

RECEIVED

By: OAH on February 20, 2019

**Township of Chisago Lake
P.O. Box 649
Lindstrom, MN 55045**

TO: Office of Administrative Hearings
Municipal Boundary Adjustment Unit
P. O. Box 64620
St. Paul, MN 55164-0620

OBJECTION

MBA Docket Number A8190 - Proposed Annexation to the City of Lindstrom, Minnesota.

The Town Board of Chisago Lake Township, Chisago County pursuant to a motion duly adopted by the Town Board on December 18, 2018, hereby objects to the proposed annexation of the following described property to the City of Lindstrom:

PID: 02.01536.00

Owners: Janice Sybesma Revocable Trust, 30855 Minnesota Avenue, Lindstrom, MN 55045

Description: All that part of Lot 18 of the recorded plat of Nelson's Beach, Chisago County, Minnesota, described as follows: Commencing at the northeast corner of Lot 17 of said Nelson's Beach, thence easterly, along the north line of Lot 17, a distance of 588.75 feet; thence southerly deflecting 91 degrees, 20 minutes to the right, a distance of 165.00 feet to the point of beginning of the parcel to be described; thence continuing southerly, along the last described course, a distance of 170.00 feet; thence easterly, parallel with the north line of Lot 17, to the shoreline of North Lindstrom Lake (formerly known as Chisago Lake); thence northerly, along said shoreline to its intersection with a line drawn easterly, parallel with the north line of said Lot 17, from the point of beginning, thence westerly, along said parallel line, to the point of beginning.

Subject to a perpetual non-exclusive easement for roadway purposes over, under, and across the West 10 feet of the above described parcel.

Together with an easement for a driveway for the purpose of ingress and egress from Lincoln Road (also known as County State Aid Highway No. 14) to the above described parcel.

AND

PID: None identified as this is for a platted road

Owners: Town of Chisago Lake

Description: That part of the east half of Minnesota Avenue donated and dedicated per LaVonna Meadows,

according to the recorded plat on file and of recorded in the office of the County Recorder, Chisago County, MN, lying southerly of the westerly extension of line 1 and northerly of the westerly extension of line 2, described as follows:

Line 1: Commencing at the northwest corner of Outlot A, LaVonna Meadows; thence easterly along the north line of Outlot A, a distance of 588.75 feet: thence southerly, deflecting 91 degrees 20 minutes to the right, a distance of 165.00 feet to the beginning of the line to be described; thence easterly, parallel with the north line of said Outlot A, to the shoreline of North Lindstrom Lake (formerly known as Chisago Lake) and there terminating.

Line 2: Commencing at the northwest corner of Outlot A, LaVonna Meadows; thence easterly along the north line of Outlot A, a distance of 588.75 feet: thence southerly, deflecting 91 degrees 20 minutes to the right, a distance of 335.00 feet to the beginning of the line to be described; thence easterly, parallel with the north line of said Outlot A, to the shoreline of North Lindstrom Lake (formerly known as Chisago Lake) and there terminating.

Reasons for this objection are as follow:

- The Township has a long standing history of cooperating in orderly annexations when requested and/or approved by the property owner so that the landowners can receive services which the township is unable to provide. That is certainly not the case with this intent to annex by ordinance. The trustees for the landowner have not requested this action.
- The property has fully functioning well and sewer septic systems which are not in need of upgrade or replacement. There is more than sufficient room on the parcel for replacement systems should they ever be needed in the future. The city of Lindstrom has no plans to extend water and sewer systems to this parcel and is unlikely to do so any time soon.
- This parcel is 1.5 acres – not an urban lot. This property abuts an agricultural field which is still being actively farmed. Access to the farm field is via Lincoln Road. The need for a driveway easement no longer exists as the parcel is adjacent to Minnesota Avenue which is a platted street and there are two streets (309th Street and Lake Lane) intersecting Minnesota Avenue that provide access to Lincoln Road. Outlot A is not identified.
- The property is located on a gravel road graded and plowed by Chisago Lake Township. The City of Lindstrom has no plans to upgrade or blacktop the portion of the road adjacent to this parcel, thus leaving the road maintenance as a township area of concern.
- There is no reimbursement of property taxes indicated by the City of Lindstrom pursuant to MS 414.036. This parcel is lakeshore and had a 2018 estimated market value of \$831,600.00. The Township's share of taxes in 2018 was \$1,827.86. In the case of previous orderly annexation agreements between the Township and the City of Lindstrom, the Township has received four (4) years of full reimbursement.
- There appears to be no compelling reasons to annex this parcel into the city. The city has not declared any infrastructure or other additional services to be provided to this parcel. The Town Board fully understands that it has little recourse in the event of a

