

**ORDINANCE NO. 2020-05**

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

**WHEREAS, the City of Barnesville 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 Barnesville, and the City of Barnesville has authority to annex such property.**

**NOW, THEREFORE, THE CITY OF BARNESVILLE 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 Humboldt, Clay County, Minnesota, is land that is contiguous to and abuts the municipal corporate limits of the City of Barnesville, 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 Barnesville; 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 Barnesville for annexation of said land.**

**Section 3. That the City of Barnesville has, or will, hold a public hearing pursuant to Minn. Stat. § 414.033, subd. 2b, on January 13, 2020, following thirty (30) days' written notice by certified mail to the Town of Humboldt 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 Barnesville 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 36.93 acres, and the same is hereby annexed to be included within the City of Barnesville, 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 Barnesville shall make a cash payment to the Town of Humboldt in an amount equal to the Town of Humboldt's lost revenue for the period, \$29.50 per year for five years, as follows:**

- a. In the first year following the year the City of Barnesville could first levy on the annexed area, a one-time payment of \$147.50.**

Section 7. That the City Administrator of the City of Barnesville 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 Humboldt 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 this 10th day of February, 2020.

  
\_\_\_\_\_  
Jason Rick, Mayor

ATTEST:

  
\_\_\_\_\_  
Jeri Reep, City Clerk

Date of First Reading: January 13, 2020

Date of Second Reading and Final Passage: February 10, 2020

Date of Publication February 17, 2020

**EXHIBIT A**  
**Legal Descriptions**

**Annexation Description – Tract A**

That part of the Southwest Quarter in Section 29, Township 137 North, Range 45 West of the Fifth Principal Meridian in Clay County, Minnesota described as follows:

Commencing at a found iron monument which designates the west quarter corner of said Section 29; thence South 01 degree 57 minutes 40 seconds East on a record bearing along the west line of said Section 29 for a distance of 173.00 feet to the northwest corner of a tract annexed to the City of Barnesville by Ordinance Number 2019-01 and recorded as Document Number 794560 on file and of record in the office of the Clay County Recorder, said point also being the southwest corner of DEL ACRES GILBERTSON SECOND ADDITION, said plat is on file and of record in the Office of said Recorder; thence North 89 degrees 09 minutes 17 seconds East along the north line of said tract of land and along the south line of said DEL ACRES GILBERTSON SECOND ADDITION for a distance of 100.00 feet to the northeast corner of said tract of land annexed to the City of Barnesville, said point also being on the south line of a tract of land annexed to the City of Barnesville by Ordinance Number 2015-09 and recorded as Document Number 748443 on file and of record in the Office of said Recorder, said point is the point of beginning; thence continuing North 89 degrees 09 minutes 17 seconds East along the south line of said DEL ACRES GILBERTSON SECOND ADDITION and along the south line of said tract of land annexed to the City of Barnesville by Ordinance Number 2015-09 for a distance of 1384.28 feet; thence South 01 degree 58 minutes 14 seconds East for a distance of 1105.21 feet; thence South 89 degrees 09 minutes 17 seconds West parallel with the south line of said DEL ACRES GILBERTSON SECOND ADDITION for a distance of 1408.91 feet to the easterly line of said tract of land annexed to the City of Barnesville by Ordinance Number 2019-01; thence North 00 degrees 41 minutes 35 seconds West along said easterly line for a distance of 1105.00 feet to the point of beginning. The above described tract contains 35.43 acres.

SUBJECT TO easements, restrictions, and reservations of record, if any.

**Annexation Description – Tract B**

That part of the Southwest Quarter in Section 29, Township 137 North, Range 45 West of the Fifth Principal Meridian in Clay County, Minnesota described as follows:

