



4646 Dakota Street SE  
Prior Lake, MN 55372

## **CITY OF PRIOR LAKE ORDINANCE NO. 124-04**

### **AN ORDINANCE OF THE CITY OF PRIOR LAKE, MINNESOTA ANNEXING LAND LOCATED IN SPRING LAKE TOWNSHIP, SCOTT COUNTY, MINNESOTA PURSUANT TO MINNESOTA STATUTES § 414.033 SUBDIVISION 2 (3), PERMITTING ANNEXATION BY ORDINANCE**

**WHEREAS,** a property owner petition requesting that property legally described herein be annexed to the City of Prior Lake, Minnesota, was duly presented to the Council of the City of Prior Lake on the 10<sup>th</sup> day of September 2024; and

**WHEREAS,** said property is unincorporated and abuts the City of Prior Lake on its southwestern boundary; is less than 120 acres; is not presently served by public sewer facilities or public sewer facilities are not otherwise available; and

**WHEREAS,** annexation is requested to facilitate the extension of city services for the urban/residential development of the property; and

**WHEREAS,** the City of Prior Lake held a public hearing pursuant to Minnesota Statutes § 414.033 Subd. 2b, on September 10, 2024, following thirty (30) days written notice by certified mail to the Town of Spring Lake ('Town') and to all landowners within and contiguous to the area legally described herein, to be annexed; and

**WHEREAS,** provisions of Minnesota Statutes § 414.033 Subd. 13 are not applicable in that there will be no change in the electric utility service provider resulting from the annexation of the territory to the municipality.

**NOW, THEREFORE,** THE CITY COUNCIL OF THE CITY OF PRIOR LAKE HEREBY ORDAINS AS FOLLOWS:

1. The City Council hereby determines that the property as hereinafter described abuts the city limits and is about to become urban or suburban in nature in that residential use is being proposed for said property, the construction of which requires or will need city services, including public sewer facilities.
2. None of the property is now included within the limits of any city, or in any area that has already been designated for orderly annexation pursuant to Minnesota Statute § 414.0325.
3. The corporate limits of the City of Prior Lake, Minnesota, are hereby extended to include the following described property, said land abutting the City of Prior Lake and being 120 acres or less in area, and is not presently served by public sewer facilities or public sewer facilities are not otherwise available, and the City having received a petition for annexation from all the property owners of the land to wit:

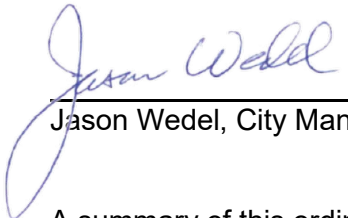
The Southwest Quarter of the Southwest Quarter of Section 10, Township 114, Range 22, Scott County, Minnesota. (PID: 119100120)

The above-described property consists of a total of 40.25 acres, more or less. Copies of the corporate boundary map showing the property to be annexed and its relationship to the corporate boundaries is attached as Exhibit A.

4. With respect to the property taxes payable on the area hereby annexed pursuant to Minnesota Statutes § 414.036, the Property Owner shall deposit with the City two times the amount of taxes that Spring Lake Township levied against the Property in 2024, which totals \$2,275.36. The City shall use these funds only for reimbursement to Spring Lake Township, which will be provided in two equal payments over two years following approval of the petition for annexation as follows:
  - the first payment of \$1,137.68 is due by December 15<sup>th</sup> in the year the property is annexed, and the second payment of \$1,137.68 is due by December 15<sup>th</sup> in the year following annexation.
5. Pursuant to Minnesota Statutes § 414.036 with respect to any special assessments assigned by the Town to the annexed property and any portion of debt incurred by the Town prior to the annexation and attributable to the property to be annexed, but for which no special assessments are outstanding for the area legally described herein, there are no special assessments or debt incurred by the Town of Spring Lake on the subject for which reimbursement is required.
6. Following receipt of the Property Owner deposit in the amount of \$2,275.36 and approval of the Comprehensive Land Use Plan Map amendment, Development Staging Plan amendment, Preliminary Plat, and Preliminary Planned Unit Development Plan, the City Manager of the City of Prior Lake is hereby authorized and directed to file a copy of this Ordinance with the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, the Minnesota Secretary of State, the Scott County Auditor, and the Spring Lake Township Clerk.
7. That this Ordinance shall be in full force and effect and final upon the date this Ordinance is approved by the Office of Administrative Hearings.

Passed and adopted by the Prior Lake City Council this 10<sup>th</sup> day of September 2024.

