

CITY OF PINE RIVER & RIDE WITH US BUS

REC'D BY
M M B

SEP 26 2007

September 12, 2007

Rayetta Risland, Township Clerk
Wilson Township
1621 35th St. SW
Pine River, MN 56474

VIA CERTIFIED MAIL

Re: Notice of Intent to Annex Property Pursuant to Minn. Stat. § 414.031

Dear Ms. Risland:

In accordance with the duly adopted resolution of the City Council of the City of Pine River, Minnesota, dated September 11, 2007, this letter hereby constitutes the City of Pine River's (the "City") Notice of Intent to Annex Property located within Wilson Township (the "Township") pursuant to Minn. Stat. § 414.031, subd. 1. This Notice of Intent to Annex Property is served upon you this date by certified mail in accordance with Minn. Stat. § 414.031, subd. 1a.

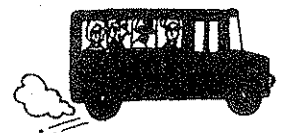
The City hereby gives notice to the Township that the City intends to annex the property legally described in Exhibit A, which is attached hereto and incorporated herein by reference. A map showing the area proposed for annexation to the City, legally described in Exhibit A, is also attached hereto as Exhibit B and incorporated herein by reference.

The City would welcome the opportunity to meet with Township representatives and begin settlement discussions with the Township for a mutually agreeable orderly annexation agreement.

Should you have any questions regarding the foregoing or require additional information, please contact me. Thank you for your consideration.

200 Front St. N.
P.O. Box 87
Pine River, MN 56474

Phone: 218-587-2440
Fax: 218-587-2168
Email: allnoing@uslink.net



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Notice of Intent
Page 2

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Sabas". The signature is fluid and cursive, with the first name "Jim" and last name "Sabas" clearly distinguishable.

Jim Sabas, Mayor

Attachments

cc: Marvin Witt, Chair, Wilson Township Board
Pine River City Council
Wanda Mongan, City Clerk, City of Pine River
Ted Lundrigan, City Attorney, City of Pine River
Christopher M. Hood, Flaherty & Hood, P.A.
Christine Scotillo, Executive Director, Municipal Boundary Adjustments Unit, OAH

RESOLUTION NO. 9-11-07-3

RESOLUTION OF THE CITY OF PINE RIVER PETITIONING THE
MINNESOTA OFFICE OF ADMINISTRATIVE HEARINGS FOR ANNEXATION
OF CERTAIN PORTIONS OF WILSON TOWNSHIP TO THE CITY OF PINE RIVER
UNDER MINNESOTA STATUTES, SECTION 414.031

WHEREAS, the City of Pine River (hereinafter the "City" or "Pine River"), Cass County, Minnesota, abuts and is bordered on the City's southerly boundary by Wilson Township (hereinafter the "Township"), Cass County, Minnesota; and

WHEREAS, Pine River and the Township are located within a growth corridor along State Trunk Highway 371; and

WHEREAS, Pine River and the Township have and will continue to experience in the future urban or suburban development and growth pressure along this transportation corridor;

WHEREAS, urban or suburban development and growth in the Township necessitates long-term planning to ensure that urban or suburban growth is controlled, planning and zoning are consistent with growth patterns, available infrastructure is used efficiently, services are provided cost-effectively, and Pine River is in the best position to do so given its close proximity to the area proposed and legally described herein for annexation ("Subject Area"); and

WHEREAS, Pine River has made and will continue to make substantial public investments in infrastructure to accommodate future growth in and around Pine River and seeks to use such investments and planned future investments efficiently and prudently for the betterment of the Pine River community, including the Township, and for the protection of the environment in the Subject Area; and

WHEREAS, Pine River has the professional staff and the capacity to provide municipal services more cost-effectively and efficiently than the Township to the Subject Area; and

WHEREAS, annexation of the Subject Area to Pine River will enable the property to be developed in a cohesive, orderly, and planned manner in Pine River; and

WHEREAS, the Subject Area is urban or suburban in character or about to become so based on existing and anticipated residential, commercial, industrial, institutional, and governmental development; and

