

ORDINANCE NO. 96-1

**AN ORDINANCE OF THE CITY OF MOORHEAD ANNEXING LAND
LOCATED IN THE TOWN OF MOORHEAD, CLAY COUNTY, MINNESOTA,
TO THE CITY OF MOORHEAD, CLAY COUNTY, MINNESOTA, PURSUANT
TO MINNESOTA STATUTES 414.033, SUBD.2(3), PERMITTING ANNEXATION
BY ORDINANCE**

WHEREAS, two landowners have submitted a petition requesting annexation of property hereinafter legally described to the City Council of the City of Moorhead (See Exhibit A-Landowner Petition); and

WHEREAS, the quantity of the property described within the landowner petition is 60 acres or less and is unincorporated land; and

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

WHEREAS, the property described in the petition is contiguous to the City of Moorhead; and

WHEREAS, the property described in the petition is not presently served by public sewer facilities or public sewer facilities are not otherwise available; and

WHEREAS, the property described in the petition does not lie within a flood plain or shoreland area; and

WHEREAS, the population of the property described in the petition and proposed to be annexed is zero and the population of the City of Moorhead will not increase as a result of annexation thereof; and

WHEREAS, the property described in the petition which is proposed for annexation is about to become, urban or suburban in character.

WHEREAS, the City of Moorhead held a public hearing pursuant to Minnesota Statutes 414.033, subd. 2b on December 19, 1995 following 30 days written notice by certified mail to all landowners within and contiguous to the property proposed for annexation;

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Moorhead as follows:

Section 1: The corporate limits of the City of Moorhead are hereby extended to include the following described property containing 36.96 acres (See Exhibit B-Corporate Boundary Map) and the same is hereby annexed to be included within the corporate limits of the City of Moorhead pursuant to Minnesota Statutes 414.033, subd. 2(3) as if it had originally been made a part thereof:

Three tracts of land (See Exhibit C-Certificate of Survey) located in the Northeast Quarter of the Northwest Quarter of Section 29, Township 139 North, Range 48 West of the Fifth Principal Meridian, Clay County, Minnesota described as follows:

Parcel A - Beginning at the Northeast Corner of the Northwest Quarter of Section 29; thence on an assumed bearing of South 00 degrees 00 minutes 00 seconds West, along the east line of the Northwest Quarter 723.88 feet; thence South 89 degrees 33 minutes 13 seconds West 1223.06; thence North 00 degrees 03 minutes 15 seconds East 732.06 feet to a point on the north line of the Northwest Quarter; thence North 89 degrees 56 minutes 13 seconds East along the north line of said Northwest Quarter 1222.32 feet to the point of beginning. Containing 20.43 acres more or less and subject to all existing easements and right-of-ways.

Parcel B - Beginning at the Northwest Corner of the Northeast Quarter of the Northwest Quarter; thence on an assumed bearing of North 89 degrees 56 minutes 13 seconds East, along the north line of the Northwest Quarter 100 feet; thence South 00 degrees 03 minutes 15 seconds West 732.06 feet; thence South 89 degrees 33 minutes 13 seconds West 100 feet to a found monument on the west line of Northeast Quarter of the Northwest Quarter; thence North 00 degrees 03 minutes 15 seconds East, along the west line of the Northeast Quarter of the Northwest Quarter 732.73 feet to the point of beginning. Containing 1.68 acres more or less and subject to any existing easements and right-of-ways.

Parcel D - Commencing at the Northeast Corner of the Northwest Quarter of Section 29; thence on an assumed bearing of South 00 degrees 00 minutes 00 seconds West, along the east line of the Northwest Quarter 823.88 feet to the point of beginning; thence South 00 degrees 00 minutes 00 seconds West 493.18 feet; thence South 89 degrees 56 minutes 13 seconds West 1323.57 feet to a point on the west line of the Northeast Quarter of the Northwest Quarter; thence North 00 degrees 03 minutes 15 seconds East along the west line of said Northeast Quarter of the Northwest Quarter 484.33 feet; thence North 89 degrees 33 minutes 13 seconds East 1323.15 feet to the point of beginning. Containing 14.85 acres more or less and subject to any existing easements and right-of-ways.

