

TERRY CHIGLO ATTORNEY AT LAW

210 East Cedar, Box 507 Houston, Minnesota 55943

REC'D BY NOV 07 2014

November 4, 2014

Certified Mail Number: 70122210000202921625

Office of Administrative Hearings Municipal Boundary Adjustment Unit PO Box 64620 St. Paul, MN 55164-5328

La Crescent Township Annexation

Our File Number: 2014-5328

To Whom It May Concern:

Enclosed please find the Objections for MBA Docket Numbers A-7899 and A7903. I am the Attorney for La Crescent Township and my Attorney ID number is 0243875.

If you have any questions, please give me a call. Thank you.

Yours truly

Terry A. Chiglo Attorney at Law

Enclosures

TAC/mks

CC:

La Crescent Township City of La Crescent Attorney Skip Wieser

OBJECTION

MBA Docket Number A-7899 Proposed Annexation to the City of La Crescent. The Town Board of La Crescent Township, Houston County pursuant to a resolution duly adopted by the town board on October 28, 2014 hereby objects to the proposed annexation of the following described property to the City of La Crescent for the following reasons:

- 1. Current land use by the Township has a planning commission. The impact on the current long-term plan of the Township would be compromised by the annexation.
- 2. There would be no long-term benefit to transportation and highway development. Proposed annexation adds nothing to long-term transportation issues, already being addressed by the Township.
- 3. The Township has in place its own zoning and land use regulations and in addition complies with current Houston County zoning and land use requirements. There would be no added benefit to annexation.
- 4. All existing levels of government services needed are being provided. Existing agreements are in place and being provided by the Township. There would be no increase in fire rating if annexation is authorized.
- 5. There is a current annexation agreement in place that was agreed to by the Township and the City. This agreement was to last for at least 10 years.
- 6. There are no existing or potential environmental problems that will be resolved by annexation. The Township has a comprehensive plan that addresses any such issues.
- 7. The current landowners would not be best served by annexation. Their taxes would likely increase, but no additional services would be provided by the City that aren't already being provided by the Township.
- 8. There will be no added benefit to the proposed annexed area. There is no reasonable relation to the increased revenue for the City in relation to the benefits conferred upon the annexed area. The Township will have reduced revenue and the landowners in the proposed annexed area will not receive additional benefit or services to their tax increase.

Donald & Laurie Luce 1320 County 25 La Crescent, MN 55947 Parcel ID: 0080575000

Legal Description: A TRACT OF LAND IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 104 NORTH OF RANGE 4 WEST OF THE FIFTH PRINCIPAL MERIDAN, DESCRIBED AS FOLLOWS, TO-WIT WEST ON THE SECTION LINE FROM THE SOUTHEAST CORNER OF SECTION 9 A

DISTANCE OF 1647.9 FEET TO THE POINT OF BEGINNING, THENCE NORTH 7 DEGREES 55 MINUTES EAST A DISTANCE OF 257.3 FEET, THENCE NORTH 82 DEGREES 05 MINUTES WEST A DISTANCE OF 60 FEET; THENCE SOUTH 7 DEGREES 55 MINUTES WEST A DISTANCE OF 265.88 FEET TO THE SECTION LINE; THENCE EAST ON THE SECTION LINE 60.56 FEET TO THE POINT OF BEGINNING, CONTAINING 0.36 ACRE MORE OR LESS. and

Part of Block K of Auditors Subdivision of Section 9, T104N, R4W, La Crescent Township, Houston County, Minnesota, described as follows:

Commencing at the South ¼ corner of said Section 9; thence N 87 degrees 59'41" E. 865.21 feet to a point on the North line of C.S.A.H. 25, thence S89 degrees 43'11" E. along said North line 41.24 feet to the point of beginning; thence continuing S89 degrees 43'11" E. along said North line 41.24 feet; thence N8 degrees 08'51" E. 232.09 feet; thence N81 degrees 51'09" W. 43.60 feet; thence S7 degrees 29'02" W. 237.75 feet to the point of beginning. Contains 9,923 square feet.

OBJECTION

To: Office of Administrative Hearings
Municipal Boundary Adjustment Unit
PO Box 64620
St. Paul, MN 55164-0620

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Frederic & Janice Mahlke 1304 County 25 La Crescent, MN 55947 Parcel ID: 080557000

Legal Description: From the Southeast corner of the Southwest Quarter of the Southeast Quarter of Section 9 in Township 104 North of Range 4 West of the Fifth Principal Meridian run West along the South line of the above mentioned Section

253.6 feet to the place of beginning, thence North 8 degrees 30 minutes East 33 feet, thence North 8 degrees 30 minutes West 33 feet, thence East along the South line of the above mentioned Section 65.7 feet to the place of beginning. Except an easement reserved for the benefit of former owners for purposes of transport and travel over and across a portion of the premises described as follows: A strip of land extending 2 rods Southerly of and parallel with the Northerly boundary and extending from the Easterly boundary line to the Westerly boundary line thereof.

