

Resolution 2018-09
A RESOLUTION AMENDING
THE DEER RIVER CODE OF ORDINANCES

RECEIVED
by OAH on March 1, 2018

The City Council of Deer River ordains:

The Deer River Code of Ordinances is amended to include the following Ordinance:

ORDINANCE NO. 1.411

**AN ORDINANCE OF THE CITY OF DEER RIVER, MINNESOTA ANNEXING
LAND LOCATED IN DEER RIVER TOWNSHIP, ITASCA COUNTY, MINNESOTA
PURSUANT TO MINNESOTA STATUTES § 414.033 SUBDIVISION 2(3),
PERMITTING ANNEXATION BY ORDINANCE**

WHEREAS, a petition signed by all the property owners, requesting that property legally described (herein or attached exhibit) be annexed to the City of Deer River, Minnesota, was duly presented to the Council of the City of Deer River on the 11th day of December, 2017; and

WHEREAS, said property is unincorporated and abuts the City of Deer River on its northern boundary; is less than 120 acres; is not presently served by public sewer facilities or public sewer facilities are not otherwise available; and

WHEREAS, said property is not located within a flood plain or shoreland area; and

WHEREAS, said property is currently being developed for residential/commercial purposes and annexation is requested to facilitate the extension of city services for the commercial development of the property; and

WHEREAS, the City of Deer River held a public hearing pursuant to Minnesota Statutes §414.033 Subd. 2b, on January 22, 2018 following thirty (30) days written notice by certified mail to the Town of Deer River and to all landowners within and contiguous to the area legally described herein to be annexed; and

WHEREAS, provisions of Minnesota Statutes § 414.033 Subd. 13 are not applicable in that there will be no change in the electric utility service provider resulting from the annexation of the territory to the municipality.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DEER RIVER HEREBY ORDAINS AS FOLLOWS:

1. The City Council hereby determines that the property as hereinafter described abuts the city limits and is or is about to become urban or suburban in nature in that commercial development as an assisted living facility is being proposed for said property, the construction of which requires or will need city services including public sewer facilities.

2. None of the property is now included within the limits of any city, or in any area that has already been designated for orderly annexation pursuant to Minnesota Statute § 414.0325.

3. The corporate limits of the City of Deer River, Minnesota, are hereby extended to include the following described property, said land abutting the City of Deer River and being 120 acres or less in area, and is not presently served by public sewer facilities or public sewer facilities are not otherwise available, and the City having received a petition for annexation from all the property owners of the land, to wit:

A. Deer River Bible Church, Inc.:

The South 200 feet of the West One-half of the Northwest Quarter of the Southwest Quarter (W½ NW¼ SW¼), Section Twenty-four (24), Township One Hundred Forty-five (145), Range Twenty-five (25) AND the North 148.5 feet of the West 660 feet of the Southwest Quarter of the Southwest Quarter (SW¼ SW¼) Section Twenty-four (24), Township One Hundred Forty-five (145), Range Twenty-five (25).

B. Dean Dickson, Inc.:

The North 360 feet of the South 560 feet of the West One-half of the Northwest Quarter of the Southwest Quarter (W½ NW¼ SW¼), Section Twenty-four (24), Township One Hundred Forty-five (145), Range Twenty-five (25).

The above described property consists of a total of 9.5 acres, more or less. Copies of the corporate boundary map showing the property to be annexed and its relationship to the corporate boundaries and all appropriate plat maps are attached hereto.

4. That the current population of the area legally described herein and hereby annexed is zero.

5. The City of Deer River, pursuant to Minnesota Statutes § 414.036, that with respect to the property taxes payable on the area legally described herein, hereby annexed, upon which taxes were paid to the Township in the 2017 calendar year in the amount of \$32.65, shall make a cash payment to the Town of Deer River in accordance with the following schedule:

a. In the first year following the year in which the City of Deer River could first levy on the annexed area, an amount equal to \$32.65; and

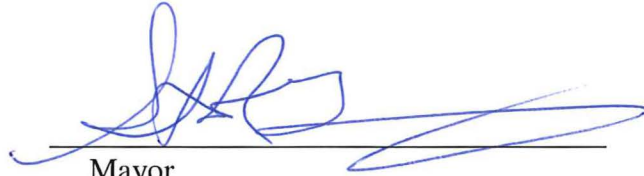
b. In the second and final year, an amount equal to \$32.65.

6. That pursuant to Minnesota Statutes § 414.036 with respect to any special assessments assigned by the Town to the annexed property and any portion of debt incurred by the Town prior to the annexation and attributable to the property to be annexed, but for which no special assessments are outstanding, for the area legally described herein there are no special assessments or debt incurred by the Town on the subject are for which reimbursement is required.

7. That the City Manager of the City of Deer River is hereby authorized and directed to file a copy of this Ordinance with the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, the Minnesota Secretary of State, the Itasca County Auditor, and the Deer River Township Clerk.

