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By: OAH on August 7, 2020

**ORDINANCE NO. 2020-02
AN ORDINANCE ANNEXING
LAND LOCATED IN DEERWOOD TOWNSHIP, CROW WING COUNTY,
MINNESOTA PURSUANT TO MINNESOTA STATUTES § 414.033 SUBDIVISION 2(3),
PERMITTING ANNEXATION BY ORDINANCE**

CITY OF CROSBY, MINNESOTA

WHEREAS, a petition signed by all the property owners, requesting that property legally described in the attached exhibit be annexed to the City of Crosby, Minnesota, was duly presented to the City Council on the 29th day of April 2020; and

WHEREAS, said property is unincorporated and abuts the City of Crosby on its eastern 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 residential and annexation is requested to facilitate the extension of city services for the commercial development of the property; and

WHEREAS, the City of Crosby held a public hearing pursuant to Minnesota Statutes § 414.033 Subd. 2b, on June 22, 2020, following 30 days written notice by certified mail to the Town of Deerwood and to all landowners within and contiguous to the area legally described in the attached exhibit, 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 CROSBY 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 use 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 Crosby, Minnesota, are hereby extended to include the following described property, said land abutting the City 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:

See attached Certificate of Survey.

The above described property consists of a total of 13 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 population of the area legally described in the attached exhibit and hereby annexed is believed zero.

5. The City of Crosby, pursuant to Minnesota Statutes § 414.036, that with respect to the property taxes payable on the area legally described in the attached exhibit, hereby annexed, shall make a cash payment to the Town of Deerwood in accordance with the following schedule:

- a. In the first year following the year in which the City of Crosby could first levy on the annexed area, an amount equal to \$606.26; and
- b. In the second year, an amount equal to \$686.26.

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 in the attached exhibit there are no special assessments or debt incurred by the Town on the subject are for which reimbursement is required.

7. That the City Clerk of the City of Crosby 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 Crow Wing County Auditor, and the Deerwood 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 Crosby, Minnesota, this 17th day of July 2020.



Mayor

ATTEST: 

City Clerk

LEGAL DESCRIPTION: (ACCORDING TO DOCUMENT NUMBER A-862189)

Government Lot Two(2), Section Seven (7), Township Forty-six (46), Range Twenty-eight (28), except highway and except the North 333 feet platted as Hallett Estates, and except that part of Government Lot 2, Section 7 lying southerly of the South right of way line of State Highway 210, as said highway is described in Final Certificate recorded in Book 119 of Deeds, page 610 and except that part of Government Lot 2 described as follows: Beginning at the Southwest corner of Lot 4, Block 1, Hallett Estates; thence South 1 degree 29 minutes 16 seconds East 200 feet along the Southerly extension of the West line of said Lot 4, Block 1, Hallett Estates; thence North 89 degrees 48 minutes 37 seconds East 450 feet, more or less, to the East line of Government Lot 2; thence North 1 degree 29 minutes 16 seconds West 200 feet along the East line of Government Lot 2 to the Southeast corner of Lot 6, Block 1, Hallett Estates; thence South 89 degrees 48 minutes 37 seconds West 450 feet along the South line of said Block 1, Hallett Estates to the Southwest corner of Lot 4, Block 1, Hallett Estates to the point of beginning, and also except that part of Government Lot 2, Section 7, described as follows: Beginning at the Southwest corner of Lot 4, Block 1, Hallett Estates, thence South 1 degree 29 minutes 16 seconds East 200 feet along the Southerly extension of the West line of said Lot 4, Block 1, Hallett Estates; thence South 89 degrees 48 minutes 37 seconds West 472.34 feet to the West line of said Government Lot 2; thence North 00 degrees 29 minutes 19 seconds West 199.95 feet along the West line of said Government Lot 2 to the intersection with the westerly extension of the South line of said Block 1, Hallett Estates; thence North 89 degrees 48 minutes 37 seconds East 468.85 feet along the Westerly extension of the South line of said Block 1, Hallett Estates and along the South line of said Block 1, Hallett Estates to the Southwest corner of Lot 4, Block 1, Hallett Estates to the point of beginning. Also except that part described as follows: Commencing at the Southwest corner of Lot 4, Block 1, Hallett Estates, thence South 1 degree 29 minutes 16 seconds East, assumed bearing, 200.00 feet along the Southerly projection of the West line of said Lot 4; thence North 89 degrees 48 minutes 37 seconds East 204.37 feet to the point of beginning; thence continuing North 89 degrees 48 minutes 37 seconds East 245.63 feet to the East line of said Government Lot 2; thence South 1 degree 29 minutes 16 seconds East 465.14 feet along the East line of said Government Lot 2 to the Northwesterly right of way line of State Highway Number 210; thence South 53 degrees 27 minutes 06 seconds West 300.00 feet along said Northwesterly right of way line; thence North 1 degree 29 minutes 16 seconds West 643.03 feet to the point of beginning.