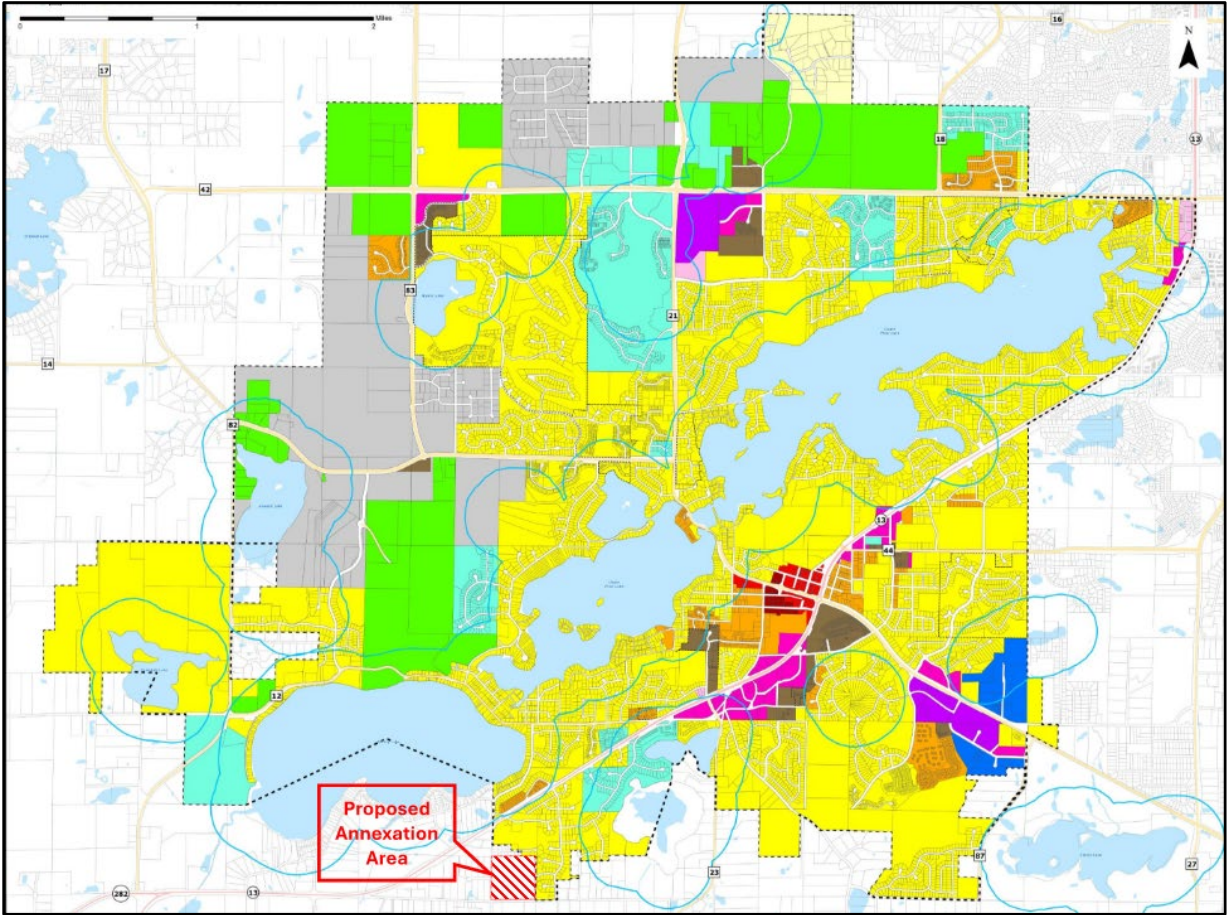
ATTEST:

  
\_\_\_\_\_  
Jason Wedel, City Manager

  
\_\_\_\_\_  
Kirt Briggs, Mayor

A summary of this ordinance to be published in the Minnesota Star Tribune.