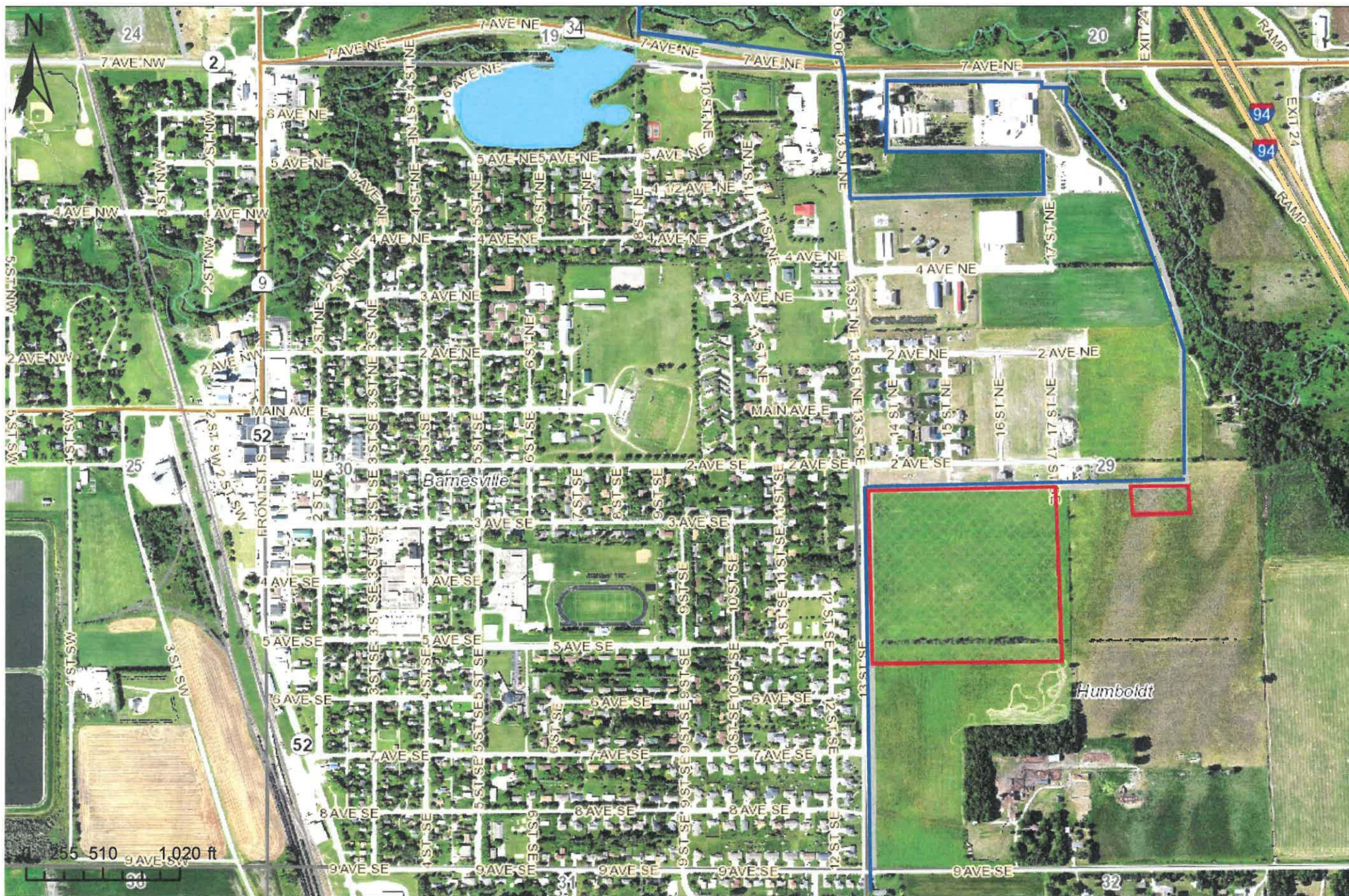
Commencing at a found iron monument which designates the west quarter corner of said Section 29; thence South 01 degree 57 minutes 40 seconds East on a record bearing along the west line of said Section 29 for a distance of 173.00 feet to the southwest corner of a tract annexed to the City of Barnesville by Ordinance Number 2015-09 and recorded as Document Number 748443 on file and of record in the office of the Clay County Recorder, said point also being the southwest corner of DEL ACRES GILBERTSON SECOND ADDITION, said plat is on file and of record in the Office of said Recorder; thence North 89 degrees 09 minutes 17 seconds East along the south line of said DEL ACRES GILBERTSON SECOND ADDITION and along the south line of said tract of land annexed to the City of Barnesville by Ordinance Number 2015-09 for a distance of 1817.07 feet to the point of beginning; thence continuing North 89 degrees 09 minutes 17 seconds East along the south line of said tract of land annexed to the City of Barnesville by Ordinance Number 2015-09 for a distance of 360.00 feet to the southeast corner of said of said tract of land annexed to the City of Barnesville by Ordinance Number 2015-09; thence South 01 degree 58 minutes 14 seconds East for a distance of 181.00 feet; thence South 89 degrees 09 minutes 17 seconds West parallel with the south line of said DEL ACRES GILBERTSON SECOND ADDITION for a distance of 360.00 feet; thence North 01 degree 58 minutes 14 seconds West for a distance of 181.00 feet to the point of beginning. The above described tract contains 1.50 acres.

