

REC'D BY JUL 25 2014
MBA

**RICE LAKE TOWNSHIP
COUNTY OF ST. LOUIS
STATE OF MINNESOTA**

RESOLUTION NO. 14-06-18

**IN THE MATTER OF THE PETITION OF RICE LAKE TOWNSHIP FOR
INCORPORATION PURSUANT TO MINNESOTA STATUTES § 414.02**

BE IT RESOLVED, by the Town Board of Supervisors of Rice Lake Township, St. Louis County, Minnesota ("Township") as follows:

WHEREAS, the Township is not included within the limits of any incorporated municipality and includes land that has been platted into lots and blocks in the manner provided by law; and

WHEREAS, the Township is not a party to any orderly annexation agreement under Minnesota Statute § 414.025; and

WHEREAS, Minnesota Statutes Section § 414.02 provides the exclusive method of incorporating a municipality in the State of Minnesota; and

WHEREAS, the Minnesota State Demographer's Office has estimated the Township's 2012 population to be 4,065 residents; and

WHEREAS, the Township, is now, or is about to become, urban or suburban in character; and

WHEREAS, the Township currently possesses the necessary resources to provide for its economical and efficient operation as a municipality; and

WHEREAS, the existing Township form of government is not best suited to protect the public health, safety and welfare as the Township develops; and

WHEREAS, incorporation would be in the best interest of the Township; and

WHEREAS, the Township has adopted a Comprehensive Plan and zoning controls within the Township; and

WHEREAS, areas within the Township, are now, and will be in the future, the subject of urban and suburban scale development; and

WHEREAS, incorporation as a city would provide the Township with stable borders within which to efficiently plan for and deliver municipal services; and

WHEREAS, the Township does not currently receive Municipal State Aid funding for street construction, but if incorporated would be eligible for said funding at such time as its incorporated population reached 5,000; and

WHEREAS, incorporation as a city would make the newly incorporated city eligible for Local Government Aid from the State; and

WHEREAS, incorporation as a city would significantly increase the economic development tools available to the Township, thus promoting economic development within the Township; and

WHEREAS, incorporation as a city would vest liquor licensing authority in the newly incorporated city, rather than with St. Louis County, resulting in increased local control of liquor licensing; and

WHEREAS, incorporation as a city would vest charitable gambling approval authority in the newly incorporated city, rather than with St. Louis County, resulting in increased local control of charitable gambling; and

WHEREAS, Rice Lake Township is bordered on the south by the City of Duluth, on the west by Canosia Township, on the north west by Fredenberg Township, on the north by Gnesen Township, on the northeast by Normanna Township and on the east by Lakewood Township; and

WHEREAS, incorporation of the Township will have no adverse effect on communities adjacent to Rice Lake, nor on school districts within and adjacent to the area; and

WHEREAS, the Township believes that incorporation into a city form of government will allow for the more efficient administration of the area within the Township, thus advancing the public health, safety and welfare; and

WHEREAS, the Town Board has determined that the name of the newly created City should be "Rice Lake" which has been the name of the town since it was organized in 1870; and

THEREFORE BE IT RESOLVED that the Town Board of Supervisors of Rice Lake Township, St. Louis County, Minnesota declares that:

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1. Rice Lake Township, through this resolution, formally requests that the Office of Administrative Hearings, Municipal Boundary Adjustments, institute a public hearing pursuant to Minn. Stat. § 414.02, Subd. 2, and upon reviewing the evidence presented at such hearing, enter an order incorporating the Township of Rice Lake as the City of Rice Lake pursuant to Minn. Stat. § 414.02, Subd. 3.
2. That prior to the hearing on this matter the Office of Administrative Hearings notify all municipalities and political subdivisions abutting Rice Lake Township, St. Louis County, and each planning agency which has jurisdiction over the affected area, all of which are listed on the attached Exhibit A which is herein incorporated by reference.
3. That the final order of the Office of Administrative Hearings establish the boundaries of the City of Rice Lake at those as set forth on the attached Exhibit B "Proposed Legal Description of the Corporate Boundary of the City of Rice Lake" and as shown on the attached Exhibit C "Proposed Corporate Boundary Map of the City of Rice Lake" which are herein incorporated by reference.
4. That the final order of the Office of Administrative Hearings provide for election of Municipal Officers in accordance with Minn. Stat. § 414.09, Subd. 3 and for the ordering of an at-large election of City council members and mayor, and to provide that the Plan of Government shall be "Optional Plan A" with regular City Elections thereafter in every even-numbered year.

ADOPTED by the Town Board of Supervisors this 10th day of June, 2014.