Section 2: The property taxes payable on the area legally described herein and hereby annexed, shall continue to be paid to Moorhead Township for the year in which annexation becomes effective. Thereafter, property taxes on the area legally described herein and hereby annexed shall be paid to the City of Moorhead, provided however, that the City of Moorhead shall make cash payments to Moorhead Township according to the following schedule:

2.1 In the first year following the year the land was annexed, the City of Moorhead shall make a cash payment to Moorhead Township in an amount equal to ninety percent (90%) of the property taxes paid in the year the land was annexed.

2.2 In the second year, an amount equal to seventy percent (70%) of the property taxes paid in the year the land was annexed.

2.3 In the third year, an amount equal to fifty percent (50%) of the property taxes paid in the year the land was annexed.

2.4 In the fourth year, an amount equal to thirty percent (30%) of the property taxes paid in the year the land was annexed.

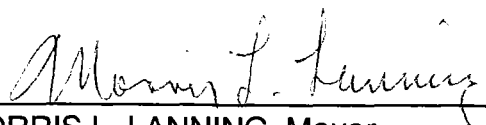
2.5 In the fifth year, an amount equal to ten percent (10%) of the property taxes paid in the year the land was annexed.

Section 3: The City Clerk of the City of Moorhead is hereby directed to file a certified copy of the ordinance with the Minnesota Municipal Board, the Township of Moorhead, the Clay County Auditor, and the Minnesota Secretary of State.


Section 4: This Ordinance shall take effect on the date said Ordinance is approved by the Minnesota Municipal Board, or upon publication in accordance with the Moorhead City Charter.

PASSED by the City Council of the City of Moorhead this 16th day of January, 1996.

APPROVED BY:


MORRIS L. LANNING, Mayor

ATTEST:


KAYE E. BUCHHOLZ, City Clerk

First Consideration: January 2, 1996
Second Consideration: January 8, 1996
Third Consideration: January 16, 1996
Date of Publication: January 29, 1996

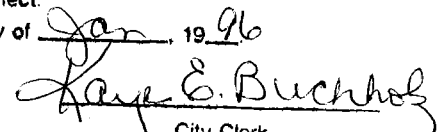
STATE OF MINNESOTA
COUNTY OF CLAY
CITY OF MOORHEAD

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I do hereby certify that the foregoing document is a true and correct copy of said document presented to and adopted by the City Council of the City of Moorhead, Minnesota, at a duly authorized meeting thereof held on the 16th day of Jan, 1996.
I further certify that this document has not been rescinded or modified and is still in force and effect.

