

AUG 16 2002

ORDINANCE NUMBER 64a**AN AMENDMENT ORDINANCE AMENDING ORDINANCE 64 PROVIDING FOR
THE ANNEXATION OF CERTAIN PROPERTIES LOCATED IN JENKINS
TOWNSHIP, CROW WING COUNTY, TO THE CITY OF JENKINS, CROW WING
COUNTY MINNESOTA, PURSUANT TO MINNESOTA STATUTE 414.033**

THE CITY COUNCIL OF THE CITY OF JENKINS DOES HEREBY AMMEND AND
ORDAIN:

SECTION ONE: That Mike and Karen Tulenchik, the fee owners of certain property in the County of Crow Wing, State of Minnesota, legally described as follows:

That part of the southeast quarter of the southwest quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section thirty – five (35), Township one hundred thirty-seven North (137N), Range twenty nine West (29W), described as follows: The south one half (1/2) of the east thirty (30) acres, subject to highway easement of record. Containing approximately 15 acres.

filed a petition with the City Council of the City of Jenkins pursuant to Minnesota Statutes Section 414.033, subdivision 2 (3). This property is located within Jenkins Township of Crow Wing County.

SECTION TWO: That Thomas R. Tulenchik, the fee owner of certain property in County of Crow Wing, State of Minnesota, legally described as follows:

That part of the southeast quarter of the southwest quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$) of section thirty-five (35), Township one hundred thirty seven North (137N), Range twenty nine West (29W), described as follows: The north one half (1/2) of the east thirty (30) acres, except that part described as the west six hundred sixty (660) feet of the north one half (1/2). Containing approximately 5 acres.

filed a petition with the City Council of the City of Jenkins pursuant to Minnesota Statutes Section 414.033, subdivision 2 (3). This property is located within Jenkins Township of Crow Wing County.

SECTION THREE: That Rebecca J. Reimer, the fee owner of certain property in Crow Wing County , State of Minnesota, legally described as follows:

That part of the southeast quarter of the southwest quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section thirty-five (35), Township one hundred thirty seven North (137N), Range twenty nine West (29W) described as follows: The west six hundred sixty (660) feet of the North on half (1/2) of the east thirty (30) acres of the southeast quarter of the south west quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$) of section 35. Containing approximately 10 acres.

filed a petition with the City Council of the City of Jenkins pursuant to Minnesota Statutes Section 414.033, subdivision 2 (3). This property is located within Jenkins Township of Crow Wing County.

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SECTION FOUR: That Scott and Naomi Tulenchik, the fee owners of certain property in Crow Wing County, State of Minnesota, legally described as follows:

All that part of Government Lot 2, Section 35, Township 137 North, Range 29 West, lying North and West of a line run as follows:

Beginning at an iron monument on the West boundary line of said Government Lot 2, Placed at a point 978.1 feet North from the South Quarter corner of said Section and running thence East parallel with the South line of said Section 35 a distance of 505.7 feet to a second iron pipe; thence North 35 degrees 43 minutes East 301 feet to a third iron pipe and continue this last named course 50 feet, more or less, to the shore of Upper Hay Lake.

Excepting therefrom that part of the following described tract:

Commencing at the southwest corner of said Government Lot 2; thence North 01 degree 06 minutes 00 seconds West, assumed bearing, along the West line of said Government Lot 2 a distance of 978.10 feet; thence North 88 degrees 21 minutes 45 seconds East, parallel with the South line of said Government Lot 2 a distance of 505.70 feet to the point of beginning of the tract to be herein described; thence South 88 degrees 21 minutes 45 seconds West 152.11 feet; thence North 34 degrees 04 minutes 46 seconds East 423.02 feet, more or less, to the North line of said Government Lot 2; thence North 88 degrees 19 minutes 15 seconds East along said North line 1 foot, more or less, to the shoreline of Upper Hay Lake; thence Southeasterly along said shoreline to the intersection with a line bearing North 34 degrees 04 minutes 46 seconds East from the point of beginning; thence South 34 degrees 04 minutes 46 seconds West 333 feet, more or less, to the point of beginning. Containing approximately 3.75 Acres.

filed a petition with the City Council of the City of Jenkins pursuant to Minnesota Statutes Section 414.033, subdivision 2 (3). This property is located within Jenkins Township of Crow Wing County.

SECTION FIVE: That Said realty abuts the City of Jenkins and is less than 60 acres in size.

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

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

SECTION EIGHT: That the City Council of the City of Jenkins deems the annexation of said realty to the City of Jenkins to be in the best interest of the City of Jenkins and the territory affected and accordingly, said realty is hereby annexed to the City of Jenkins as Rural Residential (RR) District except for the parcel owned by Mike and Karen Tulenchik, which will be Zoned Commercial (C), so as to become and be part of the City of Jenkins and included within its cooperate limits and boundaries thereof.

SECTION NINE: That the population would increase by 6 adults.

SECTION TEN: 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

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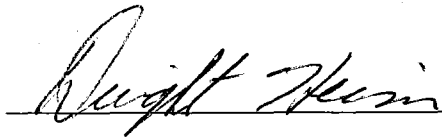
annexation becomes effective on or before August 1 of a levy year, the City may levy on the annexed area beginning with that same levy year. If the annexation becomes effective after August 1, of a levy year, the town may continue to levy on the annexed area for that levy year, and the City may not levy on the annexed area until the following 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 and amount equal to 30%;
- v. In the fifth year, an amount equal to 10%.

SECTION ELEVEN: 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 12th day of August, 2002

CITY OF JENKINS



Dwight Heim
Mayor
City of Jenkins



Julie Ohr
City Clerk
City of Jenkins