



STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS  
MUNICIPAL BOUNDARY ADJUSTMENTS UNIT

658 Cedar Street, Room 300 St. Paul, Minnesota 55155  
Telephone (651) 284-3383 Fax (651) 284-3545 TTY 800-627-3529

January 11, 2006

Victor Williams  
Deer River City Clerk  
Deer River City Hall  
P. O. Box 70  
Deer River, MN 56636-0070

Docket Number: A-7271

City of Deer River  
M.S. 414.033, Subd. 3  
Ordinance No. 1.408

Dear Mr. Williams:

On January 11, 2006, the Office of Administrative Hearings 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.

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.** However, you must now complete the election precinct boundary change process in coordination with the Office of 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,

*Christine M. Scotillo*  
Christine M. Scotillo  
Executive Director  
Municipal Boundary Adjustments

CMS:ry

c: Itasca County Auditor  
Deer River Township Clerk  
Morse Township Clerk  
Andrew Shaw, Deer River City Attorney  
State Demographer's Office  
☒ Secretary of State



0601488

RESOLUTION # 2005-27

ORDINANCE NO. 1.408

**AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF  
DEER RIVER TO INCLUDE CERTAIN LAND OWNED BY PRIVATE PARTIES  
AND ABUTTING THE CITY OF DEER RIVER.**

WHEREAS, the City of Deer River has filed a Notice of Intent for the Annexation of Certain Land to the City of Deer River upon the Town of Morse, pursuant to the provisions of Minn. Stat. §414.033, Subd.3, regarding the annexation to the City of Deer River of that certain real estate located within the County of Itasca, State of Minnesota, described as follows:

The North Two Hundred Feet (N.200') of the East Three Hundred and Sixty feet (E.360') of Government Lot Four (4), Section Twenty-six (26), Township One Hundred Forty-five (145) North, Range Twenty-five (25), West of the Fifth Principal Meridian, Itasca County, Minnesota. (Charles Larson, 1.65 acres)

The West Three Hundred Twelve feet (W.312') of the East Six Hundred Seventy Two feet (E.672') of the North Two Hundred feet (N.200') of Lot Four (4), Section Twenty-six (26), Township One Hundred Forty-five (145), Range Twenty-five (25), subject to an easement for roadway purposes over and upon the East 30 feet of the above described tract. (Mary and Thomas Williams, 1.44 acres)

The East 125.4 Feet of the South 450.00 Feet of Government Lot Two (2), Section Twenty-six (26), Township One Hundred Forty-five (145), Range Twenty-five (25) West of the Fifth Principal Meridian, Itasca County, Minnesota, AND the West 34.6 Feet of the South 450.00 feet of Government Lot One (1), Section Twenty-six (26), Township One Hundred Forty-five (145), Range



Twenty-five (25) West of the Fifth Principal Meridian, Itasca County, Minnesota.  
(Bruce Hastie, 1.65 acres)

The East Four Hundred Feet (E.400') of the South Two Hundred Feet (S.200') of Government Lot Four (4), Section Twenty-six (26), Township One Hundred Forty-five (145), Range Twenty-five (25) West of the Fifth Principal Meridian, Itasca County, Minnesota. (Tony Bodin, 1.84 acres).

✓ WHEREAS, the afore-named parties are the only owners of the above described properties, that the property is residential in nature, that the property is located within Morse Township and Deer River Township and abuts on the northerly and westerly boundary of the City of Deer River, that the property is not included in any boundary adjustment proceeding pending before Minnesota Planning, Municipal Boundary Adjustments, that the property has an area of less than 10 acres in size and has the potential to be served by Deer River municipal sewer and water facilities, the same which are not otherwise available, and that said property is or is about to become urban or suburban in character, and;

WHEREAS, it is in the best interests of the above described property to have municipal water and sewer service available to them, and;

WHEREAS, The City of Deer River does not provide municipal electric service, and the provider of electric service to the Petitioner will remain the same utility which provided electric service prior to any annexation, and that rates for electric service shall remain unaffected by any annexation, and that the notice provisions of Minn. Stat. §414.033 Subd.13 are inapplicable to this proceeding, and;

WHEREAS, the area proposed to be annexed is not included in any area that has been designated for orderly annexation pursuant to Minn. Stat. §414.0325, and is not part of any area included in a Community Based Planning Pilot Project.

NOW, THEREFORE. THE CITY COUNCIL OF THE CITY OF DEER RIVER, MINNESOTA, DOES HEREBY ORDAIN:

Section 1: The City Council hereby determines and finds that the property abuts the municipality, that the area to be annexed is more than 60% bordered by the City of Deer River and forty (40) acres or less in area, that the area to be annexed is not currently

served by municipal water and sewer facilities, the same which are needed to serve the above properties and all of which are unavailable from any other source, and that the municipality has served a Notice of Intent to Annex the subject property upon Morse Township and Deer River Township and the Municipal Boundary Adjustments Unit pursuant to the provisions of Minn. Stat. §414.033, Subd. 3.

Section 2: That Morse Township and Deer River Township <sup>-howe</sup> has waived or withdrawn objections to the annexation upon certain terms and conditions as agreed to between the Town of Deer River and City.

Section 3: The property is urban or suburban in nature or about to become so.

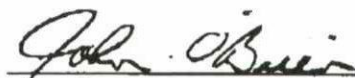
Section 4: Minn. Stat. §414.033, Subd. 13 is inapplicable and any notice required thereunder has been waived by the Petitioners.

Section 5: The corporate limits of the City of Deer River are hereby extended to include the subject property identified in the Petition and above, and the same is hereby annexed to and included with the City of Deer River as if the property had originally been a part thereof.

Section 6: That for the purposes of zoning in accordance with the Deer River Code of Ordinances, the property to be annexed shall be zoned as Residential.

Section 7: The City Clerk/Treasurer is directed to file certified copies of this ordinance with the office of Minnesota Planning - Municipal Boundary Adjustments, Morse Township, Deer River Township, the County of Itasca, the Itasca County Auditor, and the Minnesota Secretary of State.

Section 8: This ordinance takes effect upon its passage and publication and filing of the certified copies as directed in Section Seven and approval of the ordinance by the office of Minnesota Planning - Municipal Boundary Adjustments.



JOHN O'BRIEN, Mayor

Attest: 

VICTOR WILLIAMS, SR., Clerk

Public Hearing:	<u>12-13-04</u>
Introduced:	<u>11-26-04</u>
Passed:	<u>11-28-05</u>
Published:	<u>12-08-05</u>
Effective:	<u>12-08-05</u>
Minnesota Planning passage:	<u>                    </u>

State of Minnesota	)
	) ss
County of Itasca	)

I, Victor Williams, Sr., the City Clerk of the City of Deer River, Itasca County, Minnesota, hereby certify that I have compared the foregoing copy of the validly adopted Ordinance of the City of Deer River with the original record thereof on file with the Clerk, and that the same is a true and correct copy of said original record and of the whole thereof.

Witness my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Signature