contentious annexation but feels that this annexation provides no improvements to the area, is not based on need, and does nothing to benefit the landowners.

Date February 19, 2019

Signature *Sherry Stirling*

To OAH via U.S. Mail
& via star.holman@state.mn.us

To City of Lindstrom via Courier

Chisago



legend
Results
View



Zoom In



Zoom Out



Pan



Zoom Prev



Zoom Next



Zoom Select



Zoom Extent



Clear



Search



Identify



Links/Downloads



Commands



Scale 1: 2100

Chisago County
 313 North Main St, Rm 274
 Center City, MN 55012
 651-213-8540
 www.chisagocounty.us

PIN: 02.01536.00 **AIN:**
BILL NUMBER: 2440755 **BILL TYPE:** Real Property
LENDER:
OWNER NAME: JANICE E SYBESMA REVOCABLE TRUST
TAXPAYER(S): JANICE E SYBESMA REVOCABLE TRUST
 C/O JANICE E SYBESMA
 30855 MINNESOTA AVE
 LINDSTROM MN 55045

Line 13 Details
\$10.00 Waste Mgt Fee
\$10.00 Principal
\$0.00 Interest

DESCRIPTION:

Acres: 1.56
 PT OF LOT 18 DES AS FOL: BG AT NW COR OF LOT 17 OF NELSON'S BEACH; TH E'LY ON N LINE OF LOT 17 588.75; TH S'LY DEFL 91D20' TO THE RIGHT 165 FT TO PT OF BG; TH CONT S'LY ON LAST DES COURSE 170 FT; TH E'LY PAR WITH N LINE OF LOT 17 TO SHORE LINE OF NORTH LIN
 SubdivisionCd 02400 SubdivisionName NELSON'S BEACH Section 33 Township 034 Range 020



REFUNDS?

You may be eligible for one or even two refunds to reduce your property tax. Read the back of this statement to find out how to apply.

PROPERTY ADDRESS:

30855 MINNESOTA AVE
 LINDSTROM MN 55045

TAX STATEMENT 2018

2017 Values for taxes payable in

Step 1	Taxes Payable Year:	2017	2018
	Estimated Market Value:	\$782,900.00	\$831,600.00
Step 2	Improvements Excluded:		
	Homestead Exclusion:	\$0.00	\$0.00
	Taxable Market Value:	\$782,900.00	\$831,600.00
	New Improvements/Expired Exclusions:		
	Property Classification:	Res Hstd	Res Hstd
Step 3	PROPOSED TAX		
	<i>Did not include special assessments or referenda approved by the voters at the November election Sent in November 2017</i>		
	PROPERTY TAX STATEMENT		
	Pay this amount no later than 5/15/2018		\$6,180.00
	Pay this amount no later than 10/15/2018		\$6,180.00
	Total taxes due in 2018		\$12,360.00

