



IVERSON REUVERS
ATTORNEYS AT LAW

JASON J. KUBOUSHEK
DIRECT 952.548.7206
JKUBOUSHEK@IVERSONLAW.COM

June 29, 2007

REC'D BY
MME JUL 03 2007

Department of Administration
Municipal Boundary Adjustment
658 Cedar Street, Room 300
St. Paul, MN 55155-1603

RE: MBA Docket Number A-7541
Proposed Annexation to the City of LaCrescent

To Whom It May Concern:

The Town Board of LaCrescent Township, Houston County pursuant to a Resolution duly adopted by the Town Board on June 11, 2007, hereby objects to the proposed annexation of the following described property to the City of LaCrescent for the reasons set forth in the attached June 11, 2007, Resolution, Exhibit 1.

PROPERTY DESCRIPTION: See Exhibit 2.

Yours truly,

IVERSON REUVERS

Jason J. Kuboushek
JJK:bh
Enclosures

cc: Karen Schuldt, Township Clerk
Skip Wieser, Township Attorney
City of LaCrescent

JON K. IVERSON
PAUL D. REUVERS
JEFF M. ZALASKY
JASON J. KUBOUSHEK
PAMELA J.F. WHITMORE
JASON M. HIVELEY
SUSAN M. TINDAL
JEFFREY A. EGGE
AMBER S. LEE

TOWN OF LA CRESCENT RESOLUTION NO. _____

WHEREAS, on March 26, 2007, the City of LaCrescent prepared a NOTICE OF INTENT TO ANNEX UNDER SECTION 414.033, SUBD .1, SUBD. 3 AND SUBD. 6 TO THE TOWN OF LA CRESCENT AND MINNESOTA PLANNING MUNICIPAL BOUNDARY ADJUSTMENTS. A copy of which is attached as Exhibit A.

WHEREAS, on April 5, 2007, the City of LaCrescent sent its Notice of Intent to Annex to the LaCrescent Town Board Supervisors. A copy of which is attached as Exhibit B.

WHEREAS, on April 12, 2007, the Town of LaCrescent received a letter from Richard Barbour, the potential developer of the Croell Redi-Mix property, who expressed a desire to keep the property in the Town of LaCrescent. A copy of which is attached as Exhibit C.

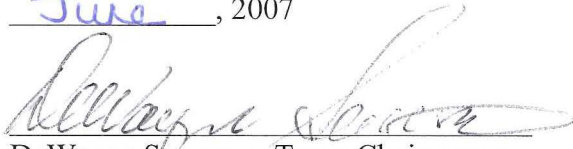
WHEREAS, on April 15, 2007, the Town of LaCrescent received a letter from Ken and Amy Haefs requesting the Town oppose the annexation. A copy of which is attached as Exhibit D.

WHEREAS, on April 16, 2007, the Town of LaCrescent received a letter from Croell Redi-Mix which indicated Croell Redi-Mix opposed "the hostile annexation into the city and wish to remain in the township of La Crescent." A copy of which is attached as Exhibit E.

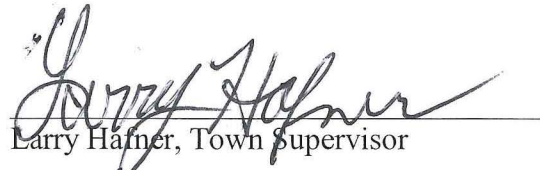
NOW, THEREFORE IT BE RESOLVED by the Town of LaCrescent, Houston County, Minnesota, as follows:

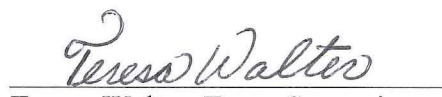
1. The property owners' interests would be best served by remaining in the Town of La Crescent;
2. The Town seeks to preserve its current boundaries; and
3. The Board of Supervisors object to the proposed annexation.

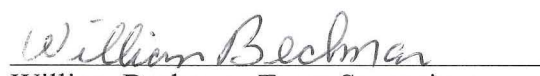
ADOPTED by the Township Board of Supervisors for the Town of La Crescent this 11 day of June, 2007


DeWayne Severson, Town Chairperson

Bob Cummings, Town Supervisor


Larry Hafner, Town Supervisor


Teresa Walter, Town Supervisor


William Beckman, Town Supervisor



REC'D BY
MME

JUL 03 2007

ATTEST:

Karen Schuldt

Karen Schuldt, Town Clerk

REC'D BY
M M B

JUL 03 2007

CITY OF LA CRESCENT
NOTICE OF INTENT TO ANNEX UNDER
SECTION 414.033 SUBD. 1, SUBD. 3 AND SUBD. 6
TO THE TOWN OF LA CRESCENT AND
MINNESOTA PLANNING MUNICIPAL BOUNDARY ADJUSTMENTS

NOTICE is hereby give that the City of La Crescent intends to annex to the City of La Crescent the lands described in Exhibit "A," attached hereto.

