

May 7, 2001

Mary Jo Hensel  
Center City City Clerk  
Center City City Hall  
P. O. Box 245  
Center City, MN 55012-0245

Mark Karnowski  
Lindstrom City Clerk  
Lindstrom City Hall  
P. O. Box 703  
Lindstrom, MN 55045-0703

Re: ✓ A-5562 Center City (Ordinance/Resolution No. 94-6-7; 1 acre)  
A-3389 Lindstrom (Ordinance No. 78-1; 27 acres)

Dear Ms. Hensel and Mr. Karnowski:

The Municipal Boundary Adjustment Staff at Minnesota Planning has been contacted recently, by Jeff Saholt from the Minnesota Department of Transportation Cartographic Unit concerning the above-referenced annexation files.

According to Mr. Saholt, it appears that the area annexed to Center City (Municipal Board docket A-5562 September 1, 1995) was previously annexed to the City of Lindstrom (Municipal Board Docket A-3389 August 3, 1978). Unfortunately, the land contained in the 1995 Center City annexation was not in the Town of Chisago Lake. In fact, this area has been carried on Minnesota Department of Transportation's maps as part of the City of Lindstrom since 1978.

The area in question is referred to in Center City's ordinance as, "Lots 1 through 5, Block 7, Andrews Beach...lying South of the center line of State Highway #8."

The A-3389 Lindstrom file was retrieved from records storage and the maps and descriptions have been compared to copies of MnDOT's maps. The area in question was mapped to the City of Lindstrom in 1978 subsequent to the Municipal Board approval.

Recently, we have contacted the Special Assistant Attorney General assigned to Municipal Boundary Adjustments regarding this matter who has reviewed the procedures and documents in A-3389. We have been advised that all necessary documentation and procedures were produced and complied with in filing and approval of this annexation. A-3389 was a valid petition for boundary adjustment which was approved pursuant to law and became effective when the Municipal Board acted.

Minnesota Statutes Sec. 414.033 subd. 7, entitled "Filing; effective date; copy, levies" states, in part: "Any annexation ordinance provided for in this section . . . is final on the date the ordinance is approved by the board." For purposes of moving a municipal boundary, effectiveness is tied to Municipal Board approval, not to a subsequent filing with the county auditor. The Chisago County Auditor did receive a copy of the Municipal Board approval letter for the 1978 annexation dated September 21, 1978, from the Assistant Director of the

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Municipal Board to the City of Lindstrom Clerk. Perhaps the County Auditor's Office at that time did not follow through with the annexation in the manner required to officially change the status of the property on the county tax rolls. Nevertheless, the property was incorporated into the City of Lindstrom at the time of the Municipal Board approval in 1978.

At the time the Center City annexation (A-5562 September 1995) was pending, property descriptions were checked by the MnDOT Cartographic Unit after Municipal Board approval. As soon as this discrepancy was discovered, the parties were contacted and have exchanged information over the last several years.

On September 23, 1998, copies of the maps, ordinances and approval letters for the above-referenced files were sent to the City of Lindstrom, Center City, Chisago Lake Township, and the County Auditor's Office.

Correspondence was received from the City of Lindstrom and attorney Barry Blomquist, who included a recent response from the county auditor indicating that the county auditor had no record of the 1978 annexation.

Minnesota Planning apologizes for any difficulties this discrepancy may have caused between the two cities, and hopes that this matter can be settled at the local level. Minnesota Planning is without jurisdictional authority to address the matter further.

The cities are asked to keep this office informed of any developments or decision to resolve this matter or pursue further clarification.

Please feel free to contact this office if you have any questions or need any assistance.

Sincerely,

Office of Strategic & Long Range Planning

Christine M. Scotillo  
Executive Director  
Municipal Boundary Adjustments

CMS:sjh

cc: Dennis J. Freed, Chisago County Auditor  
Eleanor Trippler, Chisago Lake Township Clerk  
Barry Blomquist, Attorney at Law (Center City)  
Jeff Saholt, MnDOT (enc.)

September 23, 1998

Norma Anderson  
Center City City Clerk  
Center City City Hall  
P. O. Box 245  
Center City, MN 55012-0245

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Lindstrom City Clerk  
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Re: ✓ A-5562 Center City (Ordinance/Resolution No. 94-6-7; 1 acre)  
A-3389 Lindstrom (Ordinance No. 78-1; 27 acres)

Dear Ms. Anderson and Mr. Karnowski:

On August 1, 1997, the Municipal Board staff spoke with Ms. Anderson concerning the A-5562 Center City file. Jeff Saholt, Department of Transportation, Cartographic Unit, had contacted the Municipal Board staff concerning the Center City annexation file. It appears, according to Mr. Saholt, that the area annexed on September 1, 1995 to the City of Center City (Municipal Board docket A-5562) was not, prior to annexation, within the Town of Chisago Lake. According to MnDOT records, the area had been annexed, from the Town of Chisago Lake, to the City of Lindstrom in Municipal Board docket A-3389 on August 3, 1978.

The area in question is referred to in the City of Center City's ordinance as, in part, "Lots 1 through 5, Block 7, Andrews Beach...lying South of the center line of State Highway #8."

The A-3389 Lindstrom file has been retrieved from records storage, the maps and descriptions have been compared, copies of MnDOT's maps have been received, and it does, in fact, appear that the area in question was annexed to Lindstrom in 1978.

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Enclosed for your information are the following:

1. a copy of the A-3389 Lindstrom Ordinance No. 78-1;
2. a copy of the map for A-3389 Lindstrom;
3. a copy of the Board's approval letter for A-3389 Lindstrom;
4. a copy of the A-5562 Center City Ordinance No. 94-4-7;
5. a copy of the map for A-5562;
6. a copy of the Board's approval letter for A-5562 Center City; and
7. reduced, partial copies of the MnDOT maps

The Municipal Board is requesting the Cities of Lindstrom and Center City to review this matter and contact the Board with their findings so that the appropriate action can be taken.

You may contact Mr. Saholt at the Department of Transportation, Cartographic Unit, 7th Floor Transportation Building, Mail Stop 642, 395 John Ireland Boulevard, St. Paul, MN 55155, (651) 296-1685.

Please feel free to contact this office if you have any questions or need any assistance.

Sincerely,

MUNICIPAL BOARD

Christine M. Scotillo  
Executive Director

CMS:sjh

Enclosures

cc: Dennis J. Freed, Chisago County Auditor (enc.)  
Herbert K. Grossmann, Chisago Lake Township Clerk (enc.)  
Jeff Saholt, MnDOT (enc.)