

CITY OF BEMIDJI

ORDINANCE NO. 153, 3RD SERIES

AMENDING ORDINANCE ANNEXING PROPERTY CONTIGUOUS TO
JEFFERSON AVE SW, MIKRANTIP RD SW AND MAG SEVEN CT SW
TO THE CORPORATE LIMITS OF THE CITY OF BEMIDJI
(Headwaters Unitarian Universalist Fellowship, Inc.)

THE CITY OF BEMIDJI DOES ORDAIN AS FOLLOWS

Paragraph 2 of said Ordinance is hereby amended to read as follows:

2. The City of Bemidji, pursuant to Minn. Stat. § 414.036, that with respect to the property taxes payable on the area legally described herein, hereby annexed, shall make payment to the Township of Bemidji in accordance with the following:
 - a. A sum total of \$357.83 payable over a period of two years in two (2) equal annual installments, the first installment payable in the first year following the year in which the City of Bemidji could first levy on the annexed area.

The City Clerk 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 Beltrami County Auditor, and the Township Clerk, and to take such actions and to provide such additional information as may be needed to achieve the purpose of this Ordinance.

All other provisions of Ordinance No. 150, 3rd Series, and this Ordinance shall be in full force and effect and final upon the date this Ordinance is approved by the Office of Administrative Hearings and due publication thereof.

Ayes: Larson, Erickson, Albrecht, Johnson, Lehmann, Meehlhause, Hellquist
Nays: None
Absent: None

First Reading: September 17, 2018
Second Reading: October 1, 2018
Final Reading: October 15, 2018

Attest:


Michelle R. Miller, City Clerk

Approved:


Rita C. Albrecht, Mayor

CITY OF BEMIDJI

ORDINANCE NO. 150, 3RD SERIES

**AN ORDINANCE ANNEXING PROPERTY CONTIGUOUS TO
JEFFERSON AVE SW, MIKRANTIP RD SW AND MAG SEVEN CT SW
TO THE CORPORATE LIMITS OF THE CITY OF BEMIDJI
(Headwaters Unitarian Universalist Fellowship, Inc.)**

WHEREAS, certain property, legally described below and shown on the attached map, shown as Exhibit A, ("Property") is currently in Bemidji Township ("Township") and is not included in the corporate limits of any city; and

WHEREAS, pursuant to Minn. Stat. § 414.033, subd. 2(3), all of the owners of the Property petitioned the City of Bemidji ("City") to annex the Property into the City; and

WHEREAS, the City Council acted at its July 2, 2018 meeting by Resolution No. 6163 to accept the petition; and

WHEREAS, the Property abuts upon the corporate limits of the City as defined by Minn. Stat. § 414.011, subd. 6; and

WHEREAS, the Property is vacant, contains approximately three (3) acres, is or is about to become R-1 Rural Residential in nature, and can be served by public wastewater and water facilities, is not within a designated orderly annexation area, has no outstanding special assessments or debt attributable to it by the Township, and annexation is sought to connect to water and sewer services of the City to facilitate development of the Property; and

WHEREAS, the provisions of Minn. Stat. § 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 Property to the City; and

WHEREAS, the City Council held a hearing on July 16, 2018 regarding the proposed annexation of the Property, after having provided the notices required by Minn. Stat. § 414.033, subd. 2b; and

WHEREAS, the legal description of the Property is as follows:

See attached Exhibit A

NOW, THEREFORE, the Council of the City of Bemidji hereby ordains, pursuant to its authority under Minn. Stat. § 414.033, subd. 2(3) and based on the above recitals and findings which are incorporated herein, as follows:

1. The corporate limits of the City of Bemidji are hereby extended to include the described Property, and the same is hereby annexed and included within the City of Bemidji as effectively as if it had originally been a part thereof.

2. The City of Bemidji, pursuant to Minn. Stat. § 414.036, that with respect to the property taxes payable on the area legally described herein, hereby annexed, shall make a cash payment to the Township of Bemidji in accordance with the following:

- a. In the first year following the year in which the City of Bemidji could first levy on the annexed area, an amount equal to \$357.83 payable in one lump sum payment.

3. The City Clerk 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 Beltrami County Auditor, and the Township Clerk, and to take such actions and to provide such additional information as may be needed to achieve the purpose of this Ordinance.

