

JUN 14 2001

O R D I N A N C ENo. 1087

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 Anderson Brothers Construction Company, the fee owners of certain property in the County of Crow Wing, State of Minnesota, described as follows:

That part of the Southeast Quarter of the Southwest Quarter, Section 33, Township 134 N, Range 28 W, Crow Wing County, Minnesota described as follows; commencing at the southeast corner of said Southeast Quarter of the Southwest Quarter, then south 89 Degrees 25 Minutes 50 Seconds west, assumed bearing, 992.47 ft along the south line of said Southeast Quarter of the Southwest Quarter, then north 00 Degree 34 Minutes 10 Seconds west 358.05 ft, then north 52 Degrees 47 Minutes 36 Seconds east 631.87 ft, then north 00 Degree 34 Minutes 11 Seconds east 584.71 ft to the north line of said Southeast Quarter of the Southwest Quarter, then north 89 Degrees 47 Minutes 59 Seconds east 500.00 ft along said north line of the Southeast Quarter of the Southwest Quarter to the northeast corner of said Southeast Quarter of the Southwest Quarter, then south 00 Degree 34 Minutes 11 Seconds west 1316.75 ft along the east line of said Southeast Quarter of the Southwest Quarter to said southeast corner of said Southeast Quarter of the Southwest Quarter, except part lying northeast of the center line of Beaver Dam Road.

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 3.09 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 17th day of April, 2000.


LUCY R. NESHEIM
President of the Council

Approved this 18th day of April, 2000.


JAMES E. WALLIN
Mayor

ATTEST: 
DANIEL J. VOGT
City Administrator

Published One Time: April 21, 2000

REC'D BY
M.M.B.
MAY 16 2001



NEW CITY LIMITS

