



WIESER LAW OFFICE, P.C.

ATTORNEYS AT LAW
WIESER PROFESSIONAL BUILDING
33 SOUTH WALNUT - SUITE 200
LA CRESCENT, MN 55947

REC'D BY
MBA

JAN 26 2015

KELLY M. IVERSON
AL "SKIP" WIESER, III

PHONE: (507) 895-8200
FAX: (507) 895-8458

AL WIESER, JR.
Emeritus

January 26, 2015

Ms. Karen Schuldt, Township Clerk
Township of La Crescent
4610 CTH 6
La Crescent, MN 55947

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

**RE: La Crescent/La Crescent Township Annexation – MBAU Docket No. A-7905
OAH 84-0330-32160**


Dear La Crescent Town Board and Office of Administrative Hearings:

On October 24, 2014 you were served with a Notice of Intent for Annexation pursuant to Minn. Stat. § 414.033, Subd. 3 regarding the above matter. Upon the Office of Administrative Hearings review of the legal descriptions attached as Exhibit A, it was found that there were two clerical errors and the legal description for the portion of Crescent Hills Drive was not included. The Crescent Hills Drive area was also not shaded as part of Exhibit B. Therefore, attached is a Revised Exhibit A and Exhibit B to Notice of Intent for this matter.

Should you have any questions, please feel free to contact the undersigned.

Very truly yours,

WIESER LAW OFFICE, P.C.


Skip Wieser
SW/jld
Enclosures

cc: Honorable Tammy L. Pust, Chief Administrative Law Judge (via email)
Attorney Terry Chiglo, Counsel for La Crescent Township (via email)
Ms. Star Holman, State Program Administrator Sr. (via email)
Ms. Kendra McCausland, MN Office of Administrative Hearings (via email)
Mr. Bill Waller, La Crescent City Administrator (via e-mail)

EXHIBIT A
(Revised 1-26-2015)

REC'D BY
MBA
JAN 26 2015

Parcel 08.0725.000:

LOT ONE (1), BLOCK ONE (1), AND THE NORTH TEN (10) FEET OF LOT SEVEN (7), BLOCK ONE (1), OF THE PLAT OF CRESCENT HILLS THIRD ADDITION TO THE TOWNSHIP OF LA CRESCENT, HOUSTON COUNTY, MINNESOTA.

Parcel 08.0726.000:

LOT TWO (2), BLOCK ONE (1), CRESCENT HILLS THIRD ADDITION, ACCORDING TO THE RECORDED PLAT THEREOF, HOUSTON COUNTY, MINNESOTA.

AND

AN EASEMENT FOR RECREATIONAL USE, INCLUDING THE USE OF A SWIMMING POOL, OVER THAT PART OF LOT ONE (1), BLOCK ONE (1), DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF LOT TWO (2), BLOCK ONE (1); THENCE SOUTHERLY ON AND ALONG THE WEST LINES OF LOT TWO (2), AND LOT THREE (3), BLOCK ONE (1), FOR A DISTANCE OF 132.93 FEET; THENCE NORTH 14°22'30" WEST TO THE INTERSECTION OF THE WESTERLY EXTENSION OF THE NORTH LINE OF LOT TWO (2), BLOCK ONE (1); THENCE EASTERLY ON THE WESTERLY EXTENSION OF THE NORTH LINE OF LOT TWO (2), BLOCK ONE (1), TO THE NORTHWEST CORNER OF LOT TWO (2), BLOCK ONE (1), ALL IN THE PLAT OF CRESCENT HILLS THIRD ADDITION TO THE TOWNSHIP OF LA CRESCENT, HOUSTON COUNTY, MINNESOTA.

Parcel 08.0727.000:

LOT THREE (3), IN BLOCK ONE (1), OF CRESCENT HILLS THIRD ADDITION TO THE TOWNSHIP OF LA CRESCENT, HOUSTON COUNTY, MINNESOTA.

Parcel 08.0728.000:

LOT FOUR (4), BLOCK ONE (1), CRESCENT HILLS THIRD ADDITION, ACCORDING TO THE RECORDED PLAT THEREOF, HOUSTON COUNTY, MINNESOTA.

