

O R D I N A N C E

No. 1224

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 Heidmann Donovan LLC, the fee owner of certain property in the County of Crow Wing, State of Minnesota, described as follows:

That part of Government Lot 1, Section 34 and Government Lot 1, Section 35 all in Township 134 North, Range 28 West, Crow Wing County, Minnesota that lies northwesterly of the following described line: Beginning at the intersection of the west line of said Government Lot 1, Section 34 and the centerline of Riverside Drive according to the record plat of Gilbert View Estates and assuming the west line of said Government Lot 1, Section 34 bears North 00 degrees 05 minutes 58 seconds East; thence North 35 degrees 58 minutes 18 seconds East 453.16 feet; thence 427.83 feet northeasterly along a curve, tangent to the last described course, concave southeasterly, having a radius of 1600.00 feet and a central angle of 15 degrees 19 minutes 14 seconds; thence North 51 degrees 17 minutes 32 seconds East, tangent to the last described curve, 298.53 feet; thence 209.92 feet northeasterly along a curve, tangent to the last described course, concave northwesterly, having a radius of 475.00 feet and a central angle of 25 degrees 19 minutes 14 seconds; thence North 25 degrees 58 minutes 18 seconds East, tangent to the last described curve, 988.28

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feet; thence 114.20 feet northeasterly along a curve, tangent to the last described course, concave southeasterly, having a radius of 350.00 feet and a central angle of 18 degrees 41 minutes 42 seconds; thence North 44 degrees 40 minutes 00 seconds East, tangent to the last described curve, 57.79 feet to the north line of said Government Lot 1, Section 35 and said line there terminating. Subject to the right of way for Riverside Drive. Subject to easements, reservations and restrictions of records, if any.

PIN# 970341101A00009

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 in Unorganized Territory of Crow Wing County. This area contains approximately 33.0 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 a (Rural Residential District) R-F 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

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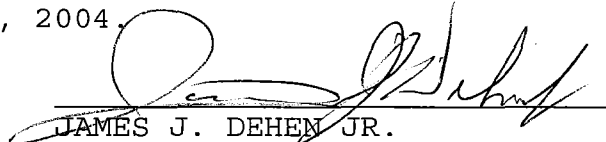
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City may levy on the annexed area beginning with that same levy year. If the annexation becomes effective after August 1 of a levy year, the town may continue to levy on the annexed area for that levy year, and the City may not levy on the annexed 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.

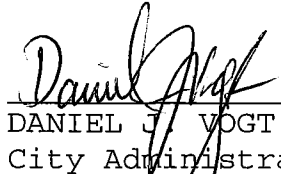
Adopted this 3rd day of May, 2004.


JAMES J. DEHEN JR.
President of the Council

Approved this 4th day of May, 2004.


JAMES E. WALLIN
Mayor

ATTEST:


DANIEL J. VOGT
City Administrator

Published: May 7, 2004

REC'D BY
M M B

MAY 07 2004
2ND ADD. TO
AHREN'S HILL LOT 9

GILBERT
LAKE
18-320

ORDINANCE NO. 1224
PROPOSED ANNEXATION
HEIMANN/DONOVAN, LLC.

— CURRENT CITY LIMITS
■ PROPOSED ANNEXATION

