

ORDINANCE NO. 2008-8

AN ORDINANCE OF THE CITY OF MOORHEAD ANNEXING LAND
LOCATED IN THE TOWN OF MOORHEAD, CLAY COUNTY, MINNESOTA
TO THE CITY OF MOORHEAD, CLAY COUNTY, MINNESOTA, PURSUANT TO MINN. STAT.
§ 414.033, SUBD. 2(3), PERMITTING ANNEXATION BY ORDINANCE

WHEREAS, the City of Moorhead has received a petition for annexation from all landowners of the property to be annexed; and

WHEREAS, under state law the landowner has the right to request annexation into the City of Moorhead, and the City of Moorhead has authority to annex such property; and

WHEREAS, under the law of the State of Minnesota cities have no authority outside the provisions of Chapter 414 to regulate annexation of land in Minnesota; and

NOW THEREFORE THE CITY OF MOORHEAD DOES HEREBY ORDAIN:

Section 1. That the unincorporated land legally described in Exhibit A, which is attached hereto and incorporated herein by reference, located in the Town of Moorhead, Clay County, Minnesota, is land that is contiguous to and abuts the municipal corporate limits of the City of Moorhead, Clay County, Minnesota; is land that is 120 acres or less in size; is land that is not presently served by public wastewater facilities, and for which public wastewater facilities are not otherwise available than through the City of Moorhead; and is land that is existing or proposed for immediate urban or suburban development.

Section 2. That the property-owner of the property legally described in Exhibit A has requested annexation for purposes of immediately redeveloping the land for additional urban or suburban commercial uses and has submitted a petition to the City Council of the City of Moorhead for annexation of said land.

Section 3. That the City of Moorhead has, or will, hold a public hearing pursuant to Minn. Stat. § 414.033, subd. 2b, on February 19, 2008, following thirty (30) days written notice by certified mail to the Town of Moorhead and to all landowners within and contiguous to the area, legally described in Exhibit A, to be annexed.

Section 4. That the corporate limits of the City of Moorhead are hereby extended to include the land legally described in Exhibit A, and shown on the map attached hereto and incorporated herein by reference as Exhibit B, containing approximately 0.5 acres, and the same is hereby annexed to be included within the City of Moorhead, Clay County, Minnesota.

Section 5. That the population of the area legally described in Exhibit A, and hereby annexed is 0.

Section 6. That with respect to the property taxes payable on the area legally described in Exhibit A, hereby annexed, the City of Moorhead shall make a cash payment to the Town of Moorhead for the period and in accordance with the following schedule:

- a. In the first year following the year the City of Moorhead could first levy on the annexed area, an amount equal to \$112.72.
- b. In the second year, an amount equal to \$112.72.

REC'D BY
M M B

MAR 27 2008

Section 7. That the City Manager of the City of Moorhead is hereby authorized and directed to file a copy of this Ordinance with the Minnesota Office of Administrative Hearings Municipal Boundary Adjustments Office, the Minnesota Secretary of State, the Clay County Auditor, and the Moorhead Township Clerk.

Section 8. That this Ordinance shall be in full force and effect and final upon the date this Ordinance is approved by the Minnesota Office of Administrative Hearings.

PASSED and adopted by the City Council of the City of Moorhead this 3rd day of March, 2008.

CITY OF MOORHEAD

By: 

MARK VOXLAND, Mayor

ATTEST:

By: 

KAYE BUGHHOLZ, City Clerk

First Consideration: February 19, 2008
Second Consideration: March 3, 2008
Date of Publication: March 17, 2008

Drafted by: Community Services, City of Moorhead

EXHIBIT A
Legal Description

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The Subject Area to be annexed in the attached Ordinance is described as follows:

Parcel 21.015.4301, generally described as being located at 3526 28th Avenue South in Moorhead and adjacent to 28th Avenue South approximately 0.5 miles east of Main Avenue Southeast/I-94 Intersection, and legally described as:

Beginning at a point 1,375.65 feet west and 33 feet north of the southeast corner of Section 15, Township 139 North, Range 48 West: thence north 208.7 feet; thence west 104.35 feet; thence south 208.7 feet; thence east 104.35 feet to the point of beginning, in Clay County, Minnesota.

