

RESOLUTION NO. 90- 9131

RESOLUTION REQUESTING THE MINNESOTA MUNICIPAL BOARD
TO INITIATE PROCEEDINGS FOR THE ANNEXATION OF LOT 8,
AUDITOR'S SUBDIVISION NO. 84 TO THE CITY OF MINNETONKA

BE IT RESOLVED by the City Council of the City of Minnetonka, Minnesota as follows;

1. Background.

1.01. The landowner of certain property located in the City of Minnetonka has petitioned the Minnesota Municipal Board to detach the property from Minnetonka and annex it to the City of Wayzata.

1.02. The petitioner states that he owns adjacent property in the City of Wayzata which is operated as a common business with the property in Minnetonka. He cites concerns about conflicting ordinances, the difficulty of analyzing property tax evaluations, and dual city reviews.

1.03. The adjacent property owned by the petitioner in Wayzata is legally described as Lot 8, Auditor's Subdivision No. 84, Hennepin County, Minnesota.

1.04. The properties surrounding Lot 8, including the road right of way on the south, were never annexed to the City of Wayzata. They remained in the Township of Minnetonka which ultimately became the City of Minnetonka. As a result, Lot 8 is completely surrounded by the City of Minnetonka.

1.05 Lot 8 is an anomaly along this portion of the boundary between the two cities. Lot 8 is a long, narrow parcel which protrudes north of Highway 12, while the adjacent properties on the east and west sides are in Minnetonka. It is logical to adjust the boundary to make it more symmetrical.

1.06. Further, the landowner's concerns cited in his petition to the Municipal Board would be satisfied as easily by the annexation of Lot 8 to Minnetonka as his petition for annexation to Wayzata.

1.07. In addition, because the road right of way remains in Minnetonka, granting the landowner's petition would create a situation in which the highway right of way is in Minnetonka while the property on either side of the right of way would be in Wayzata. This situation would be avoided by denying the petition, and the same situation which presently exists with Lot 8 would be corrected by annexing that property to Minnetonka.

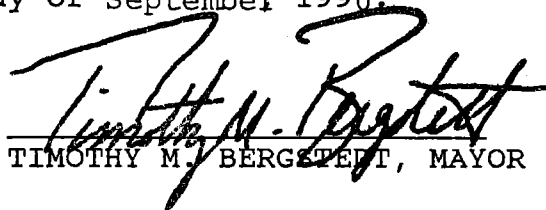
2. Council Action.

2.01. For all of these reasons, the City of Minnetonka respectfully requests that the Minnesota Municipal Board initiate proceedings to consider the detachment of Lot 8, Auditor's Subdivision No. 84 from the City of Wayzata and annexation to the City of Minnetonka.

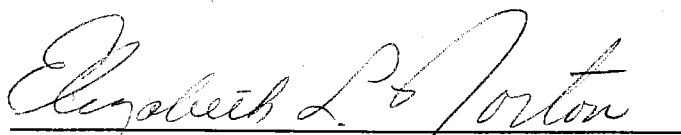
2.02. The City of Minnetonka also requests that the Board hold a hearing regarding this matter at the same time as the hearing for the landowner's petition. Because all of the parties involved are the same as those in the petitioned case, there would be no prejudice to any third parties. Further, because many of the issues would be similar, holding a combined hearing would be more efficient.

2.03. City staff is directed to submit a certified copy of this resolution to the Minnesota Municipal Board upon adoption.

Adopted by the City Council of the City of Minnetonka, Minnesota, on this 24th day of September 1990.


TIMOTHY M. BERGSTEDT, MAYOR

ATTEST:


Elizabeth L. Norton, City Clerk

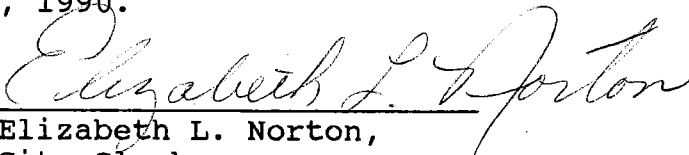
Action on this resolution

Motion for adoption: Hanus
Seconded by: Hise
Voted in favor of:
Hanus, Hise, Anderson, DeGhetto, Renneke, Bergstedt
Voted against: _____
Abstained: _____
Absent: Gordon
Resolution adopted.