Parcel 08.0729.000:

LOT FIVE (5), BLOCK ONE (1), CRESCENT HILLS THIRD ADDITION TO THE TOWN OF LA CRESCENT, ACCORDING TO THE PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE COUNTY RECORDER IN AND FOR HOUSTON COUNTY, MINNESOTA.

Parcel 08.0730.000:

LOT SIX (6), BLOCK ONE (1), CRESCENT HILLS THIRD ADDITION TO THE CITY OF LA CRESCENT AND TOWNSHIP OF LA CRESCENT ACCORDING TO THE RECORDED PLAT THEREOF, HOUSTON COUNTY, MINNESOTA.

TOGETHER WITH ALL RIGHTS AND RESPONSIBILITIES OF THE WATER SERVICE AGREEMENT RECORDED SEPTEMBER 1, 1998 AS DOCUMENT NO. 196337.

Parcel 08.0731.000:

LOT SEVEN (7), IN BLOCK ONE (1), CRESCENT HILLS 3RD ADDITION TO THE TOWNSHIP OF LA CRESCENT, EXCEPT THE NORTH 10 FEET THEREOF, HOUSTON COUNTY, MINNESOTA.

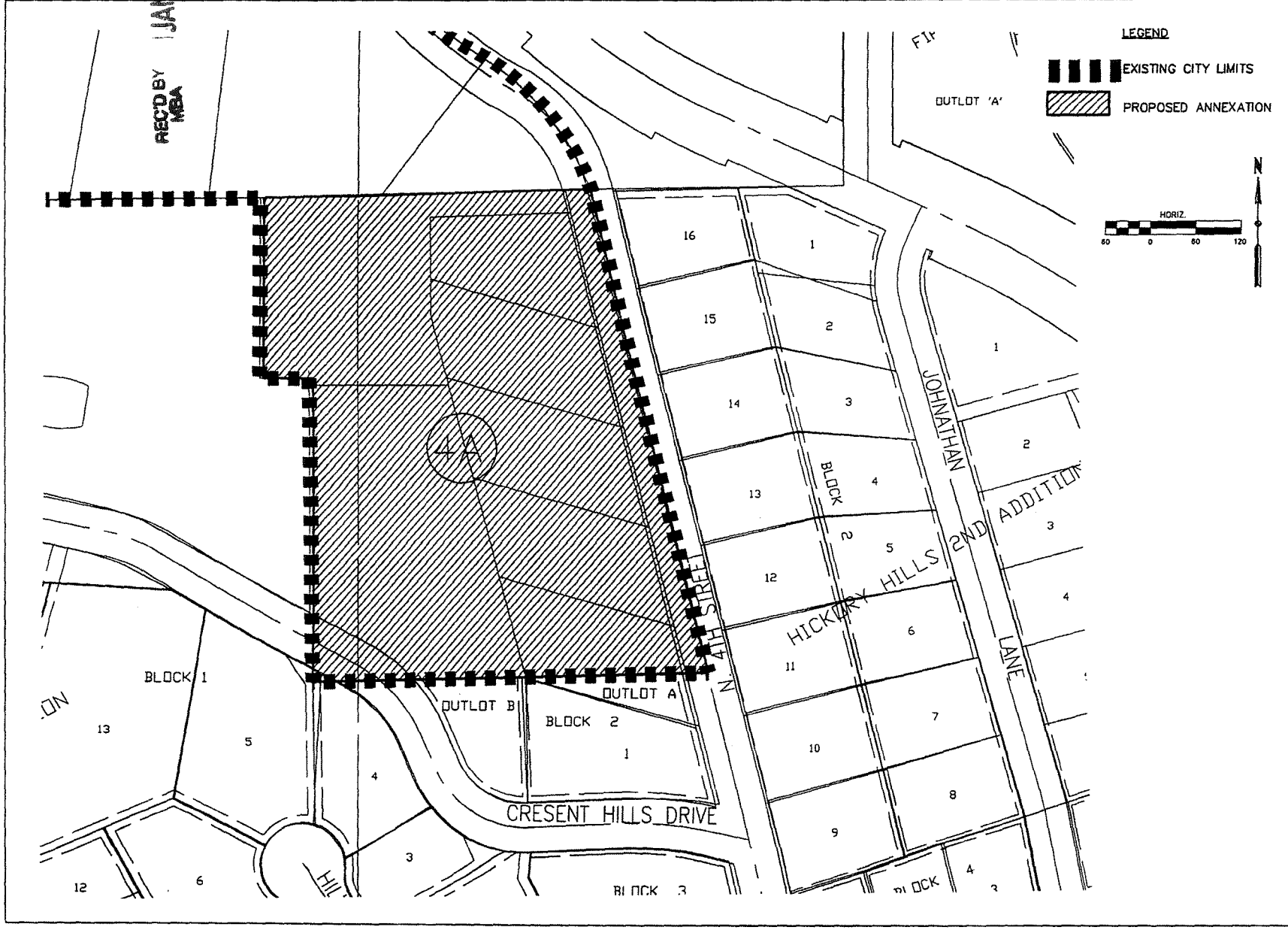
AND

ALSO INCLUDING THAT PART OF NORTH 4TH STREET LYING ADJACENT TO THE ABOVE DESCRIBED PARCELS.

AND

ALL THAT PART OF CRESCENT HILLS DRIVE THAT BORDERS THE EXISTING BOUNDARY OF THE CITY OF LA CRESCENT, HOUSTON COUNTY, MINNESOTA, AS SHOWN ON THE MAP ATTACHED HERETO AS EXHIBIT B.

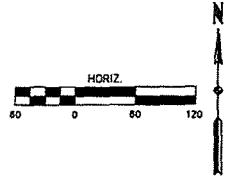
REC'D BY MSA
JAN 26 2015



LEGEND

EXISTING CITY LIMITS

PROPOSED ANNEXATION



I hereby certify that this plan, specification or report was prepared by me or under my direct personal supervision and that I am a duly licensed professional engineer or architect under the laws of the State of Minnesota.

Timothy A. Hrusko License No. 44830 Date _____

NO.	DATE	REVISIONS DESCRIPTION

PROPOSED ANNEXATION BOUNDARIES
LA CRESCENT, MN
7319.14

SCALE	AS SHOWN
PROJECT NO.	7319.14
DRAWN BY:	DJO
CHECKED BY:	TAH
SHEET	1 of 1

EXHIBIT B (Revised 1-26-2015)

NOTICE OF INTENT FOR ANNEXATION

IN THE MATTER OF THE NOTICE OF INTENT FOR THE ANNEXATION
OF CERTAIN LAND TO THE CITY OF LA CRESCENT, MINNESOTA
PURSUANT TO MINNESOTA STATUTES § 414.033, SUBD. 3

TO: La Crescent Town Board