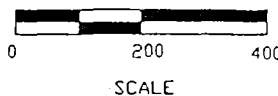
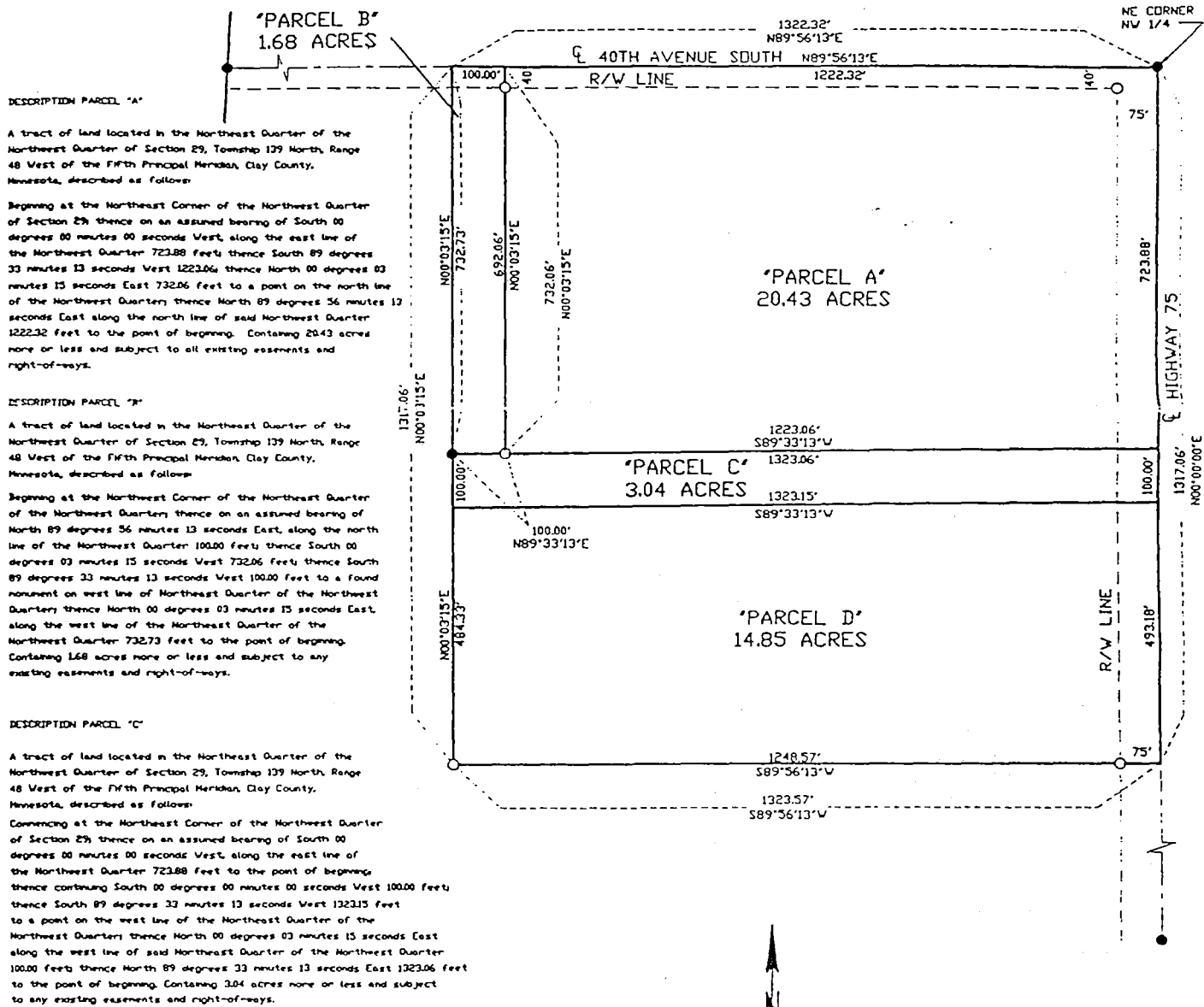
Dated this 23rd day of Jan, 1996


City Clerk.

CERTIFICATE OF SURVEY

C

RECEIVED BY JAN 29 1996
M B B



LEGEND

- MONUMENT FOUND
- MONUMENT SET
5/8" REBAR CAPPED N15474

△			
△			
△			
REV.	DATE	DESCRIPTION	BY
FIRST TRUST COMPANY OF NORTH DAKOTA 505 2ND AVENUE N FARGO, NORTH DAKOTA			
CERTIFICATE OF SURVEY			
ULTEIG ENGINEERS, INC.		CONSULTING ENGINEERS FARGO • BISMARCK • MINNEAPOLIS	
DRAWN BY: MBB	SCALE: AS SHOWN	PROJECT NO. 95242	
CHECKED BY:	DATE: 12/13/95	SHEET 1 OF 1	
APPROVED BY:		FTRUST DWG	