WHEREAS, annexation to and future extension of municipal services from Pine River to the Subject Area is in the best interest of Pine River and the property owners within said area, and is necessary to protect the public, health, safety, and welfare of the residents of the Subject Area and the Pine River community; and

WHEREAS, the Township has chosen not to participate in discussions with Pine River regarding growth and annexation issues; and

WHEREAS, it is the intent and desire of Pine River to resolve its growth, land use, service, and annexation issues with the Township for the betterment of the community by initiating a defined legal proceeding under state law for the annexation of certain areas of the Township, legally described herein, with the Minnesota Office of Administrative Hearings - Municipal Boundary Adjustments Unit; and

WHEREAS, the City Council of the City of Pine River supports the filing of this resolution petitioning the above-mentioned state agency for a hearing regarding the annexation of the Subject Area to Pine River.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PINE RIVER, CASS COUNTY, MINNESOTA, THAT;

1. The Minnesota Office of Administrative Hearings, is hereby requested to hold a public hearing pursuant to Minnesota Statutes, Section 414.09, on the question of annexation of certain portions of Wilson Township, Cass County, Minnesota, legally described herein, to the City of Pine River, Cass County, Minnesota, pursuant to Minnesota Statutes, Section 414.031.
2. The Subject Area is legally described in Exhibit A, which is attached hereto and incorporated herein by reference. A map showing the Subject Area is attached hereto as Exhibit B and incorporated herein by reference.
3. The Subject Area is unincorporated and abuts the City on the City's southerly boundary and none of the Subject Area is presently a part of any incorporated city.
4. The total acreage of the Subject Area legally described in Exhibit A and shown on Exhibit B is approximately 1,682 acres.
5. The following parties are entitled to notice pursuant to Minnesota Statutes, Section 414.09:
 - a. Wilson Township, as the township presently governing the area proposed to be annexed.
 - b. Cass County, as the county in which the area proposed to be annexed is located.

- c. The Cass County Planning Commission and Wilson Township Planning Commission, as planning agencies with jurisdiction over the area proposed to be annexed.
 - d. The Township of Barclay and the Township of Walden, as townships with property abutting the area proposed to be annexed.
6. Pine River staff is hereby directed to serve a Notice of Intent to Annex Property, the Subject Property, upon the Wilson Township Clerk by certified mail pursuant to Minnesota Statutes, Section 414.031, subd. 1a.
 7. Pine River staff and legal counsel are further hereby directed to submit this resolution, along with the applicable filing fee and any other documentation as may be necessary, with the Minnesota Office of Administrative Hearings - Municipal Boundary Adjustments Unit to initiate a proceeding for annexation of the Subject Area, legally described in Exhibit A and shown on Exhibit B, to the City of Pine River under Minnesota Statutes, Section 414.031.

Passed, adopted, and approved by the City Council of the City of Pine River, Cass County, Minnesota this 11th day of September, 2007.

Attest:

Approved:

Wanda Mongan
Wanda Mongan, City Clerk

Jim Sabas
Jim Sabas, Mayor

EXHIBIT A**Legal Description of Subject Area Proposed for Annexation to the City of Pine River**

The Subject Area of Wilson Township, Cass County, Minnesota, proposed for annexation by the City of Pine River, Cass County, Minnesota, as referenced in the attached Notice of Intent to Annex, is legally described as follows:

Lands in Township 137 North, Range 28 West

All of Section 5, Township 137 North, Range 28 West, Cass County, Minnesota.

AND

That part of Section 6, Township 137 North, Range 28 West, Cass County, Minnesota, except that portion of said Section 6 incorporated into City of Pine River, Cass County, Minnesota.

AND

That part of Section 7, Township 137 North, Range 28 West, Cass County, Minnesota, lying Northerly of the Southerly right-of-way line of Hassman Hill Road SW.

AND

That part of Section 8, Township 137 North, Range 28 West, Cass County, Minnesota, lying Northerly and Westerly of the following described line:

Beginning at the intersection of the West line of the Northwest Quarter of said Section 8 and the Southerly right-of-way line of Hassman Hill Road SW; thence Southeasterly along said right-of-way line to the centerline of State Trunk Highway Number 371; thence Northwesterly along said centerline to the intersection of said centerline and the centerline of County State Aid Highway Number 44; thence Northeasterly and Northerly along said County State Aid Highway Number 44 centerline to the North line of said Section 8 and said described line there terminating.

