

ORDINANCE NO. 339

AN ORDINANCE OF THE CITY OF MILACA ANNEXING LAND LOCATED IN THE TOWN OF BORGHOLM, MILLE LACS COUNTY, MINNESOTA, TO THE CITY OF MILACA, MILLE LACS COUNTY, MINNESOTA PURSUANT TO MINNESOTA STATUTES 414.033, SUBD. 2, PERMITTING ANNEXATION BY ORDINANCE

WHEREAS all the owners of an approximately 59 acre parcel adjacent to the city limits of Milaca have petitioned the city of Milaca to annex the property; and,

WHEREAS the property is described as follows:

The fractional North Half of the Northwest Quarter (frl. N $\frac{1}{2}$ of NW $\frac{1}{4}$) of Section 30, Township 38, Range 26, subject to utility easement of record, according to the U.S. Government Survey thereof.

LESS AND EXCEPTING that part of the Northwest Quarter of the Northwest Quarter of Section 30, Township 38 North, Range 26 West, shown as Parcel 205 on Minnesota Department of Transportation Right of Way Plat Numbered 48-39 as the same is on file and of record in the office of the County Recorder in and for Mille Lacs County, Minnesota; AND LESS AND EXCEPTING That part of the Northwest Quarter of the Northwest Quarter of Section 30, Township 38 North, Range 26 West, shown as Parcel 5 on the plat designated as Minnesota Department of Transportation Right of Way Plat Numbered 48-11 on file and of record in the office of the County Recorder in and for Mille Lacs County, Minnesota.

and,

WHEREAS the property is likely to become urban in nature, as the owners are requesting the property be zoned Residential 2, and does not lie in a flood plain or shoreland area; and,

WHEREAS the population of the area to be annexed is zero; and,

WHEREAS the city council has held a duly called public hearing on the matter, following 30 day written notice to Borgholm Township and to all landowners within and contiguous to the area to be annexed,

NOW THEREFORE BE IT RESOLVED by the Milaca City Council that the council hereby annex the land described as:

The fractional North Half of the Northwest Quarter (frl. N ½ of NW ¼) of Section 30, Township 38, Range 26, subject to utility easement of record, according to the U.S. Government Survey thereof.

LESS AND EXCEPTING that part of the Northwest Quarter of the Northwest Quarter of Section 30, Township 38 North, Range 26 West, shown as Parcel 205 on Minnesota Department of Transportation Right of Way Plat Numbered 48-39 as the same is on file and of record in the office of the County Recorder in and for Mille Lacs County, Minnesota; AND LESS AND EXCEPTING That part of the Northwest Quarter of the Northwest Quarter of Section 30, Township 38 North, Range 26 West, shown as Parcel 5 on the plat designated as Minnesota Department of Transportation Right of Way Plat Numbered 48-11 on file and of record in the office of the County Recorder in and for Mille Lacs County, Minnesota.

BE IT FURTHER RESOLVED that the annexation shall be effective prior to August 1, 2004, and the city of Milaca shall make cash payments to Borgholm Township in accordance with the following schedule:

1. In the first year following the year the municipality could first levy on the annexed area, 2006, an amount equal to 90 percent 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;
2. In the second year, 2007, an amount equal to 70 percent;
3. In the third year, 2008, an amount equal to 50 percent;
4. In the fourth year, 2009, an amount equal to 30 percent, and
5. In the fifth year, 2010, an amount equal to 10 percent.

Said payments shall be made on or before June 1 of each year.

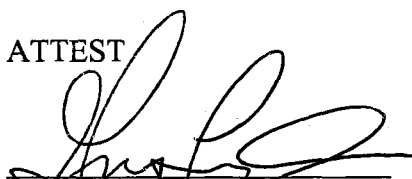
BE IT FURTHER RESOLVED that the City Council finds that the city's comprehensive plan adopted in 1997 is in need of updating, and that the highest and best use of this property is residential rather than industrial, and that the area to be annexed shall be zoned as Residential 2.

This ordinance shall become final on the date it is approved by Minnesota Planning.

Passed this 20th day of November, 2003.


Mayor Randy Furman

ATTEST


Greg Lerud, City Manager

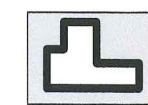
NOV 24 2003
REC'D BY
MMB

CITY OF MILACA

MILLE LACS COUNTY, MN

AUGUST 2003

MAP LEGEND



CITY BOUNDARY



WATER FEATURES



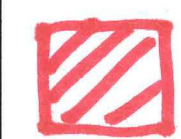
ROAD RIGHT OF WAY



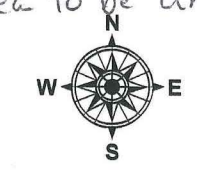
EXEMPT RIGHT OF WAY



SECTION / QUARTER SECTION



Area to be annexed



2000 0 2000 4000 Feet

0.2 0 0.2 0.4 0.6 0.8 1 1.2 Miles



City of Milaca

Bonestroo
Rosene
Anderlik &
Associates
Engineers & Architects