

O R D I N A N C E

NO. 1100

AN ORDINANCE PROVIDING FOR
THE ANNEXATION OF CERTAIN
PROPERTIES LOCATED IN UNORGANIZED TERRITORY,
CROW WING COUNTY, TO THE CITY OF BRAINERD,
CROW WING COUNTY, MINNESOTA, PURSUANT
TO MINNESOTA STATUTE 414.033

THE CITY COUNCIL OF THE CITY OF BRAINERD DOES ORDAIN:

SECTION ONE: That Kenneth R. Lind, Richard F. Volkmuth and David L. Mott, the fee owners of certain property in the County of Crow Wing, State of Minnesota, described as follows:

The Southwest Quarter of the Northeast Quarter, Section 33, Township 134, Range 28, Crow Wing County, Minnesota, also the south one half of the Northwest Quarter of the Northeast Quarter, Section 33, Township 134, Range 28, Crow Wing County, Minnesota, except that part platted as First Addition To Dal-Mar Estates and except that part lying west of First Addition To Dal-Mar Estates.

filed a petition with the City Council of the City of Brainerd pursuant to Section 414.033, Subdivision 2 (3) of the Minnesota Statutes. This property is located within Unorganized Territory of Crow Wing County. This area contains approximately 54.35 acres of land.

SECTION TWO: That said realty abuts the City of Brainerd and is less than 60 acres in size.

SECTION THREE: That pursuant to Minnesota Statutes Section 414.033, Subdivision 13, the petitioner will see no change in their electric utility service at this time.

SECTION FOUR: That pursuant to Minnesota Statutes Section 414.033, Subdivision 2b, the City of Brainerd has held the required public hearing and notified the town along with all landowners within and contiguous to the area being annexed.

SECTION FIVE: That Council of the City of Brainerd deems the annexation of said realty to the City of Brainerd to be in the best interest of the City of Brainerd and the territory affected and accordingly, said realty is hereby annexed to the City of Brainerd

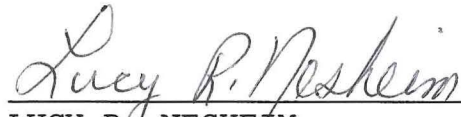
as a R-F (Rural Residential) District so as to become and be part of the City of Brainerd and included within its corporate limits and boundaries thereof.

SECTION SIX: The property taxes payable on the annexed land shall continue to be paid to the affected town for the year in which the annexation becomes effective. If the annexation becomes effective on or before August 1 of a levy year, the City may levy on the annexed area beginning with that same levy year. If the annexation becomes effective after August 1 of a levy year, the town may continue to levy on the annexed area for that levy year, and the City may not levy on the annexed area until the following levy year. The first year following the year when the City could first levy on the annexed area, property taxes on the annexed land shall be paid to the City. However the City shall make a cash payment to the town for the period and in accordance with the following schedule:

- i. In the first year following the year the City could first levy on the annexed area, an amount equal to 90% of the property taxes distributed to the town in regard to the annexed area in the last year the property taxes from the annexed area were payable to the town;
- ii. In the second year, an amount equal to 70%;
- iii. In the third year, an amount equal to 50%;
- iv. In the fourth year, an amount equal to 30%; and
- v. In the fifth year, an amount equal to 10%.

SECTION SEVEN: This Ordinance shall take effect and be in force one week from and after its publication and is further subject to final approval of Minnesota Planning Municipal Boundary Adjustments.

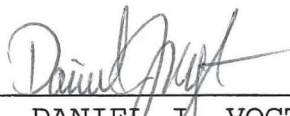
Adopted this 7th day of August, 2000.


