

**ORDINANCE NO. 2021-03**

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

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

NOW, THEREFORE, THE CITY OF MOORHEAD 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 Moorhead Township, Clay County, Minnesota, is land that abuts the municipal corporate limits of the City of Moorhead, Clay County, Minnesota (the "Property"); the land to be annexed is 120 acres or less, and the area to be annexed is not presently served by public wastewater facilities or public wastewater facilities are not otherwise available, and the municipality received a petition for annexation from all the property owners of the land.

Section 2. That the City of Moorhead held a public hearing pursuant to Minn. Stat. § 414.033, subd. 2b, on April 26, 2021, following thirty (30) days' written notice by certified mail to the Moorhead Township and to all landowners within and contiguous to the area, legally described in Exhibit A, to be annexed.

Section 3. That the corporate limits of the City of Moorhead are hereby extended to include the land legally described in Exhibit A, containing approximately 2.59 acres, and the same is hereby annexed to be included within the City of Moorhead, Clay County, Minnesota.

Section 4. Upon effective date of this annexation, this developed area, legally described in Exhibit A, shall be zoned RLD-1: Residential Low Density-1.

Section 5. That the population of the area legally described in Exhibit A, and hereby annexed is two (2).

Section 6. That with respect to the property taxes payable on the area legally described in Exhibit A, hereby annexed, the City of Moorhead shall make a cash payment to Moorhead Township in an amount equal to the Moorhead Township's lost revenue for the period of one year (\$36.62 based on 2021 tax statement), as follows:

- a. In the first year (2023) following the year the City of Moorhead could first levy (2022) on the annexed area, a payment of \$18.31 will be made to Moorhead Township.

- b. In the second year (2024) following the year the City of Moorhead could first levy (2022) on the annexed area, a payment of \$18.31 will be made to Moorhead Township.

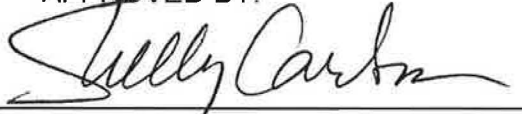
Section 7. That the City Manager of the City of Moorhead is hereby authorized and directed to file a copy of this Ordinance with the Minnesota Office of Administrative Hearings Municipal Boundary Adjustments Office, the Minnesota Secretary of State, the Clay County Auditor, and the Moorhead Township 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.

This Ordinance shall be published in accordance with Moorhead City Charter.

PASSED: May 10, 2021 by the City Council of the City of Moorhead.

APPROVED BY:



Michelle (Shelly) A. Carlson  
Mayor

ATTEST:



Christina Rust  
City Clerk

Date of First Reading: 04/26/2021  
Date of Second Reading: 05/10/2021  
E-Post Date: 04/30/2021  
Publication:

**EXHIBIT A**  
**Legal Description of the Property**

Tract One: All that part of the Southwest Quarter of Section 21, Township 139 North, Range 48 West of the Fifth Principal Meridian, described as follows:

Beginning at the Southwest corner of Section 21, Township 139 North, Range 48 West of the Fifth Principal Meridian; thence East along the South line of said Section 21 a distance of 240.0 feet; thence North parallel to the West line of said Section 21 a distance of 375.0 feet; thence West parallel to the South line of said Section 21 a distance of 240.0 feet, more or less, to a Point of Intersection with the West line of said Section 21; thence South along the West line of said Section 21, a distance of 375.0 feet, more or less, to the Point of Beginning.

Said tract of land contains 2.066 acres, more or less, and is subject to road easements along the South and West lines of said tract.

Tract Two: All that part of the Southwest Quarter of Section 21, Township 139 North, Range 48 West of the Fifth Principal Meridian, described as follows:

Beginning at a point on the South line of said Southwest Quarter, which point is 240 feet East of the Southwest corner of said Section 21; thence North parallel to the West line of said Section 21 a distance of 375 feet; thence East parallel to the South line of said Section 21 a distance of 61 feet; thence South parallel to the West line of said Section 21 a distance of 375 feet to the point of intersection the South line of said Section 21; thence West a distance of 61 feet to point of beginning, containing 1/2 acre, more or less.

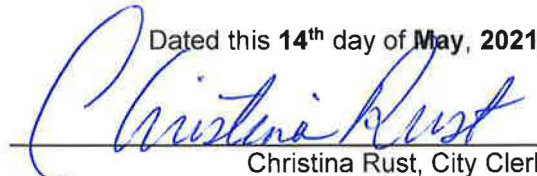
Excepting any land already within city limits.