Taxes Payable Year:		2017	2018
1. Use this amount on Form M1PR to see if you are eligible for a property tax refund. File by August 15. If this box is checked, you owe delinquent taxes and are not eligible. 2. Use these amounts on Form M1PR to see if you are eligible for a special refund.		<input type="checkbox"/>	\$12,350.00
		\$11,400.00	
Tax and Credits	3. Property taxes before credits	\$11,400.00	\$12,350.00
	4. Credits that reduce property taxes	\$0.00	\$0.00
	A. Agricultural market value credits	\$0.00	\$0.00
	B. Other credits	\$0.00	\$0.00
5. Property taxes after credits		\$11,400.00	\$12,350.00
Property Tax by Jurisdiction	6. County - CHISAGO COUNTY	\$5,914.33	\$6,086.54
		A. Chisago County	\$160.65
		B. Lake Improvement	\$1,795.29
	7. City or Town - CHISAGO LAKE TWP	\$0.00	\$0.00
	8. State General Tax	\$1,540.28	\$2,142.90
	9. School District - CHISAGO LAKES SCHOOL	\$1,886.87	\$2,029.88
		A. Voter approved levies	\$0.00
		B. Other local levies	\$83.42
	10. Special Taxing Districts	\$0.00	\$0.00
		A. Comfort/Forest Lakes Watershed	\$19.16
		B. County HRA	\$0.00
		C. ECRDC	\$0.00
	D. Tax Increment	\$0.00	
11. Non-school voter approved referenda levies	\$11,400.00	\$12,350.00	
12. Total property tax before special assessments	\$11,400.00	\$12,350.00	
13. Special assessments	\$10.00	\$10.00	
14. YOUR TOTAL PROPERTY TAX AND SPECIAL ASSESSMENTS	\$11,410.00	\$12,360.00	



2nd Half Payment Stub - Payable 2018

Detach and return this stub with your 2nd half payment.
 To avoid penalty, pay on or before October 15, 2018

PIN: 02.01536.00 **AIN:**
BILL NUMBER: 2440755 **Paid By** _____
TAXPAYER(S): JANICE E SYBESMA REVOCABLE TRUST
 C/O JANICE E SYBESMA
 30855 MINNESOTA AVE
 LINDSTROM MN 55045

Total Property Tax for 2018	\$12,360.00
2nd Half Tax Amount	\$6,180.00
Penalty, Interest, Fee Amount	\$0.00
Amount Paid	\$0.00
2nd Half Total Amount Due	\$6,180.00
Balance Good Through	10/15/2018
	Res Hstd

MAKE CHECKS PAYABLE TO:

Chisago County
 313 North Main St, Rm 274
 Center City, MN 55012



1st Half Payment Stub - Payable 2018

Detach and return this stub with your 1st half payment.
 To avoid penalty, pay on or before May 15, 2018
 If your tax is \$100.00 or less, pay the entire tax by May 15, 2018

PIN: 02.01536.00 **AIN:**
BILL NUMBER: 2440755 **Paid By** _____
TAXPAYER(S): JANICE E SYBESMA REVOCABLE TRUST
 C/O JANICE E SYBESMA
 30855 MINNESOTA AVE
 LINDSTROM MN 55045

Total Property Tax for 2018	\$12,360.00
1st Half Tax Amount	\$6,180.00
Penalty, Interest, Fee Amount	\$0.00
Amount Paid	\$0.00
1st Half Total Amount Due	\$6,180.00
Balance Good Through	5/15/2018
	Res Hstd

MAKE CHECKS PAYABLE TO:

Chisago County
 313 North Main ST, Rm 274
 Center City, MN 55012

November 29, 2018

Chisago Lake Town Board
c/o Jeanette Peterson, Clerk
PO Box 649
Lindström, MN 55045

chisagolaketownship@frontiernet.net
and United States Mail

Re: MBAU Docket A-8190 Lindstrom/Chisago Lake Township
(City of Lindstrom Notice of Intent; 1.506 acres; PID: 02.01536.00)

Dear Ms. Peterson:

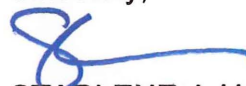
The Office of Administrative Hearings has received the above-referenced notice of intent for annexation to the City of Lindstrom from Chisago Lake Township. Pursuant to Minn. Stat. § 414.033, subd. 3 (2018), the City must file the notice of intent with the affected Township.

This is to inform the Township of the following options available pursuant to Minn. Stat. § 414.033, subd. 3:

1. To take no action (the City may then proceed to annex by ordinance 90 days after the notice of intent has been filed with the Township).
2. To submit a written waiver stating there are no objections to the proposed annexation. The City may then immediately proceed to annex by ordinance.
3. To submit written objections to the Office of Administrative Hearings and the City within 90 days from the date of service of the notice of intent. Written objections must be received by the Office of Administrative Hearings before the 90 days allowed by statute has expired. The Office of Administrative Hearings will, upon receipt of such objection, proceed to hold a hearing and issue an order in accordance with Minn. Stat. ch. 414 (2018).