Resolution No. 90- 9131

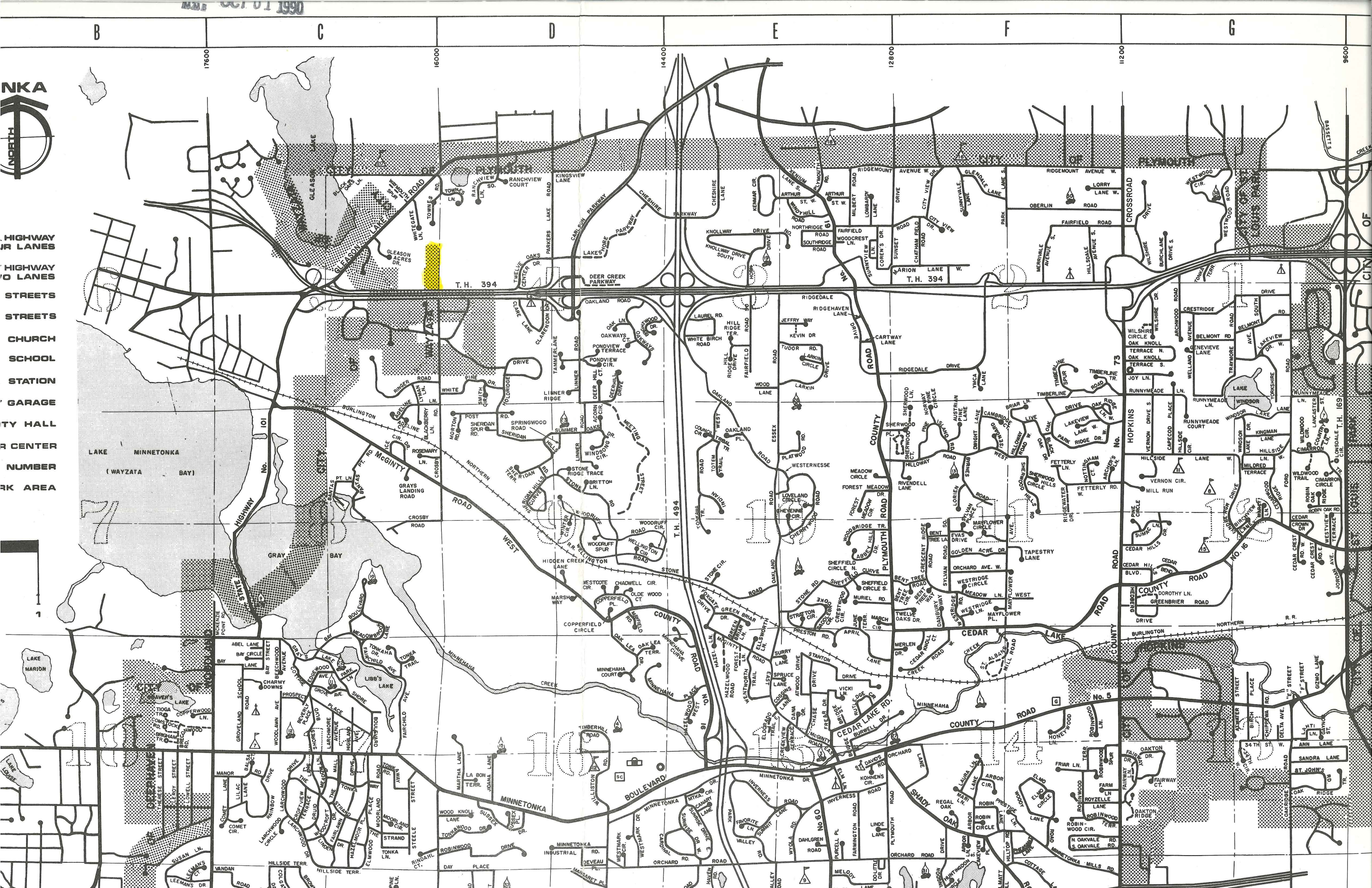
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I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Minnetonka, Minnesota, at a duly authorized meeting held on the 24th day of September, 1990.

A handwritten signature in cursive script, reading "Elizabeth L. Norton". The signature is written in dark ink and is positioned above a horizontal line.

Elizabeth L. Norton,
City Clerk

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