

ORDINANCE NO. 172, 3rd Series

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF WADENA TO INCLUDE CERTAIN LAND OWNED BY H. C. HARRISON ON BEHALF OF ENTRUST MIDWEST, LLC, FBO H. C. HARRISON, IRA #5101 ABUTTING THE CITY OF WADENA.

WHEREAS, H. C. Harrison on behalf of Entrust Midwest, LLC, FBO H. C. Harrison, IRA #5101 has filed a Petition requesting that certain land, portions of which are not currently within the city limits of the Wadena, Minnesota be annexed into the City of Wadena.

The legal description of the property as petitioned as follows:

All that part of the NW¼ of the NE¼ of Section 27, Township 135 North, Range 35 West, Wadena County, Minnesota, lying northerly of the following described line: commencing at the northeast corner of said NW¼ of the NE¼; thence on an assumed bearing of South 01°47'54" East along the East line of said NW¼ of the NE¼ a distance of 975.25 feet to the point of beginning of the line to be described; thence South 85°38'35" West to the West line of said NW¼ of the NE¼ and there said line terminates containing 28.45 acres more or less, EXCEPT All that part of the abandoned Burlington Northern Railroad Company Right-of-Way across the NW¼ of the NE¼, Section 27, Township 135 North, Range 35 West, Wadena County, Minnesota.

; and

WHEREAS, H. C. Harrison on behalf of Entrust Midwest, LLC, FBO H. C. Harrison IRA #5101 represents that it is the sole owner of the property and that the property consists of 60 acres or less and is not presently served by public sewer facilities, and that the property is urban or suburban in character or about to become urban or suburban in character.

NOW, THEREFORE, the City of Wadena, Minnesota does hereby ordain:

Section 1. The City Council determines and find that H. C. Harrison on behalf of Entrust Midwest, LLC, FBO H. C. Harrison IRA #5101 has filed a petition that complies with the provisions of M. S. § 414.033 for the annexation of property described as follows:

All that part of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 27, Township 135 North, Range 35 West, Wadena County, Minnesota, lying northerly of the following described line: commencing at the northeast corner of said NW $\frac{1}{4}$ of the NE $\frac{1}{4}$; thence on an assumed bearing of South 01°47'54" East along the East line of said NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ a distance of 975.25 feet to the point of beginning of the line to be described; thence South 85°38'35" West to the West line of said NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ and there said line terminates containing 28.45 acres more or less, EXCEPT All that part of the abandoned Burlington Northern Railroad Company Right-of-Way across the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 27, Township 135 North, Range 35 West, Wadena County, Minnesota.


That the area to be annexed is less than 60 acres in area, and is not currently served by public sewer facilities, and is urban or suburban in character and/or about to become urban or suburban in character.

Section 2. That the corporate limits of the City of Wadena are hereby extended to include the parcel of property described above, and the same is hereby annexed to and included in the City of Wadena as if the property had originally been a part thereof.

Section 3. That City Administrator is directed to file certified copies of this ordinance with the Secretary of State, Department of Administration, Municipal Boundary Adjustments, the Township of Leaf River, the Wadena County Auditor.

Section 4. This ordinance takes effect upon its passage and publication and the filing of the certified copies as directed in Section 3 above and approval of the Ordinance by the Department of Administration, Municipal Boundary Adjustments.

Adopted this 30th day of November, 2006.



Mayor

Attest:

Bradley A. Luoma
City Administrator

AGREEMENT REGARDING TAX REIMBURSEMENT

This Agreement is entered into by and between the City of Wadena, Minnesota and the Township of Leaf River, Wadena County, Minnesota.

RECITALS

I.

