

**ORDINANCE NO. 1,412**

**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 be annexed to the City of Deer River, Minnesota, was duly presented to the Council of the City of Deer River on the 23<sup>rd</sup> day of January, 2023; said real property being legally described as:

That part 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) lying North of the South 560 feet thereof, and South of the North 435 feet thereof.

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 unoccupied and vacant and annexation is requested to facilitate the extension of city services for the residential/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 April 24, 2023, 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 residential/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 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 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:

That part of the West One-half of the Northwest Quarter of the Southwest Quarter (W $\frac{1}{2}$  NW $\frac{1}{4}$  SW $\frac{1}{4}$ ), Section Twenty-four (24), Township One Hundred Forty-five (145), Range Twenty-five (25) lying North of the South 560 feet thereof, and South of the North 435 feet thereof.

The above described property consists of a total of 4.5 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 population of the area legally described (herein or attached exhibit) 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 or attached exhibit), hereby annexed, shall make a cash payment to the Town of Deer River in accordance with the following schedule:

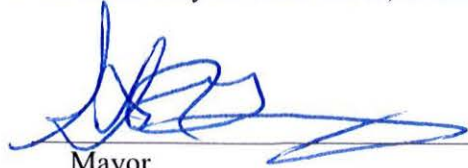
- a. In the first year following the year in which the City of Deer River could first levy on the annexed area, an amount equal to \$94.00; and
- b. In the second year, an amount equal to \$94.00.

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 for which reimbursement is required.

7. That the City Clerk 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 24<sup>th</sup> day of April, 2023.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Administrator

(City Seal)

Municipal Boundary Adjustment Unit Contact

Star Holman [star.holman@state.mn.us](mailto:star.holman@state.mn.us) 651-361-7909  
(July 2019)