4. This Ordinance shall be in full force and effect and final upon the date this Ordinance is approved by the Office of Administrative Hearings and due publication thereof.

Ayes: Hellquist, Johnson, Albrecht, Erickson, Larson, Meehlhause, Lehmann
Nays: None
Absent: None

First Reading: July 2, 2018
Second Reading: July 16, 2018
Final Reading: August 6, 2018

Attest:


Michelle R. Miller, City Clerk

Approved:



Rita C. Albrecht, Mayor

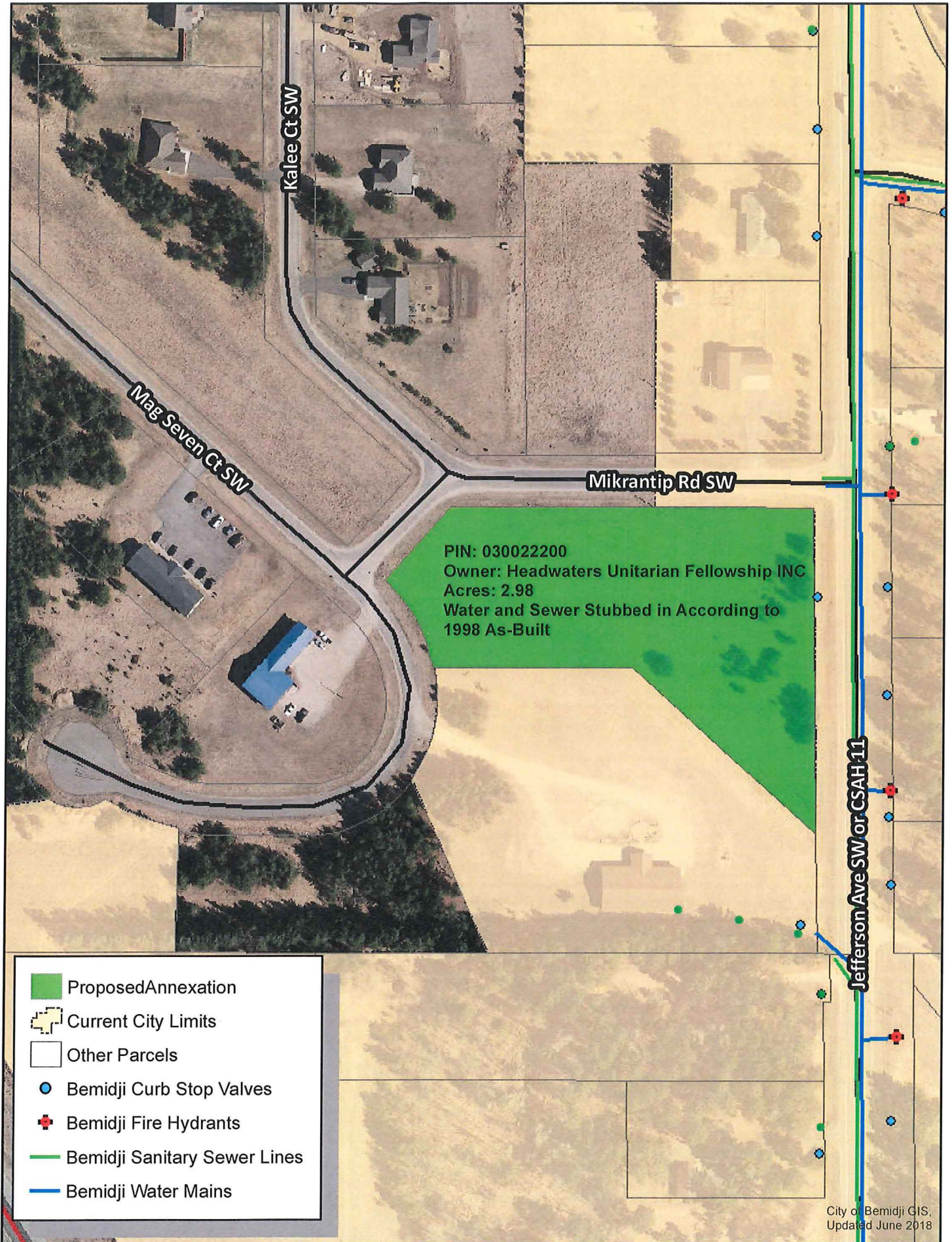
EXHIBIT "A" LEGAL DESCRIPTION

That part of the Southeast Quarter of the Northeast Quarter (SE¼ of NE¼), Section Eighteen (18), Township One Hundred Forty-six (146) North, Range Thirty-three (33) West, Beltrami County, Minnesota, described as follows: Commencing at the southeast corner of said Southeast Quarter of the Northeast Quarter; thence North 0 degrees 12 minutes 08 seconds West, bearing assumed, along the east line of said Southeast Quarter of the Northeast Quarter, a distance of 570.35 feet to the intersection with the north line of the south 570.30 feet of said Southeast Quarter of the Northeast Quarter, said north line is the southerly right of way line of Mikrantip Rd SW, as dedicated in the plat of Gregg's West Side Development, according to the recorded plat thereof; thence North 89 degrees 27 minutes 41 seconds West, along said north line, a distance of 171.01 feet to the intersection with the west line of the east 171.00 feet of said Southeast Quarter of the Northeast Quarter and the point of beginning of the land to be described; thence continuing North 89 degrees 27 minutes 41 seconds West along said