Upon the Petition of the landowner H. C. Harrison on behalf of Entrust Midwest, LLC, FBO H. C. Harrison, IRA #5101, the City of Wadena seeks to annex real property located in Wadena County and legally described as follows:

All that part of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 27, Township 135 North, Range 35 West, Wadena County, Minnesota, lying northerly of the following described line: commencing at the northeast corner of said NW $\frac{1}{4}$ of the NE $\frac{1}{4}$; thence on an assumed bearing of South 01°47'54" East along the East line of said NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ a distance of 975.25 feet to the point of beginning of the line to be described; thence South 85°38'35" West to the West line of said NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ and there said line terminates containing 28.45 acres more or less, EXCEPT All that part of the abandoned Burlington Northern Railroad Company Right-of-Way across the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 27, Township 135 North, Range 35 West, Wadena County, Minnesota.

II.

The above described property is located in the Township of Leaf River, Wadena County, Minnesota and it was property taxable by the Township.

III.

That according to the information for the tax year 2006 provided by the Wadena County Assessor, the estimated market value of the land annexed in the tax year was \$29,300.00. The total taxes charged for the parcel were \$390.45. The percentage of tax attributable to Leaf River Township was 9.48%. The taxes paid to Leaf River Township attributable to the annexed parcel were approximately \$37.01.

IV.

The parties hereto wish to enter into an agreement providing for reimbursement to Leaf River Township for taxes which would have been payable at their current rate for the next eight years.

REC'D BY
MMB

FEB 15 2007

V.

The above described property is not subject to any special assessments by the Township nor have any debts have been incurred by the Township prior to annexation for which no special assessments are outstanding.

NOW, THEREFORE, IT IS HEREBY AGREED as follows:

1. The City of Wadena shall pay to the Township of Leaf River the sum of Three Hundred and no/100ths (\$300.00) Dollars, payable in the amount of One Hundred Fifty and no/100ths (\$150.00) Dollars on or before July 1, 2007, and One Hundred Fifty and no/100ths (\$150.00) Dollars on or before July 1, 2008.
2. That a copy of this document shall be filed with the appropriate authorities of the State of Minnesota as evidence of satisfaction of the requirements in M.S. §414.

Duly authorized by:

Dated: 2-13-07

City of Wadena, Minnesota

By: [Signature]

