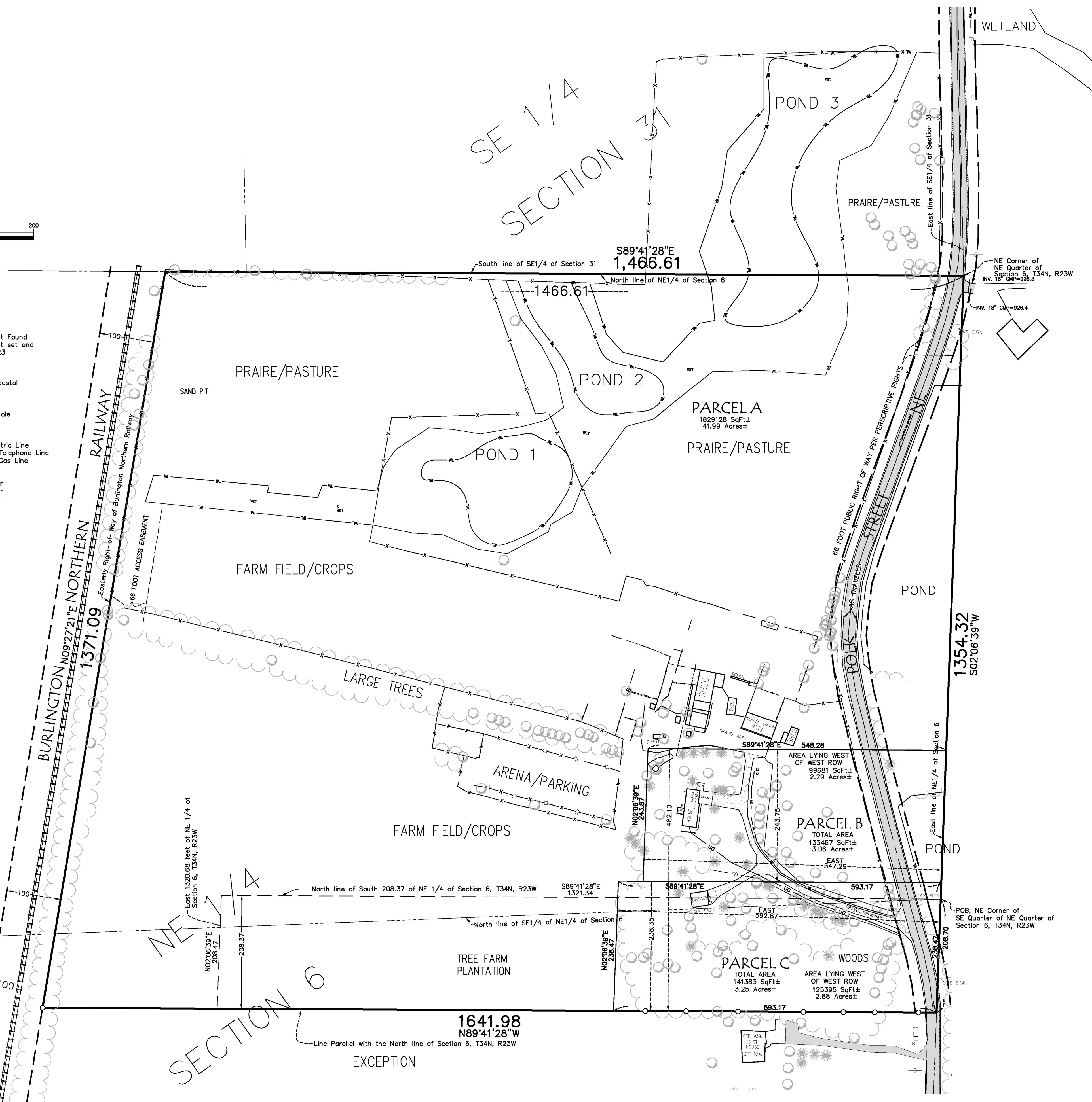
7533 SUNWOOD DR NW, SUITE 206  
RAMSEY, MINNESOTA 55303  
Phone: (763) 433-2851  
Email: Ramsey@bolton-menk.com  
www.bolton-menk.com

CITY OF ISANTI, MINNESOTA  
PARCEL NO. 01.006.0505 ANNEXATION  
LOCATION MAP

DECEMBER, 2016



- LEGEND**
- Denotes Iron Monument Found
  - Denotes Iron Monument set and marked with RLS 47223
  - EM □ Denotes Electric Box
  - ⊗ Denotes Light Pole
  - ⊕ Denotes Power Pole
  - TB □ Denotes Telephone Pedestal
  - GM □ Denotes Gas Meter
  - ⊕ Denotes Hydrant
  - ⊕ Denotes Gate Valve
  - MH ○ Denotes Sanitary Manhole
  - ⊕ Denotes Sign
  - Denotes Barbeque Grill
  - FP ○ Denotes Flag Pole
  - OE — Denotes Overhead Electric Line
  - UT — Denotes Underground Telephone Line
  - UG — Denotes Underground Gas Line
  - W — Denotes Water Main
  - SS — Denotes Storm Sewer
  - S — Denotes Sanitary Sewer
  - 925 — Denotes 1 foot contour
  - X 935.3 Denotes spot elevation



**OVERALL DESCRIPTION:** per furnished Warranty Deed  
 That part of the Northeast Quarter (NE1/4) of Section Six (6), Township Thirty-four (34), Range Twenty-three (23), lying Easterly of the Easterly right-of-way line of the Burlington Northern Railway (formerly the Eastern Railway Company of Minnesota), excepting therefrom that part of said NE1/4 of Section 6, described as follows: Commencing at the Northeast corner of the Southeast Quarter of the Northeast Quarter (SE1/4 of NE1/4) of said Section 6; thence South along the East line of said Section 6, a distance of 208.7 feet for the point of beginning of the exception to be herein described; thence West and parallel to the North line of said Section 6 and to the Easterly right-of-way of said Burlington Northern Railway; thence Southerly following the Easterly line of said railroad right-of-way and to the South line of the NE1/4 of said Section 6; thence Easterly along the south line of the NE1/4 of said Section 6 to the Southeast corner thereof; thence North along the East line of the NE1/4 of said Section 6 to the point of beginning and there to terminate.

