

CITY OF BEMIDJI

ORDINANCE NO. 154, 3RD SERIES

AMENDING ORDINANCE ANNEXING PROPERTY
CONTIGUOUS TO DIVISION ST W OR CSAH 7
TO THE CORPORATE LIMITS OF THE CITY OF BEMIDJI
(Loonesota, Inc.)

THE CITY OF BEMIDJI DOES ORDAIN AS FOLLOWS:

Pre-amble paragraph 8 of said ordinance is hereby amended to read as follows:

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

The West 208.74 feet of the East 538.74 feet of the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ of SW $\frac{1}{4}$), Section Seven (7), Township One Hundred Forty-six (146), Range Thirty-three (33), less the West 100 feet of the East 538.74 feet of the South 203 feet and less the North 720 feet thereof, and less that part thereof conveyed to County of Beltrami as shown by microfilm no. 265789, and excepting county highway right of way.

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 a cash payment to the Township of Bemidji in accordance with the following:
 - a. A sum total of \$213.71 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.

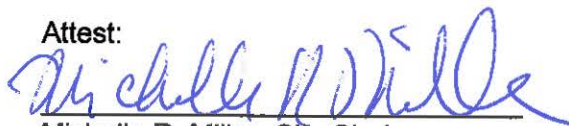
The City Clerk is hereby authorized and directed to file a copy of this Ordinance with the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, the Minnesota Secretary of State, the Beltrami County Auditor, and the Township Clerk, and to take such actions and to provide such additional information as may be needed to achieve the purpose of this Ordinance.

All other provisions of Ordinance No. 151, 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: Hellquist, Johnson, Albrecht, Erickson, Larson, Meehlhause, Lehmann
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. 151, 3RD SERIES

**AN ORDINANCE ANNEXING PROPERTY
CONTIGUOUS TO DIVISION ST W OR CSAH 7
TO THE CORPORATE LIMITS OF THE CITY OF BEMIDJI
(Loonesota, 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. 6164 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 contains approximately three (3) acres, is or is about to become R-1 or 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 receive 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:

The West 208.74 feet of the East 538.74 feet of the Southeast Quarter of the Southwest Quarter (SE¼ of SW¼), Section Seven (7), Township One Hundred Forty-six (146), Range Thirty-three (33), less the West 100 feet of the East 538.74 feet of the South 203 feet and less the North 720 feet thereof, and less that part thereof conveyed to County of Beltrami as shown by microfilm no. 265789.

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 \$213.71 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: Erickson, Hellquist, Johnson, Lehmann, Albrecht, Larson, Meehlhause
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

PIN 03.00050.00 - LOONESOTA



City of Bemidji

