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**ORDINANCE**  
**N O. 2005-13**

**AN ORDINANCE PROVIDING FOR THE ANNEXATION OF CERTAIN  
PROPERTIES LOCATED IN HUMBOLDT TOWNSHIP, CLAY COUNTY, TO  
THE CITY OF BARNESVILLE, CLAY COUNTY MINNESOTA, PURSUANT TO  
MINNESOTA STATUTE 414.033**

THE CITY COUNCIL OF THE CITY OF BARNESVILLE DOES ORDAIN:

SECTION ONE: That Harvey Gilbertson and Ed Gilbertson, the fee owner of certain property in the County of Clay , State of Minnesota, described as follows:

DESCRIPTION – 59.00-FOOT WIDE STRIP SOUTH OF TRACT E:

THAT PART OF THE WEST HALF OF SECTION 29, TOWNSHIP 137 NORTH, RANGE 45 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CLAY COUNTY, MINNESOTA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 29; THENCE SOUTH 01°05'59" EAST (ASSUMED BEARING), ALONG THE WESTERLY LINE OF THE NORTHWEST QUARTER OF SAID SECTION 29, FOR A DISTANCE OF 2574.78 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 89°58'28" EAST FOR A DISTANCE OF 2177.03 FEET; THENCE SOUTH 01°05'59" EAST FOR A DISTANCE OF 59.00 FEET; THENCE NORTH 89°58'28" WEST FOR A DISTANCE OF 2177.03 FEET TO A POINT OF INTERSECTION WITH THE WESTERLY LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 29; THENCE NORTH 01°05'59" WEST, ALONG THE WESTERLY LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 29, FOR A DISTANCE OF 34.70 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 29; THENCE CONTINUE NORTH 01°05'59" WEST, ALONG THE WESTERLY LINE OF THE NORTHWEST QUARTER OF SAID SECTION 29, FOR A DISTANCE OF 24.30 FEET TO THE TRUE POINT OF BEGINNING.

SAID TRACT CONTAINS 2.948 ACRES, MORE OR LESS, AND IS SUBJECT TO EASEMENTS AS MAY BE OF RECORD.

Sect/Town/Range: 29 / 137 / 45 W

**Location:** Land South of the Del Acres – Gilbertson Plat.

Filed a petition with the City Council of the City of Barnesville pursuant to Section 414.033, Subdivision 2 (3) of the Minnesota Statutes. This property is located within HUMBOLT Township of Clay County. This area contains approximately 42.873 acres of land.

SECTION TWO: That said realty abuts the City of Barnesville 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 Barnesville has held the required public hearing and notified the town along with all landowners within and contiguous to the area being annexed.

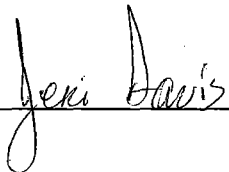
SECTION FIVE: That Council of the City of Barnesville deems the annexation of said realty to the City of Barnesville to be in the best interest of the City of Barnesville and the territory affected and accordingly, said realty is hereby annexed to the City of Barnesville Single Family (R1) District so as to become and be part of the City of Barnesville 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%.

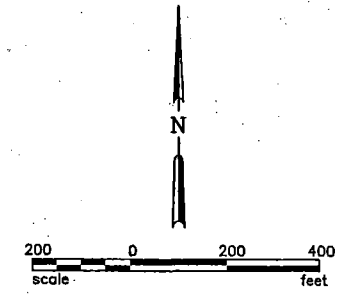
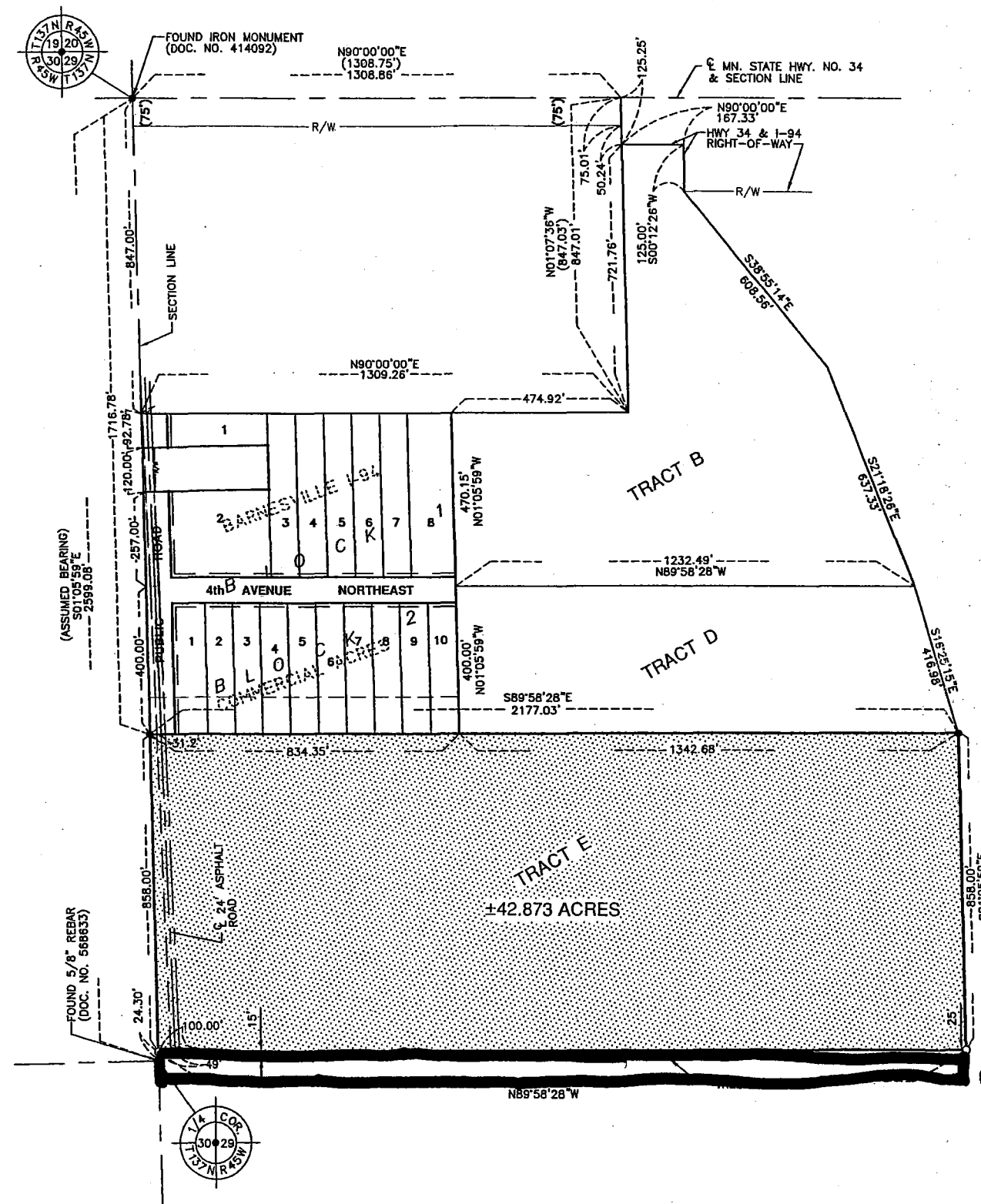
SECTION SEVEN: This Ordinance shall take effect and be in force one week from and after its publication and is further subject to final approval of Minnesota Planning Municipal Boundary Adjustments.