EXHIBIT A







# ZONING

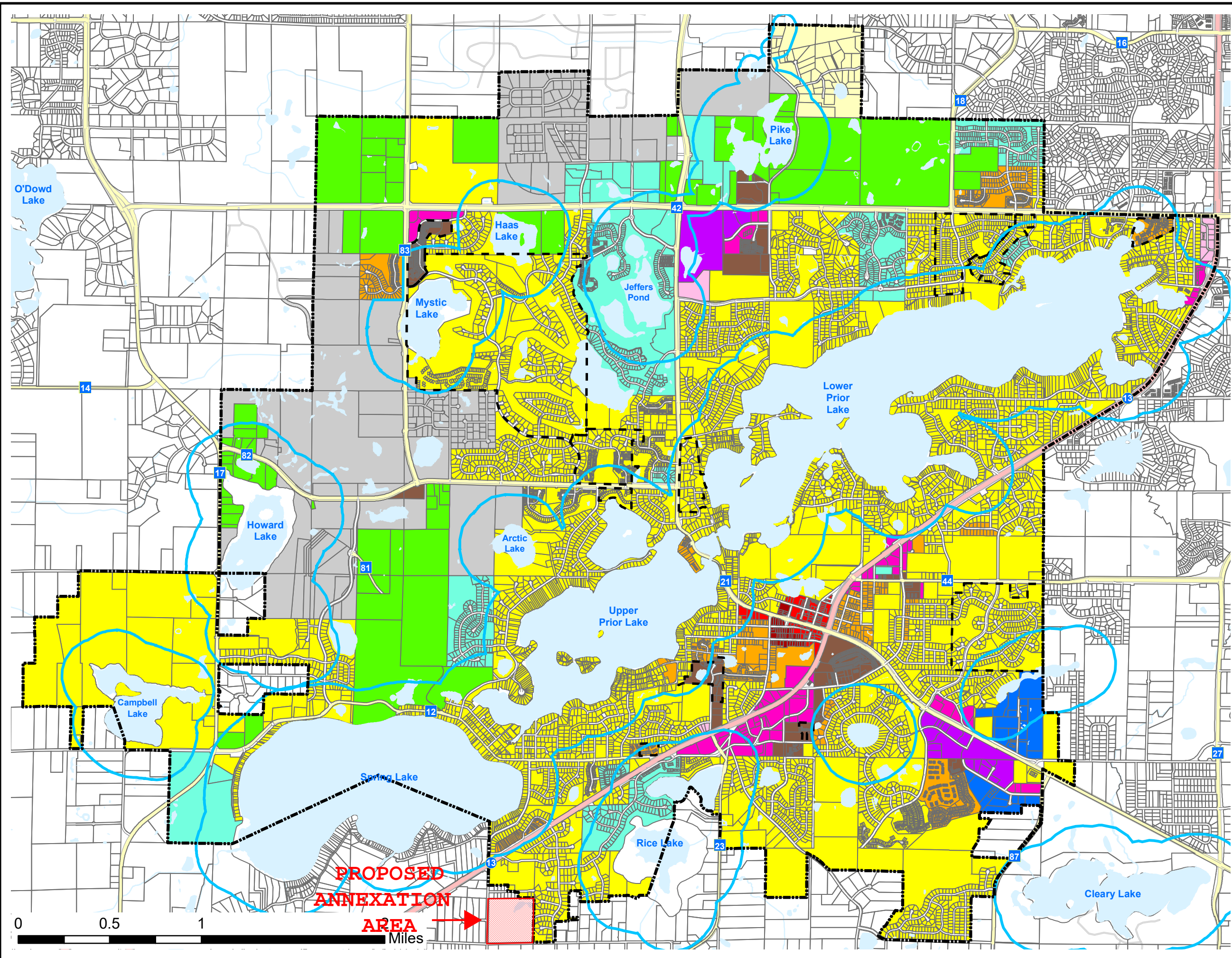
## USE DISTRICTS

- PUD OVERLAY
- SHORELAND OVERLAY
- A: AGRICULTURAL
- R-S: RURAL RESIDENTIAL
- R-1: LOW DENSITY RESIDENTIAL
- R-2: MED DENSITY RESIDENTIAL
- R-3: HIGH DENSITY RESIDENTIAL
- TC: TOWN CENTER
- TC: TRANSITIONAL TOWN CENTER
- C-1: NEIGHBORHOOD COMMERCIAL
- C-2: GENERAL BUSINESS
- C-3: BUSINESS PARK
- I-1: GENERAL INDUSTRIAL
- PUD: PLANNED UNIT DEVELOPMENT
- SMSC TRUST LAND

This product is for informational purposes and is not suitable for legal, engineering, or surveying purposes. This product has been produced by the City of Prior Lake for the sole purpose of geographic reference. No warranty is made by the City of Prior Lake regarding specific accuracy or completeness.

