

**AN ORDINANCE OF THE CITY OF MORA, MINNESOTA, EXTENDING THE CORPORATE LIMITS OF THE CITY TO INCLUDE CERTAIN LANDS ABUTTING THE CITY OF MORA AND OWNED BY DONALD SERVIN AND DAN BENGSTON**

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**WHEREAS**, Donald Servin and Dan Bengston have filed a joint petition dated received September 10, 2007, requesting the annexation to the City of Mora of certain real estate located within the County of Kanabec, State of Minnesota and described as follows:

**(Servin Property)**

The East Half of the Southeast Quarter of the Southwest Quarter (E1/2 of SE1/4 of SW1/4) of Section 23, Township 39, Range 24, Kanabec County, Minnesota, except the following two exceptions:

Exception No. 1: Commencing at the South Quarter corner of said Section 23; thence on an assumed bearing of North along the East line of said East Half of the Southeast Quarter of the Southwest Quarter a distance of 628.37 feet to the point of beginning of the land to be described; thence continuing on a bearing of North along the East line 528.39 feet; thence South 75 degrees West 250.0 feet; thence South 50 degrees West 200.0 feet; thence South 23 degrees West 160.0 feet; thence South 24 degrees East 115.0 feet; thence South 56 degrees 30 minutes East 150.0 feet; thence on a bearing of East 285.35 feet to the point of beginning. Subject to State Highway No. 65.

Exception No. 2: Commencing at the South Quarter corner of said Section 23; thence on an assumed bearing of North along the East line of said East Half of the Southeast Quarter of the Southwest Quarter a distance of 1156.76 feet; thence South 75 degrees West 250.0 feet; thence South 50 degrees West 200.0 feet; thence South 23 degrees West 160.0 feet to the point of beginning of the land to be described; thence South 24 degrees East 115.0 feet; thence South 56 degrees 30 minutes East 150.0 feet; thence South 68 degrees 57 minutes 30 seconds West 275.76 feet; thence North 14 degrees 30 minutes 21 seconds West 212.28 feet; thence North 59 degrees 36 minutes 20 seconds East 160.78 feet to the point of beginning.

and

The West 660 feet of the Northeast Quarter of the Southwest Quarter (NE1/4 of SW1/4) of Section 23, Township 39, Range 24, Kanabec County, Minnesota.

AND

**(Bengston Property)**

That part of the East Half of the Southeast Quarter of the Southwest Quarter (E1/2 of SE1/4 of SW1/4) of Section 23, Township 38, Range 24, Kanabec County, Minnesota, described as commencing at the South Quarter corner of said Section 23; thence on an assumed bearing of North along the East line of said East Half of the Southeast Quarter of the Southwest Quarter a distance of 628.37 feet to the point of beginning of the land to be described; thence continuing on a bearing of North along

the East line 528.39 feet; thence South 75 degrees West 250.0 feet; thence South 50 degrees West 200.0 feet; thence South 23 degrees West 160.0 feet; thence South 24 degrees East 115.0 feet; thence South 56 degrees 30 minutes East 150.0 feet; thence on a bearing of East 285.35 feet to the point of beginning. Subject to State Highway No. 65.

and

That part of the East Half of the Southeast Quarter of the Southwest Quarter (E1/2 of SE1/4 of SW1/4) of Section 23, Township 38, Range 24, Kanabec County, Minnesota, described as commencing at the South Quarter corner of said Section 23; thence on an assumed bearing of North along the East line of said East Half of the Southeast Quarter of the Southwest Quarter a distance of 1156.76 feet; thence South 75 degrees West 250.0 feet; thence South 50 degrees West 200.0 feet; thence South 23 degrees West 160.0 feet to the point of beginning of the land to be described; thence South 24 degrees East 115.0 feet; thence South 56 degrees 30 minutes East 150.0 feet; thence South 68 degrees 57 minutes 30 seconds West 275.76 feet; thence North 14 degrees 30 minutes 21 seconds West 212.28 feet; thence North 59 degrees 36 minutes 20 seconds East 160.78 feet to the point of beginning.