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

PASSED AND ADOPTED by the City Council of the City of Deer River, Minnesota, this 12th day of February, 2018.



Mayor

ATTEST:



City Administrator

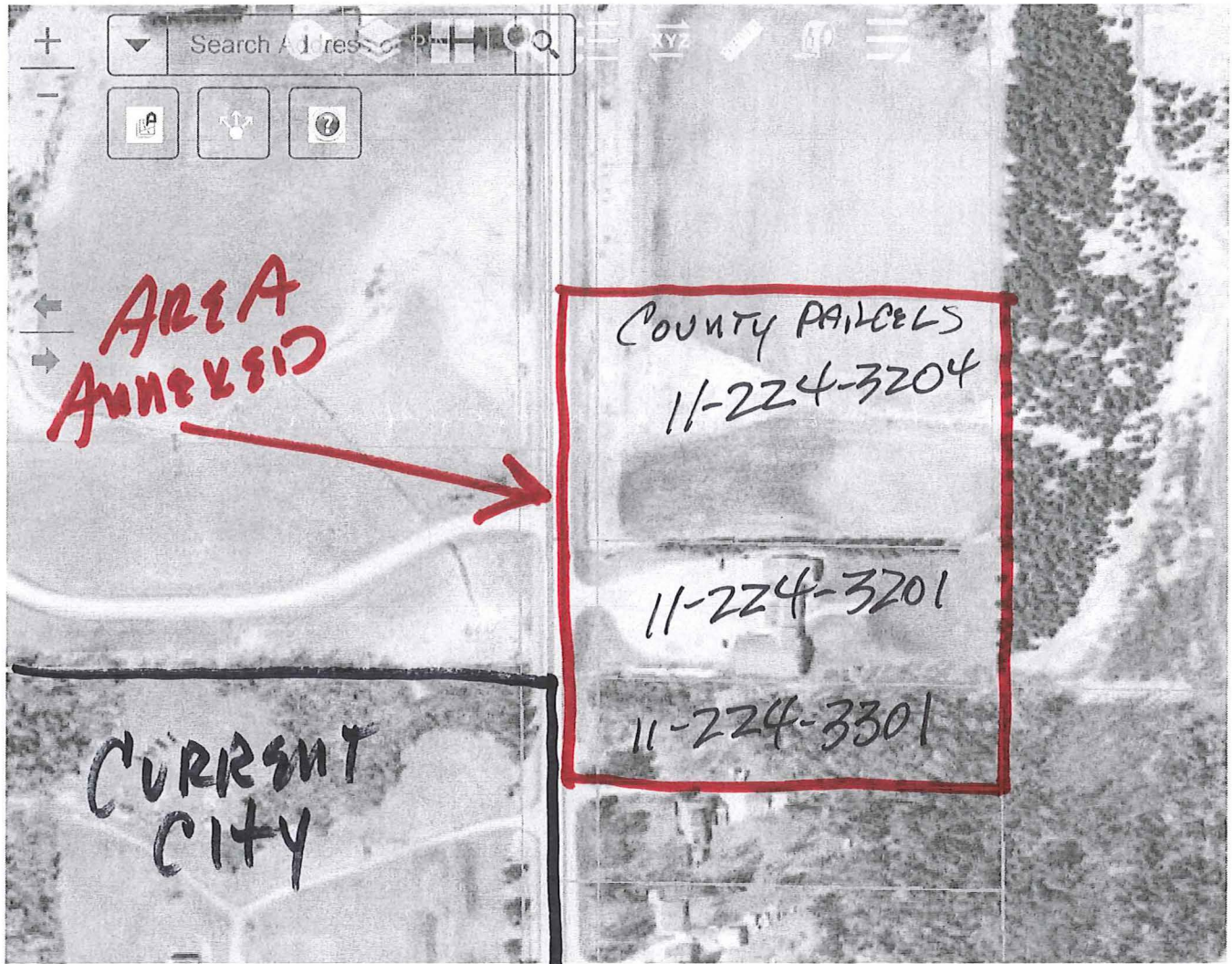
(City Seal)



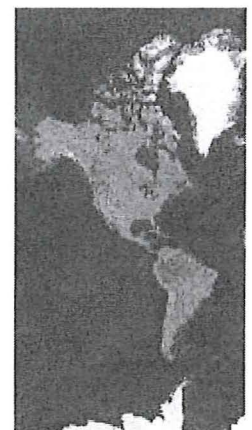


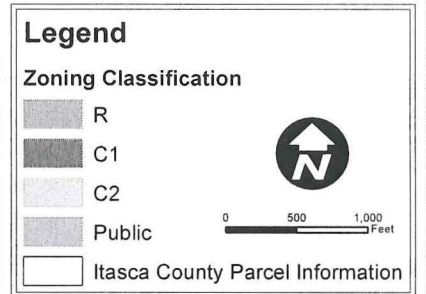
Itasca County GIS Viewer

Version 2.5



300ft
47°21.467' 93°47.433'




City of Deer River
2016 Zoning Map