EXHIBIT B
Boundary Map

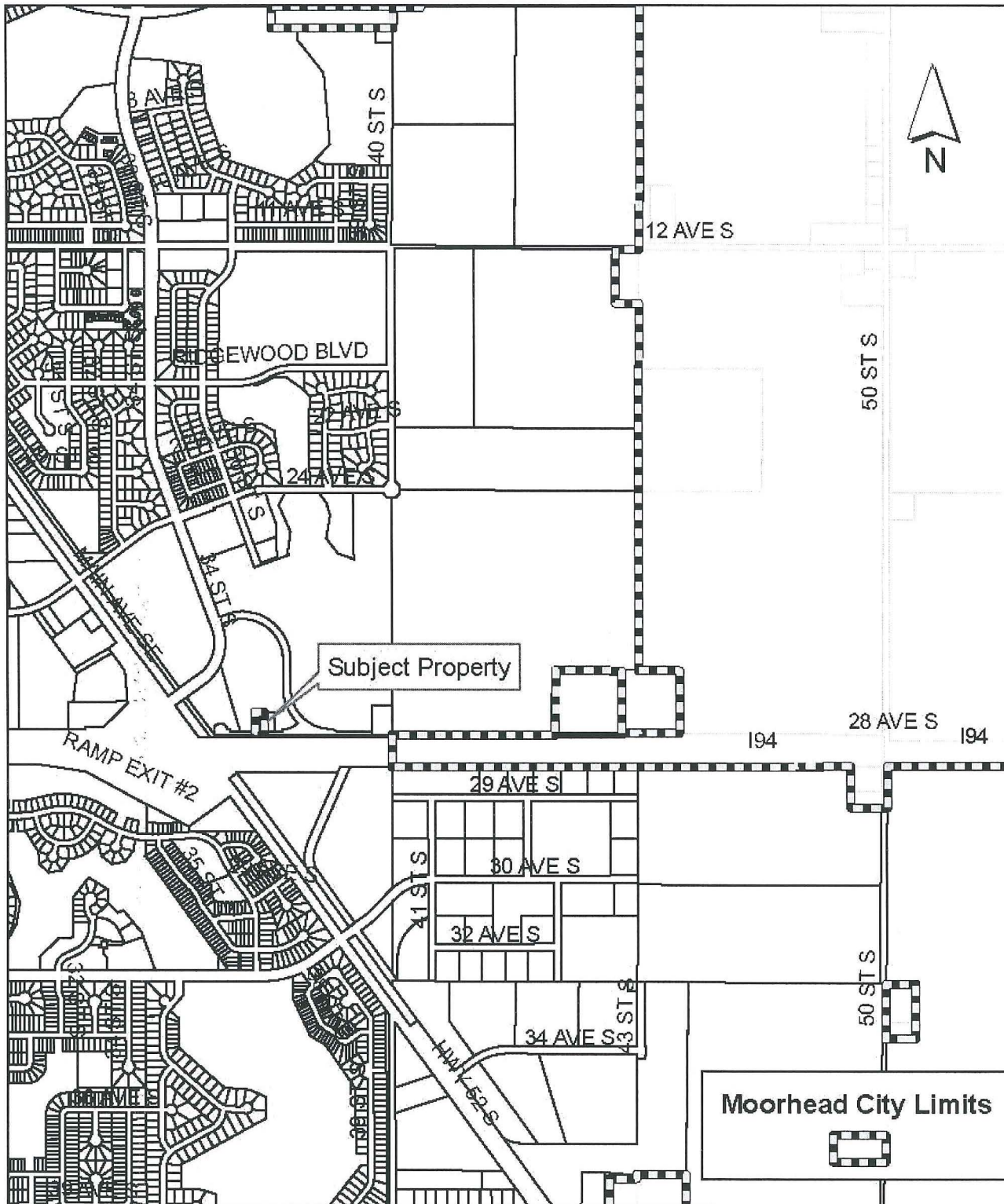
REC'D BY
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The municipal boundary map referenced in the attached Ordinance, showing the current City of Moorhead and its relation to the Subject Area to be annexed, legally described in Exhibit A, is attached hereto.

MOORHEAD MINNESOTA

General Location Map Annexation Property



 Moorhead City Limits