Date 11/4/14
Signature

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Raymond & Mary Utke 1284 County 25 La Crescent, MN 55947 Parcel ID: 080556000

Legal Description: A tract of land described as starting at the Southeast corner of the SW ¼ of the SE ¼ of Section 9 in Township 104 North of Range 7 West of the

Fifth Principal Meridian, thence West along the section line 254.2 feet to an iron stake which is the point of beginning of the lad to be described, Thence North 7 degrees 55' E 232.6 feet to an iron stake Thence South 68 degrees 49' E 108.2 feet, Thence South 7 degrees 25' W 192.9 feet to the section line, Thence West along the section line 108 feet, to the point of beginning. All of the above-described real estate is a part of lot 5 of Block K of Auditor's Subdivision of Section 9, 104N-R4W-1948 made by Jones & Cousins, registered engineers and land surveyors.

Date 11/4/14
Signature / Aug | F

OBJECTION

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Todd & Tamara Michaels 1270 County 25 La Crescent, MN 55947 Parcel ID: 080570000

Legal Description: A tract of land described as commencing at the Southeast corner of the SW ¼ of the SE ¼ of Section 9 in Township 104 North of Range 4 West of the Fifth Principal Meridian; running thence West along the section line

254.2 feet to an iron stake, thence North 7 degrees 55' E 232.6 feet to an iron stake, thence South 68 degrees 49' E 268.1 feet to an iron stake on the center line of the South Ridge Public Road, thence Southwesterly along the center line of said public road to the East line of the SW ¼ of the SE ¼ of said Section 9, thence South on said last mentioned line to the point of beginning.

Excepting a tract of land described as starting at the Southeast corner of the SW ¼ of the SE ¼ of Section 9 in Township 9 North of Range 4 West of the Fifth Principal Meridian, thence West along the section line 254.2 feet to an iron stake which is the point of beginning of the land to be described, thence North 7 degrees 55' East 232.6 feet to an iron stake, thence South 68 degrees 49' East 108.2 feet, thence South 7 degrees 25' West 192.9 feet to the section line, thence West along the section line 108 feet to the point of beginning.

All of the above described real estate is a part of Lot 10 Block K and L of Auditor's Subdivision of Section 9-104N-R4W 1948 made by Jones and Cousins, Registered Land Surveyors and Engineers.

Date ///////
Signature / Coy

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Paul Zenke 1244 County 25 La Crescent, MN 55947 Parcel ID: 080573000

Legal Description: PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW1/4 SE1/4) AND PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE1/4 SE1/4) OF SECTION 9, TOWNSHIP 104 NORTH, RANGE 4 WEST DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST

CORNER OF SAID SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER; THENCE WEST ALONG THE SOUTH LINE THEREOF 254.2 FEET; THENCE NORTH 07'55" EAST 232.6 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUE NORTH 07'55" EAST 15.0 FEET; THENCE SOUTH 82'5" EAST 297.9 FEET TO THE CENTERLINE OF SOUTH RIDGE PUBLIC ROAD; THENCE SOUTHWESTERLY, ALONG SAID CENTERLINE 90.0 FEET; THENCE WESTERLY 268.1 FEET TO THE POINT OF BEGINNING.

THAT PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 104 NORTH, RANGE 4 WEST, HOUSTON COUNTY, MINNESOTA, LYING SOUTHERLY OF THE FOLLOWING DESCRIBED LINE: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 9; THENCE 89°48′46″ WEST ALONG THE SOUTH LINE OF SAID SECTION 9 A DISTANCE OF 1648.00 FEET; THENCE NORTH 8°13′08″ EAST 256.87 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 81°51′18″ EAST 368.41 FEET TO THE CENTERLINE OF COUNTY ROAD NO. 25 AND THERE TERMINATING.