1:31,500

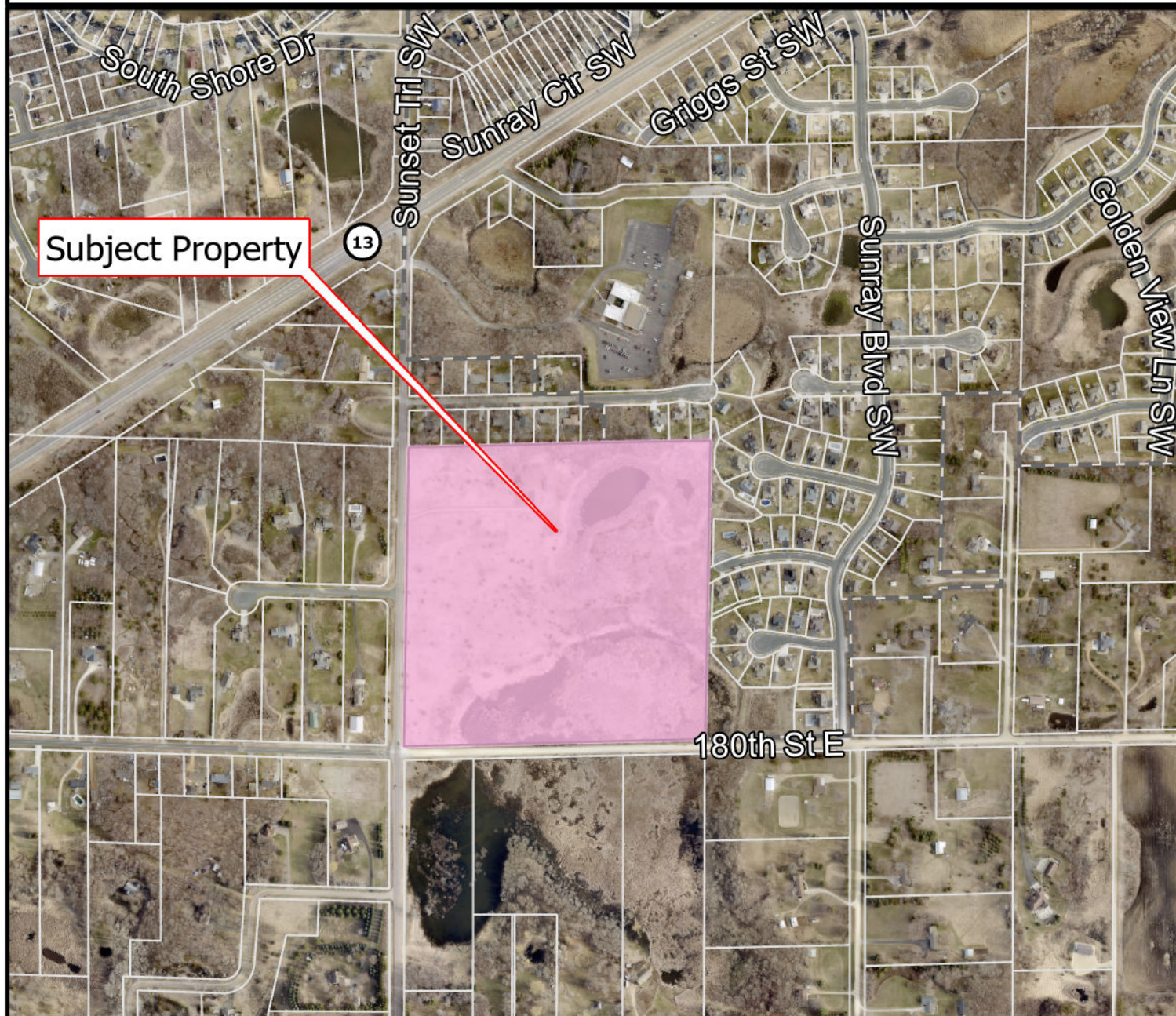
Last Updated November 2020



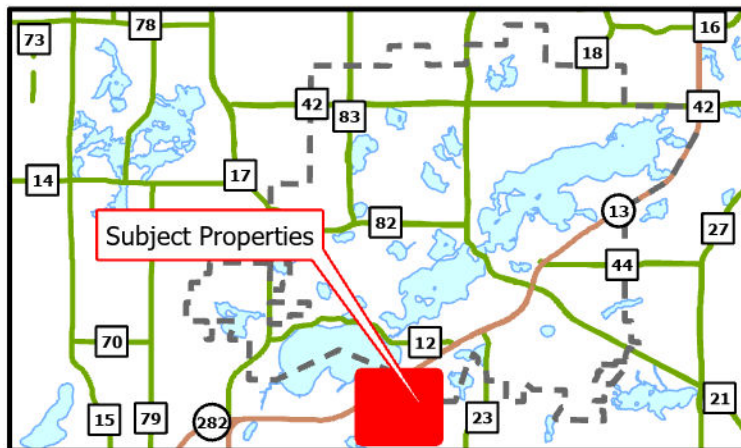




17801 FAIRLAWN AVE  
COMPREHENSIVE PLAN AMENDMENT, ANNEXATION, REZONING, PRELIMINARY PLAT/PRELIMINARY PUD, AND FINAL PLAT/FINAL PUD  
LOCATION MAP



A SUMMARY OF THE PROPERTY LEGAL DESCRIPTION IS:  
T114, S10, R22, SCOTT COUNTY, MN.  
\* FULL LEGAL DESCRIPTION IS AVAILABLE AT PRIOR LAKE  
CITY HALL.