SUBJECT TO easements, restrictions, and reservations of record, if any.

**EXHIBIT B**

**See attached map**





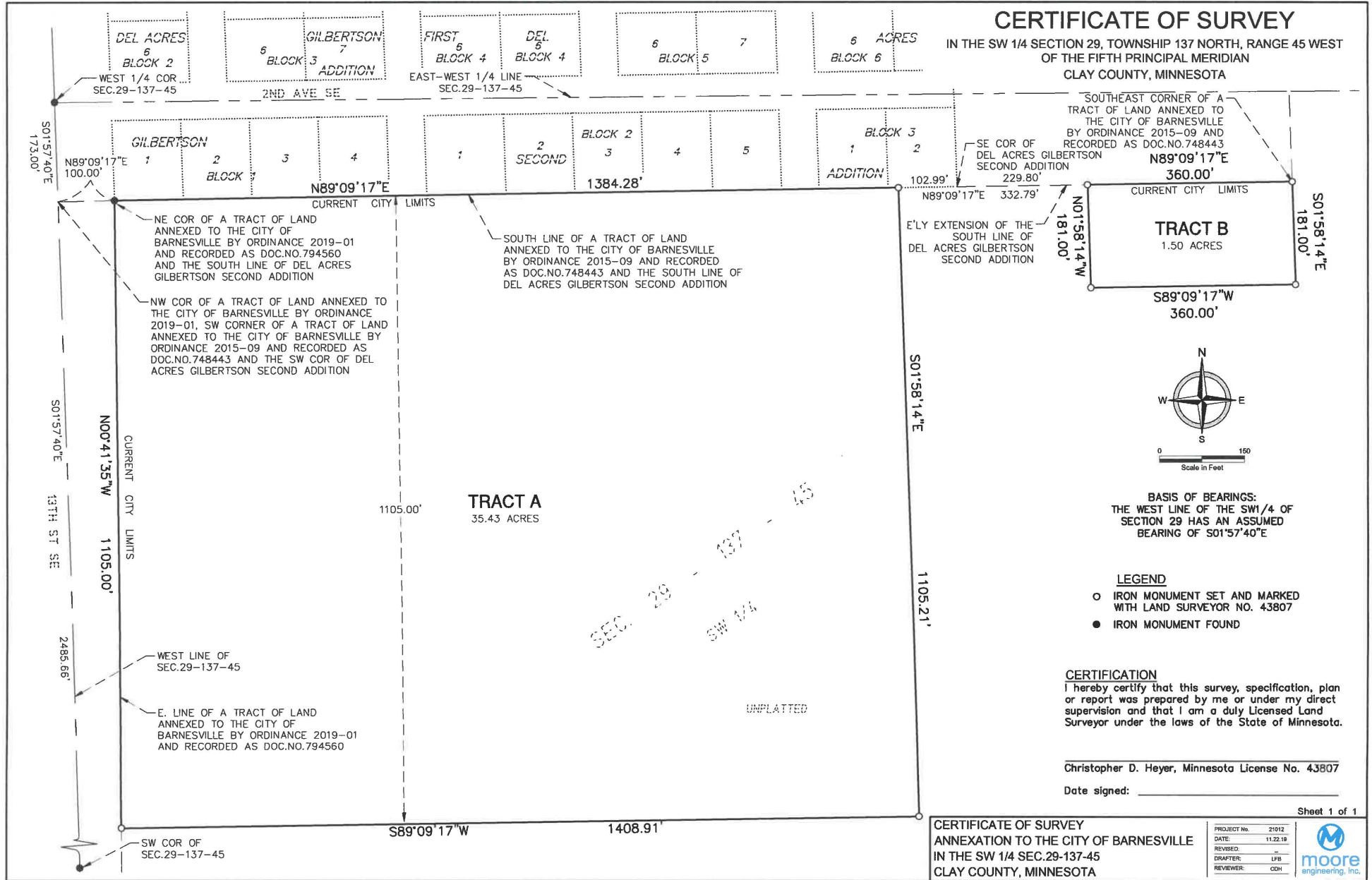
Date: 2/21/2020