EXCEPTING THEREFROM THE FOLLOWING:

THAT PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 104 NORTH, RANGE 9 WEST, HOUSTON COUNTY, MINNESOTA, LYING NORTHERLY OF THE FOLLOWING DESCRIBED LINE: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 9; THENCE NORTH 89°48'46" WEST ALONG THE SOUTH LINE OF SAID SECTION 9 A DISTANCE OF 1648.00 FEET; THENCE NORTH 8°13'08" EAST 256.87 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 81°51'18" EAST 368.41 FEET TO THE CENTERLINE OF COUNTY ROAD NO. 25 AND THERE TERMINATING. HOUSTON COUNTY, MINNESOTA

Date ///4/14
Signature

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Lloyd Demorest 1433 Claudia Ave La Crescent, MN 55947 Parcel ID: 080655000

Legal Description: PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 04 NORTH, RANGE 4 WEST, HOUSTON COUNTY, DESCRIBED AS COMMENCING AT THE NORTH QUARTER OF SAID SECTION 16, THENCE EAST ALONG THE SECTION LINE A DISTANCE OF 305 FEET, THENCE SOUTH 623.0 FEET TO THE POINT OF BEGINNING, THENCE CONTINUE SOUTH 170.0 FEET, THENCE EAST 150.0 FEET, THENCE NORTH 170.0 FEET,

THENCE WEST 150.0 FEET TO THE POINT OF BEGINNING, CONTAINING 0.59 ACRES, MORE OR LESS. BEING SUBJECT TO A PUBLIC UTILITY AND DRAINAGE EASEMENT OVER THE SOUTH 5 FEET AND THE WEST 5 FEET OF THE ABOVE DESCRIBED PROPERTY.

Signature

OBJECTION

To: Office of Administrative Hearings
Municipal Boundary Adjustment Unit
PO Box 64620
St. Paul, MN 55164-0620

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Gary & Carol Kuphal 1415 Claudia Ave La Crescent, MN 55947 Parcel ID: 080434000 Legal Description: LOT SEVENTEEN (17), CRESCENT HEIGHTS FIRST ADDITION, LA CRESCENT TOWNSHIP, HOUSTON COUNTY, MINNESOTA.

Signature

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Dennis & Carol Turnquist 1333 County 25 La Crescent, MN 55947 Parcel ID: 080646000 Legal Description: W 78' OF EAST 427.6' OF NORTH 153' OF NW $\frac{1}{4}$ NE $\frac{1}{4}$, 16-104-4, EXCEPT NORTH 33' THEREOF, HOUSTON COUNTY, MINNESOTA.

Date<u>1119119</u> Signature___

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Jessie Schwarz 1351 County 25 La Crescent, MN 55947 Parcel ID: 080645000

Legal Description: THE WEST ONE HUNDRED (100) FEET OF THE EAST FIVE HUNDRED TWENTY SEVEN AND SIX TENTHS (527.6) FEET OF THE NORTH ONE HUNDRED FIFTY-THREE (153) FEET OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW ¼ NE ¼) OF SECTION SIXTEEN, TOWNSHIP ONE

HUNDRED FOUR (104) NORTH OF RANGE FOUR (4) WEST, HOUSTON COUNTY, MINNESOTA, SUBJECT TO A UTILITY AND DRAINAGE EASEMENT OVER THE SOUTH FIVE (5) FEET AND A PUBLIC ROADWAY EASEMENT OVER THE NORTH THIRTY-THREE (33) FEET OF SAID PROPERTY. TOGETHER WITH ALL RIGHTS FOR THE ACQUISITION OF WATER UNDER THE TERMS AND PRICE AS STATED IN THAT CERTAIN WARRANTY DEED DATED THE 10TH DAY OF APRIL, 1959, FILED FOR RECORD ON THE 13TH DAY OF APRIL, 1959, AND RECRODED IN BOOK 201 AT PAGE 291, IN SAID REGISTER OF DEEDS OFFICE FOR SAID COUNTY AND STATE.

To:

OBJECTION

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Christopher & Wendy Horn 1367 County 25 La Crescent, MN 55947 Parcel ID: 080644000

Legal Description: THE WEST 100 FEET OF THE EAST 627.6 FEET OF THE NORTH 153 FEET OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW

14 NE 14) OF SECTION 16, TOWNSHIP 104 NORTH, RANGE 4 WEST, HOUSTON COUNTY, MINNESOTA, SUBJECT TO A UTILITY AND DRAINAGE EASEMENT OVER

THE SOUTH 5 FEET, AND A PUBLIC ROADWAY EASEMENT OVER THE NORTH 33 FEET OF SAID PROPERTY; ALSO GRANTING ALL EASEMENT AND WATER RIGHTS AND SUBJECT TO ALL OTHER EASEMENTS AND WATER RIGHTS OF RECORD, RUNNING WITH THE AFOREDESCRIBED LANDS.

