

ORDINANCE NO. 6, EIGHTH SERIES

AN ORDINANCE OF THE CITY OF FERGUS FALLS, MINNESOTA ANNEXING LAND LOCATED IN THE AURDAL, TOWNSHIP, OTTER TAIL COUNTY MINNESOTA PURSUANT TO MINNESOTA STATUTE §414.033 SUBDIVISION 2(3), PERMITTING ANNEXATION BY ORDINANCE.

WHEREAS, the area proposed to be annexed abuts the City and the area to be annexed is 120 acres or less; and

WHEREAS, said property is not located within the flood plain or shoreline area; and

WHEREAS, said property to be annexed is requested to facilitate the extension of city services for the residential/urban/commercial/industrial development of the property; and

WHEREAS, the City of Fergus Falls held a public hearing pursuant to Minnesota Statutes §414.033 SUBD.2 (2b) on the 21st day of September, 2020, following 30 days written notice by certified mail to the Town of Aurdal and to all landowners within and contiguous to the area legally described in the attached Exhibit A, to be annexed; and

WHEREAS, provisions of Minnesota Statute §414.033, SUBD. 13 are not applicable in that there will be no change to the electric utility service provider resulting from the annexation of the territory to the municipality.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF FERGUS FALLS HEREBY ORDAINS AS FOLLOWS:

1. The City Council hereby determines that the property as herein after described in the attached Exhibit A abuts the City and the area to be annexed is 120 acres or less;
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 Statutes §414.0325.
3. The corporate limits of the City of Fergus Falls, Minnesota are hereby extended to include the following described property in attached Exhibit A, said land completely surrounded by land within the municipal limits.

All that part of Sublot F&G of Government Lots Three (3) and Four (4) of Section Thirty (30), Township One Hundred Thirty-Three (133), Range Forty-two (42), Otter Tail County, Minnesota, Described as follows: Commencing at the South Quarter corner of said Section 30, Thence on an assumed bearing of North 00 degrees 27 minutes 22 seconds East along the north-south quarter line of said Section 30, a distance of 2814.29 feet, Thence North 89 degrees 32 minutes 38 seconds West a distance of 1635.22 feet to the Point of Beginning of the land to be described, Thence South 03 degrees 27 minutes 56 seconds East a distance of

351.35 feet, Thence on a bearing of West a distance of 169.39 feet, Thence North 35 degrees 33 minutes 56 seconds West a distance of 283.44 feet, Thence North 14 degrees 04 minutes 40 seconds West a distance of 73.96 feet to the intersection with a line which bears South 81 degrees 40 minutes 52 seconds West from the Point of Beginning, Thence North 81 degrees 40 minutes 52 seconds East a distance of 334.52 feet to the Point of Beginning.

The above described property consists of the total of 1.95 acres, more or less. A copy of the corporate boundary map showing the property to be annexed and its relationship to the corporate boundaries is attached hereto.

4. That the population of the area described in the attached Exhibit A and hereby annexed is five (5).
5. Pursuant to Minnesota Statute §414.033 Subd. 12, property taxes payable on the annexed land shall continue to be paid to the Town of Aurdal for levy year 2020. Beginning in levy year 2021 and every year thereafter, the City of Fergus Falls shall levy and be paid all property taxes payable on the annexed land.

Any persons owning lands annexed to the City pursuant to this agreement shall receive a "tax break" consisting of a staged, graduated increase in mill rates from the Township rate to the City rate over a five (5) year period in the following manner:

First year following annexation	20% of City rate
Second year following annexation	40% of City rate
Third year following annexation	60% of City rate
Fourth year following annexation	80% of City rate
Fifth year following annexation	100% of City rate

6. That the City Administrator of the City of Fergus Falls 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 Otter Tail County Auditor, and the Aurdal Township Clerk.
7. 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.

THIS ORDINANCE was introduced on September 21, 2020, and adopted by the City Council of the City of Fergus Falls, Minnesota on the 5th day of October, 2020, by the following vote:

AYES: Gustafson, Hicks, Fish, Hagberg, Kvamme, Rufer, Thompson, Arneson
NAYS: None

ATTEST: APPROVED:
Andrew Bremseth Ben Schierer
City Administrator Mayor
Publication Date: October 10, 2020

EXHIBIT A

All that part of Sublot F&G of Government Lots Three (3) and Four (4) of Section Thirty (30), Township One Hundred Thirty-Three (133), Range Forty-two (42), Otter Tail County, Minnesota, Described as follows: Commencing at the South Quarter corner of said Section 30, Thence on an assumed bearing of North 00 degrees 27 minutes 22 seconds East along the north-south quarter line of said Section 30, a distance of 2814.29 feet, Thence North 89 degrees 32 minutes 38 seconds West a distance of 1635.22 feet to the Point of Beginning of the land to be described, Thence South 03 degrees 27 minutes 56 seconds East a distance of 351.35 feet, Thence on a bearing of West a distance of 169.39 feet, Thence North 35 degrees 33 minutes 56 seconds West a distance of 283.44 feet, Thence North 14 degrees 04 minutes 40 seconds West a distance of 73.96 feet to the intersection with a line which bears South 81 degrees 40 minutes 52 seconds West from the Point of Beginning, Thence North 81 degrees 40 minutes 52 seconds East a distance of 334.52 feet to the Point of Beginning.

