

REC'D BY  
MBA

MAR 14 2011

**City of Bertha  
Ordinance #8  
Second Series**

**AN ORDINANCE OF THE CITY OF BERTHA ANNEXING LAND  
PURSUANT TO MINNESOTA STATUTES 414.033 SUBD. 2(1),  
PERMITTING ANNEXATION BY ORDINANCE.**

**WHEREAS**, the City of Bertha is the owner of property located outside the present municipal limits: and,

**WHEREAS**, said property is intended to be used by the City of Bertha for its sewage treatment ponds and facility; and

**WHEREAS**, none of the property to be annexed is presently included within the corporate limits of any other municipality.

**NOW, THEREFORE**, the City Council of the City of Bertha, Minnesota, hereby ordains as follows:

1. The property to be annexed is not now included within the limits of any city, nor in any area that has already been designated for orderly annexation pursuant to Minnesota Statutes 414.0325, Subd. 2.
2. The property to be annexed is owned by the City of Bertha, and shall be used for purposes of construction and maintenance of sewer treatment ponds and facilities, and is about to become urban or suburban in nature.
3. The corporate limits of the City of Bertha, Minnesota, are hereby extended to include the following described property:

All of the Southeast Quarter of the Northeast Quarter, the southerly 40.00 feet of the Southwest Quarter of the Northeast Quarter, and the southerly 40.00 feet of the Southeast Quarter of the Northwest Quarter all in Section 2, Township 132 North, Range 35 West of the Fifth Principal Meridian in Todd County, Minnesota. Said southerly 40.00 feet is measured at a right angle to and is parallel with the south line of said Southwest Quarter of the Northeast Quarter and the south line of said Southeast Quarter of the Northwest Quarter, EXCEPTING THEREFROM the southerly 40.00 feet of the westerly 889.90 feet of said Southeast Quarter of the Northwest Quarter. Said southerly 40.00 feet is measured at a right angle to and is parallel with the south line of said Southeast Quarter of the Northwest Quarter and said westerly 889.90 feet is measured at a right angle to and is parallel with the west line of said Southeast Quarter of the Northwest Quarter.

The above described property consists of a total of 42.27 acres. Copies of the Corporate Boundary Map showing the property to be annexed and its relationship to the Corporate Boundaries of the City of Bertha and all appropriate plat maps are attached hereto.

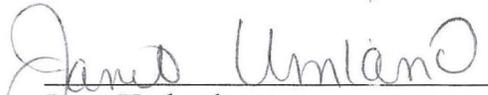
4. The population of the area to be annexed is zero. The City Clerk of the City of Bertha, Minnesota, is hereby authorized and directed to file a copy of this Ordinance with the Municipal Boundary Adjustment Unit of the Minnesota Office of Administrative Hearing, the Minnesota Secretary of State, the Todd County Auditor, and the Bertha Township Clerk.
5. Pursuant to Minnesota Statutes 414.036, with respect to the property taxes payable on the property hereby annexed, the City of Bertha shall make a cash payment to the Town of Bertha in accordance with the following schedule:
  - a. In the first year following the year in which the City of Bertha could first levy on the annexed area, a payment of \$80.50.
  - b. In the second and final year, a payment of \$80.50.which payments represent the amount of property taxes received by the Town in the last year it collected taxes on the annexed area.
6. This Ordinance is final upon the date of approval of the Ordinance of the Chief Administrative Law Judge.

Passed and adopted by the City Council, City of Bertha, Minnesota, this 22nd day of February, 2011.

City of Bertha



Dean Klebs  
Mayor



Janet Umland  
City Clerk

