

COPY

ORDINANCE NO. 20 THIRD SERIES
(Uncodified)

AN ORDINANCE OF THE CITY OF ROSEAU, MINNESOTA, ANNEXING TO THE CITY OF ROSEAU CERTAIN REAL ESTATE LOCATED IN SPRUCE TOWNSHIP, ROSEAU COUNTY, MINNESOTA, PURSUANT TO MINNESOTA STATUTES SECTION § 414.033, ENTITLED "ANNEXATION BY ORDINANCE" SUBDIVISION 2 (3).

WHEREAS, Jon Hagen and Bonnie Hagen, husband and wife, have petitioned the City of Roseau, Minnesota, to annex by Ordinance the following described real estate currently located in Spruce Township, Roseau County, Minnesota:

Lots Thirteen (13), Fourteen (14) and Fifteen (15), of Block Two (2) in Jensen's Subdivision of Lot Three (3), in Section Nineteen (19), Township One Hundred Sixty-two (162) North, Range Thirty-nine (39) West of the Fifth P.M., according to the Plat thereof on file and of record in the office of the County Recorder of Roseau County, Minnesota, subject to easements, reservations and restrictions of record.

AND WHEREAS, said petition was presented to the Council of the City of Roseau on May 2, 2011.

AND WHEREAS, the above described parcel:

- (a) Is urban or suburban in character or about to become so;
- (b) Is residential property;
- (c) Contains .44 acres \pm (being less than 120 acres);
- (d) Is not presently served by public water, public wastewater facilities and public water and public wastewater facilities are not otherwise available;

- (e) Consists of .44 acres \pm which abuts the corporate limits of the City of Roseau;
- (f) Contains no existing conditions under Minnesota Statutes § 414.033 Subd. 2(3), as amended in 2008 which would prohibit the annexation of the above described land (real estate) by Ordinance.
- (g) Said property is not located within a flood plain or shoreland area.

AND WHEREAS, the provisions of Minnesota Statutes § 414.033 Subd. 13 are not applicable for the reason that the current electrical provider, the Roseau Electric Cooperative, Inc., will continue to provide electrical services to the subject real estate, and therefore there will be no need for an estimate of the cost impact of any change in electric utility service; and

WHEREAS, the City of Roseau previously set a Public Hearing on the above described Petition for Annexation by Ordinance said hearing to be held on Monday, June 6, 2011, at 5:15 p.m. at the City Council Chambers on the 2nd floor of the Roseau City Center building, 121 Center Street East, Suite 201, Roseau, Minnesota 56751; and

WHEREAS, Notice of said Public Hearing was given in accordance with Minnesota law by Certified Mail to Spruce Township, Roseau County, Minnesota, and to all landowners within, or contiguous to the area to be annexed, and further that said Notice was published in two (2) consecutive editions of the Roseau Times-Region newspaper; and

WHEREAS, the Public Hearing above described was duly held on Monday, June 6, 2011, at the time and location above specified; and

WHEREAS, all persons desiring to be heard with respect to the requested annexation were heard at said Hearing; and

WHEREAS, following the closing of the Public Hearing the City Council of the City of Roseau approved the Petitioners' request for annexation to the City of Roseau.

NOW THEREFORE, the City of Roseau, Minnesota, does ordain as follows:

SECTION 1. That the corporate limits of the City of Roseau, Minnesota are hereby extended to include the following described real estate and said land is hereby annexed to be included within the City of Roseau, Roseau County, Minnesota:

Lots Thirteen (13), Fourteen (14) and Fifteen (15), of Block Two (2) in Jensen's Subdivision of Lot Three (3), in Section Nineteen (19), Township One Hundred Sixty-two (162) North, Range Thirty-nine (39) West of the Fifth P.M., according to the Plat thereof on file and of record in the office of the County Recorder of Roseau County, Minnesota, subject to easements, reservations and restrictions of record.

SECTION 2. In conjunction with Minnesota Statutes § 414.036, with respect to the property taxes payable on the area legally described above hereby annexed to the City of Roseau, the City of Roseau shall make cash payments to Spruce Township in accordance with the following schedule:

- (a) In the first year following the year the City of Roseau could first levy on the annexed area, an amount equal to \$73.62.
- (b) In the second year, an amount equal to \$83.21.

With respect to the requirements under Minnesota Statutes § 414.036 regarding any special assessments assigned by the Township to the annexed property and any portion of debt incurred by the Township prior to the annexation and attributable to the property to be annexed, but for which no special assessments are outstanding, for the real estate described above, the City has determined that there are no special assessments or debt incurred by the Township on the subject real estate for which reimbursement is required.

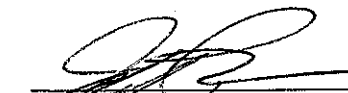
SECTION 3. That in accordance with Minnesota Statutes § 414.033 Subd. 7 this annexation ordinance shall be filed with the Director of the Office of Administrative Hearings-Municipal Boundary Adjustments (hereinafter designated "Director"), with Spruce Township, with the Roseau County Auditor, and with the Secretary of State of the State of Minnesota; and upon the approval by the Director a copy of the annexation ordinance shall be delivered immediately by the City Council of the City of Roseau, Minnesota, to the Roseau County Auditor.

SECTION 4. All ordinances and parts of ordinances inconsistent with this ordinance are hereby repealed.

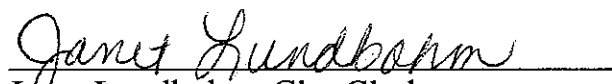
SECTION 5. This ordinance shall take effect and be in full force following its passage, publication and approval by the Director.

Dated this 6th day of June, 2011.

APPROVED:


Jeff Pelowski, Mayor

ATTEST:


Janet Lundbohm, City Clerk

(Publication in the Roseau Times Region Newspaper on the ____ day of _____,
2011.)

City of Roseau