LUCY R. NESHEIM
President of the Council

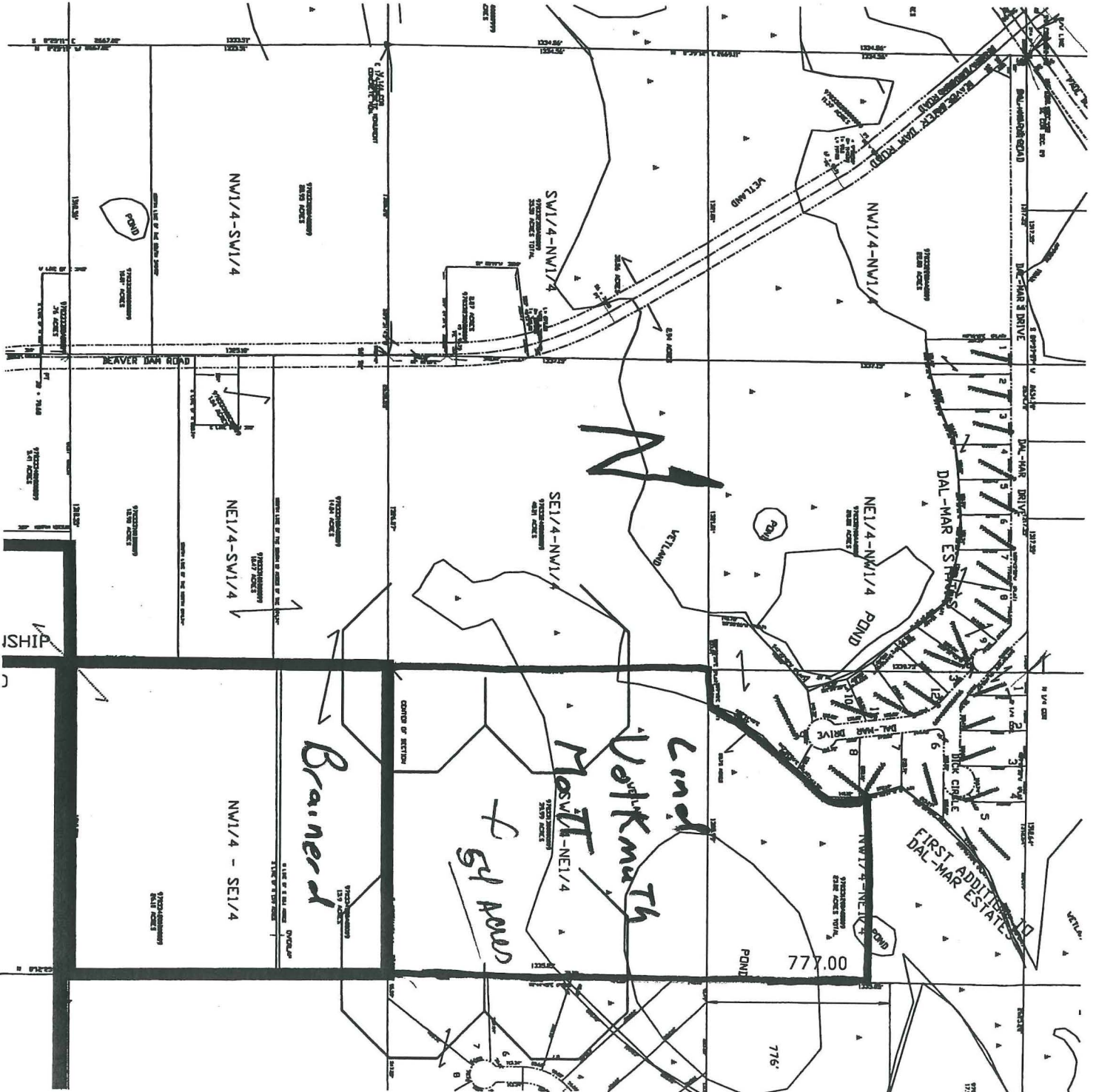
Approved this 8th day of August, 2000.


JAMES E. WALLIN
Mayor

ATTEST:


DANIEL J. VOGT
City Administrator

REC'D. BY AUG 14 2000
MMB



R E S O L U T I O N

NO. 39:00

**RESOLUTION AMENDING RESOLUTION NO. 25:00
PERTAINING TO AN ANNEXATION PROCEEDING UNDER
MINNESOTA STATUTES SECTION 414.031, SUBD. 1 (a)**

WHEREAS, the Brainerd City Council adopted Resolution No. 25:00 pertaining to an annexation proceeding under Minnesota Statutes Section 414.031, Subd. 1(a) at its meeting held on May 1, 2000; and

WHEREAS, upon receipt of the annexation resolution, the Minnesota Planning Office enumerated this petition as MBA Docket A-6285; and

WHEREAS, Resolution No. 25:00 was previously amended by Resolution No. 33:00; and

WHEREAS, the City has received petitions for additional properties to be annexed by ordinance under Minnesota Statutes Section 414.033 within the area covered by Resolution No. 25:00; and

WHEREAS, in order to adopt the ordinances to have the property annexed, Resolution No. 25:00 needs to be further amended.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BRAINERD:

1. That Resolution No. 25:00 be amended by deleting certain parcels as follows:

The Southwest Quarter of the Northeast Quarter, Section 33, Township 134, Range 28, Crow Wing County, Minnesota, also the south one half of the Northwest Quarter of the Northeast Quarter, Section 33, Township 134, Range 28, Crow Wing County, Minnesota, except that part platted as First Addition To Dal-Mar Estates and except that part lying west of First Addition To Dal-Mar Estates.

And

AUG 14 2000

The Southeast Quarter of the Northwest Quarter, Section 33, Township 134, Range 28, Crow Wing County, Minnesota.

ALSO

The south one half of the Northwest Quarter of the Northwest Quarter, Section 33, Township 134, Range 28, Crow Wing County, Minnesota.

2. That it is the intent of the City to proceed with the earlier petition and all other provisions in Resolution No. 25:00 remain in full force and effect and are not in any way amended, other than deletion of the properties noted by Resolution No. 33:00 and the properties noted in No. 1 above.

3. That a certified copy of this resolution be forwarded to the Executive Director of Minnesota Planning for the State of Minnesota, the City of Baxter, and the Crow Wing County Board on behalf of Unorganized Territory.

Adopted this 7th day of August, 2000.



LUCY R. NESHEIM

President of the Council

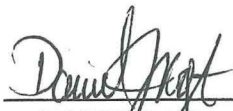
Approved this 8th day of August, 2000.



JAMES E. WALLIN

Mayor

ATTEST:



DANIEL J. VOGT

City Administrator