

**SENATE**  
**STATE OF MINNESOTA**  
**EIGHTY-EIGHTH SESSION**

**S.F. No. 1353**

(SENATE AUTHORS: KOENEN, Tomassoni, Anderson, Hall and Ortman)

DATE	D-PG	OFFICIAL STATUS
03/13/2013	972	Introduction and first reading Referred to State and Local Government
03/26/2014	6834a 6864	Comm report: To pass as amended Second reading
04/28/2014	8327	HF substituted on General Orders HF1425

A bill for an act

1.1 relating to local government; providing annexation definitions; limiting the  
 1.2 annexation by ordinance of certain parcels; amending Minnesota Statutes 2012,  
 1.3 sections 414.011, subdivision 5, by adding a subdivision; 414.033, subdivision 2.  
 1.4

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2012, section 414.011, subdivision 5, is amended to read:

1.7 Subd. 5. **Property owner.** "Property owner" means the owner of any fee owner  
 1.8 interest of land, or the beneficial owner of land whose interest is primarily one of possession  
 1.9 and enjoyment. The term includes, but is not limited to, vendees under a contract for deed,  
 1.10 and mortgagors. Any reference to a percentage of property owners shall mean in number.

1.11 **EFFECTIVE DATE.** This section is effective the day following final enactment  
 1.12 and applies to boundary adjustments commenced on or after that date.

1.13 Sec. 2. Minnesota Statutes 2012, section 414.011, is amended by adding a subdivision  
 1.14 to read:

1.15 Subd. 13. **Property description or boundaries of the area.** "Property description"  
 1.16 or "boundary of the area" means the legal description of the property.

1.17 **EFFECTIVE DATE.** This section is effective the day following final enactment  
 1.18 and applies to boundary adjustments commenced on or after that date.

1.19 Sec. 3. Minnesota Statutes 2012, section 414.033, subdivision 2, is amended to read:

2.1 Subd. 2. **Conditions.** A municipal council may by ordinance declare land annexed  
2.2 to the municipality and any such land is deemed to be urban or suburban in character  
2.3 or about to become so if:

2.4 (1) the land is owned by the municipality;

2.5 (2) the land is completely surrounded by land within the municipal limits;

2.6 (3) the land abuts the municipality and the area to be annexed is 120 acres or less,  
2.7 and the area to be annexed is not presently served by public wastewater facilities or public  
2.8 wastewater facilities are not otherwise available, and the municipality receives a petition for  
2.9 annexation from all the property owners of the land. Except as provided for by an orderly  
2.10 annexation agreement, this clause may not be used to annex any property contiguous to  
2.11 any property either simultaneously proposed to be or previously annexed under this clause  
2.12 within the preceding 12 months if the property is or has been owned at any point during  
2.13 that period by the same owners and annexation would cumulatively exceed 120 acres; or

2.14 (4) the land has been approved after August 1, 1995, by a preliminary plat or final  
2.15 plat for subdivision to provide residential lots that average 21,780 square feet or less in  
2.16 area and the land is located within two miles of the municipal limits.

2.17 **EFFECTIVE DATE.** This section is effective the day following final enactment  
2.18 and applies to annexation ordinances adopted on or after that date.