north line a distance of 346.23 feet to the angle point in the southerly right of way line of said Mikrantip Rd SW; thence South 42 degrees 14 minutes 30 seconds West, along the easterly right of way line of said Mikrantip Rd SW, a distance of 125.00 feet to the intersection with the northeasterly right of way line of Mag Seven CT SW, as dedicated in said Gregg's West Side Development; thence southeasterly along the easterly right of way line of said Mag Seven CT SW a distance of 116.54 feet along a curve concave to the southwest and not tangent with the last described line, said curve has a radius of 192.41 feet, a central angle of 34 degrees 42 minutes 14 seconds and the chord of said curve bears South 30 degrees 24 minutes 23 seconds East; thence South 13 degrees 03 minutes 01 second East, along tangent, a distance of 17.63 feet to the intersection with the north line of Lot 10, Block 3, said Gregg's West Side Development; thence South 89 degrees 27 minutes 41 seconds East along said north line a distance of 254.43 feet; thence South 47 degrees 45 minutes 30 seconds East along the northeasterly line of said Lot 10, Block 3, a distance of 155.15 feet to the intersection with the west line of the east 171.00 feet of said Southeast Quarter of the Northeast Quarter; thence North 0 degrees 12 minutes 08 seconds West, along said west line, a distance of 312.13 feet to the intersection with the north line of the south 570.30 feet of said Southeast Quarter of the Northeast Quarter to the point of beginning. Reserving a 20 foot wide utility easement over, under and across the north 20 feet thereof.