Attn: Karen Schuldt, Township Clerk
4610 CTH 6
La Crescent, MN 55947; and

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

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

WHEREAS, the area proposed for annexation is described as follows:

SEE EXHIBIT A and EXHIBIT B

WHEREAS, the area proposed for annexation abuts upon the corporate limits of the City of La Crescent, Minnesota; and

WHEREAS, the area proposed for annexation is unincorporated, abuts on the city's boundaries and is not included within any other municipality; and

WHEREAS, the area proposed for annexation is approximately 7.05 acres in size; and

WHEREAS, the reason for the proposed annexation is the subject area is now suburban in character. The present population requires the City to continue to grow in an orderly and planned manner in order to continue to provide needed government services in a cost-effective and feasible manner. The properties described on Exhibit A have the ability to be served by City water and sewer. The City of La Crescent needs to annex additional property in order to expand; and

WHEREAS, the nature of the area proposed for annexation is residential; and

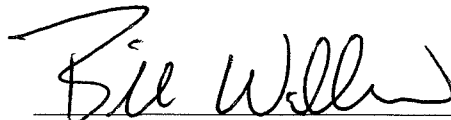
WHEREAS, the area proposed for annexation is not included in any area that has already been designated for orderly annexation pursuant to Minnesota Statutes § 414.0325, nor in any other proceeding currently pending before the Office of Administrative Hearings - Municipal Boundary Adjustment Unit; and

NOW THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF LA CRESCENT, MINNESOTA that we hereby serve a Notice of Intent to annex the above-described property into the corporate limits of the City of La Crescent, Minnesota on: La Crescent Township; Houston County; and the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings.