**WHEREAS**, Servin and Bengston represent that the properties to be annexed total 39.6± acres in area, that the properties abut upon the City limits at the southern boundary and none of it is presently included within the corporate limits of any incorporated City, that the properties are not included in any area that has already been designated for orderly annexation, that there are two property owners in the area proposed for annexation, that the reason for the requested annexation is to provide municipal services to an area about to become developed, that the territory is or is about to become urban or suburban in character, that the annexation is in the best interest of the subject area, and that the population of the area is thirty-eight (38) persons; and

**WHEREAS**, the property upon which the request is being made is in the East Central Energy service area and the property owner has received notice from the City of Mora pursuant to State Statute 414.033, Subd. 13, regarding an estimate of the cost of impact of any change in electric utility services, including rate changes resulting from the annexation.

**NOW THEREFORE, THE CITY COUNCIL THE CITY OF MORA, MINNESOTA, DOES HEREBY ORDAIN:**

Section 1. The City Council hereby determines and finds that the property abuts the municipality, that the area to be annexed is one hundred twenty (120) acres or less, that the area to be annexed is not presently served by public sewer facilities, that the municipality has received a Petition for Annexation from all of the owners of the property, that the area is appropriate for annexation by ordinance under Minnesota Statute 414.033, Subd. 2, clause (3), and that the Petition complies with all provisions of Minnesota Statute 414.033.

Section 2. The property is urban or suburban in character or is about to become so.



Section 3. Pursuant to law, a public hearing was scheduled with proper notification given, and held on Tuesday, November 6, 2007, prior to the City Council decision on this annexation ordinance. ✓

Section 4. The corporate limits of the City of Mora are hereby extended to include said property and the same is hereby annexed to and included within the City of Mora as if the property had originally been a part thereof.


Section 5. Pursuant to the Mora Zoning Ordinance Section 152.040, the property annexed by this ordinance shall have an interim zoning classification of R-4 (Low Density Residential District) until such time that the Planning Commission holds a public hearing to review the permanent zoning classification in order to make a recommendation to the City Council who will then determine the permanent classification. ✓

Section 6. Pursuant to State Statute 414.033, Subd. 12, the property taxes payable on the area described herein and hereby annexed shall continue to be paid to Arthur Township for the year in which the annexation becomes effective. In the first year following the year when the City of Mora could first levy on the annexed area and thereafter, property taxes on the annexed area shall be paid to the City of Mora. The City of Mora shall make substantially equal cash payments to Arthur Township over not less than two (2) years nor more than eight (8) years.

Section 7. The City Clerk is directed to file certified copies of this ordinance with the Minnesota Department of Administration – Municipal Boundary Adjustments, Arthur Township, the Kanabec County Auditor-Treasurer, and the Minnesota Secretary of State.

Section 8. This ordinance takes effect upon its passage and publication and filing of the certified copies as directed in Section 7 and approval of ordinance by the Minnesota Department of Administration – Municipal Boundary Adjustments.

  
\_\_\_\_\_  
Greg Ardner, Mayor Pro Tem

ATTEST:   
\_\_\_\_\_  
~~Mason Hjelle, City Clerk-Treasurer~~  
Deputy Clerk

Adopted by the City Council of the City of Mora, Minnesota, this 6<sup>th</sup> day of November, 2007.

Published in the Kanabec County Times on the \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_.

**CITY OF MORA**  
**SERVIN-BENGSTON ANNEXATION PETITION**  
**Estimated Tax Payments to Town (shown with taxes payable 2007)**

Township portion of 2007 taxes:

02.01500.00 (Servin)	\$66.92
02.01565.00 (Servin)	\$58.52
02.01570.00 (Bengston)	\$1,041.94
	<u>\$1,167.38</u>

Town 2008	City 2009 50%	City 2010 50%	City 2011 50%	City 2012 50%	City 2013 50%	Total to town
\$1,167.38	\$583.69	\$583.69	\$583.69	\$583.69	\$583.69	\$2,918.45

NOTE: Tax payments subject to change upon certification of taxes payable 2008.

NOTE: Per State Statute 414.036, the reimbursement from the City to the Town shall be completed in substantially equal payments over not less than two years nor more than eight years from the time of annexation. This schedule reflects a five year reimbursement similar to previous annexations.

REC'D BY NOV 15 2007  
MAM

## HWY 23

HW 65

**SUBJECT  
SITE** 

