

ORDINANCE NO. 2002-07

CITY OF ROGERS
HENNEPIN COUNTY
STATE OF MINNESOTA

REC'D BY
MMB

DEC 02 2002

AN ORDINANCE GRANTING A PETITION FOR ANNEXATION
PURSUANT TO MINNESOTA STATUTES §414.033, SUBD. 2(3)
AND ANNEXING 50 ACRES TO THE CITY

1. WHEREAS, the owners of certain real property (the Annexed Land) brought a petition requesting annexation by ordinance to the City of Rogers (the City) pursuant to Minnesota Statutes §414.033, subd. 2(3); and
2. WHEREAS, the Annexed Land is described in Exhibits A and B; and
3. WHEREAS, the Annexed Land, the owner's petition, and the City's processing thus far comply in all respects with the process required for annexation by ordinance, to wit:
 - a. The Annexed Land is within an unincorporated area, Hassan Township;
 - b. The Annexed Land abuts the City;
 - c. The Annexed Land is less than 60 acres;
 - d. The Annexed Land is not presently served by public sewer facilities;
 - e. The signatories to the petition are 100% owners of the parcels which comprise the Annexed Land;
 - f. The City informed Hassan Township of the request by certified mail dated October 8, 2002, which date is more than 30 days prior to November 12, 2002;
 - g. The City informed the Annexed Land property owners by certified mail dated October 8, 2002, which date is more than 30 days prior to November 12, 2002;
 - h. The City informed the owners of property adjacent to the Annexed Land by certified mail dated October 8, 2002, which date is more than 30 days prior to November 12, 2002;
 - i. The city received from Xcel Energy, electric utility for the Annexed Land, a notice that electric utility rates will not change and forward this Xcel notice to the property owners;

- j. Service of notice is not required since the Annexed Land is appropriate for annexation pursuant to Minn. Stat. §414.023, subd. 2(3);
- k. The City published notice of the required public hearing in the October 7, 2002 edition of the North Crow River News; and
- l. The City held a public hearing on the annexation November 12, 2002.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ROGERS
ORDAINS AS FOLLOWS:**

- (1) The Annexed Land as designated in Exhibit A is hereby annexed by ordinance to the City of Rogers pursuant to Minn. Stat. §414.033 subd. 2(3).
- (2) Subject to the following Clauses (3) and (4), City staff is authorized and directed to take all necessary actions in furtherance of this ordinance, including immediate delivery of the annexation ordinance to the Hennepin County Auditor, and filing with the Minnesota Office of Strategic and Long Range Planning, Boundary Adjustments Division, Hassan Township, and the Minnesota Secretary of State.
- (3) This ordinance shall not be published by the City until the earliest of the following:
 - (i) final Order ("Order") of the Minnesota Office of Strategic & Long Range Planning Boundary Adjustments Division ("Board") on Hassan's Petition for Incorporation;
 - (ii) Waiver of a need to delay pending the Order referred to in subclause (i) above;
 - (iii) Exclusion of the Annexed Land from the incorporation proceedings;
 - (iv) Board approval of the said annexation petition; or
 - (v) A determination by the City that there exists no restriction to the publication of the Ordinance.

(4) This ordinance shall take effect and be in force from and after its passage and publication.

Passed and adopted by the City Council of Rogers this 12th
day of November, 2002.

By Dennis Melby
Its Mayor

ATTEST:

Stacy Robozinski
City Clerk

REC'D BY
MMB

DEC 02 2002

LEGAL DESCRIPTION
OF ANNEXED LAND

That part of the Northeast Quarter of the Southwest Quarter of Section 22, Township 120, Range 23, lying West of the East 311.97 feet thereof, Hennepin County, Minnesota.

That part of the East Half of the Northwest Quarter of the Southwest Quarter of Section 22, Township 120, Range 23, East of the West 10 acres thereof Hennepin County, Minnesota.

The East 311.97 feet of the Northeast Quarter of the Southwest Quarter of Section 22, Township 120, Range 23, Hennepin County, Minnesota.