Signature

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Victoria St. Mary 1383 County 25 La Crescent, MN 55947 Parcel ID: 080643000

Legal Description: THE WEST 100 FREET OF THE EASE 727.6 FEET OF THE NORTH 153 FEET OF THE NORTHWEST QUARTER OF THE NORTHEAST

QUARTER (NW ¼ NE ¼) OF SECTION SIXTEEN (16), TOWNSHIP ONE HUNDRED FOUR (104) NORTH OF RANGE FOUR (4) WEST, HOUSTON COUNTY, MINNESOTA. SUBJECT TO A PUBLIC UTILITY AND DRAINAGE EASEMENT OVER THE SOUTH FIVE (5) FEET AND SUBJECT TO A PUBLIC ROADWAY EASEMENT OVER THE NORTH 33 FEET OF SAID PROPERTY.

AND CONVERYING WATER RIGHTS UNDER WATER AGREEMENT DATED MARCH 15, 1966, RECORDED MARCH 17, 1966, IN BOOK 221 OF MICELLANEOUS, PAGE 23.

Date 1/14/19
Signature 2

OBJECTION

MBA Docket Number A-7899 Proposed Annexation to the City of La Crescent. The Town Board of La Crescent Township, Houston County pursuant to a resolution duly adopted by the town board on October 28, 2014 hereby objects to the proposed annexation of the following described property to the City of La Crescent for the following reasons:

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- 2. There would be no long-term benefit to transportation and highway development. Proposed annexation adds nothing to long-term transportation issues, already being addressed by the Township.
- 3. The Township has in place its own zoning and land use regulations and in addition complies with current Houston County zoning and land use requirements. There would be no added benefit to annexation.
- 4. All existing levels of government services needed are being provided. Existing agreements are in place and being provided by the Township. There would be no increase in fire rating if annexation is authorized.
- 5. There is a current annexation agreement in place that was agreed to by the Township and the City. This agreement was to last for at least 10 years.
- 6. There are no existing or potential environmental problems that will be resolved by annexation. The Township has a comprehensive plan that addresses any such issues.
- 7. The current landowners would not be best served by annexation. Their taxes would likely increase, but no additional services would be provided by the City that aren't already being provided by the Township.
- 8. There will be no added benefit to the proposed annexed area. There is no reasonable relation to the increased revenue for the City in relation to the benefits conferred upon the annexed area. The Township will have reduced revenue and the landowners in the proposed annexed area will not receive additional benefit or services to their tax increase.

Matthew Walter 1395 County 25 La Crescent, MN 55947 Parcel ID: 080642000

Legal Description: THE WEST 80 FEET OF THE EAST 807.6 FEET OF THE NORTH 153 FEET OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW ¼ NE ¼) OF SECTION 16, TOWNSHIP 104 NORTH, RANGE 4 WEST, HOUSTON

COUNTY, MINNESOTA, EXCEPT THE NORTH 33 FEET THEREOF; AND ALSO SUBJECT TO A UTILITY AND DRAINAGE EASEMENT OVER THE SOUTH 5 FEET OF SAID PROPERTY.

OBJECTION

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James and Robyn Fischer 1411 County 25 La Crescent, MN 55947 Parcel ID: 080641000

Legal Description: THE WEST 80 FEET OF THE EAST 887.6 FEET OF THE NORTH 153 FEET OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW 1/4 NE 1/4) OF SECTION 16, TOWNSHIP 104 NORTH, RANGE 4 WEST, HOUSTON

COUNTY, MINNESOTA, EXCEPT THE NORTH 33 FEET THEREOF; AND ALSO SUBJECT TO A UTILITY AN DRAINAGE EASEMENT OVER THE SOUTH 5 FEET OF SAID REALTY FOR THE COMMON USE OF THE MUNICIPALITY AND ADJACENT LAND OWNERS.

Date / // 4/6 Signature__

OBJECTION

To: Office of Administrative Hearings
Municipal Boundary Adjustment Unit
PO Box 64620
St. Paul, MN 55164-0620

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Wayne Christopherson 1429 County 25 La Crescent, MN 55947 Parcel ID: 080640000

Legal Description: THE WEST 80 FEET OF THE EAST 967.5 FEET OF THE NORTH 153 FEET OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW ¼ NE ¼),

SECTION 16, TOWNSHIP 104 NORTH, RANGE 4 WEST, HOUSTON COUNTY, MINNESOTA, EXCEPT THE NORTH 33 FEET THERE OF; SUBJECT NEVERTHELESS TO A UTILITY AND DRAINAGE EASEMENT OVER THE SOUTH FIVE (5) FEET OF SAID REALTY FOR THE COMMON USE OF THE MUNICIPALITY AND ADJACENT LAND OWNERS.

Date 11/9/11/9 Signature