RICE LAKE TOWNSHIP


Greg Andrews
Town Board Chairman

ATTEST:



Joan Jauss
Town Clerk

EXHIBIT A

**Jurisdictions entitled to notice of Rice Lake Township's Incorporation
petition**

Canosia Township

Fredenberg Township

Gnesen Township

Normanna Township

Lakewood Township

City of Duluth

County of St. Louis

EXHIBIT B

Proposed Legal Description Of The Corporate Boundary Of The City Of Rice Lake

All of that property located in Township 51 North, Range 14 West, St. Louis
County, Minnesota, described as follows:

All of Sections 1 through 30, All of Sections 32, 33, and 34, and that part of
Section 31 described as follows:

All of the southeast quarter;

AND

The east half of the northeast quarter of the northeast quarter

AND

That part of the southeast $\frac{1}{4}$ of the northeast $\frac{1}{4}$ described as follows:

Commencing at a point 495 feet north of the southeast corner running thence due
north 495 feet thence due west 880 feet, thence due south 495 feet, thence due east
880 feet to the point of beginning.

AND

That part of the southeast $\frac{1}{4}$ of the northeast $\frac{1}{4}$ described as follows: commencing
at the southeast corner of the southeast $\frac{1}{4}$ of the northeast $\frac{1}{4}$ running thence due
north 495 feet, thence due west 880 feet, thence due south 495 feet thence due east
880 feet to the point of beginning.

AND

The west $\frac{1}{2}$ of the west $\frac{1}{2}$ of the north $\frac{1}{2}$ of the north $\frac{1}{2}$ of the southeast $\frac{1}{4}$ of the
northeast $\frac{1}{4}$.

AND

The east $\frac{3}{4}$ of the north $\frac{1}{2}$ of the north $\frac{1}{2}$ of the southeast $\frac{1}{4}$ of the northeast $\frac{1}{4}$.

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AND

The northeast quarter of the Northwest quarter;

AND

The west $\frac{1}{2}$ of the northwest $\frac{1}{4}$ of the northeast $\frac{1}{4}$;

AND

The west $\frac{1}{2}$ of the west $\frac{1}{2}$ of the east $\frac{1}{2}$ of the northwest $\frac{1}{4}$ of the northeast $\frac{1}{4}$;