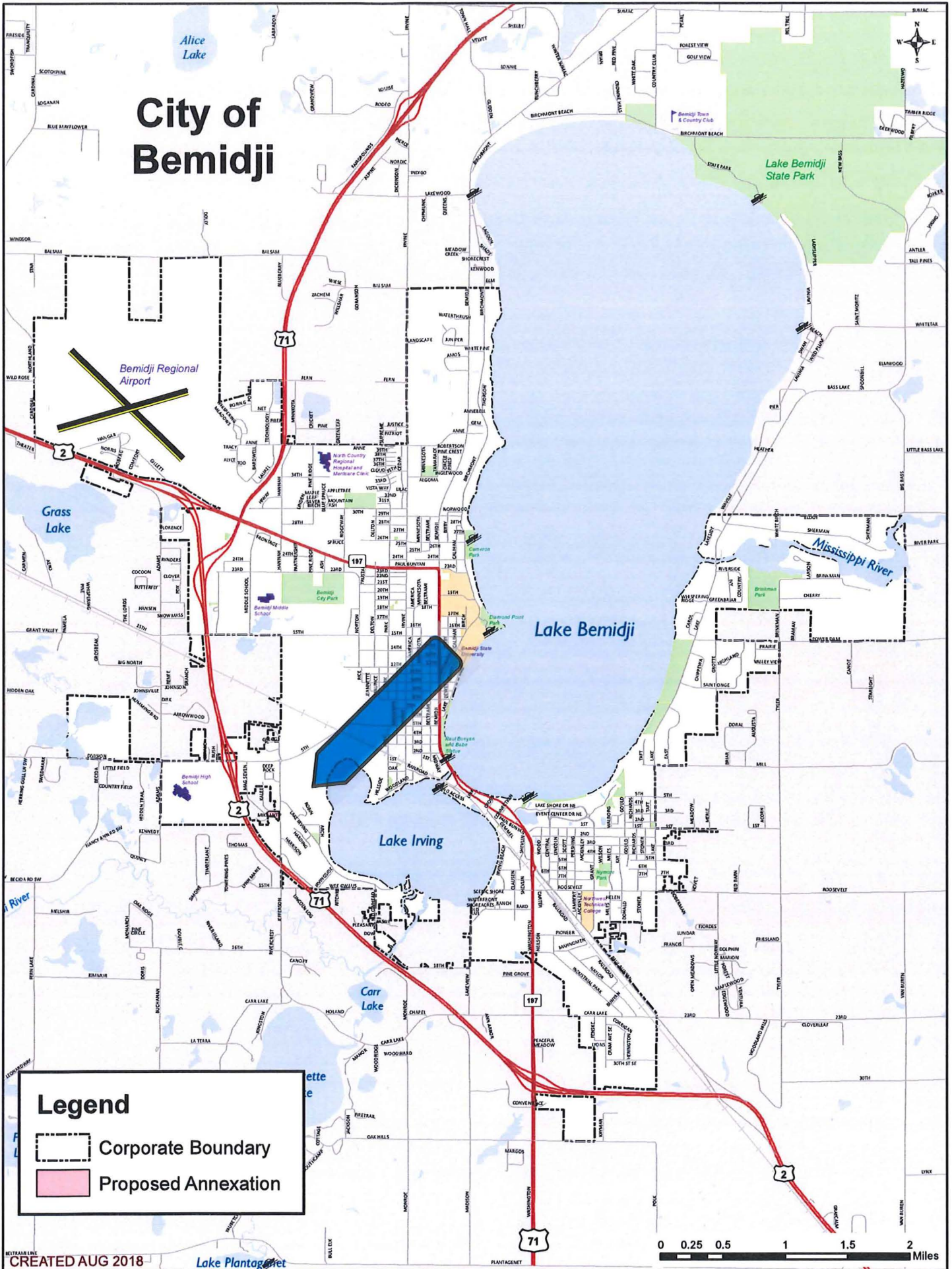
AND

That part of the Southeast Quarter of the Northeast Quarter (SE¼ of NE¼), Section Eighteen (18), Township One Hundred Forty-six (146) North, Range Thirty-three (33) West, Beltrami County, Minnesota, described as follows: Commencing at the southeast corner of said Southeast Quarter of the Northeast Quarter; thence North 0 degrees 12 minutes 08 seconds West, bearing assumed, along the east line of said Southeast Quarter of the Northeast Quarter, a distance of 570.35 feet to the intersection with the north line of the south 570.30 feet of said Southeast Quarter of the Northeast Quarter, said north line is the southerly right of way line of Mikrantip Rd SW, as dedicated in the plat of Gregg's West Side Development, according to the recorded plat thereof; thence North 89 degrees 27 minutes 41 seconds West, along said north line, a distance of 50.00 feet to the intersection with the west line of the east 50 feet of said Southeast Quarter of the Northeast Quarter and the point of beginning of the land to be described; thence continuing North 89 degrees 27 minutes 41 seconds West along said north line a distance of 121.01 feet to the intersection with the west line of the east 171.00 feet of said Southeast Quarter of the Northeast Quarter; thence South 0 degrees 12 minutes 08 seconds East, along said west line, a distance of 312.13 feet to the intersection with the northeasterly line of Lot 10, Block 3, said Gregg's West Side Development; thence South 47 degrees 45 minutes 30 seconds East along said northeasterly line a distance of 163.98 feet to the intersection with the west line of the east 50 feet of said Southeast Quarter of the Northeast Quarter; thence North 0 degrees 12 minutes 08 seconds West, along said west line, a distance of 421.23 feet to the intersection with the north line of the south 570.30 feet of said Southeast Quarter of the Northeast Quarter to the point of beginning. Reserving a 20 foot wide utility easement over, under and across the north 20 feet thereof.

Beltrami County, Minnesota



City of Bemidji



Legend

- Corporate Boundary
- Proposed Annexation