Its: Mayor

By: Bradley A. Wren

Its: Administrator

Dated: 2-9-07

Township of Leaf River, Minnesota

By: Bryan Greenblatt

Its: Supervisor

By: Phil Delaney

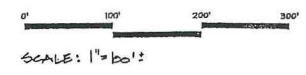
Its: Supervisor

REC'D BY
M.M.B.
FEB 15 2007

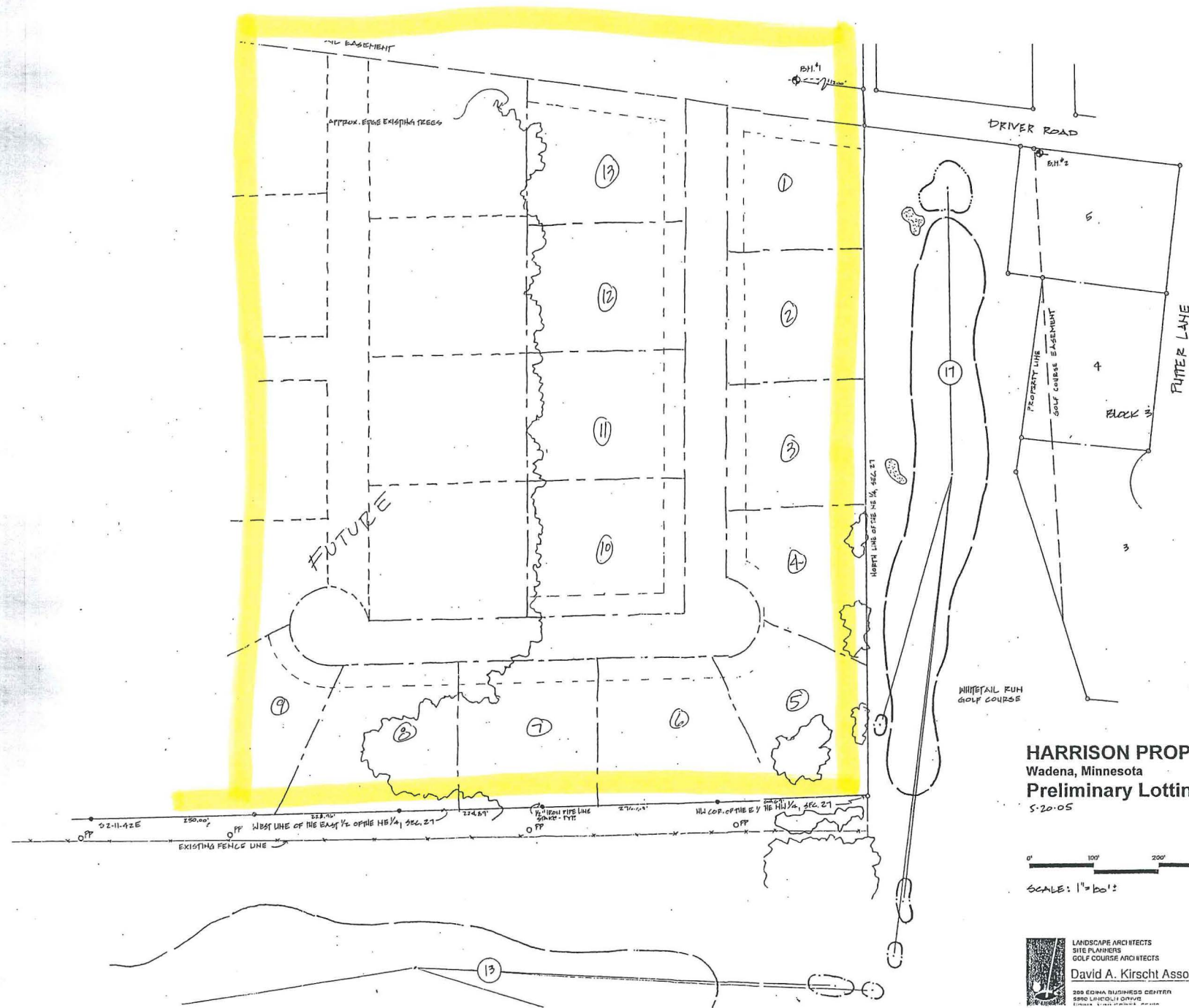
BENCHMARKS

- #1 U.S.G.S. BENCH # 564-1734 @ 1200' S. OF S.D. B.O.H. HEDGES LAKE. ELEV. = 1308.51' (1988 DATUM)
- #2 3/4" IN. I.P. @ S.E. INTERSECTION OF DRIVER ROAD & HEDGES LAKE. ELEV. = 1319.45'
- #3 SPIKE H.P. @ N.E. INTERSECTION OF DRIVER ROAD & CO. RD. 162. ELEV. = 1321.14'

HARRISON PROPERTY - III
Wadena, Minnesota
Preliminary Lotting Concept
5-20-05



LANDSCAPE ARCHITECTS
SITE PLANNERS
GOLF COURSE ARCHITECTS
David A. Kirscht Associates, Inc.
305 EDNA BUSINESS CENTER
5800 LINCOLN DRIVE
WADENA, MINN. 56601





