

ORDINANCE**NO. 1125**

**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 Darold J. and Ilean Moore, the fee owners of certain property in the County of Crow Wing, State of Minnesota, described as follows:

Part of the Northwest Quarter of the Southwest Quarter and part of Government Lot 5 located in Section 34, Township 134 North, Range 28 West, described as: Beginning at the point on the west line of the Northwest Quarter - Southwest Quarter which is 150 feet north of the Southwest Quarter corner of said Northwest Quarter - Southwest Quarter then east parallel with the north line of said Northwest Quarter - Southwest Quarter 450 feet then south 190 feet parallel with the west line of said Quarter then deflect 45 degrees and run south 45 degrees west 150 feet more or less to the centerline of the Township Road McKay Road then northwesterly along said road centerline east to the west line of Section 34, Township 134 North, Range 28 West, then north along said section line to the point of beginning subject to reservations and restrictions of record.

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 1.83 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 RF (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, and 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 1st day of October, 2001.



LUCY R. NESHEIM
President of the Council

Approved this 2nd day of October, 2001.



JAMES E. WALLIN

Mayor

ATTEST:



DANIEL J. VOGT

City Administrator

Published: 11/12/01

REC'D BY
MMB

OCT 15 2001