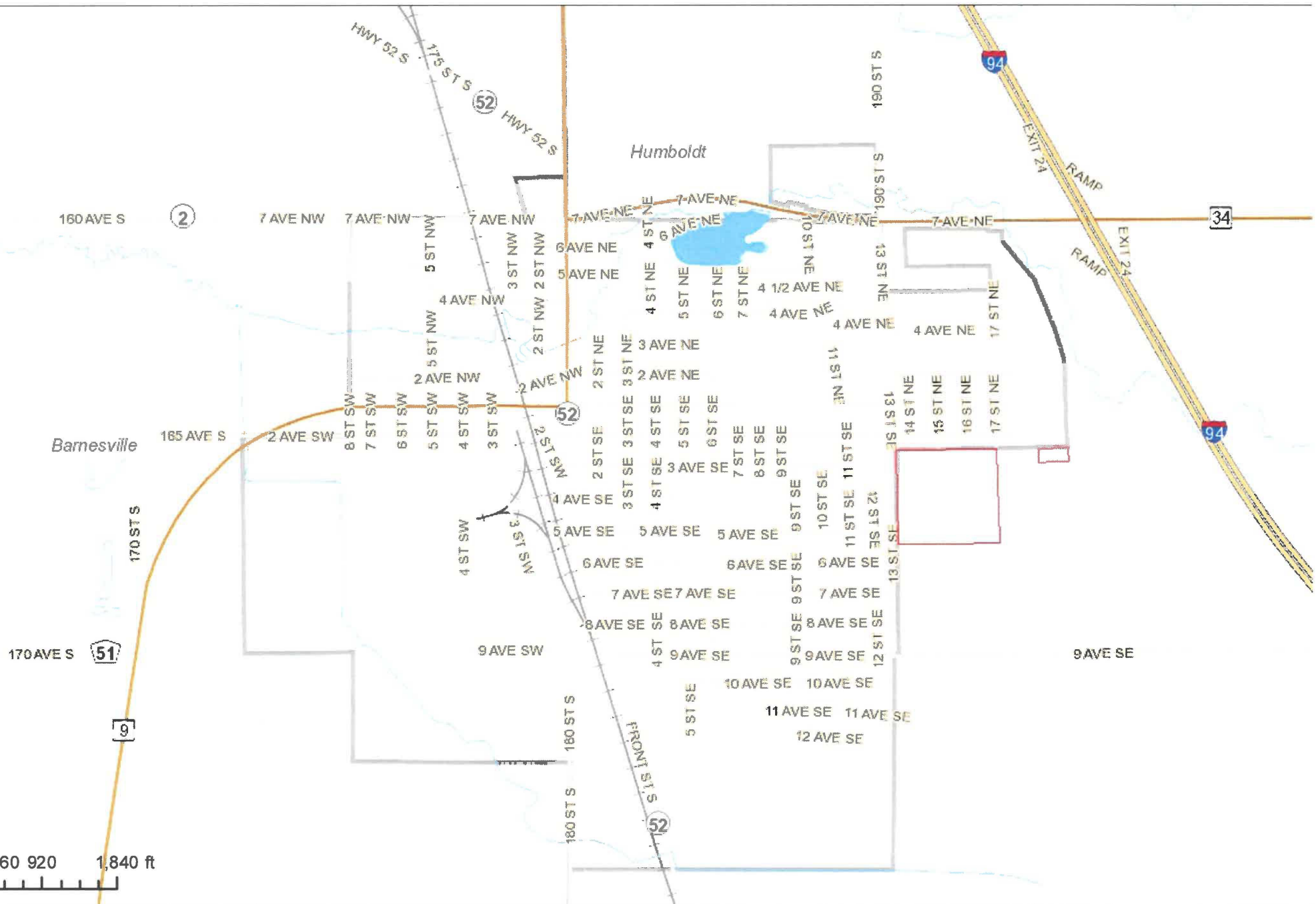


<http://claycountymn.gov>

**218-299-5003**







These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

Date: 2/21/2020



<http://claycountymn.gov>

218-299-5003