

COPY

ORDINANCE NO. 37 THIRD SERIES
(Uncodified)

AN ORDINANCE OF THE CITY OF ROSEAU, MINNESOTA, ANNEXING TO THE CITY OF ROSEAU CERTAIN REAL ESTATE LOCATED IN JADIS TOWNSHIP, ROSEAU COUNTY, MINNESOTA, PURSUANT TO MINNESOTA STATUTES SECTION § 414.033, ENTITLED "ANNEXATION BY ORDINANCE" SUBDIVISION 2 (3).

WHEREAS, D & J Properties of Roseau, LLC, has petitioned the City of Roseau, Minnesota, to annex by Ordinance the following described real estate currently located in Jadis Township, Roseau County, Minnesota:

The South Eighty-eight (88) feet, EXCEPT the East Three Hundred Thirty (330) feet thereof of Lot Three (3) in Auditor's Plat Number Six (6) in the Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section Thirteen (13), Township One Hundred Sixty-two (162) North, Range Forty (40) West, according to the Plat thereof on file and of record in the office of the County Recorder of Roseau County, Minnesota.

AND

Lot Four (4) of Auditor's Plat Number Six (6) of the South Half of the Northwest Quarter (S $\frac{1}{2}$ NW $\frac{1}{4}$) of Section Thirteen (13) in Township One Hundred Sixty-two (162) North, Range Forty (40) West of the Fifth Principal Meridian in Minnesota, according to the Plat thereof on file and of record in the Office of the County Recorder in and for Roseau County, Minnesota, excepting therefrom the following described tract, to-wit:

Beginning at the point of intersection of the South line of Lot 4, of Auditor's Plat No. 6 of the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 13, Township 162 North, Range 40 West, with the Easterly line of the highway known as Riverside Avenue, but not officially designated as such, but being an extension of Riverside Avenue within the City of Roseau; thence East on and along said South line of said Lot 4, a distance of 250

feet; thence due North a distance of 151.25 feet; thence due West, to the center of the main channel of the Roseau River; thence Southerly, along the main channel of the Roseau River to the South line of said Lot 4 of said Auditor's Plat No. 6, thence Easterly on and along the South line of said Lot 4, to the point of beginning.

Said parcel abuts the City of Roseau.

AND WHEREAS, the above described parcel:

- (a) Is urban or suburban in character or about to become so;
- (b) Is all residential property;
- (c) Contains 6.2 acres \pm (being less than 120 acres);
- (d) Is not presently served by public water, public wastewater facilities and public water and public wastewater facilities are not otherwise available;
- (e) Consists of 6.2 acres \pm which abut the corporate limits of the City of Roseau;
- (f) Contains no existing conditions under Minnesota Statutes § 414.033 Subdv. 2(3), which would prohibit the annexation of the above described land (real estate) by Ordinance.

AND WHEREAS, the provisions of Minnesota Statutes § 414.033 Subdv. 13 are not applicable for the reason that the current electrical provider, the City of Roseau, will continue to provide electrical services to the subject real estate, and therefore there will be no need for an estimate of the cost impact of any change in electric utility service; and

WHEREAS, the City of Roseau previously set a Public Hearing on the above described Petition for Annexation by Ordinance said hearing to be held on Monday, September 10, 2018, at 5:30 p.m. at the City Council Chambers on the 2nd floor of the Roseau City Center building, 121 Center Street East, Suite 201, Roseau, Minnesota 56751; and

WHEREAS, Notice of said Public Hearing was given in accordance with Minnesota law by Certified Mail to Jadis Township, Roseau County, Minnesota, and to all landowners within, or contiguous to the area to be annexed, and further that said Notice was published in two (2) consecutive editions of the Roseau Times Region newspaper; and

WHEREAS, the Public Hearing above described was duly held on Monday, September 10, 2018, at the time and location above specified; and

WHEREAS, all persons desiring to be heard with respect to the requested annexation were heard at said Hearing;

WHEREAS, following the closing of the Public Hearing the City Council of the City of Roseau approved the Petitioner's request for annexation to the City of Roseau.