The perimeter of the Exhibit "A" lands is 60% or more bordered by existing City of La Crescent lands. These lands are 40 acres or less and are not presently served by public wastewater facilities and are now or are about to become urban or suburban in character.

Dated March 26, 2007

BY ORDER OF THE CITY COUNCIL
Bill Waller
City Administrator
La Crescent, MN 55947

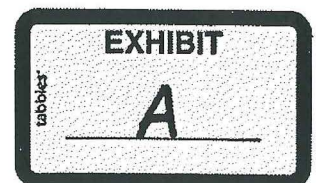


EXHIBIT A

Parcel 08.0569.000:

That part of the South Half of the Southeast Quarter (S1/2 SE1/4) of Section 9, Township 104, Range 4, Houston County, Minnesota described as follows: Beginning at the point of intersection of the Southerly Right of Way line of Houston County Highway No. 6 and the East Line of Lot 2, Block H, Auditor's Subdivision of said Section 9; thence on an assumed bearing of South 8 degrees 30 minutes West along the East line of said Lot 2 and the East line of Lot 2, Block L, said Auditor's Subdivision, also being the East line of Walter's First Addition, Houston County, Minnesota, 628.94 feet to the Southeast Corner of said Walter's First Addition and the Point of Beginning of the land to be described; Thence South 81 degrees 34 minutes 25 seconds East, 4.11 feet to a 3/4 Inch Iron Pipe Monument; Thence South 7 degrees 47 minutes 01 seconds West, 82.00 feet to a 3/4 Inch Iron Pipe Monument; Thence South 74 degrees 24 minutes 51 seconds East, 93.45 feet to a 3/4 Inch Iron Pipe Monument on the Westerly Right of Way line of South Ridge Road; Thence South 31 degrees 12 minutes 28 seconds West, 253.54 feet to a point 327.40 feet, South 8 degrees 30 minutes West of The Point of Beginning; Thence North 81 degrees 48 minutes 18 seconds West, 125.00 feet to a One Half Inch Iron Pipe Monument; Thence North 8 degrees 29 minutes 25 seconds East, 327.49 feet to the Southwest Corner of said Walter's First Addition; Thence South 81 degrees 45 minutes 44 seconds East along the South line of said Walter's First Addition, 125.06 feet to the Point of Beginning. Subject to the Right of Way of South Ridge Road and subject to all Easements of Record.

Parcel No. 08.0569.001:

Commencing at the South Quarter Corner of Section Nine (9), Township One Hundred Four (104) North, Range Four (4) West, running thence South 89° 58' 40" East 250.11 feet, Thence North 6° 45' 10" East 655.64 feet, Thence North 88° 42' 20" East 768.33 feet to the Point of Beginning of the Parcel to be described; running thence North 7° 53' 22" East 7.05 feet, Thence South 85° 26' 17" East 81.25 feet, Thence South 21° 19' 00" East 72.98 feet, Thence South 9° 27' 23" West 172.75 feet, Thence North 81° 34' 34" West 112.02 feet, Thence North 7° 53' 22" East 223.57 feet to the Point of Beginning, containing .59 Acres, more or less, and being a part of the Southwest Quarter of the Southeast Quarter (SW1/4 SE1/4) of said Section Nine (9).

Parcel Nos. 08.0569.002 & 08.0569.003:

That part of the South 1/2 of the SE1/4 of Section 9, Township 104, Range 4, Houston County, Minnesota, described as follows: Beginning at the point of intersection of the Southerly right of way line of Houston County Highway No. 6 and the East line of Lot 2, Block H, Auditor's Subdivision of said Section 9; thence on an assumed bearing of South 8 degrees 30 minutes West along the East line of said Lot 2 and the East line of Lot 2, Block L, said Auditor's Subdivision, also being the East line of Walter's First Addition, Houston County, Minnesota, 628.94 feet to the Southeast corner of said Walter's First Addition; thence continue South 8 degrees 30 minutes West along the Southerly extension of the last described course, 327.40 feet; thence North 81 degrees 48 minutes 18 seconds