Adopted this 13th day of October, 2014.



Mayor



City Clerk/Administrator

EXHIBIT A

Parcel 08.0725.000:

LOT ONE (1), BLOCK ONE (1), AND THE NORTH TEN (10) FEET OF LOT SEVEN (7), BLOCK ONE (1), OF THE PLAT OF CRESCENT HILLS THIRD ADDITION TO THE TOWNSHIP OF LA CRESCENT, HOUSTON COUNTY, MINNESOTA.

Parcel 08.0726.000:

LOT TWO (2), BLOCK ONE (1), CRESCENT HILLS THIRD ADDITION, ACCORDING TO THE RECORDED PLAT THEREOF, HOUSTON COUNTY, MINNESOTA.

AND

AN EASEMENT FOR RECREATIONAL USE, INCLUDING THE USE OF A SWIMMING POOL, OVER THAT PART OF LOT ONE (1), BLOCK ONE (1), DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF LOT TWO (2), BLOCK ONE (1); THENCE SOUTHERLY ON AND ALONG THE WEST LINES OF LOT TWO (2), AND LOT THREE (3), BLOCK ONE (1), FOR A DISTANCE OF 132.93 FEET; THENCE NORTH 14°22'30" WEST TO THE INTERSECTION OF THE WESTERLY EXTENSION OF THE NORTH LINE OF LOT TWO (2), BLOCK ONE (1); THENCE EASTERLY ON THE WESTERLY EXTENSION OF THE NORTH LINE OF LOT TWO (2), BLOCK ONE (1), TO THE NORTHWEST CORNER OF LOT TWO (2), BLOCK ONE (1), ALL IN THE PLAT OF CRESCENT HILLS THIRD ADDITION TO THE TOWNSHIP OF LA CRESCENT, HOUSTON COUNTY, MINNESOTA.

Parcel 08.0727.000:

LOT THREE (3), IN BLOCK ONE (1), OF CRESCENT HILLS THIRD ADDITION TO THE TOWNSHIP OF LA CRESCENT, HOUSTON COUNTY, MINNESOTA.

Parcel 08.0728.000:

LOT FOUR (2), BLOCK ONE (1), CRESCENT HILLS THIRD ADDITION, ACCORDING TO THE RECORDED PLAT THEREOF, HOUSTON COUNTY, MINNESOTA.

Parcel 08.0729.000:

LOT FIVE (5), BLOCK ONE (1), CRESCENT HILLS THIRD ADDITION TO THE TOWN OF LA CRESCENT, ACCORDING TO THE PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE COUNTY RECORDER IN AND FOR HOUSTON COUNTY, MINNESOTA.

Parcel 08.0730.000:

LOT SIX (6), BLOCK ONE (1), BLOCK TWO (2), CRESCENT HILLS THIRD ADDITION TO THE CITY OF LA CRESCENT AND TOWNSHIP OF LA CRESCENT ACCORDING TO THE RECORDED PLAT THEREOF, HOUSTON COUNTY, MINNESOTA.

