

OCT 27 2003

O R D I N A N C E

No. 1204

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 Samuel T. and Janice Morton, the fee owner of certain property in the County of Crow Wing, State of Minnesota, described as follows:

That part of the Northeast quarter of the Northwest quarter (NE1/4-NW1/4) of Section 20, Township 45, Range 30, described as follows, to-wit: Commencing at a point on the South line of the Northeast quarter of the Northwest quarter, where the Westerly right-of-way line of U.S. Highway 210 crosses the same; thence North 24 degrees 09 minutes East, 383 feet along said Westerly right-of-way line to the place of beginning; thence North 65 degrees 51 minutes West, 346.1 feet to the Easterly right-of-way line of old Highway 210, thence North 50 degrees 49 minutes East 265.7 feet along said Easterly right-of-way line, thence South 85 degrees 21 minutes East to the Westerly right-of-way line of U.S. Highway 210, thence South 24 degrees 09 minutes West along said right-of-way line to the place of beginning. Except that part deeded to the State of Minnesota shown as parcel 223B on Minnesota Department of Transportation row plat #18-3 on file in the County Recorder's office.

Address: 11398 Wonderland Park Road  
P.I.N. # 790202100DA0009  
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 1.36 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 R-F (Rural Residential) 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%.

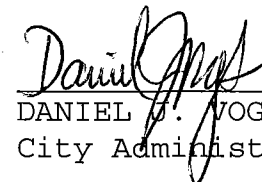
SECTION SEVEN: This Ordinance shall take effect and be in force one week from and after its publication and is further subject to final approval of Minnesota Planning Municipal Boundary Adjustments.

Adopted this 6th day of October, 2003.

  
JAMES J. DEHEN JR.  
President of the Council

Approved this 7th day of October, 2003.

  
JAMES E. WALLIN  
Mayor

ATTEST:   
DANIEL P. VOGT  
City Administrator

Published: October 10, 2003

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**CURRENT CITY LIMITS**

**PROPOSED ANNEXATION**

