

ORDINANCE NO. 2002- 08CITY OF ROGERS
HENNEPIN COUNTY
STATE OF MINNESOTAREC'D BY
MMB

DEC 02 2002

AN ORDINANCE GRANTING A PETITION FOR ANNEXATION
PURSUANT TO MINNESOTA STATUTES §414.033, SUBD. 2(3)
AND ANNEXING 60 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 60 acres or less;
 - 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 Miltz
Its Mayor

ATTEST:

Stacy Doboszinski
City Clerk

REC'D BY
MMB

DEC 02 2002

**LEGAL DESCRIPTION
OF ANNEXED LAND**

The North 60 acres, as measured at right angles to the centerline of HCSAH No. 144, Plat 52 (141st Avenue North) of those portions of the following parcels lying south of the center line of HCSAH No. 144, Plat 52 (141st Avenue North) and westerly of the center line of HCSAH No. 13, Plat 29 (Brockton Lane North):

Parcel 1:

The North Half of the Northeast Quarter of Section 13, Township 120, Range 23, according to the United States Government Survey thereof, Hennepin County, Minnesota.

Parcel 2:

That part of the South Half of the Northeast Quarter of Section 13, Township 120, Range 23 lying westerly of the center line of HCSAH No. 13, Plat 29, except the south 615.00 feet as measured at right angles to the south line thereof, Hennepin County, Minnesota.

Exhibit A

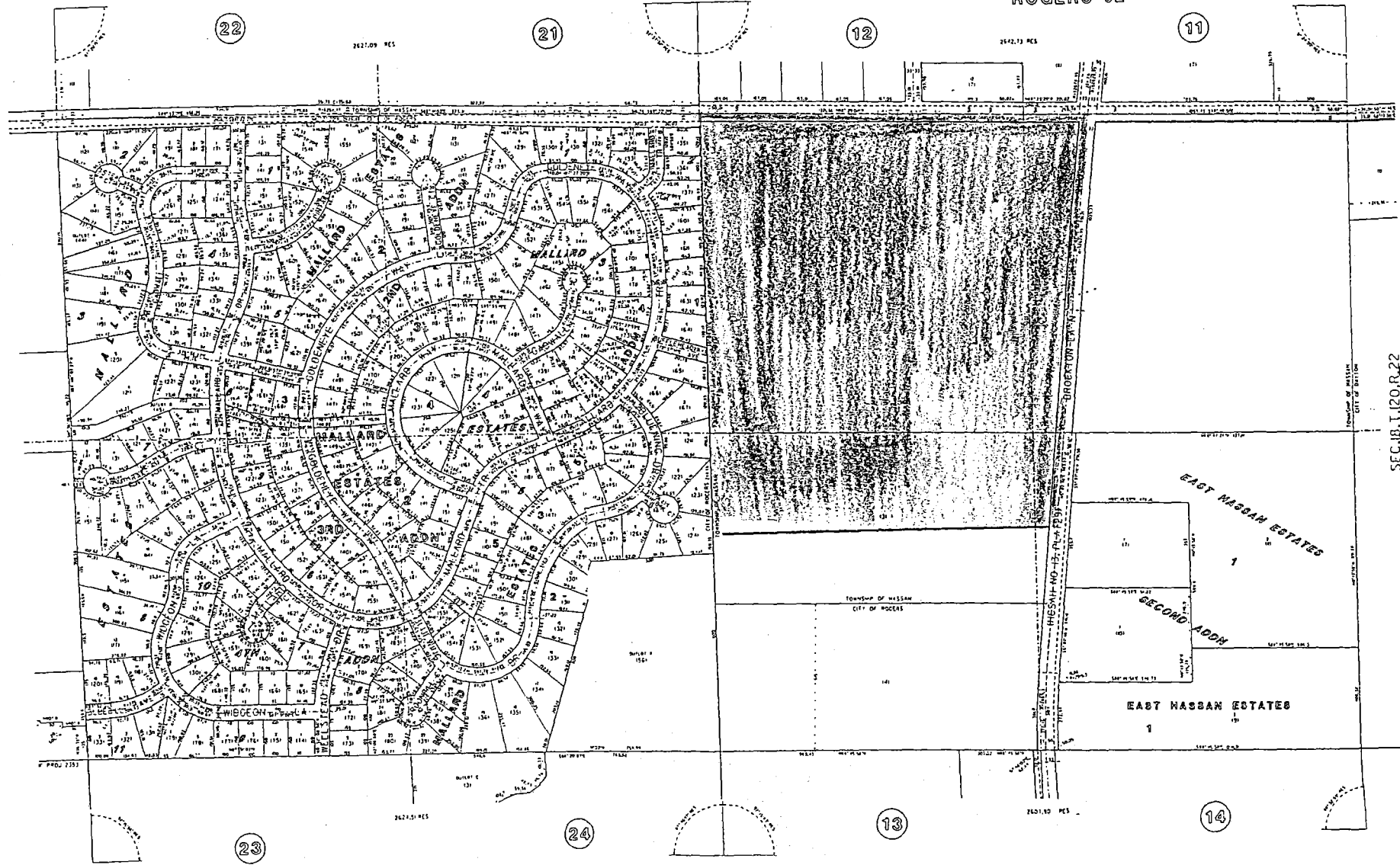
MINISTONIA, MO 65458

REC'D BY
M M B
DEC 02 2002

REVISED DECEMBER, 2001

N 1/2 SEC. 13 T. 120 R. 23

HASSAN-68
ROGERS-92



SEC. 13 T. 120 N. R. 23 W.
Exhibit B