



Daniel J. Vogt  
Brainerd City Administrator  
Brainerd City Hall  
501 Laurel Street  
Brainerd, MN 56401

November 9, 2001

Docket Number: A-6583

City of Brainerd  
M.S. 414.033, Subd. 2(3)  
Ordinance No. 1124

Dear Mr. Vogt:

On September 14, 2001, the Director of the Office of Strategic and Long Range Planning has approved the above ordinance in accordance with Minnesota Statutes, Chapter 414, and the Rules of Procedure. The annexation is final upon the date the ordinance is approved by the Director.

The law requires that a copy of the annexation ordinance must be delivered immediately by the governing body of the municipality to the appropriate county auditor or auditors, and filed with the township. We recommend that you also file the annexation ordinance with the County Recorder. **This office will file a copy of the ordinance with the Secretary of State.** If you have population in the affected area, please contact the State Demographer's Office at (651) 296-9036 for forms.

If you have any questions, please contact this office.

Sincerely,

Office of Strategic and Long Range Planning

Christine M. Scotillo  
Executive Director  
Municipal Boundary Adjustments

658 Cedar St.  
St. Paul, MN 55155

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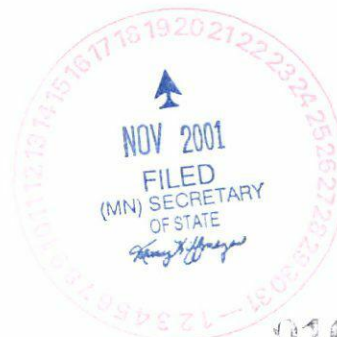
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800-627-3529

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cc: Crow Wing County Auditor  
The Honorable James E. Wallin, Mayor  
State Demographer's Office  
Secretary of State



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**ORDINANCE****NO. 1124****AN ORDINANCE PROVIDING FOR  
THE ANNEXATION OF CERTAIN  
PROPERTIES LOCATED IN UNORGANIZED TERRITORY,  
CROW WING COUNTY, TO THE CITY OF BRAINERD,  
CROW WING COUNTY MINNESOTA, PURSUANT  
TO MINNESOTA STATUTE 414.033**

THE CITY COUNCIL OF THE CITY OF BRAINERD DOES ORDAIN:

**SECTION ONE:** That Roger E. and Harriet Piehl, the fee owners of certain property in the County of Crow Wing, State of Minnesota, described as follows:

South 100 Feet of the North 850 Feet of the Northwest Quarter of the Southwest Quarter, Section 34, Township 134 North, Range 28 West, and also the South 50 Feet of the North 900 Feet of the Northwest Quarter of the Southwest Quarter, Section 34, Township 134 North, Range 28 West, which lies between McKay Road and Waters of Gilbert Lake.

filed a petition with the City Council of the City of Brainerd pursuant to Section 414.033, Subdivision 2 (3) of the Minnesota Statutes. This property is located within Unorganized Territory of Crow Wing County. This area contains approximately 2.53 acres of land.

**SECTION TWO:** That said realty abuts the City of Brainerd and is less than 60 acres in size.

**SECTION THREE:** That pursuant to Minnesota Statutes Section 414.033, Subdivision 13, the petitioner will see no change in their electric utility service at this time.

**SECTION FOUR:** That pursuant to Minnesota Statutes Section 414.033, Subdivision 2b, the City of Brainerd has held the required public hearing and notified the town along with all landowners within and contiguous to the area being annexed.


**SECTION FIVE:** That Council of the City of Brainerd deems the annexation of said realty to the City of Brainerd to be in the best interest of the City of Brainerd and the territory affected and accordingly, said realty is hereby annexed to the City of Brainerd as RF (Rural Residential) District so as to become and be part of the City of Brainerd and included within its corporate limits and boundaries thereof.

SECTION SIX: The property taxes payable on the annexed land shall continue to be paid to the affected town for the year in which the annexation becomes effective. If the annexation becomes effective on or before August 1, of a levy year, the City may levy on the annexed area beginning with that same levy year. If the annexation becomes effective after August 1 of a levy year, the town may continue to levy on the annexed area for that levy year, and the City may not levy on the annexed area until the following levy year. The first year following the year when the City could first levy on the annexed area, property taxes on the annexed land shall be paid to the City. However, the City shall make a cash payment to the town for the period and in accordance with the following schedule:


- i. In the first year following the year the City could first levy on the annexed area, an amount equal to 90% of the property taxes distributed to the town in regard to the annexed area in the last year the property taxes from the annexed area were payable to the town;
- ii. In the second year, an amount equal to 70%;
- iii. In the third year, an amount equal to 50%;
- iv. In the fourth year, an amount equal to 30%; and
- v. In the fifth year, an amount equal to 10%.

SECTION SEVEN: This Ordinance shall take effect and be in force one week from and after its publication and is further subject to final approval of Minnesota Planning Municipal Boundary Adjustments.


Adopted this 1st day of October, 2001.

  
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LUCY R. NESHEIM  
President of the Council

Approved this 2nd day of October, 2001.

  
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JAMES E. WALLIN  
Mayor

ATTEST:

  
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DANIEL J. VOGT  
City Administrator

Published: 11/12/01