

HOUSE RESEARCH

Bill Summary

FILE NUMBER: H.F. 1425

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Version: The delete-everything amendment (H1425DE3)

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Subject: Annexation

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Section

- 1 **Property owner.** Modifies the definition of “property owner” in the chapter of statutes governing boundary adjustments to mean the owner of any fee *interest* in land, as opposed to the fee owner of land. Effective the day following final enactment and applies to boundary adjustments commenced on or after that date.
- 2 **Property description or boundaries of the area.** Adds a definition to the chapter of statutes governing boundary adjustments. “Property description” or “boundaries of the area” in the means the legal description of the property. Effective the day following final enactment and applies to boundary adjustments commenced on or after that date.
- 3 **Conditions (annexation by ordinance).** Prohibits annexation by ordinance of property contiguous to annexed property that was owned by the same person(s) at any point during the 12 months before the proposed annexation if the cumulative total annexed is over 120 acres.

A city may annex unincorporated property by ordinance in certain situations. One is when “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.”

Effective the day following final enactment and applies to annexation ordinances adopted on or after that date.