

O R D I N A N C E

No. 1206

AN ORDINANCE PROVIDING FOR
THE ANNEXATION OF CERTAIN
PROPERTIES LOCATED IN UNORGANIZED TERRITORY,
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 Marvin P. Holmes, the fee owner of certain property in the County of Crow Wing, State of Minnesota, described as follows:

That part of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Thirty-three (33), Township One Hundred Thirty-four (134) North, Range Twenty-eight (28) West described as follows: Commencing at the Southeast corner of said SE $\frac{1}{4}$ SE $\frac{1}{4}$; thence North 0 degrees 18 minutes West 396.5 feet along the East line of the said SE $\frac{1}{4}$ SE $\frac{1}{4}$ to the North right-of-way line of Riverside Drive (CSAH 20); thence South 66 degrees 22 minutes West 435.9 feet along the said right-of-way line; thence South 64 degrees 38 minutes West 100 feet to the place of beginning; thence North 27 degrees 06 minutes West 200.12 feet; thence South 61 degrees 10 minutes West 128.28 feet; thence South 48 degrees 27 minutes West 123.21 feet; thence South 46 degrees 18 minutes West 292.35 feet to the South line of the said SE $\frac{1}{4}$ SE $\frac{1}{4}$; thence South 89 degrees 20 minutes 30 seconds East 282.48 feet along the South line of the said

SE $\frac{1}{4}$ SE $\frac{1}{4}$ to the North right-of-line of Riverside Drive (CSAH 20); thence North 47 degrees 56 minutes East 83.9 feet along the said right-of-way line; thence North 48 degrees 27 minutes East 100 feet along the said right-of-way line; thence North 61 degrees 10 minutes East 100 feet along the said right-of-way line to the place of beginning, subject to reservations of record.

P.I.N. # 970334400J00009, 970334400K00009, 970334400L00009
Sect/Town/Range: 33/134/28

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 Unorganized Territory of Crow Wing County. This area contains approximately 1.88 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.

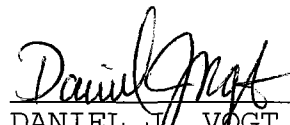
Adopted this 6th day of October, 2003.


JAMES J. DEHEN JR.
President of the Council

Approved this 7th day of October, 2003.


JAMES E. WALLIN
Mayor

ATTEST:


DANIEL J. VOGT
City Administrator

Published: October 10, 2003

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PROPOSED ANNEXATION