If you have any questions, please contact me at star.holman@state.mn.us or 651-361-7909.

Sincerely,



STARLENE J. HOLMAN
State Program Administrator, Senior
Municipal Boundary Adjustment Unit

NOTICE OF INTENT TO ANNEX

IN THE MATTER OF THE PETITION
OF THE CITY OF LINDSTROM
FOR ANNEXATION PURSUANT TO
MINNESOTA STATUTES SECTION 414.033, SUBDIVISION 3

WHEREAS, the area proposed for annexation described below is not presently within the corporate limits of any incorporated city; and

WHEREAS, the area proposed for annexation is 40 acres or less in size, is 60% or more bordered by land already within the corporate limits of the City of Lindstrom, as demonstrated on the attached exhibits prepared by the City Engineer; and

WHEREAS, the area proposed for annexation is not appropriate for annexation by ordinance pursuant to Minnesota Statutes § 414.033, Subd. 2(3); and

WHEREAS, the area proposed for annexation is outlined/highlighted on the attached maps, and is described as follows:

All that part of Lot 18 of the recorded plat of NELSON'S BEACH, Chisago County, Minnesota, described as follows:

Commencing at the northwest corner of Lot 17 of said NELSON'S BEACH; thence easterly, along the north line of Lot 17, a distance of 588.75 feet; thence southerly, deflecting 91 degrees 20 minutes to the right, a distance of 165.00 feet to the point of beginning of the parcel to be described; thence continuing southerly, along the last described course, a distance of 170.00 feet; thence easterly, parallel with the north line of said Lot 17, to the shoreline of North Lindstrom Lake (formerly known as Chisago Lake); thence northerly, along said shoreline, to its intersection with a line drawn easterly, parallel with the north line of said Lot 17, from the point of beginning; thence westerly, along said parallel line, to the point of beginning.

Subject to a perpetual non-exclusive easement for roadway purposes over, under and across the West 10 feet of the above described parcel.

Together with an easement for driveway for the purpose of ingress and egress from Lincoln Road (also known as County State Aid Highway No. 14) to the above described parcel.

Subject to and together with any other valid easements, restrictions and reservations.
(PID 02.01536.00)

AND

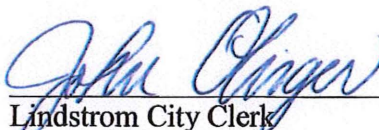
That part of the east half Minnesota Avenue donated and dedicated per LAVONNA MEADOWS, according to the recorded plat on file and of record in the office of the County Recorder, Chisago County, Minnesota, lying southerly of westerly extension of line 1 and northerly of the westerly extension of line 2, described as follows:

Line 1: Commencing at the northwest corner of Outlot A, LAVONNA MEADOWS; thence easterly along the north line of Outlot A, a distance of 588.75 feet; thence southerly, deflecting 91 degrees 20 minutes to the right, a distance of 165.00 feet to the point of beginning of the line to be described; thence easterly, parallel with the north line of said Outlot A, to the shoreline of North Lindstrom Lake (formerly known as Chisago Lake) and there terminating.

Line 2: Commencing at the northwest corner of Outlot A, LAVONNA MEADOWS; thence easterly along the north line of Outlot A, a distance of 588.75 feet; thence southerly, deflecting 91 degrees 20 minutes to the right, a distance of 335.00 feet to the point of beginning of the line to be described; thence easterly, parallel with the north line of said Outlot A, to the shoreline of North Lindstrom Lake (formerly known as Chisago Lake) and there terminating.

NOTICE IS HEREBY GIVEN that the City of Lindstrom intends to annex the area proposed for annexation by ordinance pursuant to Minnesota Statutes Section 414.033, Subdivision 3.

THE UNDERSIGNED HEREBY CERTIFIES that this Notice of Intent to Annex was served upon the Chief Administrative Law Judge on 11-21-18 by certified mail and was served upon the Chisago Lake Town Board on 11-21-18 by certified mail.



Lindstrom City Clerk



Date: 10/19/2018 Time: 11:15:15AM



These data are provided on as "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

