

ORDINANCE NO. 447

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF DETROIT LAKES, MINNESOTA TO INCLUDE CERTAIN UNINCORPORATED UNPLATTED LAND ABUTTING UPON THE CITY LIMITS
16267 AND 16302 HIGHLAND DRIVE
(ROBERT SPILMAN AND SPILMAN FAMILY TRUST)

WHEREAS, a certain petition dated October 11, 2018, requesting annexation of the territory hereinafter described was duly presented to the Council; and

WHEREAS, the petition was signed by all owners; and

WHEREAS, a Public Hearing was held and proper notice was sent to the property owners within and adjacent to the annexation area and to the town board or the government body of any municipality whose boundaries abut upon the boundaries of the land to be annexed; and

WHEREAS, the land described in the petition abuts upon the City limits at the northeasterly boundary thereof;

NOW, THEREFORE, the City Council of the City of Detroit Lakes, Minnesota, does hereby ordain:

Section 1. The City Council hereby determines: 1) that the territory described herein abuts upon the City limits and is urban or suburban in character; and 2) that none of the territory is no included within the limits of any city.

Section 2. The population of the territory is 2.

Section 3. The territory to be annexed is 3.65 acres more or less.

Section 4. Upon annexation, the territory annexed will be zoned "R-2" One and Two Family Residential at 16302 Highland Drive and "R-4" Limited Multi-Family Residential at 16267 Highland Drive.

Section 5. Territory Annexed. The corporate limits of the City of Detroit Lakes are hereby extended to include the unplatted territory described as follows and the same hereby annexed to and included within the City as effectually as if it had been originally been a part thereof:

PID #08-0611-000

That part of the Northeast Quarter of the Southeast Quarter (NE ¼ SE ¼) of Section 35, Township 139 North, Range 41 West of the Fifth Principal Meridian in Becker County, Minnesota, described as follows: Beginning at a point which bears South 625.0 feet in the east line of the said Section 35 from the East Quarter Corner thereof; thence running by the following courses and distances, via: South 200.0 feet in the east line of said Section 35; South 87° 41' West 233.0 feet parallel with the east and west quarter line in said Section 35 to an iron stake; North 200.0 feet to an iron stake; and the North 87° 41' East 233.0 feet to the said point of beginning; contains 1.07 acres, AND

That part of the Northeast Quarter of the Southeast Quarter (NE ¼ SE ¼) of Section 35, Township 139 North, Range 41 West of the Fifth Principal Meridian in Becker County, Minnesota, described as follows: Commencing at the East Quarter corner of said Section 35; thence South on an assumed bearing 610.00 feet along the East line of said Section 35 to the point of beginning of the tract to be described; thence continue South 15.00 feet; thence South 87° 41' West 233.00 feet; thence North 15.00 feet; thence North 87° 41' East 233.00 feet to the point of beginning.

Subject to an easement in the public for road purposes over and across the Easterly 33.00 feet of the herein described tract. (Contains 0.08 of an acre.)

PID #08-0634-001

That part of the Northwest Quarter of the Southwest Quarter (NW ¼ SW ¼) of Section 36, Township 139 North, Range 41 West of the Fifth Principal Meridian in Becker County, Minnesota, described as follows: Commencing at an iron monument which designates the southwest corner of said Northwest Quarter of the Southwest Quarter; thence North 01° 35' 34" East 330.00 feet on an assumed bearing along the west line of said Section 36 to an iron monument which designates the point of beginning; thence South 88° 24' East 26" East 33.00 feet to an iron monument; thence continuing South 88° 24' 26" East 297.00 feet to an iron monument; thence North 01° 35' 34" East 330.00 feet to an iron monument; thence North 88° 24' 26" West 297.00 feet to an iron monument; thence continuing North 88° 24' 26" West 33.00 feet to an iron monument on the west line of said Section 36; thence South 01° 35' 34" West 330.00 feet along the west line of said Section 36 to the point of beginning. The above described tract contains 2.5 acres. SUBJECT to an existing 33.00 foot road easement along the westerly boundary thereof and reserving a 20.00 foot road easement along the southerly boundary thereof.

AND

That portion of the Northeast Quarter of the Southeast Quarter and Government Lot 1 of Section 35 and that portion of the Northwest Quarter of the Southwest Quarter of Section 36, Township 139 North, Range 41 West of the Fifth Principal Meridian described as follows:

AND the Road right of way described as follows:

Commencing at the East Quarter Corner of said Section 35, thence southerly along the east line of said Section 35, 610.00 feet to the point of beginning; thence east, 33.00 feet, more or less to the easterly right of way line of Highland Drive; thence south, along said right of way, 54.24; thence west 33.00, more or less to the east line of said Section 35; thence north, along said Section line, 53.24 feet more or less to the point of beginning.

AND also the Road right of way described as follows:

Commencing at the East Quarter Corner of said Section 35, thence southerly along the east line of said Section 35, 825.62 feet to the point of beginning; thence west, more or less to the westerly right of way line of Highland Drive, 33.00 feet; thence south, along said right of way line, 480.81 more or less to the northerly right of way line of Randolph Road; thence southeast,

along said right of way line, 38.88, more or less to the east line of said Section 35; thence north, along said Section line, 501.43 feet more or less to the point of beginning.
Both Tracts contains 0.41 acres

Section 6. Municipal Boundary Adjustments. The City Administrator is directed to forward this ordinance to the Office of Administrative hearings upon approval and passage.

Section 7. Reimbursement to Township. The City of Detroit Lakes will reimburse Detroit Township for property taxes as follows:

<u>Year</u>	<u>Percentage</u>	<u>Amount</u>
2019	100%	\$ 550.58
2020	100%	\$ 550.58
2021	100%	\$ 550.58
2022	100%	\$ 550.58
2023	100%	\$ 550.58

Reimbursement of property taxes to the Town shall be based on the property taxes collected by the Town in the last year it collected taxes on eh annexed area.

Section 8. Filing. The City Clerk is hereby directed to file certified copies of this Ordinance with, the Office of Administrative Hearings, the Secretary of State, the Town Clerk, and the County Auditor.

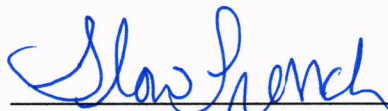
Section 9. Effective Date of Annexation. This Ordinance takes effect upon passage and publication and the filing of certified copies as directed in Section 8, and approval as required by State Law.

Passed and adopted by the City Council of the City of Detroit Lakes, Minnesota, this 11th day of June 2019.

Adopted this 11th day of June 2019.



Matt Brenk, Mayor



Glori French, City Clerk

First Reading: May 14, 2019

Seconded Reading: June 11, 2019