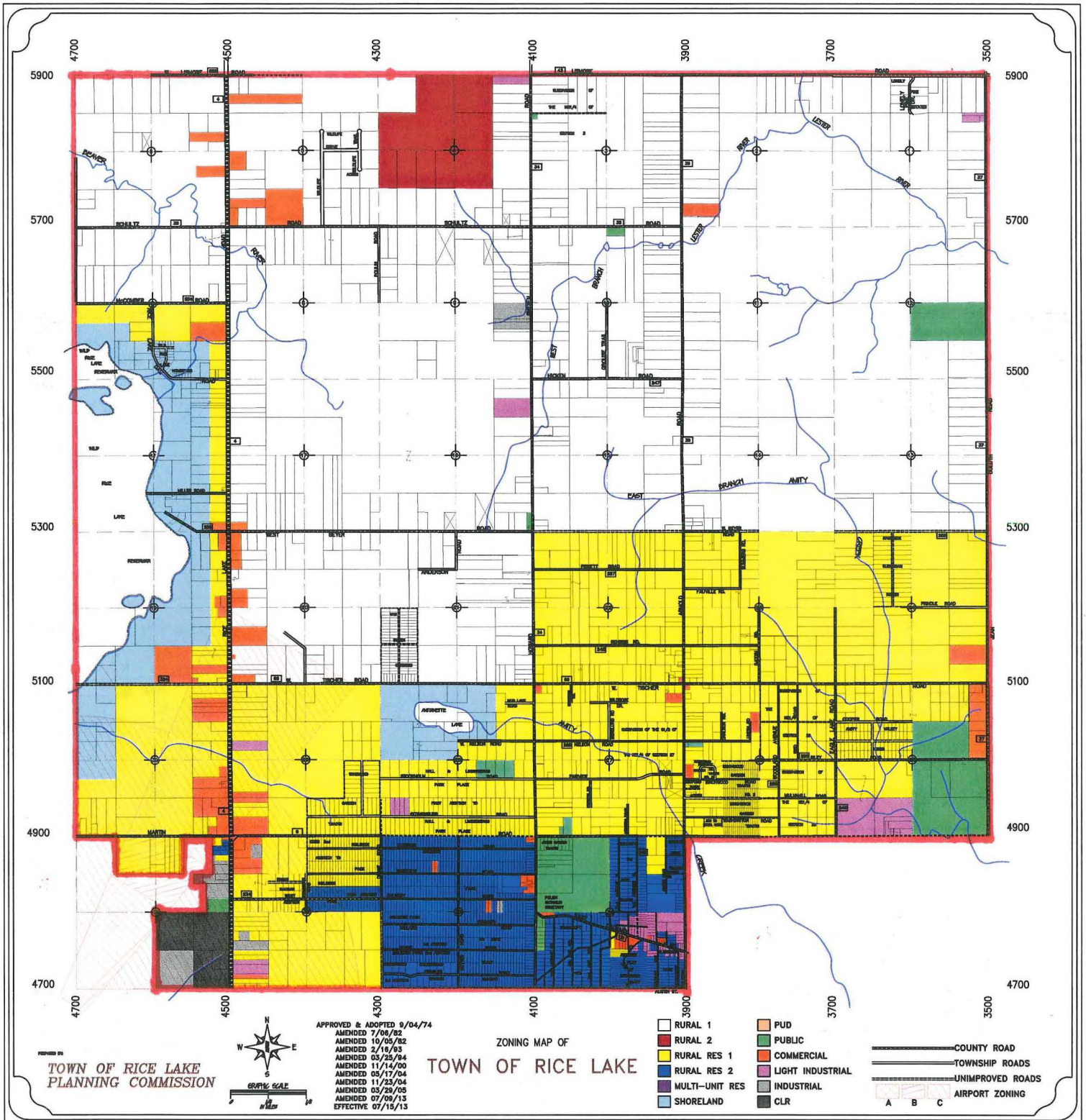
EXHIBIT

C

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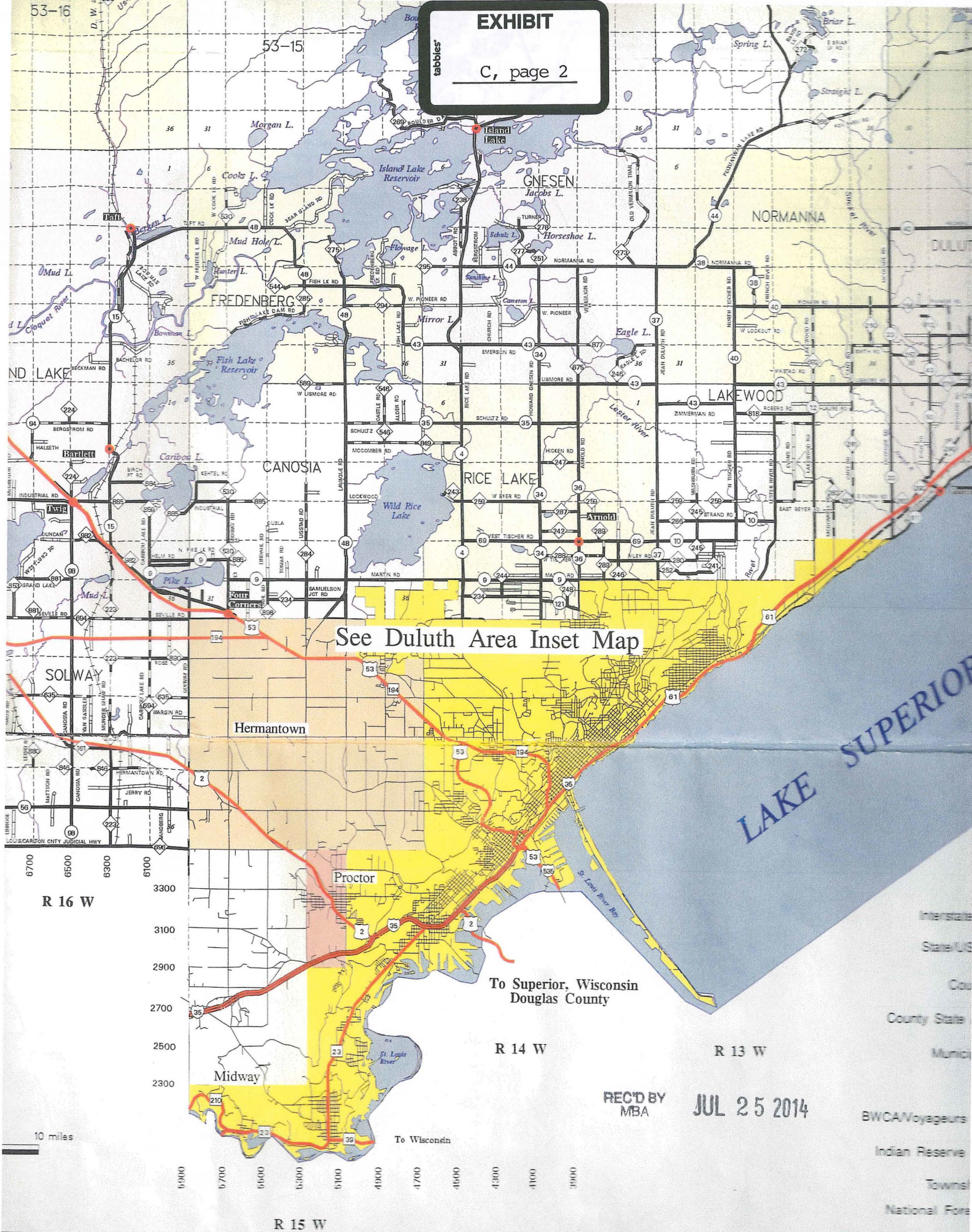
Proposed Corporate Boundary Map of the City of Rice Lake



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EXHIBIT

C, page 2



See Duluth Area Inset Map

To Superior, Wisconsin
Douglas County

R 14 W

R 13 W

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BWCA/Voyageurs

Indian Reserve

Township

National Forest

R 15 W