West, 125.00 feet to a one half inch iron pipe monument marking the point of beginning of the land to be described; thence North 8 degrees 29 minutes 25 seconds East, 327.49 feet to the Southwest corner of said Walter's First Addition; thence North 8 degrees 22 minutes 59 seconds East along the West line of said Walter's First Addition, 256.00 feet; thence North 81 degrees 48 minutes 38 seconds West, 74.46 feet to an iron pipe monument; thence North 81 degrees 37 minutes 49 seconds West, 117.49 feet to an iron pipe monument; thence North 81 degrees 50 minutes 58 seconds West, 114.38 feet to the Northeast corner of Lot 9, Block Two, Crescent Valley First Addition, Houston County, Minnesota; thence South 8 degrees 15 minutes 28 seconds West along the East line of said Block Two, 362.58 feet to a 3/4 inch iron pipe monument; thence South 84 degrees 57 minutes 35 seconds East, 81.09 feet to a 3/4 inch iron pipe monument; thence South 20 degrees 51 minutes 34 seconds East, 72.94 feet to a 3/4 inch iron pipe monument; thence South 9 degrees 54 minutes 09 seconds West, 172.51 feet to a 3/4 inch iron pipe monument; thence South 82 degrees 04 minutes 47 seconds East, 119.30 feet to a 1 1/2 inch iron pipe monument; thence North 8 degrees 15 minutes 25 seconds East, 10.00 feet to a 3/4 inch iron pipe monument; thence South 81 degrees 48 minutes 18 seconds East, 73.63 feet to the point of beginning.

Parcel No. 08.0571.000:

From the Southeast Corner of Section Nine (9) in Township 104, North of Range Four West of the Fifth Principal Meridian West along the South line of said Section a distance of 1647.9 feet, thence North 8° 30' East 363.6 feet to the Place of Beginning; Thence North 8° 30' East 90 feet, Thence South 81° 30' East 427.3 feet, thence South 8° 30' West 50.3 feet to an iron stake in center of present road, thence South 32° 45' West 43.6 feet, thence North 81° 30' West, 409.5 feet to the Place of Beginning.

Parcel No. 08.0823.000:

Lot 2, Block 1 of Walter's Second Addition, La Crescent Township, Houston County, Minnesota.

REC'D BY
M M B

JUL 03 2007

Von Arx Law Office

218 South Kingston Street, P.O. Box 229
Caledonia, Minnesota 55921
Phone: (507) 725-3376
Fax: (507) 725-3310
Email: wvonarx@acegroup.cc

William Von Arx

April 5, 2007

Branch Office
La Crescent, Minnesota 55947
(507) 895-6097

The Town Board of Supervisors
Town of La Crescent
P.O. Box 57
La Crescent, MN 55947


Attention: Karen Schuldt, Town Clerk

IN RE: CITY OF LA CRESCENT - ANNEXATION PURSUANT TO MINNESOTA
STATUTES 414.033 SUBD. 1, SUBD. 3 AND SUBD. 6

Ladies and Gentlemen:

Enclosed and forwarded herewith please find Notice of Intent to Annex in the above entitled matter.

Yours respectfully,

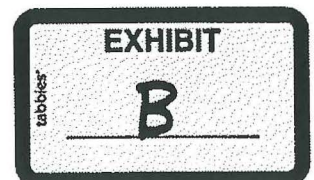


City Attorney for the City of La Crescent

WVA:dd

Enclosure

cc: Bill Waller



REC'D BY
M M B

JUL 03 2007

April 12, 2007

Chairman DeWayne Severson
The Town Of LaCrescent
LaCrescent, Minnesota

RE: FORCED ANNEXATION

Dear Mr. Severson,

I, Richard Barbour, as the developer of the Croell Redi-Mix property, wish to express my desire to keep this property in the Town of LaCrescent. The Basis by which the City is claiming to annex this property is that the property should have sewer and water services of which is no different than what we can provide. Other property within the Town will also benefit as a result of our sewer lines extending to service this property. I hope the Town will do all it can to "KEEP THIS PROPERTY IN THE TOWN". I am very much opposed to this aggression by the City. I feel that our rights are being violated. The City has other vacant land with development potential they should worry about and leave us alone.

Sincerely;

Richard Barbour

Richard Barbour,



To LA Crescent twp.

it has come to my Attention that the city of LA Crescent would like to Annex property close to and maybe mine.

I would like to go on record to oppose this, in recent years I have put in a new well and septic system that work fine, I also bought my land because of its current zoning that would allow me to take over my fathers landscape Business.

I would appreciate the townships help in any ~~way~~ way to keep my land in the township

thank you

Ken & Amy Haefs

4/15/07

Ken Haef

4-15-07 Amy J Haef

EXHIBIT

D



REC'D BY
M M B

JUL 03 2007

1725 Gillette Street
P.O. Box 2046
LaCrosse, WI 54602
Phone: 608-781-3200
Fax: 608-781-3203

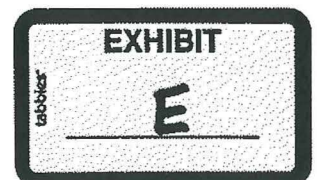
April 16, 2007

ATTN: La Crescent Township

This is to reaffirm Croell Redi-Mix's desire to stay in the township of La Crescent. We oppose the hostile annexation into the city and wish to remain in the township of La Crescent.

Sincerely,

Keith Barghahn, General Manager
Croell Redi-Mix, Inc.



Fast. Friendly. Fair. Finest Quality.

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