**PARCEL A DESCRIPTION:**  
 That part of the Northeast Quarter (NE1/4) of Section Six (6), Township Thirty-four (34), Range Twenty-three (23), lying Easterly of the Easterly right-of-way line of the Burlington Northern Railway (formerly the Eastern Railway Company of Minnesota), excepting therefrom that part of said NE1/4 of Section 6, described as follows: Commencing at the Northeast corner of the Southeast Quarter of the Northeast Quarter (SE1/4 of NE1/4) of said Section 6; thence South along the East line of said Section 6, a distance of 208.7 feet for the point of beginning of the exception to be herein described; thence West and parallel to the North line of said Section 6 and to the Easterly right-of-way of said Burlington Northern Railway; thence Southerly following the Easterly line of said railroad right-of-way and to the South line of the NE1/4 of said Section 6; thence Easterly along the south line of the NE1/4 of said Section 6 to the Southeast corner thereof; thence North along the East line of the NE1/4 of said Section 6 to the point of beginning and there to terminate.

Except the Northerly 243.75 of the Southerly 482.10 feet of the Easterly 547.29 feet and the Southerly 238.35 feet of the Easterly 592.87 feet.

**PARCEL B DESCRIPTION:**  
 The Northerly 243.75 feet of the Southerly 482.10 feet of the Easterly 547.29 feet of the following described property:

That part of the Northeast Quarter (NE1/4) of Section Six (6), Township Thirty-four (34), Range Twenty-three (23), lying Easterly of the Easterly right-of-way line of the Burlington Northern Railway (formerly the Eastern Railway Company of Minnesota), excepting therefrom that part of said NE1/4 of Section 6, described as follows: Commencing at the Northeast corner of the Southeast Quarter of the Northeast Quarter (SE1/4 of NE1/4) of said Section 6; thence South along the East line of said Section 6, a distance of 208.7 feet for the point of beginning of the exception to be herein described; thence West and parallel to the North line of said Section 6 and to the Easterly right-of-way of said Burlington Northern Railway; thence Southerly following the Easterly line of said railroad right-of-way and to the South line of the NE1/4 of said Section 6; thence Easterly along the south line of the NE1/4 of said Section 6 to the Southeast corner thereof; thence North along the East line of the NE1/4 of said Section 6 to the point of beginning and there to terminate.

**PARCEL C DESCRIPTION:**  
 The Southerly 238.35 feet of the Easterly 592.87 feet of the following described property:

That part of the Northeast Quarter (NE1/4) of Section Six (6), Township Thirty-four (34), Range Twenty-three (23), lying Easterly of the Easterly right-of-way line of the Burlington Northern Railway (formerly the Eastern Railway Company of Minnesota), excepting therefrom that part of said NE1/4 of Section 6, described as follows: Commencing at the Northeast corner of the Southeast Quarter of the Northeast Quarter (SE1/4 of NE1/4) of said Section 6; thence South along the East line of said Section 6, a distance of 208.7 feet for the point of beginning of the exception to be herein described; thence West and parallel to the North line of said Section 6 and to the Easterly right-of-way of said Burlington Northern Railway; thence Southerly following the Easterly line of said railroad right-of-way and to the South line of the NE1/4 of said Section 6; thence Easterly along the south line of the NE1/4 of said Section 6 to the Southeast corner thereof; thence North along the East line of the NE1/4 of said Section 6 to the point of beginning and there to terminate.

- LEGEND:**
- Denotes Iron monument found
  - Denotes Iron monument set and marked with 47223

**NOTES:**  
 Bearings are based on Isanti County coordinate system.  
 Bench mark: Top Nut of Hydrant at Sta 1+29, 34.20 feet Left, Railroad Avenue SE. Elev.=939.24

AREA FOR PARCEL A = 1,829,128 SQ.FT. OR 41.99 ACRES  
 AREA FOR PARCEL B = 133,647 SQ. FT. OR 3.06 ACRES  
 AREA FOR PARCEL C = 141,383 SQ. FT. OR 3.25 ACRES  
 TOTAL AREA = 2,104,158 SQ. FT. OR 48.30 ACRES

1440 Arcade St. Suite 250 Saint Paul, MN 55106 Phone: 651-765-0112 Fax: 651-776-0206 E-mail: info@mpasso.com	
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.	
Theresa K. Foster DATE _____	LIC. NO. 47223
REVISIONS	DATE
<b>OWNER</b> <b>BRENNAN COX</b> <b>27498 POLK STREET</b> <b>ISANTI, MN 55040</b>	
<b>SITE PLAN</b>	<b>COX FARM</b> ISANTI, MINNESOTA
DRAWN AJJ/JMB	CHECKED TKF
PROJECT # 1944.002	
DATE <b>3/7/16</b>	
SHEET # <b>1 of 1</b>	