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ORDINANCE

No. 1232

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 Thomas Strowbridge, the Fee owners of certain property in the County of Crow Wing, State of Minnesota, described as follows:

That part of the East 210.00 feet of Government Lot 5, Section 34, Township 134 North, Range 28 West, Crow Wing County, Minnesota described as follows: Beginning at the northeast corner of said Government Lot 5; thence South 00 degrees 16 minutes 37 seconds East, bearing based on Crow Wing County Coordinate Database NAD 83/94, 280.48 feet along the east line of said Government Lot 5 to the northeast corner of the tract deeded to Crow Wing County by the deed recorded as document number 643034 in the Crow Wing County Recorders Office; thence South 89 degrees 41 minutes 33 seconds West 170.00 feet along the north line of said Crow Wing County tract to the northwest corner of said Crow Wing County tract also being on the west line of the East 170.00 feet of said Government Lot 5; thence South 00 degrees 16 minutes 37 seconds East 187 feet, more or less, along said west line of the East 170.00 feet of Government Lot 5 to the centerline of CSAH 20; thence southwesterly 44 feet, more or less, along said centerline of CSAH 20 to its intersection with the west line of said East 210.00 feet of Government Lot 5; thence North 00 degrees 16 minutes 37 seconds West 485 feet, more or less, along said west line of the East 210.00 feet of Government Lot 5 to the north line of said Government Lot 5; thence easterly 210 feet, more or less, along said north line of Government Lot 5 to the point of beginning. Subject to the right-of-way for CSAH 20, subject

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to an easement for ingress, egress and utilities over, under and across the West 40.00 feet of the East 210.00 feet of said Government Lot 5 lying northerly of CSAH 20, and subject to other easements, reservations or restrictions of record, if any. Containing 1.53 acres, more or less, and adjacent roadway right of ways.
AND ALSO
The south 20 feet of the East 210 feet of the Northwest ¼ of the Southwest ¼, Section 34, Township 134, Range 28, Crow Wing County, Minnesota.

Address: 15139 Riverside Drive
P.I.N. #970343200LB0009
Section/Township/Range: 33 /134.0 / 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 **1.53 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.

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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.

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 21st day of June, 2004.

JAMES J. DEHEN JR.
President of the Council

Approved this 22nd day of June, 2004.

JAMES E. WALLIN
Mayor

ATTEST: _____
DANIEL J. VOGT
City Administrator

Published: June 25, 2004

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