## **Annexation Parcel**

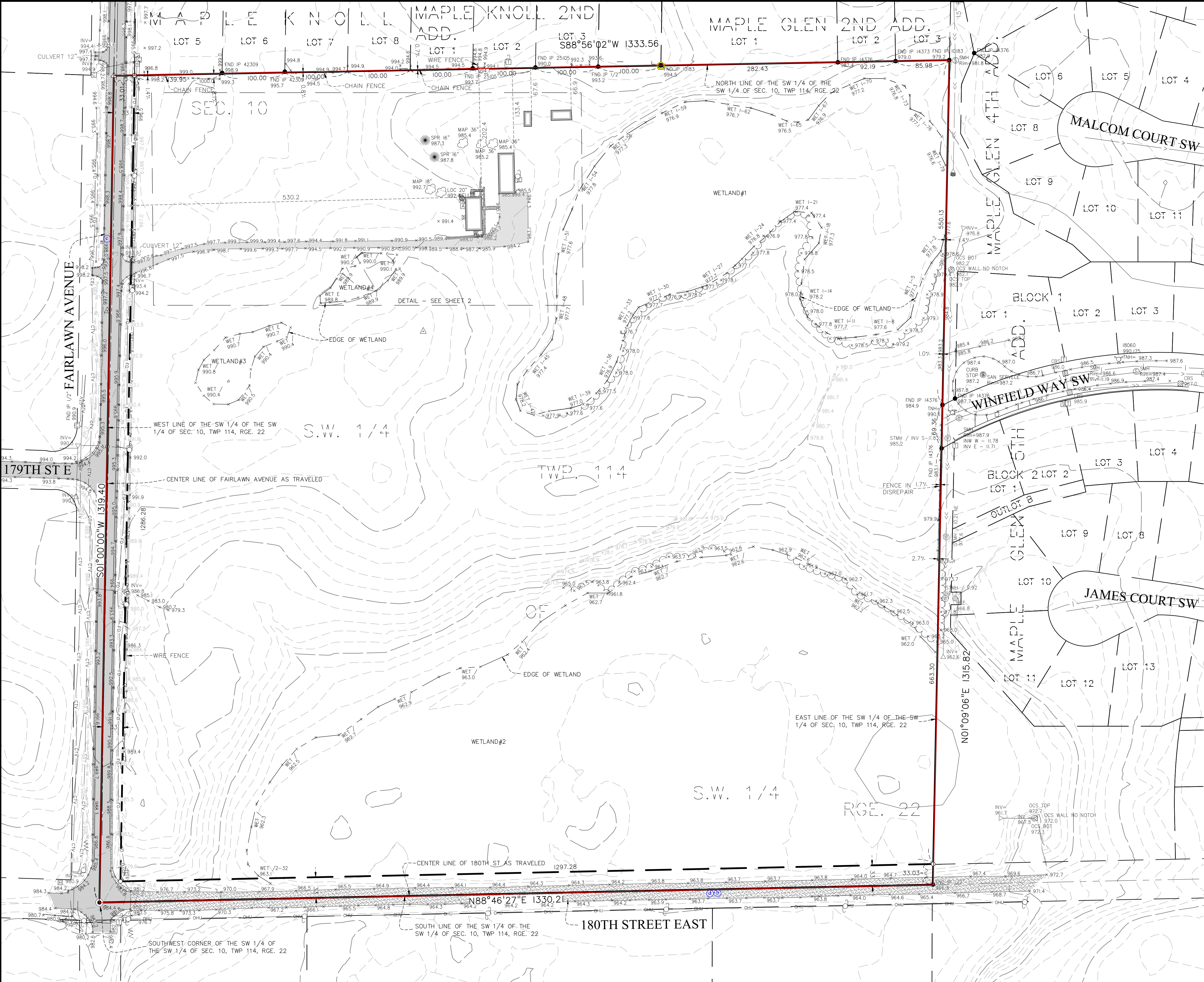
17801 Fairlawn Avenue, Prior Lake, MN 55372