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MMB FEB 21 2007

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NORTH

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MMB FEB 21 2007

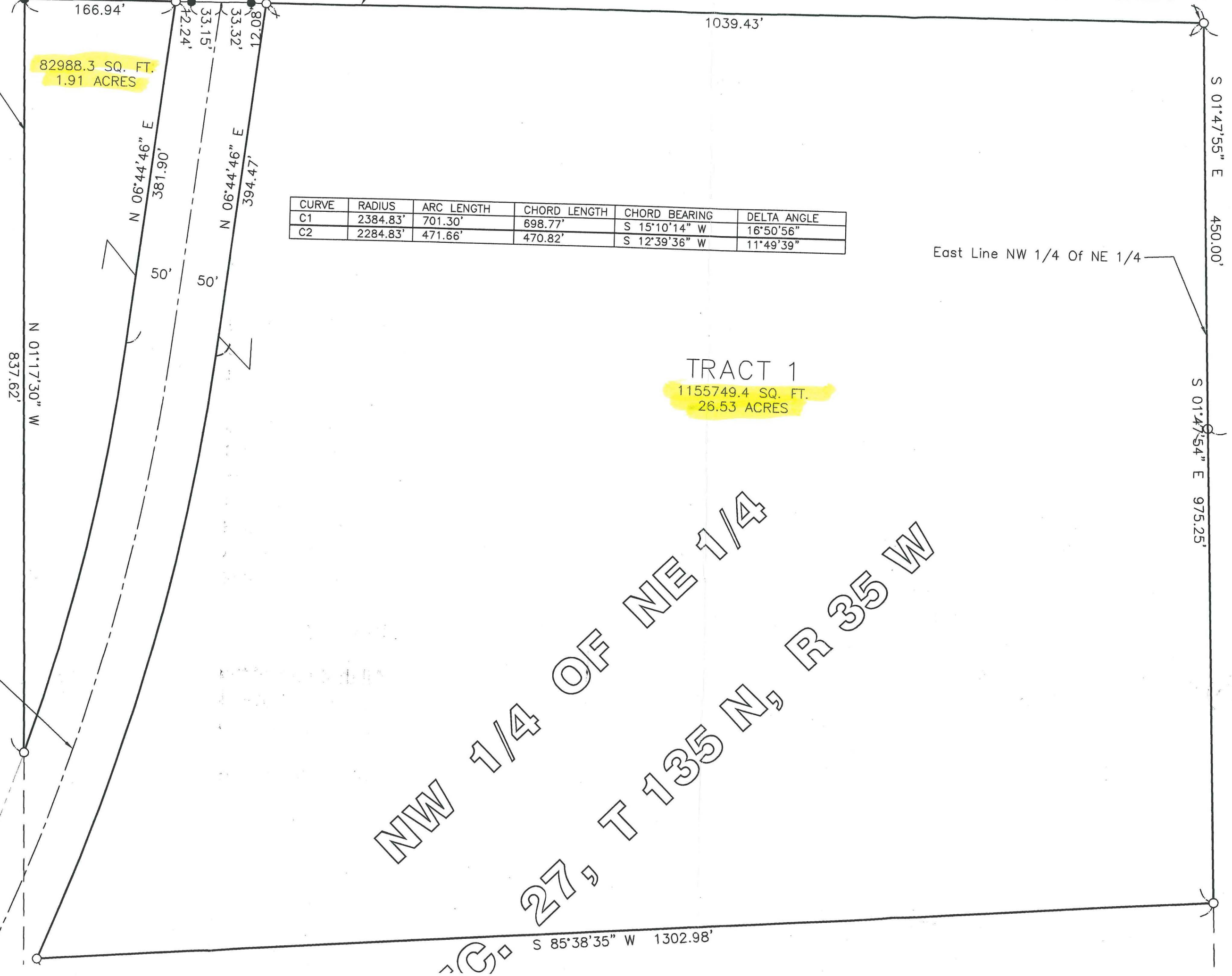
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	2384.83'	701.30'	698.77'	S 15°10'14" W	16°50'56"
C2	2284.83'	471.66'	470.82'	S 12°39'36" W	11°49'39"

