

REC'D BY
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MAR 09 2007

ORDINANCE

No. 1298

AN ORDINANCE PROVIDING FOR
THE ANNEXATION OF CERTAIN
PROPERTY LOCATED IN OAK LAWN TOWNSHIP,
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 Natural Resource Management LLC, the fee owner of certain property in the County of Crow Wing, State of Minnesota, described as follows:

TRACT A - That part of the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$), Section Sixteen (16), Township Forty-five (45), Range Thirty (30), lying South of Highway No. 210, described as follows: Beginning at the Southwest Corner of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ 1/4; thence North 67.6 feet along the West line of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ to the Southerly line of Highway No. 210; thence North 31 degrees 09 minutes East 232.4 feet along the Southerly line of Highway No. 210; thence in a Southwesterly direction to a point on the South line of NW $\frac{1}{4}$ which is 312 feet East of the place of beginning; thence West 312 feet to place of beginning,

AND

TRACT B - That part of the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$), Section Sixteen (16), Township Forty-five (45), Range Thirty (30), described as follows: Beginning at the Southwest corner of said NW $\frac{1}{4}$; thence North 67.6 feet along its West line to the Southerly line of Highway No. 210; thence North 31 degrees 09 minutes East 232.4 feet along said Southerly line of Highway No. 210 to the place of beginning; thence continuing along the Southerly line of Highway No. 210 100 feet; thence Southeasterly to a point on the South line of said NW $\frac{1}{4}$, which is 437 feet East of the Southwest corner thereof; thence West along said South line a distance of 125 feet; thence Northwesterly to the place of beginning,

AND

TRACT C - That part of the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$), Section Sixteen (16), Township Forty-five (45), Range Thirty (30), described as follows: Beginning at the Southwest corner of said NW $\frac{1}{4}$; thence North 67.6 feet along its West line to the Southerly line of Highway No. 210; thence North 31 degrees 09 minutes East 232.4 feet along said

Southerly line of Highway No.2 10; thence continuing along the Southerly line of Highway No. 210 a distance of 200 feet which is the point of beginning; thence Southeasterly to a point on the Southerly line of said NW ¼, which is 557 East of the Southwest corner thereof; thence West along said South line a distance of 120 feet; thence Northwesterly to the Southerly line of Highway at a point which is 100 feet Westerly of the point of beginning; thence Easterly along said South line 100 feet to the point of beginning. EXCEPT THAT PART of the foregoing described tracts shown as parcels 230 and 230B on Minnesota Department of Transportation Right-of-way Plat No. 18-5.

Section/Township/Range: 16/45N/30W

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 Oak Lawn Township of Crow Wing County. This area contains approximately 3.17 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.

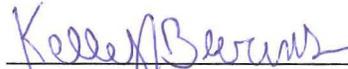
SECTION SIX: The property taxes payable on the annexed land shall continue to be paid to the affected town for the year in which the annexation becomes effective. If the annexation becomes effective on or before August 1, of a levy year, the City may levy on the annexed area beginning with that same 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, an 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 5th day of March, 2007.



KELLY BEVANS
President of the Council

Approved this 6th day of March, 2007.



JAMES E. WALLIN
Mayor

ATTEST:



DANIEL J. VOGT
City Administrator

PUBLISHED: March 9, 2007

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CITY LIMITS ———
SUBJECT AREA 

