

CHAPTER 414

MUNICIPAL BOUNDARY ADJUSTMENTS

414.0325 ORDERLY ANNEXATION IN
DESIGNATED UNINCORPORATED
AREA.

414.033 ANNEXATION BY ORDINANCE.

414.0325 ORDERLY ANNEXATION IN DESIGNATED UNINCORPORATED AREA.

[For text of subs 1 and 1a, see M.S.2006]

Subd. 1b. **Notice of intent to designate an area.** At least ten days before the municipality or township adopts an orderly annexation agreement, a notice of the intent to include property in an orderly annexation area must be published in a newspaper of general circulation in both the township and municipality. The notice must clearly identify the boundaries of the area proposed to be included in the orderly annexation agreement and the date, time, and place of the public informational meeting to be held as provided in section 414.0333. The cost of providing notice must be equally divided between the municipality and the township, unless otherwise agreed upon by the municipality and the township. This subdivision applies only to the initial designation to include property in an orderly annexation area subject to the orderly annexation agreement and not to any subsequent annexation of any property from within the designated orderly annexation area. This subdivision also does not apply when the orderly annexation agreement only designates for immediate annexation property for which all of the property owners have petitioned to be annexed.

[For text of subs 2 to 6, see M.S.2006]

History: 2007 c 90 s 1

414.033 ANNEXATION BY ORDINANCE.

[For text of subd 1, see M.S.2006]

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

- (1) the land is owned by the municipality;
- (2) the land is completely surrounded by land within the municipal limits;
- (3) the land abuts the municipality and the area to be annexed is 120 acres or less, and the area to be annexed is not presently served by public wastewater facilities or public wastewater facilities are not otherwise available, and the municipality receives a petition for annexation from all the property owners of the land. Except as provided for by an orderly annexation agreement, this clause may not be used to annex any property contiguous to any property previously annexed under this clause within the preceding 12 months if the property is owned by the same owners and annexation would cumulatively exceed 120 acres; or
- (4) the land has been approved after August 1, 1995, by a preliminary plat or final plat for subdivision to provide residential lots that average 21,780 square feet or less in area and the land is located within two miles of the municipal limits.

[For text of subs 2b to 12, see M.S.2006]

Subd. 13. **Electric utility service notice; cost impact.** At least 30 days before a municipality may adopt an ordinance under subdivision 2, clause (2), (3), or (4), the petitioner must be notified by the municipality that the cost of electric utility service to the petitioner may change if the land is annexed to the municipality. The notice must include an estimate of the

cost impact of any change in electric utility services, including rate changes and assessments, resulting from the annexation.

History: 2007 c 90 s 2,3,5