PID 119100120

±40.25 acres





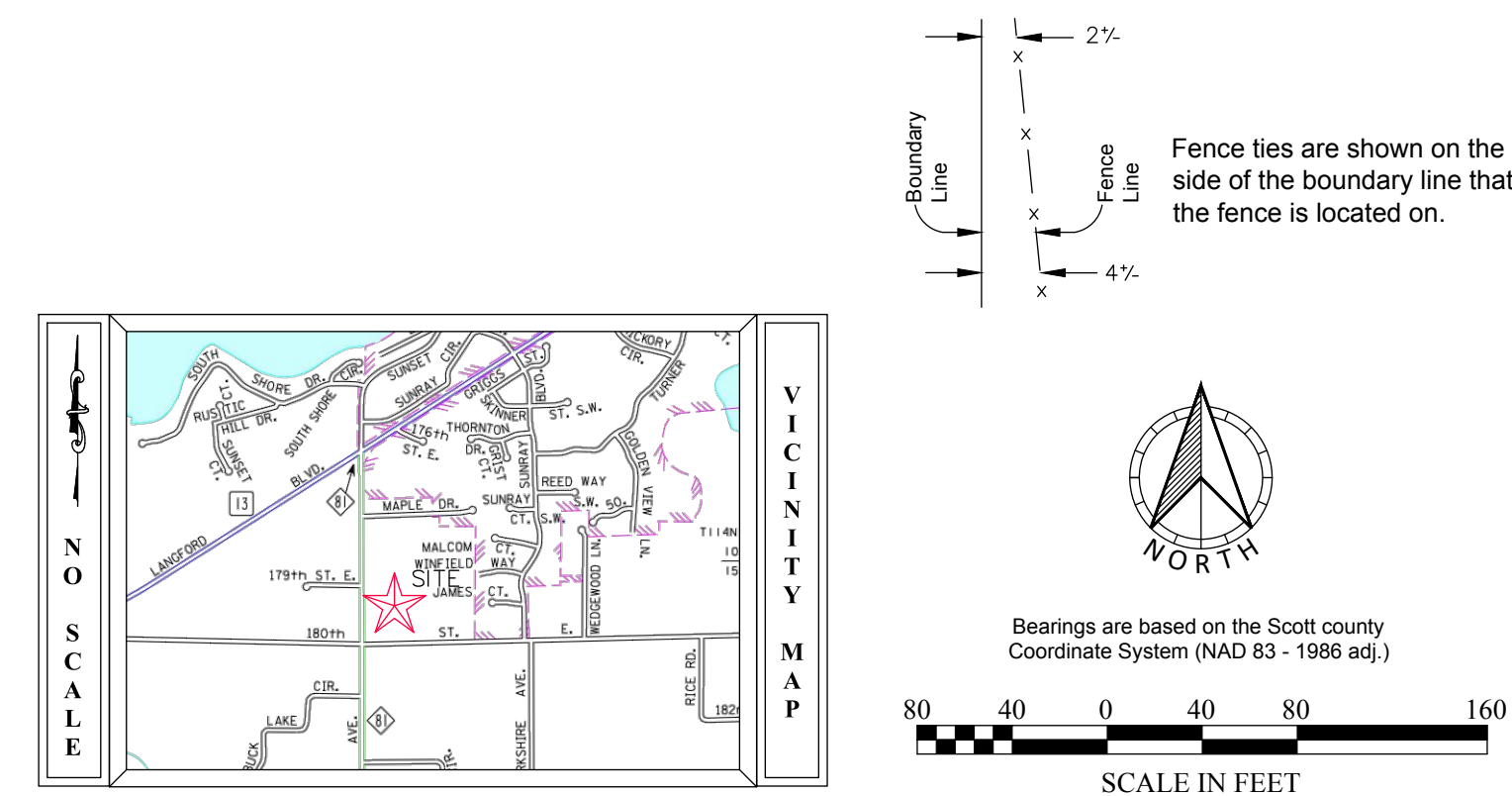


- DESCRIPTION OF PROPERTY SURVEYED**  
(Per Schedule A of the herein referenced Title Commitment)
- The Southwest Quarter of the Southwest Quarter of Section 10, Township 114, Range 22, Scott County, Minnesota.
- ALTA/NSPS OPTIONAL TABLE A NOTES**  
(The following items reference Table A optional survey responsibilities and specifications)
- Site Address:** 17801 Fairlawn Ave., Prior Lake, MN 55372
  - Flood Zone Information:** This property appears to lie in Zone X (area determined to be outside of the 0.2% annual chance floodplain) and Zone AE (Areas subject to inundation by the 1-percent-annual-chance flood event determined by detailed methods, per Flood Insurance Rate Map, Community Panel No. 27139C0154E, effective date of 2/12/2021).
  - Parcel Area Information:**  
Gross Area: 1,753.590s.f. ~ 40.257 acres  
R/W Area: 86.347s.f. ~ 1.982 acres  
Net Area: 1,667.243s.f. ~ 38.275 acres  
\*We do not affirmatively insure the quantity of acreage set forth in the description
  - Benchmark:** Elevations are based on MN/DOT Geodetic Station Name: 7001 U which has an elevation of: 958.691 feet (NAVD88). Contours were derived from a combination of field observations and LIDAR data from the Minnesota Department of Natural Resources.
  - Zoning Information:** The current Zoning for the subject property is UER (Urban Expansion Reserve) per Scott's County zoning map dated August, 2020. The setback, height, and floor space area restrictions for said zoning designation are as follows:  
**Principal Structure Setbacks -** Streets(s): 100 feet (Fairlawn Ave.)  
Side: 30 feet  
Rear: 60 feet  
Height: 35 feet  
Hardcover: 30 percent of lot area
- \*Please note that the zoning information shown herein may have been amended through a city process. We recommend that a zoning letter be obtained from the Zoning Administrator for the current restrictions for this site. All setback information and hardcover data for planning and design must be verified by all parties involved in the design and planning process prior to any planning or construction.
