

ORDINANCE NO. 363

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF ISANTI TO INCLUDE CERTAIN UNINCORPORATED PROPERTY (57.17 ACRES) OWNED BY DIANE E. LA ROWE 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 April 27, 2006 requesting that the property as hereinafter described be annexed to the City of Isanti, Minnesota, was duly presented to this Council on the 16th day of May 2006; and

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

WHEREAS, said property is unincorporated and abuts the current boundary of the City of Isanti; and

WHEREAS, said property is 60 acres or less; 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 20th day of June 2006; 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:

Parcel ID: 050331000
57.17 Acres

That part of the West Half of the Northwest Quarter and that part of the Northwest Quarter of the Southwest Quarter, both in Section 33, Township 35, Range 23, Isanti County, Minnesota, according to the United States government Survey thereof, lying southerly of the following described line:

Beginning at a point on the west line thereof, distant 1934.42 feet southerly of the northwest corner thereof, for the purposes of this description, said west line if assumed to bear South 01 degrees 00 minutes 31 seconds East; thence North 88 degrees 59 minutes 29 seconds East a distance of 421.92 feet; thence South 01 degrees 00 minutes 31 seconds East a distance of 19.65 feet; thence North 88 degrees 59 minutes 29 seconds East 137.50 feet; thence South 69 degrees 52 minutes 57 seconds E a distance of 64.32 feet; thence North 89 degrees 05 minutes 29 seconds East a distance of 137.50 feet; North 79 degrees 03 minutes 37 seconds East a distance of 232.51 feet; thence North 89 degrees 05 minutes 29 seconds East a distance of 137.50 feet; thence South 53 degrees 44 minutes 04 seconds East a distance of 73.30 feet; thence North 89 degrees 05 minutes 29 seconds East a distance of 137.50 feet to a point on the east line of said West Half of the Northwest Quarter, distant 1963.90 feet southerly of the northeast corner thereof, and there terminating.

EXCEPTING: That part of the Southwest Quarter of the Northwest Quarter and that part of the Northwest Quarter of the Southwest Quarter, both in Section 33, Township 35, Range 23, described jointly as follows:

Beginning at the southwest corner of the Southwest Quarter of the Northwest Quarter of Section 33; thence north, along the west line of the Southwest Quarter of the Northwest Quarter, a distance of 343.69 feet; thence easterly, deflecting to the right 90 degrees 07 minutes 30 seconds, a distance of 421.92 feet; thence southerly, deflecting to the right 90 degrees 00 minutes, a distance of 419.47 feet; thence westerly, deflecting to the right 90 degrees 00 minutes, a distance of 421.01 feet to the west line of the Northwest Quarter of the Southwest Quarter of Section 33; thence north along said west line, a distance of 65.78 feet to the point of beginning.

Subject to the existing electric power transmission line.

Also subject to other easements, restrictions and reservations of record, if any.

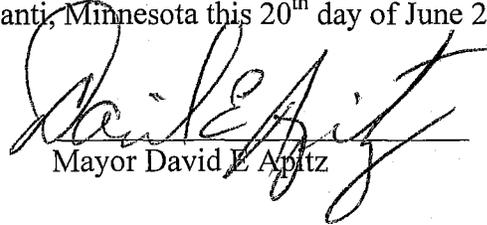
The above described property consists of a total of 60 acres, more or less. Copies of the corporate boundary map showing the property to be annexed and its relationship to the corporate boundaries and an appropriate plat map are attached hereto.

3. **Population.** There are no people residing on the above described land.
4. **Property Taxes.** Pursuant to Minnesota Statutes 414.033, subd. 12, the property taxes payable on annexed land in the year 2006 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. 2007 – an amount equal to ninety percent (90%) of the property taxes distributed to the town in regard to the annexed area in 2006;
 - b. 2008 – An amount equal to seventy percent (70%) of the property taxes distributed to the town in regard to the annexed area in 2006;
 - c. 2009 – an amount equal to fifty percent (50%) of the property taxes distributed to the town in regard to the annexed area in 2006;
 - d. 2010 – an amount equal to thirty percent (30%) of the property taxes distributed to the town in regard to the annexed area in 2006; and
 - e. 2011 – an amount equal to ten percent (10%) of the property taxes distributed to the town in regard to the annexed area in 2006.
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 Office of Administrative Hearings, Minnesota Boundary Adjustment Unit.

Passed and Adopted by the City Council of Isanti, Minnesota this 20th day of June 2006.

Attest:


Mayor David E. Apitz


Irene J. Bauer, City Clerk

(SEAL)