Exhibit A

DEC 02 2002

S1/2 SEC.22 T.120 R.23

32 Plat System Services, Inc Revised June 2002

31

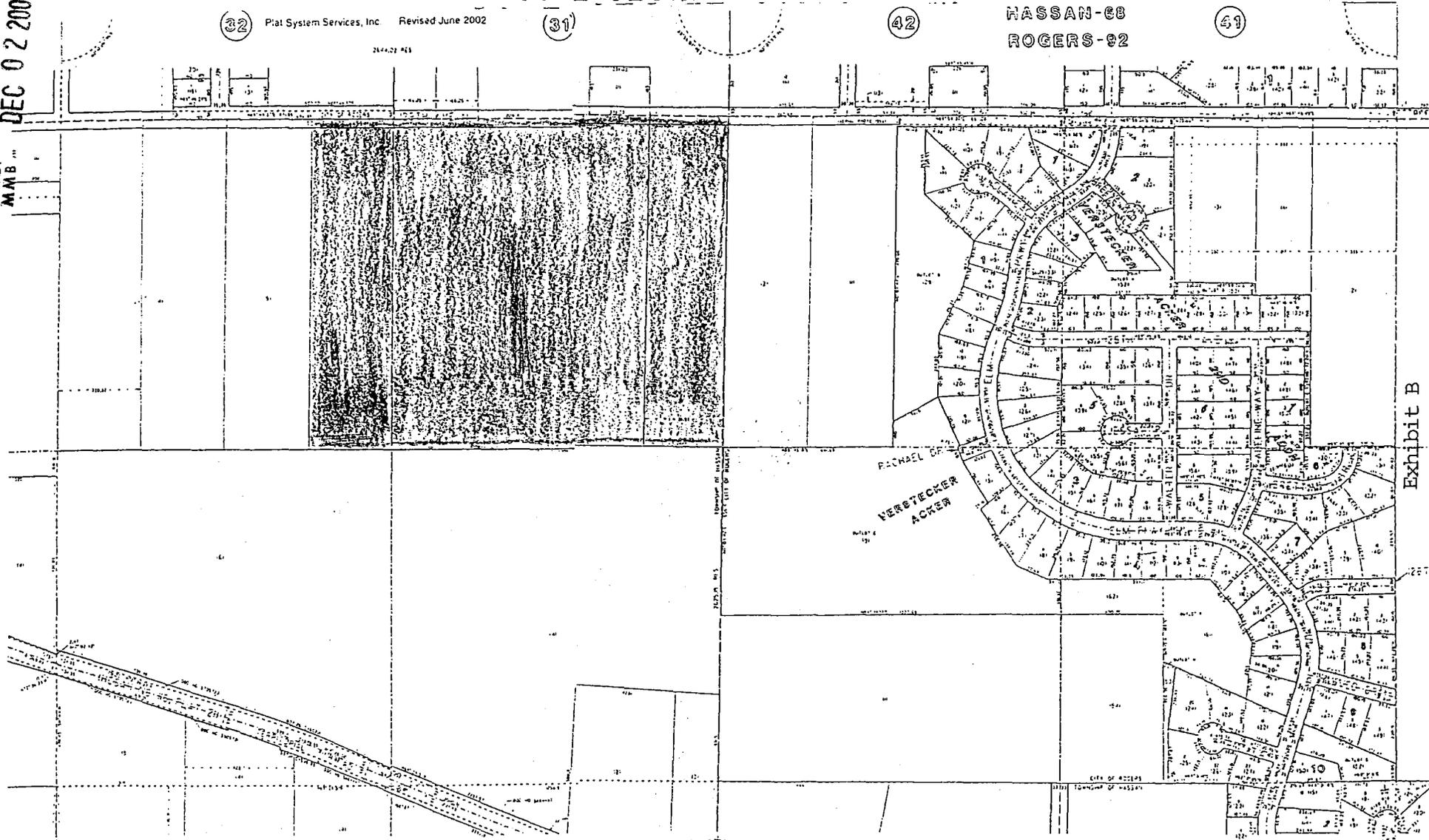
42

HASSAN-03
ROGERS-02

41

REC'D BY
M.A.B.

SEC.21, T.120, R.23



33

THIS IS NOT A LEGALLY RECORDED MAP. IT REPRESENTS A COMPILED OF INFORMATION AND DATA FROM CITY, COUNTY AND STATE DATA SOURCES AND OTHER SOURCES.

34

43

- - - - - STORM SEWER DISTRICT BOUNDARY
 - - - - - SCHOOL DISTRICT BOUNDARY
 - - - - - WATERSHED DISTRICT BOUNDARY
 - - - - - PROPERTY BOUNDARY

44

Exhibit B