  
KENNETH J BAUER  
MAYOR

ATTEST:   
Jeri Davis  
City Clerk

First Reading:	September 12, 2005
Public Hearing:	September 12, 2005
Second Reading:	October 10, 2005
Published:	October 24, 2005

REC'D BY  
MMD NOV 07 2005



LEGEND

IRON MONUMENT FOUND	•
IRON PIPE 1/2" I.D. SET	o
MEASURED DISTANCE	1308.86'
RECORDED DISTANCE	(1308.75')
RIGHT-OF-WAY	R/W

DESCRIPTION - TRACT E:

THAT PART OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 137 NORTH, RANGE 45 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CLAY COUNTY, MINNESOTA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 29; THENCE SOUTH 01°05'59" EAST (ASSUMED BEARING), ALONG THE WESTERLY LINE OF THE NORTHWEST QUARTER OF SAID SECTION 29, FOR A DISTANCE OF 1,716.78 FEET TO THE SOUTHWEST CORNER OF BARNESVILLE 1-94 COMMERCIAL ACRES, AS PLATTED, AND THE TRUE POINT OF BEGINNING; THENCE SOUTH 89°58'28" EAST, ALONG THE SOUTHERLY LINE, AND THE SOUTHERLY LINE AS EXTENDED EAST, OF SAID BARNESVILLE 1-94 COMMERCIAL ACRES, FOR A DISTANCE OF 2,177.03 FEET; THENCE SOUTH 01°05'59" EAST, PARALLEL WITH THE WESTERLY LINE OF THE NORTHWEST QUARTER OF SAID SECTION 29, FOR A DISTANCE OF 858.00 FEET; THENCE NORTH 89°58'28" WEST FOR A DISTANCE OF 2,177.03 FEET TO A POINT OF INTERSECTION WITH THE WESTERLY LINE OF THE NORTHWEST QUARTER OF SAID SECTION 29; THENCE NORTH 01°05'59" WEST, ALONG THE WESTERLY LINE OF THE NORTHWEST QUARTER OF SAID SECTION 29, FOR A DISTANCE OF 858.00 FEET TO THE TRUE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS 42.873 ACRES, MORE OR LESS, AND IS SUBJECT TO A CITY STREET EASEMENT AND TO OTHER EASEMENTS AS MAY BE OF RECORD.


I HEREBY CERTIFY THAT THIS SURVEY, PLAN, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

*Curtis A. Skarphol*  
CURTIS A. SKARPHOL  
MN. LIC. NO. 42303

DATE 1/25/05

← 59 FEET

PART OF THE NW 1/4, SECTION 29, T137N, R45W  
HUMBOLDT TWP., CLAY COUNTY, MINNESOTA

			 <b>Houston Engineering, Inc.</b> 2505 NORTH UNIVERSITY DRIVE TEL: (701) 237-5065 FARGO, NORTH DAKOTA 58102 FAX: (701) 237-5101	Drawn by WSO, JAP	Date 1-25-05	HARVEY GILBERTSON R.R. 3 BOX 24 BARNESVILLE, MINNESOTA	CERTIFICATE OF SURVEY	SHEET  1 of 1
				Checked by CAS	Scale AS SHOWN			
No.	Revision	Date By						

