

## ORDINANCE NO. 519

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF BRECKENRIDGE TO INCLUDE CERTAIN UNINCORPORATED UNPLATTED LAND OWNED BY MINN-KOTA AG PRODUCTS, INC. PURSUANT TO MINNESOTA STATUTES §414.033 SUBDIVISION 2(3).

THE COUNCIL OF THE CITY OF BRECKENRIDGE, MINNESOTA, DOES ORDAIN:

SECTION 1. The City Council hereby finds and determines:

- (1) That the property to be annexed is owned by Minn-Kota Ag Products, Inc. which has provided a petition to the City requesting such annexation;
- (2) That the annexation will be in the best interest of the City of Breckenridge and the territory affected;
- (3) That the territory described herein abuts upon the city limits of the City of Breckenridge on the southern edge and is about to become urban in character;
- (4) None of said territory is now included within the limits of any city, village, or borough and does not abut upon the limits of any city, village, or borough, except the City of Breckenridge, Minnesota.

SECTION 2. That the corporate limits of the City of Breckenridge, Minnesota, are hereby extended to include the unplatted land described as follows and the same is hereby annexed to and included within the City of Breckenridge, Minnesota, as effectually as if it had originally been a part thereof, which said land is located in the County of Wilkin, State of Minnesota, and is described as follows, to-wit:

**Legal #1 (Parcels No. 06-010-1500 & 06-010-1550)** the below describes a total of 47.13 acres-excluding 3.5 acres already annexed into the City (Parcel No. 23-010-0730).

All that part of the south half of the Southwest Quarter (S1/2 SW1/4) of Section Ten (10), Township One Hundred Thirty-two (132) North, Range Forty-seven (47), West of the Fifth Principal Meridian, Breckenridge Township, Wilkin County, Minnesota, described as follows:

Beginning at the Southwest corner of said Section Ten (10): thence on an assumed bearing of North 0 degrees 11 minutes 28 seconds West on and along the west line of said Section Ten (10) a distance of 1045.21 feet; thence due East a distance of 1126.64 feet to the Southwesterly right of way line of State Highway No. 75; thence along and on said right of way line on a curve that is concave to the southwest, said curve having a radius of 1909.86 feet, a central angle of 49 degrees 49 minutes 44 seconds, a chord distance of 766.58 feet, and a chord bearing of South 50 degrees 52 minutes 28 seconds East; thence South 38 degrees 48 minutes 12 seconds East and continuing along and on said right of way line a distance of 720.48 feet to the South line of said Section Ten (10); thence due West on and along the said South line of Section Ten (10) a distance of 2169.33 feet to the point of beginning.

**EXCLUDING:**

All that part of the Southwest Quarter of the Southwest Quarter of Section 10, Township 132 North, Range 47 West of the 5<sup>th</sup> Principal Meridian, Breckenridge Township, Wilkin County, Minnesota described as follows:

Commencing at the iron monument marking the Southwest Corner of said Section 10; thence on an assumed bearing of North 00 degrees 11 minutes 37 seconds West, on and along the west line of said Section 10, a distance of 706.88 feet to the POINT OF BEGINNING; thence continuing North 00 degrees 11 minutes 37 seconds West, along said west line of Section 10, a distance of 338.80 feet to a point that is 200 feet southerly of its intersection with the southerly right of way line of State Highway 75; thence North 90 degrees East, parallel with the south line of said Section 10, a distance of 450.00 feet; thence South 00 degrees 11 minutes 37 seconds East, parallel with the said west line of Section 10, a distance of 338.80 feet; thence South 90 degrees West, parallel with the said south line of Section 10, a distance of 450.00 feet to the point of beginning.

The above described tract contains 3.50 acres, more or less, and is subject to an existing public road over, along and across its most westerly side, and is also subject to other reservations, restrictions, covenants, easements, and rights of way of record, if any.

**Legal #2 (Parcel No. 06-010-1700)**

All that part of the Southwest Quarter of the Southwest Quarter of Section 10, Township 132 North, Range 47 West of the 5<sup>th</sup> Principal Meridian, Wilkin County, Minnesota described as follows:

Commencing at the cast iron monument marking the Southwest Corner of said Section 10; thence on an assumed bearing of North 00°11'37" West, on and along the west line of said Section 10, a distance of 1045.68 feet to the POINT OF BEGINNING, said point being 200 feet south of the intersection of the said west line of Section 10 and the south right of way line of Minnesota State Highway No. 75; thence North 90°00'00" East, parallel with the south line of said Section 10, a distance of 291.00 feet to the southwest corner of that certain tract described and recorded in Book 224 of Deeds on page 20, said Book on file in the Office of the County Recorder in and for said County and State; thence North 00°11'37" West, parallel with the west line of said Section 10, and along the west line of said tract described in Book 224 of Deeds on page 20, a distance of 200.88 feet to the northwest corner of said tract described in Book 224 of Deeds on page 20, said corner point also being on the south right of way line of said State Highway No. 75; thence South 89°49'33" West, on and along the said south right of way line of State Highway No. 75, a distance of 291.00 feet to its Intersection with the west line of said Section 10; thence South 00°11'37" East, on and along the said west line of Section 10, a distance of 200.00 feet to the point of beginning.

The above described tract contains 1.34 acres more or less, and is subject to an existing public road over along and across its most westerly side, and is also subject to other easements, reservations, restrictions, and rights of way of record, if any.

SECTION 3. Breckenridge Township has agreed to be paid \$892.09 in loss property taxes over a 2-year period.

SECTION 4. The majority of the current land use is a vacant field but upon final annexation; the proposed land use will be developed as a commercial business with water, sewer and electrical services being installed by the City of Breckenridge. Two other portions of the current land use have a storage building on it that will be used in conjunction with the new commercial building which will be constructed on said vacant land.

SECTION 5. The City Clerk is hereby directed to file certified copies of this ordinance with the Office of Administrative Hearings - Minnesota Boundary Adjustment Unit, the Secretary of the State of Minnesota, the County Auditor of Wilkin County, Minnesota, and the Clerk of the Township of Breckenridge.

SECTION 6. Effective Date. This Ordinance takes effect upon its passage and publication and the time of filing of the certified copies as directed in Section 5.

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RUSSELL WILSON, Mayor

ATTEST:

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RENAE SMITH, City Administrator

First Reading:	<u>October 18, 2021</u>
Posted after 1 <sup>st</sup> reading:	<u>October 19, 2021</u>
Second Reading:	<u>November 15, 2021</u>
Adopted & Passed:	<u>November 15, 2021</u>
Published:	<u>November 21, 2021</u>
Posted after published:	<u>November 22, 2021</u>