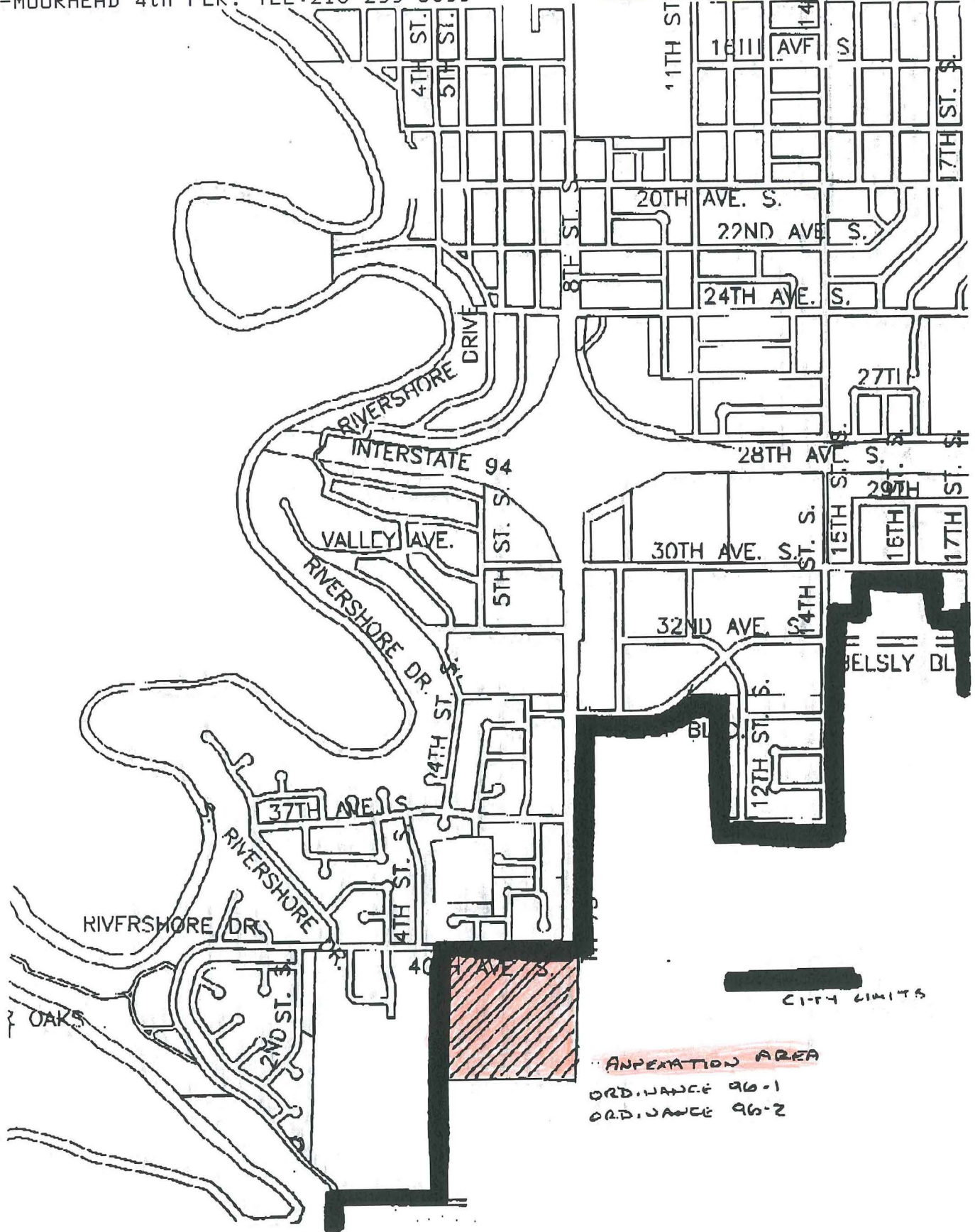
SURVEYOR CERTIFICATE

I hereby certify that this survey was prepared by me or under my direct supervision and that I am a duly registered land surveyor under the laws of the State of Minnesota.

Robert H. Schumacher

Reg. No. 15474

Date Dec. 15, 1995



REC'D BY JAN 29 1996
M M R

B

CITY OF MOORHEAD
MINNESOTA



MOORHEAD
CITY HALL/
CENTER MALL

HIGHWAY 10

ANNEXATION AREA