REC'D BY
MMZ

SEP 26 2007

EXHIBIT B

Boundary Map of the Subject Area Proposed for Annexation to the City of Pine River

Exhibit B



Proposed Wilson Township Annexation

(Township 137 North, Range 29 West)

Estimate of Acreage to be
Annexed = 1,682 +/- 1 Acre



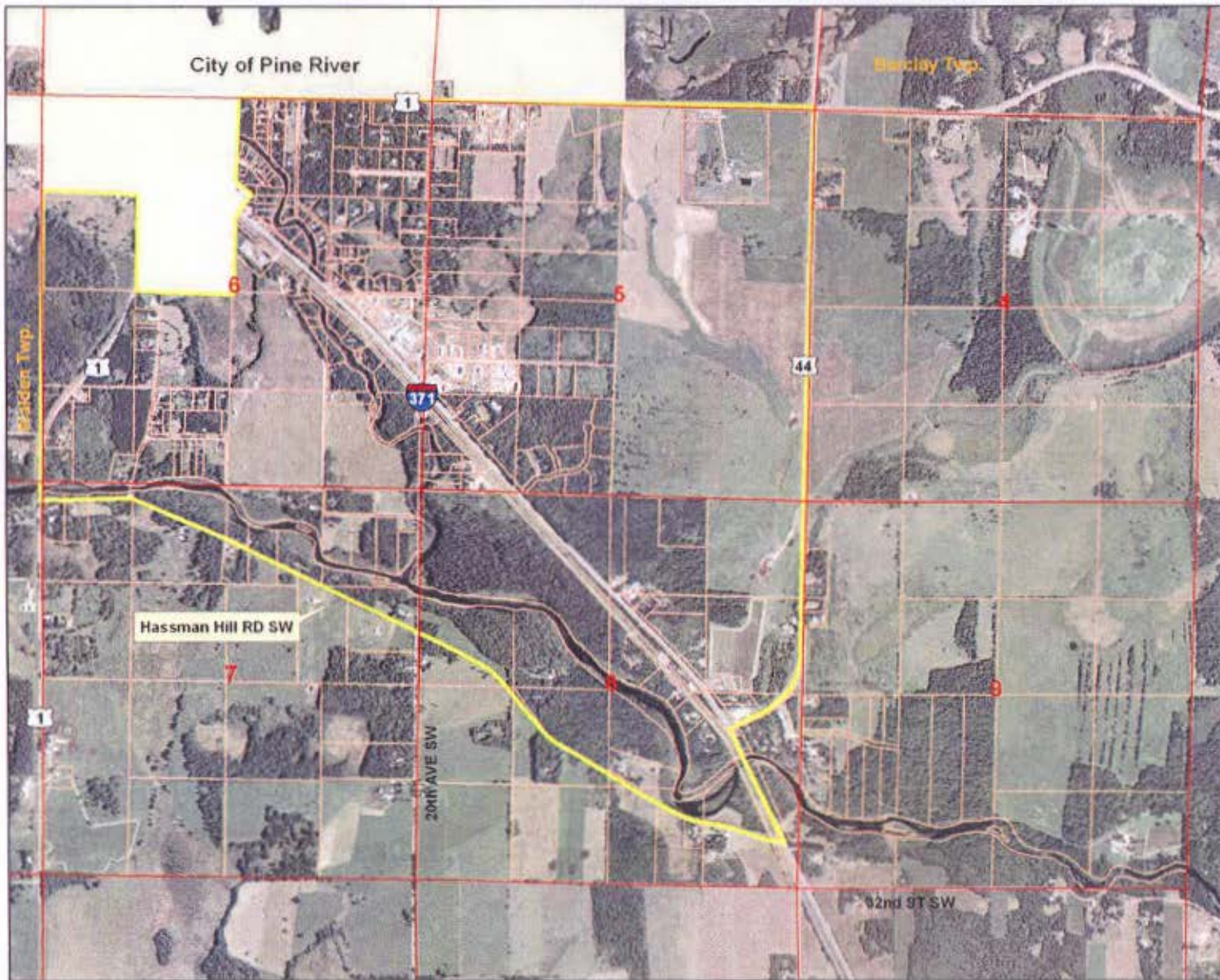
- Section lines
- Parcels
- Existing City of Pine River Boundary
- Proposed Annexation Boundary