East Line NW 1/4 Of NE 1/4

NW 1/4 OF NE 1/4
G-27, T 135 N, R 35 W

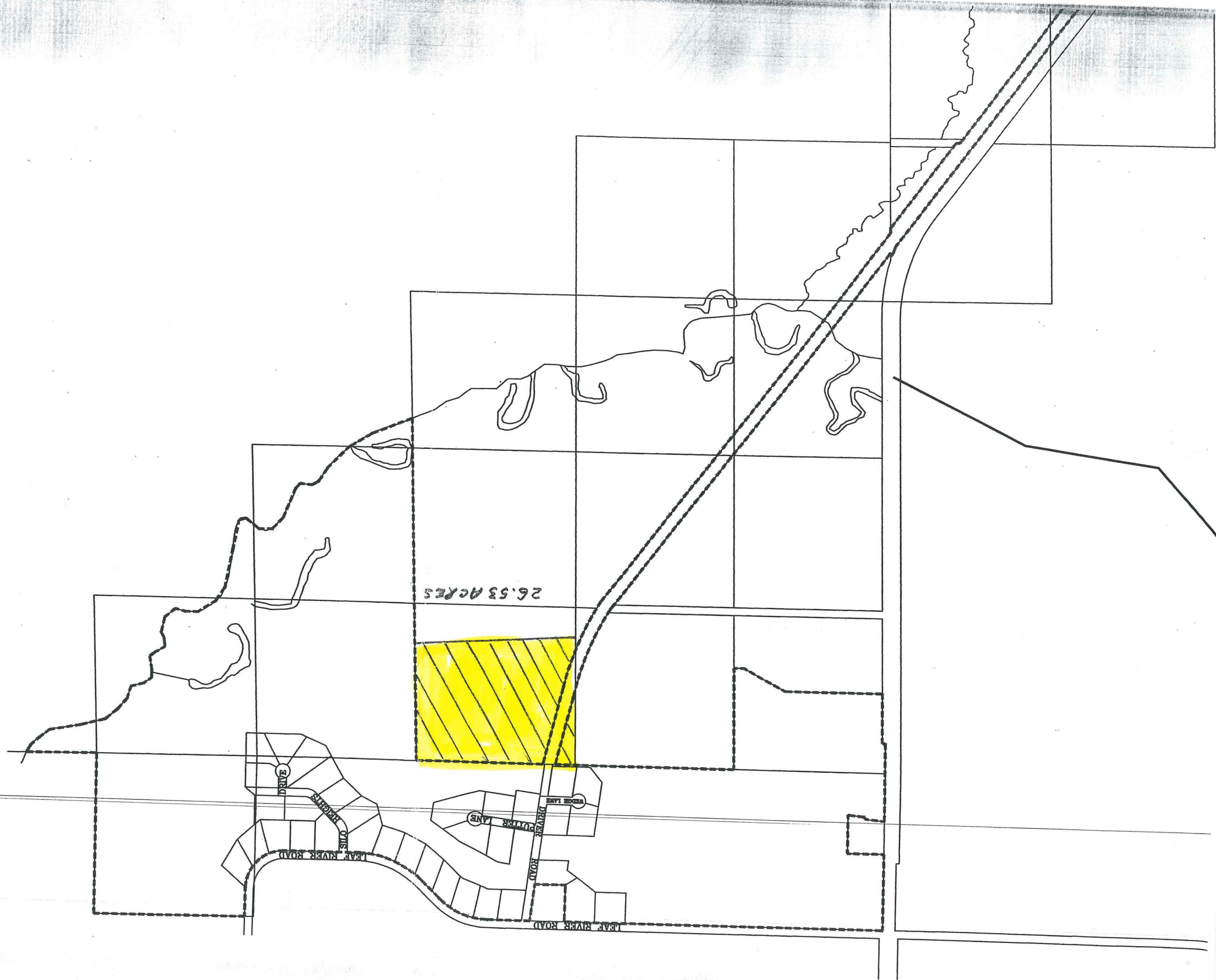
TRACT 1
1155749.4 SQ. FT.
26.53 ACRES

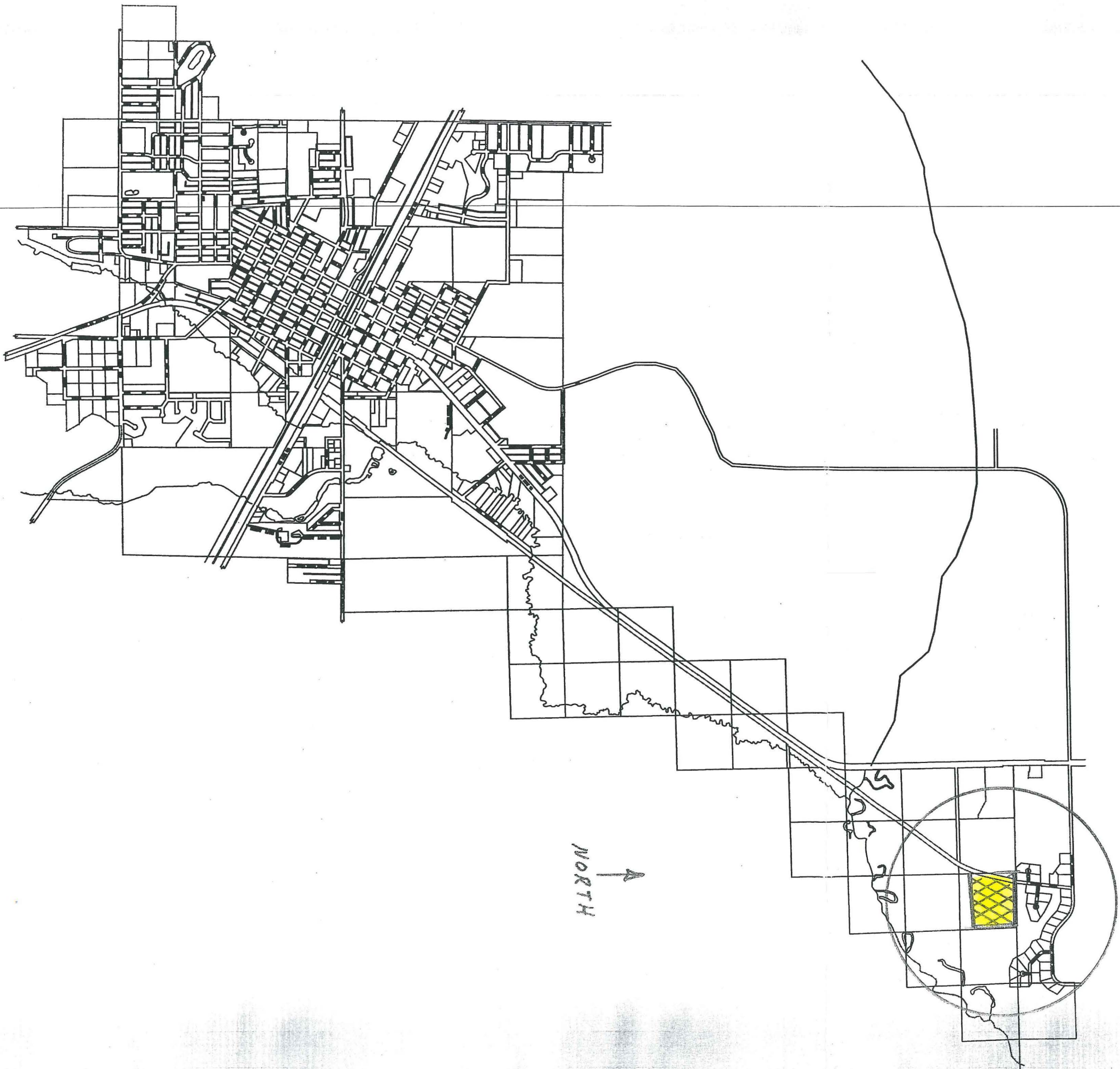
82988.3 SQ. FT.
1.91 ACRES



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M.M.S.
FEB 15 2007





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