**CERTIFICATION**

STATE OF MINNESOTA  
COUNTY OF CLAY  
CITY OF MOORHEAD

I do hereby certify that the above Resolution is a true and accurate copy of the Resolution adopted by the Council of the City of Moorhead at an authorized meeting held on the 10<sup>th</sup> day of May, 2021, as shown by the minutes of the meeting in my possession.

Dated this 14<sup>th</sup> day of May, 2021.

  
Christina Rust, City Clerk





City of Moorhead - Annexation  
1444 40th Ave S  
Parcel ID 21.021.3301  
Approx 2.59 Acres



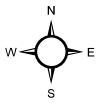
--- Moorhead City Limits

1444 40th Ave S

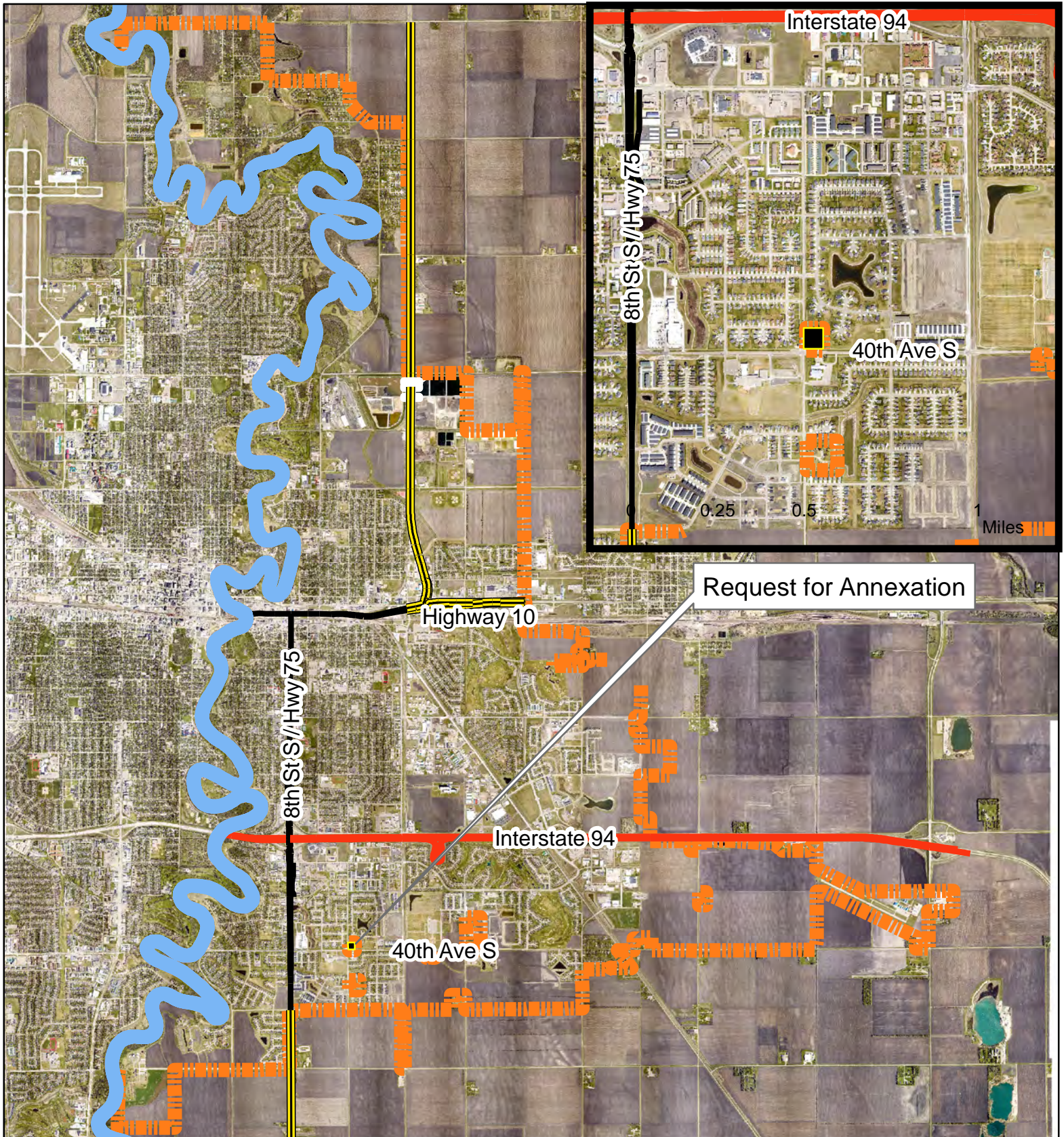
0 25 50 100 150 Feet







**City of Moorhead - Annexation**  
**1444 40th Ave S**  
**21.021.3301**  
**2.59 acres**



Request for Annexation