0 500 1,000 2,000 3,000
Feet

Map is for visual purposes only.
Data Sources: M4 DfR / LMC
Parcel Data: Cass County Management
Information Services (MIS)

Prepared by: A. Anderson, Inc.
August 27, 2007

Sheet 1 of 1
August 27, 2007



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MMS

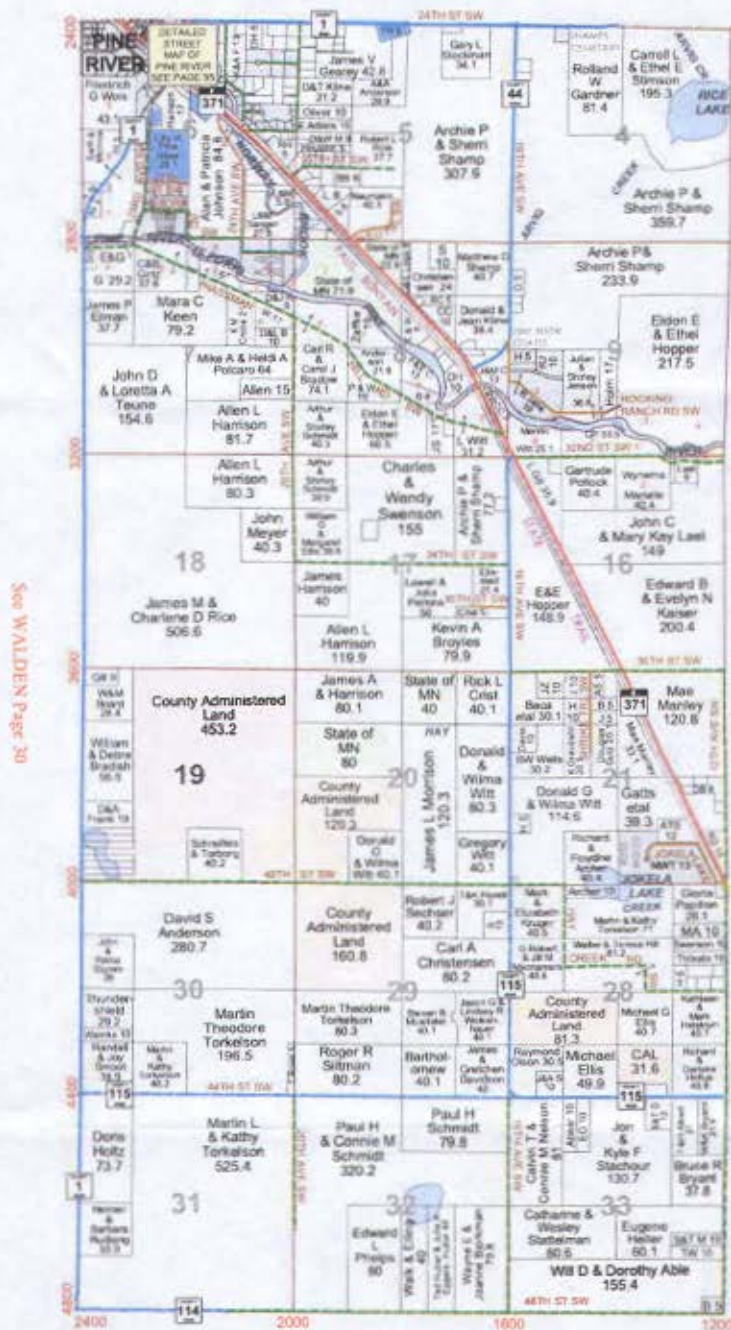
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WILSON

T137N - R29W

CASS COUNTY
MINNESOTA

See HARCLAY Page 35



See MAPLE, LOON LAKE Page 26, 27