

ORDINANCE NO. 309

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF ISANTI TO INCLUDE CERTAIN UNINCORPORATED PROPERTY (55 ACRES) OWNED BY PATLOCK DESIGN, INC. AND ABUTTING UPON THE LIMITS OF THE CITY OF ISANTI IN ISANTI TOWNSHIP PURSUANT TO MINNESOTA STATUTES 414.033, subd. 2(3)

WHEREAS, a certain petition dated November 4, 2003, requesting that the property as hereinafter described be annexed to the City of Isanti, Minnesota, was duly presented to this Council on the 18th day of November 18, 2003; and

WHEREAS, said petition was signed by all owners of the property; and

WHEREAS, said property is unincorporated and abuts the City of Isanti on its easterly boundary; and

WHEREAS, said property is less than 60 acres; and

WHEREAS, said property is not presently served by public sewer and water facilities or public sewer and water facilities are not otherwise available; and

WHEREAS, said property is currently being developed for residential purposes; and

WHEREAS, to facilitate said development, the property owner has requested city services be extended to said property; and

WHEREAS, notice of public hearing was given to those parties specified in Minnesota Statutes 414.033, subd. 2b; and

WHEREAS, a public hearing was duly held by the Isanti City Council on the 6th day of January 2004; and

WHEREAS, provisions of Minn. Statute 414.033, subd. 13 are not applicable in that there will be no change in the electric utility service provider resulting from the annexation of the territory to the municipality.

NOW THEREFORE, THE CITY OF ISANTI DOES HEREBY ORDAINS AS FOLLOWS:

1. The City Council hereby determines that the property as hereinafter described is or is about to become urban in nature in that said property is being developed for residential purposes which need or will need city services,

including public sewer and water facilities, and that none of property is now included within the limits of any city.

2. **Territory annexed.** The corporate limits of the City of Isanti are hereby extended to include the following described territory, said land abutting the City of Isanti and being 60 acres or less in area, and is not presently served by public sewer and water facilities or public sewer and water facilities are not otherwise available, and the City having received a petition for annexation from all the property owners of the land, Isanti County, Minnesota, to wit:

That part of the East half of the Northeast Quarter of the Northwest Quarter, lying North and West of the right-of-way of Isanti County road 5, all in Section 28, Township 35, Range 23 and the Southeast Quarter of the Northwest Quarter, Section 28, Township 35, Range 23, Isanti County, Minnesota, excepting the following:

- a. The property taken for the right-of-way of Isanti County Road 5;
- b. That part of the East Half of the Northwest quarter (E1/2 of NW ¼) of Section 28, Township 35, Range 23, described as follows:

Beginning at a point 1186 feet North of the Southeast corner of the said NW ¼, thence West 400 feet, more or less, to the East right of way line of State Aid "Road No. 5, thence Northeasterly along said right of way to the East line of the said NW ¼, thence South 912 feet, more or less, to the point of beginning: and

- c. That part of the Northwest Quarter of Section Twenty-eight (28), Township Thirty-five (35), Range Twenty-three (23), described as follows:

Commencing on the quarter line 5 rods East of the post in the SW corner of the SE ¼ of NW ¼ of said Section 28, thence running East on the Quarter line a distance of 28 rods, thence due North 3 rods, thence northwest a distance of 19 2/4 rods, to a point 6 rods North of the quarter line and 10 rods northeast from the point of beginning, thence southwest to the point of beginning, a distance of 10 rods.

Subject to easements, restrictions and reservations, if any.

The above described property consists of a total of 55 acres, more or less. Copies of the corporate boundary map showing the property to be annexed and its relationship to the corporate boundaries and an appropriate plat map are attached hereto.

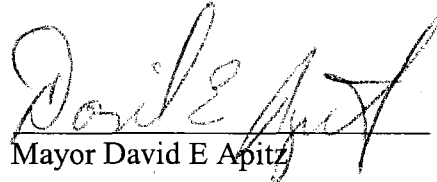
3. **Population.** There are zero (0) people residing on the above described land.

JAN 14 2004

4. **Property Taxes.** Pursuant to Minnesota Statutes 414.033, subd. 12, the property taxes payable on annexed land in the year 2003 shall be paid to the Township of Isanti, Minnesota. Thereafter, the City of Isanti shall make a cash payment to the Township of Isanti in accordance with the following schedule:
- a. 2004 – an amount equal to ninety percent (90%) of the property taxes distributed to the town in regard to the annexed area in 2003;
 - b. 2005 – An amount equal to seventy percent (70%) of the property taxes distributed to the town in regard to the annexed area in 2003;
 - c. 2006 – an amount equal to fifty percent (50%) of the property taxes distributed to the town in regard to the annexed area in 2003;
 - d. 2007 – an amount equal to thirty percent (30%) of the property taxes distributed to the town in regard to the annexed area in 2003; and
 - e. 2008 – an amount equal to ten percent (10%) of the property taxes distributed to the town in regard to the annexed area in 2003.
5. **Filing.** The City Clerk is directed to file certified copies of this ordinance with the Secretary of State, the County Auditor of the county in which the property is located, the Town clerk of the affected township and the Minnesota Planning.
6. **Effective date of annexation.** This ordinance takes effect upon its passage and publication and the filing of certified copies as directed in paragraph 5 and approved by the Minnesota Planning.

Passed and Adopted by the City Council of Isanti, Minnesota this 6th day of January 2004.

Attest:


Mayor David E Apitz


Irene J. Bauer, City Clerk-Treasurer

(SEAL)

