

REC'D BY
MMB

MAR 20 2003

COPY

ORDINANCE NO. 908.07-908.12
AN ORDINANCE ANNEXING LAND OF J. & S. W., et al.
CONSISTING OF 12.26 ACRES
TO THE CITY OF CROSBY PURSUANT TO
MINNESOTA STATUTES 414.033, SUBD. 3

WHEREAS, the territory described below is not presently within the corporate limits of any incorporated city, and

WHEREAS, the area proposed for annexation is 40 acres or less in size, is 60% or more bordered by land already within the corporate limits of the City of Crosby, and is not appropriate for annexation by ordinance pursuant to Minnesota Statutes 414.033, Subd 2(3); and

WHEREAS, the area proposed for annexation is described as follows:

The NE1/4NE1/4, Sec 12, Twp. 46, Rge. 29,

EXCEPT that part described as follows: Beginning at the iron monument at the Northwest corner of said NE1/4NE1/4 thence North 87 degrees 17 minutes 25 seconds East assumed bearing 885.75 feet along the North line of said NE1/4NE1/4 to an iron monument; thence South 0 degrees 21 minutes 25 seconds, East 1214.06 feet to an iron monument; thence North 87 degrees 17 minutes 05 seconds East 440.00 feet to an iron monument on the East line of said NE1/4NE1/4; thence South 0 degrees 29 minutes 18 seconds East 100.08 feet along the East line of said NE1/4NE1/4 to an iron monument on the Southeast corner of said NE1/4NE1/4; thence South 87 degrees 17 minutes 05 seconds West 1325.98 feet along the South line of said NE1/4NE1/4 to an iron monument at the Southwest corner of said NE1/4NE1/4; thence North 0 degrees 21 minutes 25 seconds West 1314.23 feet along the West line of said NE1/4NE1/4 to the point of beginning;

WHEREAS, the area proposed for annexation abuts upon the corporate limits of the City of Crosby, Minnesota; and

WHEREAS, the area proposed for annexation is unincorporated, abuts on the city's East

boundary and is not included within any other municipality; and

WHEREAS, the area proposed for annexation is approximately 12.26 acres in size; and

WHEREAS, the reason for the proposed annexation is land is urban in character; Crosby is already providing water and sewer service to neighboring land; and to more easily resolve law enforcement, fire protection, administrative services recreational facilities issues, and other good and reasonable bases; and

WHEREAS, the nature of the area is residential; and

WHEREAS, the City of Crosby has complied with Minnesota Statutes 414.033, Subd. 13 (municipal electric utilities are not provided);

WHEREAS, the area proposed for annexation is not included in any other proceeding currently pending before Minnesota Planning; and

WHEREAS, the area proposed for annexation is not included in any area that has already been designated for orderly annexation pursuant to M.S. 414.0325.

WHEREAS, The area to be annexed is less than 40 acres; and

WHEREAS, the City of Crosby has served notice of intent to annex upon the town board on November 13, 2002; upon the the municipal board/ Minnesota Planning approximately November 13, 2002. No objections have been received within the statutory 90 day period.

NOW, THEREFORE, the City Council of the City of Crosby does ordain as follows:

Section 1. The City Council hereby Determines that the following property is properly subject to annexation and the City has jurisdiction to annex the above described property to the City of Crosby.

Section 2. The corporate limits of the City of Crosby are hereby extended and increased so as to include and embrace within the corporate limits of the City of Crosby the territory described in paragraph 3 of the Preamble above, and such territory is hereby annexed and declared to be a part of the City of Crosby.

Section 3. The map attached to this Ordinance is an accurate map of the territory annexed, and the same is hereby adopted as the official map and plat of the territory annexed, which map and plat show the legal boundaries thereof, together with the avenues and streets and locations thereof, and the same are hereby dedicated to the public, if they have not already been dedicated, for public use.

Section 4. The mayor of the City of Crosby is hereby authorized and directed to certify that the map is an accurate map of the territory annexed under the provisions of this ordinance.

Section 5. This Ordinance, with a copy of the official map attached hereto, shall be recorded in the office of the County Recorder of Crow Wing County, State of Minnesota.

Section 6. On the filing and recording of the copy of this ordinance, together with the attached official map, in the office of the Recorder for Crow Wing County, public rights-of-way, if any, within the property, shall also become rights-of-way within the City of Crosby.

Effective Date. This ordinance becomes effective upon its passage and publication according to law.

Passed by the council this 10th day of March, 2003.

Steve Goshey
Steve Goshey, Mayor

Cindy S. Nelson
ATTEST: Cindy Nelson, Clerk

SUMMARY OF CROSBY ORDINANCE NO. 908.07- 908.12
AN ORDINANCE ANNEXING LAND OF J. & S. W., et al.
CONSISTING of 12.26 ACRES
TO THE CITY OF CROSBY PURSUANT TO
MINNESOTA STATUTES 414.033, SUBD. 3

The following official summary has been approved by the city council of Crosby as clearly informing the public. It is the intent and effect of the ordinance to Annex Land of J. & S. W., et al. Consisting of 12.26 Acres to the City of Crosby Pursuant to Minnesota Statutes 414.033, Subd. 3, described as: part of the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 12, Twp. 46, Rge. 29. A printed copy of the ordinance is available for inspection by any person at the office of the city clerk.

Summary approved with a 4/5 vote or greater by the council this 10th day of March, 2003.

DRAFTED BY J. REMAN ORG. TO.

Michael C. Bender, Attorney
P.O. Box 156
Crosby, MN 56441

Steve Goshey
Steve Goshey, Mayor

Cindy S. Nelson
Cindy Nelson, Clerk

ATTEST:

EXHIBIT "A"

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