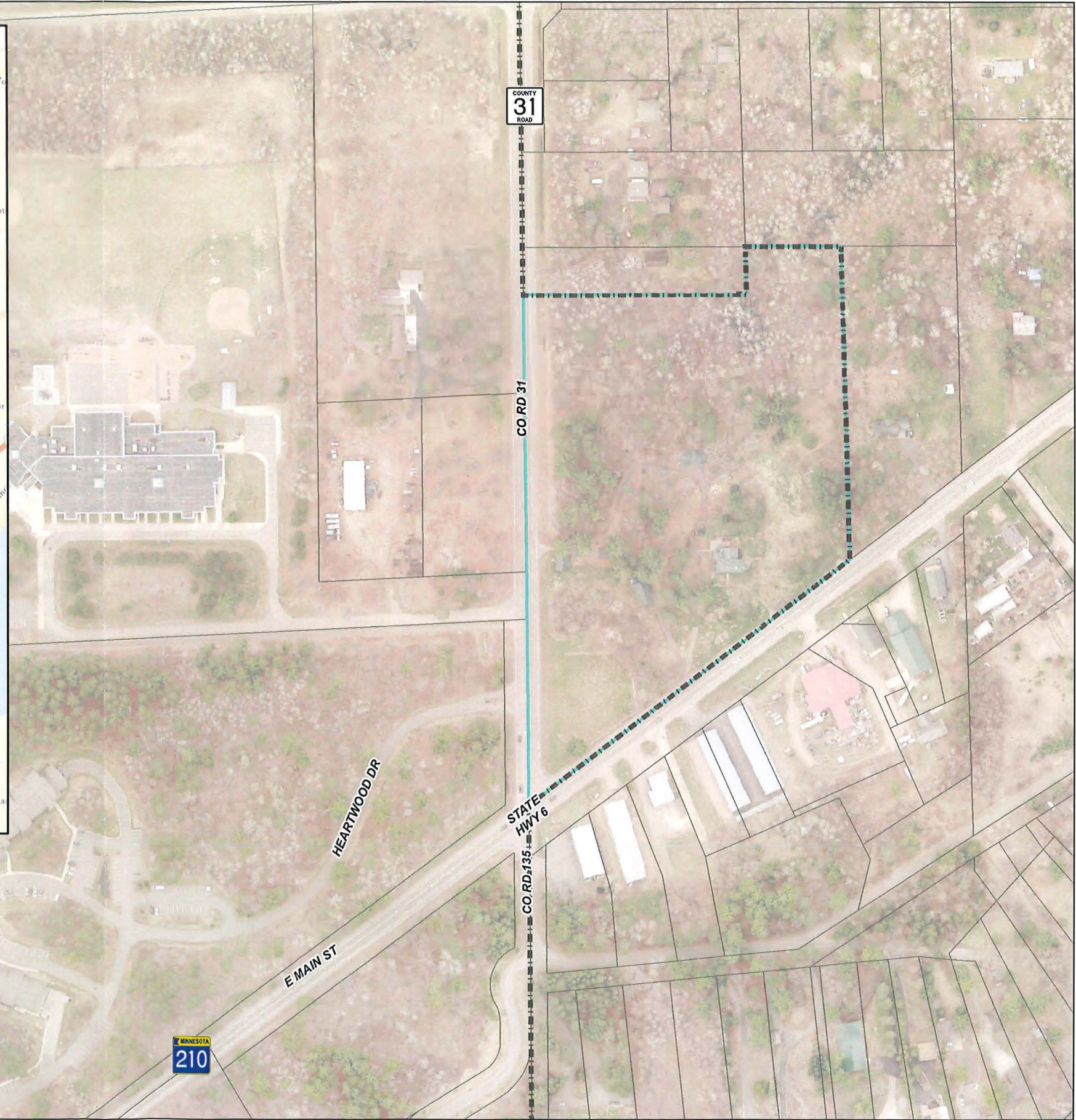
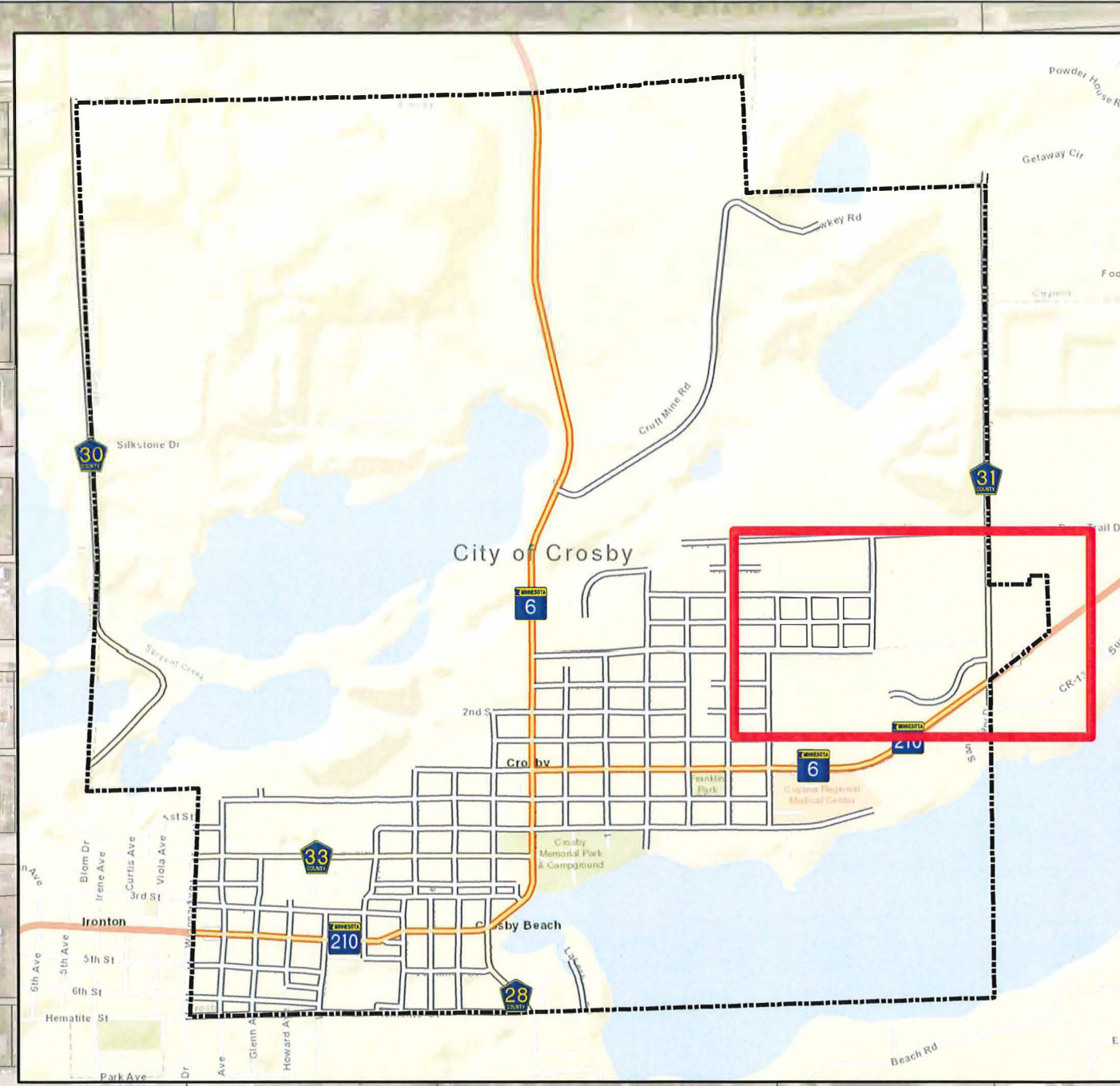
AND ALSO EXCEPT THAT PART DESCRIBED AS FOLLOWS: That part of Government Lot Two (2), Section Seven (7), Township Forty-six (46), Range Twenty-eight (28), described as follows: Commencing at the Southwest Corner of Lot 4, Block 1, Hallett Estates, according to the plat thereof on file and of record in the office of the County Recorder in and for said County; thence South 1 degree 29 minutes 16 seconds East 200 feet along the Southerly extension of the West line of said Lot 4, Block 1, Hallett Estates to the point of beginning; thence continuing South 1 degree 29 minutes 16 seconds East 100 feet along the Southerly extension of the West line of said Lot 4, Block 1, Hallett Estates; thence South 89 degrees 48 minutes 37 seconds West 474.08 feet to the West line of said Government Lot 2; thence North 00 degrees 29 minutes 19 seconds West 99.98 feet along the West line of said Lot 2; thence North 89 degrees 58 minutes 37 seconds East 472.34 feet to the point of beginning.

AND

Lot Eighteen (18) of Auditor's Subdivision of Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ of NW $\frac{1}{4}$) and Government Lots One (1), Three (3) and Four (4) of Section Seven (7), Township Forty-six (46), Range Twenty-eight (28), except that part thereof platted as North Shore Acres.

Crow Wing County, Minnesota

Map Document: \arcserver\1\gis\CSBY\Basemap\ESRI\Mapa2020\Csby_ProposedAnnexation_11x171.mxd | Date Saved: 7/23/2020 1:16:01 PM



Legend

- Existing City Limits
- Annexation
- Parcels

0 300 Feet

Source: MnDOT, Crow Wing County

