

JUN 03 2003

O R D I N A N C E

No. 1184

AN ORDINANCE PROVIDING FOR
THE ANNEXATION OF CERTAIN
PROPERTIES LOCATED IN OAK LAWN TOWNSHIP,
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 Nicholas F. & Gabrielle Buffetta, the fee owner of certain property in the County of Crow Wing, State of Minnesota, described as follows:

That part of the S1/2SE1/4SW1/4, Sec17, Twp45,Rg 30 and that part of Lot 1, "Auditor's Subdivision of the NW1/4, Sec.20, Twp/45, Rg 30", described as follows: Commencing at the iron pipe monument at the Southeast corner of Lot 5, Wonderland and assuming the Southwesterly line of said Lot 5 bears North 59 degrees 34 minutes 33 seconds West from said iron pipe; thence South 30 degrees 25 minutes 27 seconds West 100 feet; thence South 59 degrees 34 minutes 33 seconds East 19.06 feet to the Westerly right of way line of State Highway No. 210; thence South 30 degrees 09 minutes 48 seconds West 50.95 feet along said right of way line to the approximate Northerly right of way line of Old Highway No 210; thence South 49 degrees 50 minutes 12 seconds West 155.68 feet along said right of way of Old State highway No. 210 to the point of beginning of the Tract to be described; thence continue South 49 degrees 50 minutes 12 seconds West along said right of way of Old State Highway No. 210 to its intersection with the Southeasterly extension of the Northeasterly line of Lot 7, "Auditors Plat of part of the NE1/4NW1/4, Sec. 20, Twp 45, Rge 30"; thence Northwesterly along said Northeasterly line of Lot 7 to the shore of Rice Lake; thence Northeasterly along said

shore to its intersection with the line that bears North 50 degrees 10 minutes 24 seconds West from the point of beginning, said line bearing North 50 degrees 10 minutes 24 seconds West also being the Southwesterly line of the tract deeded to Aspros by the deed recorded in Book 288 of Deeds, page 482; thence South 50 degrees 10 minutes 24 seconds East along said Southwesterly line of the Aspros tract to the point of beginning. Subject to easements, reservation and restrictions of records.

Address: 1450 Wonderland Park Road

P.I.N. # 81101000001A889

Sect/Town/Range: 20 / 45 / 30

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 Oak Lawn Township of Crow Wing County. This area contains approximately 1.72 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 B-4 (General Business) 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:

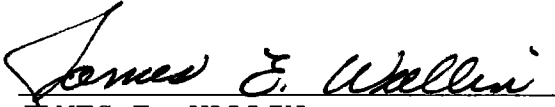
- i. In the first year following the year the City could first levy on the annexed area, and amount equal to 90% of the property taxes distributed to the town in regard to the annexed area in the last year the property taxes from the annexed area were payable to the town;
- ii. In the second year, an 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 17th day of March, 2003.


James J. Dehen Jr.
President of the Council

Approved this 18th day of March, 2003.


JAMES E. WALLIN
Mayor

ATTEST:


DANIEL J. VOGT
City Administrator

Published: March 21, 2003

Ordinance 1184

— Current City Limits

▨ Proposed Annexation