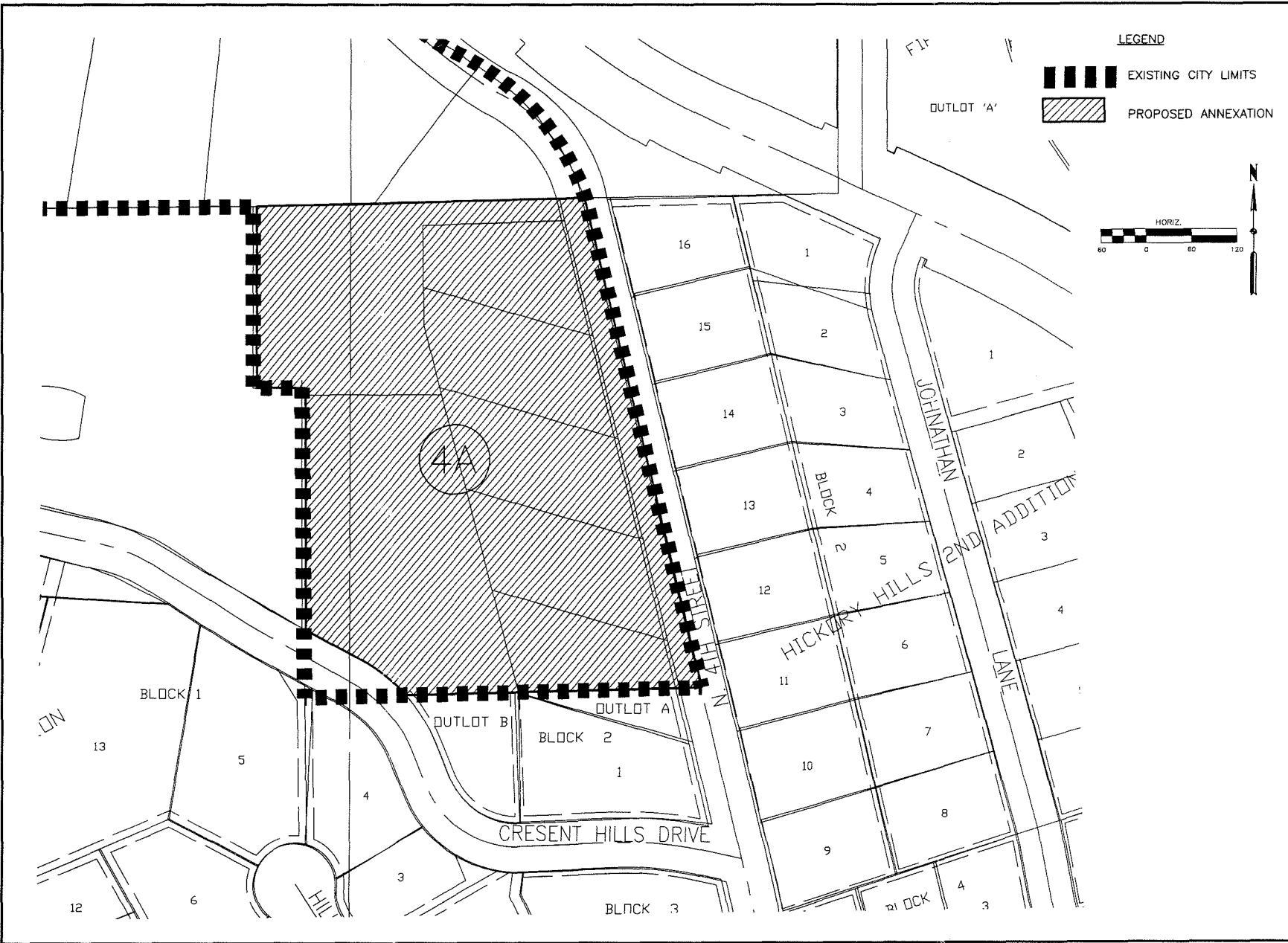
TOGETHER WITH ALL RIGHTS AND RESPONSIBILITIES OF THE WATER SERVICE AGREEMENT RECORDED SEPTEMBER 1, 1998 AS DOCUMENT NO. 196337.

Parcel 08.0731.000:

LOT SEVEN (7), IN BLOCK ONE (1), CRESCENT HILLS 3RD ADDITION TO THE TOWNSHIP OF LA CRESCENT, EXCEPT THE NORTH 10 FEET THEREOF, HOUSTON COUNTY, MINNESOTA.

AND

ALSO INCLUDING THAT PART OF NORTH 4TH STREET LYING ADJACENT TO THE ABOVE DESCRIBED PARCELS.



I hereby certify that this plan, specification or report was prepared by me or under my direct personal supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.
 Timothy A. Hruick
 Date: License No. 44830

REVISIONS	Description	No.	Date

PROPOSED ANNEXATION BOUNDARIES
 LA CRESCENT, MN
 7319.14

SCALE:	AS SHOWN
PROJECT NO.:	7319.14
DRAWN BY:	ELD
CHECKED BY:	TAH
SHEET	1 OF 1

COPY

CRESCENT HILLS 3RD ADDI

3 AND 4, T104 N, R4 W, CITY OF LA CRESCENT AND TOWNSHIP HOUSTON COUNTY, MINNESOTA

