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By: OAH on March 11, 2024

ORDINANCE NO. 104

**AN ORDINANCE OF THE CITY OF WILLOW RIVER, MINNESOTA ANNEXING
LAND LOCATED IN KETTLE RIVER TOWNSHIP, PINE 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 on the attached Exhibit "A" be annexed to the City of Willow River, Minnesota, was duly presented to the Council of the City of Willow River on the 20th day of October, 2023; and

WHEREAS, said property is unincorporated and abuts the City of Willow River 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 located in shoreland area and the City of Willow River has land use controls in place which conform to Minnesota chapter 103F, and any new development of the annexed land shall be subject to Minnesota chapter 103F; and

WHEREAS, said property is currently PID-17.0154.000 Non-HSTD, Rural Vacant Land; and the Willow River City Council finds that the property is suburban in character by surrounding usage; and

WHEREAS, Petitioner plans to develop the land, and Petitioner shall submit proposed development plans to the council, or proper zoning authority, for review and approval; and

WHEREAS, the City of Willow River held a public hearing pursuant to Minnesota Statutes § 414.033 Subd. 2b, on February 5, 2024, following thirty (30) days written notice by certified mail to the Town of Kettle River and to all landowners within and contiguous to the area legally described on attached Exhibit "A", 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 WILLOW 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.
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 Willow River, Minnesota, are hereby extended to include the following described property, said land abutting the City of Willow River 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.

The property described in Exhibit "A" consists of a total of 80.00 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 as Exhibit "B".

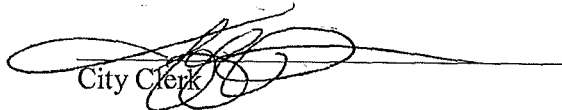
4. That the population of the area legally described on Exhibit "A" and hereby annexed is 0.
5. The City of Willow River, pursuant to Minnesota Statutes § 414.036, that with respect to the property taxes payable on the area legally described on attached Exhibit "A" hereby annexed, shall make a cash payment to the Town of Kettle River in accordance with the following schedule:
 - a. In the first year following the year in which the City of Willow River could first levy on the annexed area, an amount equal to \$162.76; and
 - b. In the second year, an amount equal to \$162.76.
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 on Exhibit "A" 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 Willow 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 Pine County Auditor, and the Kettle 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 Willow River, Minnesota, this 5 day of February, 2024.



Mayor

ATTEST:



City Clerk

(City Seal)

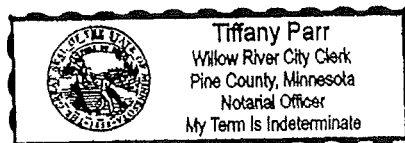
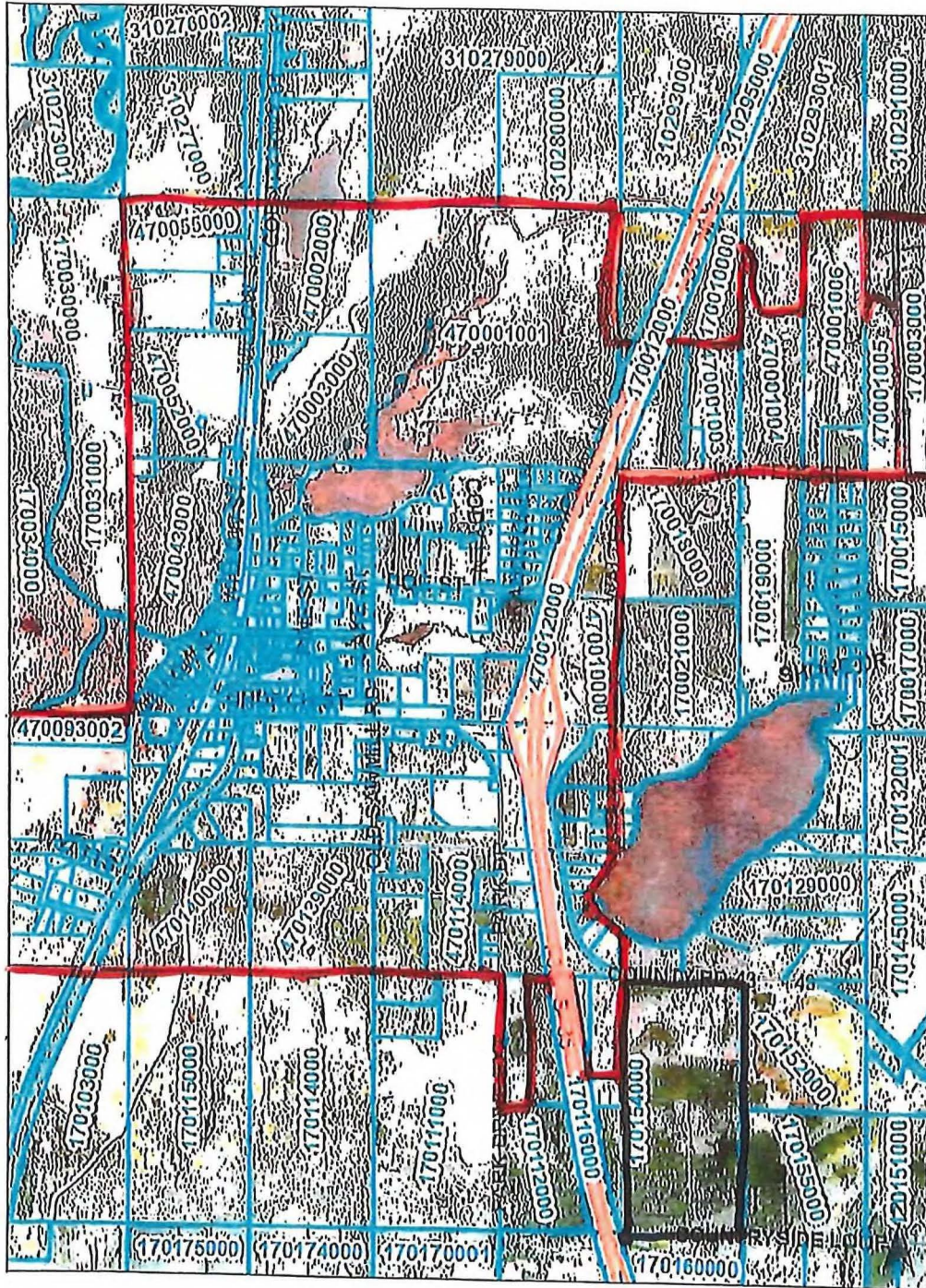
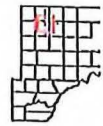


Exhibit "A"

The West $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of Section 12, Township 44, Range 20, Pine County, Minnesota



Overview



- City Limits

-PID
17.0154.000
to be
annexed