- We have not received the current zoning classification and building setback requirements from the insurer.**
- Utilities:** We have shown the location of utilities to the best of our ability based on observed evidence together with evidence from the following sources: plans obtained from utility companies, plans provided by client, markings by utility companies and other appropriate sources. We have used this information to develop a view of the underground utilities for this site. However, lacking excavation, the exact location of underground features cannot be accurately, completely and reliably depicted. Where additional or more detailed information is required, the client is advised that excavation may be necessary. Also, please note that seasonal conditions may inhibit our ability to visibly observe all the utilities located on the subject property. A Gopher State One Call was submitted for this survey. Please reference Ticket No. 241021482 & 241021483 for a list of utility operators in this area.
  - Wetland Delineation:** The wetland delineation was performed by Kjolhaug Evironment Services Company and was flagged on 5/9/2024. Sathre-Bergquist located the wetland flags on 5/15/2024.

**SURVEY REPORT**

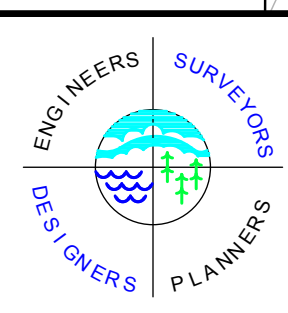
This map and report was prepared with the benefit of a Commitment for Title Insurance issued by CHB Title, LLC as issuing agent for Old Republic National Title Insurance Company, File No. 61247, dated March 28, 2024.

- We note the following with regards to Schedule B of the herein referenced Title Commitment:
  - Item no's 1-9, 11 and 15 are not survey related
  - Item no. 10 - Subject to Spring Lake Town Road Mapfiled September 12, 1989, as Document No. 46676. **SHOWN HEREON**
  - Item no. 12 - Subject to Fairlawn Avenue as laid out and traveled. **SHOWN HEREON**
  - Item no. 13 - Subject to 180th St SE as laid out and traveled. **SHOWN HEREON**
  - Item no. 14 - A portion of the property contains wetlands which may be subject to federal, state, or local regulation. The right to use or improve these wetlands is excepted herein. **SHOWN HEREON**



