

**ORDINANCE  
NO. 1286**

**AN ORDINANCE PROVIDING FOR THE ANNEXATION OF CERTAIN  
PROPERTIES LOCATED IN UNORGANIZED – 1<sup>ST</sup> ASSESSMENT,  
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 Randy and Paulette Thoennes, the fee owner of certain property in the County of Crow Wing, State of Minnesota, described as follows:

Part of SESE described as follows: Commencing at the SE corner of said SESE, then N. 0 degrees, 18 minutes, W.W. 396.5 feet along the E. line of said SESE to the N. right-of-way line of County Hwy., then S. 66 degrees 22 minutes W. 135.9 feet along the said right-of-way line to the point of beginning, then N. 23 degrees 38 minutes W. 200 feet, then S. 66 degrees 22 minutes W. 100 feet then S. 23 degrees 38 minutes E. 200 feet to the N. right-of-way line of the County Highway, then N. 66 degrees 22 minutes E. 100 feet along said right-of-way line to the point of beginning. Subject to an easement of record for CSAH #20.

Unorganized – 1<sup>st</sup> Assessment

ADDRESS: 15041 Riverside Drive  
P.I.N. # 970334400D0009  
SECT/TOWN/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 – 1<sup>st</sup> Assessment of Crow Wing County. This area contains approximately .46 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.

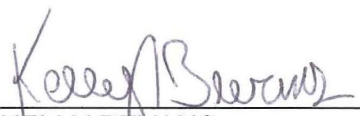
SECTION FIVE: That Council of the City of Brainerd deems the annexation of said realty to the City of Brainerd to be in the best interest of the City of Brainerd and the territory affected and accordingly, said realty is hereby annexed to the City of Brainerd as RF (Rural Residential) District so as 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 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 5<sup>th</sup> day of June, 2006.

  
KELLY BEVANS  
President of the Council

Approved this 6<sup>th</sup> day of June, 2006.

  
JAMES E. WALLIN  
Mayor

ATTEST:

  
DANIEL J. VOGT  
City Administrator

Published: June 9, 2006