NOW THEREFORE, the City of Roseau, Minnesota, does ordain as follows:

SECTION 1. That the corporate limits of the City of Roseau, Minnesota are hereby extended to include the following described real estate and said lands are hereby annexed to be included within the City of Roseau, Roseau County, Minnesota, and upon approval by the Chief Administrative Law Judge of the Office of Administrative Hearings-Municipal Boundary Adjustments said annexed real estate shall be zoned R-1 – Single Family Residence:

The South Eighty-eight (88) feet, EXCEPT the East Three Hundred Thirty (330) feet thereof of Lot Three (3) in Auditor's Plat Number Six (6) in the Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section Thirteen (13), Township One Hundred Sixty-two (162) North, Range Forty (40) West, according to the Plat thereof on file and of record in the office of the County Recorder of Roseau County, Minnesota.

AND

Lot Four (4) of Auditor's Plat Number Six (6) of the South Half of the Northwest Quarter (S½ NW¼) of Section Thirteen (13) in Township One Hundred Sixty-two (162) North, Range Forty (40) West of the Fifth Principal Meridian in Minnesota, according to the Plat thereof on file and of record in the Office of the County Recorder in and for Roseau County, Minnesota, excepting therefrom the following described tract, to-wit:

Beginning at the point of intersection of the South line of Lot 4, of Auditor's Plat No. 6 of the SE¼ NW¼, Section 13, Township 162 North, Range 40 West, with the Easterly line of the highway known as Riverside Avenue, but not officially designated as such, but being an extension of Riverside Avenue within the City of Roseau; thence East on and along said South line of said Lot 4, a distance of 250 feet; thence due North a distance of 151.25 feet; thence due West, to the center of the main channel of the Roseau River; thence Southerly, along the main channel of the Roseau River to the South line of said Lot 4 of said Auditor's Plat No. 6, thence Easterly on and along the South line of said Lot 4, to the point of beginning.

SECTION 2. In conjunction with Minnesota Statutes § 414.036, with respect to the property taxes payable on the area legally described above hereby annexed to the City of Roseau, the City of Roseau shall make cash payments to Jadis Township in accordance with the following schedule:

- (a) In the first year following the year the City of Roseau could first levy on the annexed area, an amount equal to \$159.13.
- (b) In the second year, an amount equal to \$159.13.

With respect to the requirements under Minnesota Statutes § 414.036 regarding any special assessments assigned by the Township to the annexed property and any portion of debt incurred by the Township prior to the annexation and attributable to the property to be annexed, but for which no special assessments are outstanding, for the real estate described above, the City has determined that there are no special assessments or debt incurred by the Township on the subject real estate for which reimbursement is required.

SECTION 3. That in accordance with Minnesota Statutes § 414.033 Subdv. 7 this annexation ordinance shall be filed with the Chief Administrative Law Judge of the Office of Administrative Hearings-Municipal Boundary Adjustments (hereinafter designated "Judge"), with Jadis Township, with the Roseau County Auditor, and with the Secretary of State of the State of Minnesota; and upon the approval by the Judge a copy of the annexation ordinance shall be delivered immediately by the City Council of the City of Roseau, Minnesota, to the Roseau County Auditor.

SECTION 4. All ordinances and parts of ordinances inconsistent with this ordinance are hereby repealed.

SECTION 5. This ordinance shall take effect and be in full force following its passage, publication and approval by the Judge.

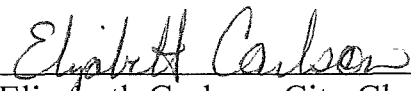
Dated this 10th day of September, 2018.

APPROVED:



Jeff Pelowski, Mayor

ATTEST:



Elizabeth Carlson, City Clerk/Treasurer

(Publication in the Roseau Times Region Newspaper on the 15th day of September, 2018.)

City of Roseau Annexation

HWY 310

HWY 11

HWY 11

HWY 89

Center Street

Main Ave

5th Avenue

6th Street

4th Street

4th Avenue

2nd Avenue

4th Avenue

6th Avenue

8th Avenue

2nd Street N

2nd Street S

Railroad

6th Street

7th Street

Main Ave

Roseau River

9th Avenue

11th Avenue

3rd Avenue

9th Street

Oak Crest Blvd





1 Items

	PIN	GIS Acres	PARCEL	PIN	TaxName	TaxAddr
X	140027200	6.25783257	140027200	14.0027200	D & J PROPERTIES OF ROSEAU	800 3RD AVE NE



Scale 1:

X: -10660734.8007

Y: 6250744.1742