- SURVEY LEGEND**
- |                               |                           |                             |
|-------------------------------|---------------------------|-----------------------------|
| ● CAST IRON MONUMENT          | ⊕ PIEZOMETER              | WOE WALKOUT ELEVATION       |
| ○ IRON PIPE MONUMENT SET      | ⊖ POWER POLE              | FFE FIRST FLOOR ELEVATION   |
| ⊙ DRILL HOLE FOUND            | ⊙ GUY WIRE                | GFE GARAGE FLOOR ELEVATION  |
| ⊙ CHISELED "X" MONUMENT SET   | ⊙ ROOF DRAIN              | TOF TOP OF FOUNDATION ELEV. |
| ⊙ CHISELED "X" MONUMENT FOUND | ⊙ LIFT STATION            | LOE LOWEST OPENING ELEV.    |
| ⊙ REBAR MONUMENT FOUND        | ⊙ SANITARY MANHOLE        | CONCRETE                    |
| ⊙ PK NAIL MONUMENT SET        | ⊙ SANITARY CLEANOUT       | BITUMINOUS                  |
| ⊙ PK NAIL MONUMENT FOUND      | ⊙ STORM MANHOLE           | BUILDING SETBACK LINE       |
| ⊙ PK NAIL W/ ALUMINUM DISC    | ⊙ STORM DRAIN             | CTV                         |
| ⊙ SURVEY CONTROL POINT        | ⊙ CATCH BASIN             | CONCRETE CURB               |
| ⊙ A/C UNIT                    | ⊙ FLARED END SECTION      | CONTOUR EXISTING            |
| ⊙ CABLE TV PEDESTAL           | ⊙ TREE CONIFEROUS         | CONTOUR PROPOSED            |
| ⊙ ELECTRIC TRANSFORMER        | ⊙ TREE CONIFEROUS REMOVED | GUARD RAIL                  |
| ⊙ ELECTRIC MANHOLE            | ⊙ TREE DECIDUOUS          | DT DRAIN TILE               |
| ⊙ ELECTRIC METER              | ⊙ TREE DECIDUOUS REMOVED  | ELC ELECTRIC UNDERGROUND    |
| ⊙ ELECTRIC OUTLET             | ⊙ TELEPHONE MANHOLE       | FENCE                       |
| ⊙ UTILITY MANHOLE             | ⊙ TELEPHONE PEDESTAL      | FIBER OPTIC UNDERGROUND     |
| ⊙ LIGHT POLE                  | ⊙ UTILITY MANHOLE         | GAS UNDERGROUND             |
| ⊙ FIBER OPTIC MANHOLE         | ⊙ UTILITY PEDESTAL        | OHU OVERHEAD UTILITY        |
| ⊙ FIRE DEPT. HOOK UP          | ⊙ UTILITY VAULT           | TREE LINE                   |
| ⊙ FLAG POLE                   | ⊙ WATERMAIN MANHOLE       | SANITARY SEWER              |
| ⊙ FUEL PUMP                   | ⊙ WATER METER             | STORM SEWER                 |
| ⊙ FUEL TANK                   | ⊙ WATER SPIGOT            | TEL TELEPHONE UNDERGROUND   |
| ⊙ PROPANE TANK                | ⊙ WELL                    | RETAINING WALL              |
| ⊙ GAS METER                   | ⊙ MONITORING WELL         | UTILITY UNDERGROUND         |
| ⊙ GAS VALVE                   | ⊙ CURB STOP               | WATERMAIN                   |
| ⊙ GAS MANHOLE                 | ⊙ GATE VALVE              | TRAFFIC SIGNAL              |
| ⊙ GENERATOR                   | ⊙ HYDRANT                 | RAILROAD TRACKS             |
| ⊙ GUARD POST                  | ⊙ IRRIGATION VALVE        | RAILROAD SIGNAL             |
| ⊙ HAND HOLE                   | ⊙ POST INDICATOR VALVE    | RAILROAD SWITCH             |
| ⊙ MAIL BOX                    | ⊙ SIGN                    | SATELLITE DISH              |
|                               | ⊙ SOIL BORING             | WETLAND BUFFER SIGN         |

FIELD CREW	NO.	BY	DATE	REVISION	USE (INCLUDING COPYING, DISTRIBUTION, AND/OR CONVEYANCE OF INFORMATION) OF THIS PRODUCT IS STRICTLY PROHIBITED WITHOUT SATHRE-BERGQUIST, INC.'S EXPRESS WRITTEN AUTHORIZATION. USE WITHOUT SAID AUTHORIZATION CONSTITUTES AN ILLEGITIMATE USE AND SHALL THEREBY INDEMNIFY SATHRE-BERGQUIST, INC. OF ALL RESPONSIBILITY. SATHRE-BERGQUIST, INC. RESERVES THE RIGHT TO HOLD ANY ILLEGITIMATE USER OR PARTY LEGALLY RESPONSIBLE FOR DAMAGES OR LOSSES RESULTING FROM ILLEGITIMATE USE.	To: Wooddale Builders, Inc., CHB Title, LLC, and Old Republic National Title Insurance Company.	FILE NO.
XXXX					This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1 - 5, 6a, 7a, 8, 11b, 16, 17, 18 and 20, of Table A thereof. The field work was completed on April 24, 2024.	Colyn M. Tvette, PLS	9745-160
DRAWN						Colyn M. Tvette	1
CMT/EMW						Minnesota License No. 62269	2
CHECKED							
CMT							
DATE							
04/29/2024							



**SATHRE-BERGQUIST, INC.**

14000 25TH AVENUE NORTH, SUITE 120  
PLYMOUTH MN 55447 (952) 476-6000  
WWW.SATHRE.COM

**PRIOR LAKE,  
MINNESOTA**

**ALTA/NSPS LAND TITLE SURVEY**

PREPARED FOR:  
**WOODDALE BUILDERS**