

RESOLUTION NO. 2018-15

**EXTRACT OF THE CITY COUNCIL MEETING MINUTES OF THE CITY OF MONTROSE,
MINNESOTA HELD APRIL 9, 2018**

A regular meeting of the City Council of the City of Montrose, Minnesota was duly held at the Montrose Community Center on the 9th day of April, 2018.

The following members were present: Mayor Michelle Otto; Council Members Lloyd Johnson and Jill Menard

The following members were absent: Council Members Roy Henry and Ben Kuehl

Council Member Menard moved to adopt the following resolution. Council Member Johnson seconded the motion. The motion was carried unanimously to adopt the following resolution:

**A RESOLUTION APPROVING THE DETACHMENT AND ORDERLY
ANNEXATION OF LAND INTO THE CITY OF MONTROSE, PURSUANT TO
AN ORDERLY ANNEXATION AGREEMENT BETWEEN THE CITY OF
MONTROSE AND THE TOWN OF WOODLAND**

WHEREAS, the City of Montrose, Minnesota (the "City") and the Town of Woodland, Minnesota (the "Town"), entered into an Orderly Annexation Agreement, approved by the City Council of the City on April 26, 2004, pursuant to Resolution No. 2004-14, and the Town Board of the Town on April 12, 2004, pursuant to Resolution No. 4-04-1 (the "Annexation Agreement"); and

WHEREAS, the Annexation Agreement was received and accepted by the Minnesota Department of Administration, Municipal Boundary Adjustment Board, on July 1, 2004; and

WHEREAS, the purpose of the Annexation Agreement is to allow for certain property located within the boundaries of the Town to be efficiently annexed into the City, in furtherance of the protection of the public health, safety, and welfare, particularly when the affected property or properties does not have access to municipal infrastructure; and

WHEREAS, property owners Joe and Deb Mauk (the "Petitioners"), have submitted an Annexation Request to the City, dated June 17, 2015 (the "Annexation Request"), requesting detachment of two parcels (collectively, the "Property") from the Town and annexation of said parcels into the City; and

WHEREAS, the Property's Parcel Identification Numbers (PIN) are as follows: 220000024404 (0.34 acres) and 220000024400 (1.15 acres); and

WHEREAS, the Petitioners are aware the City has adopted a Comprehensive Plan, which discusses the future growth and development of the City, including growth related to the Property; and

WHEREAS, the Petitioners also desire to be connected to City sewer and water services, which may be extended to the Property by the City but are not available within the boundaries of the Town; and

WHEREAS, the City and the Town approved the Annexation Request for the Property in 2015 but such requested was not properly filed with the Office of Administrative Hearings and thus the annexation of

the property into the City was never properly completed; and

WHEREAS, Petitioners still desire to be annexed into the City pursuant to their 2015 Annexation Request; and

WHEREAS, Petitioners' 2015 Annexation Request remains valid and City and Town now desire to properly complete the process and annex the Property into the City; and

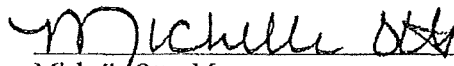
WHEREAS, in consideration of the Annexation Request the Petitioners have paid the requisite fees to the Town for the orderly annexation in 2015, as required pursuant to Section 3 of the Annexation Agreement; and

WHEREAS, the Annexation Agreement provides that no alteration of the area subject to orderly annexation is appropriate, and no extra consideration by the State of Minnesota or any administrative law judge thereunder is necessary.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MONTROSE, MINNESOTA:

1. Approval of Property Detachment. The detachment of the Property from the Town and the annexation into the City is approved. The legal description of the Property is attached hereto on Exhibit A.
2. Distribution to Municipal Boundary Adjustment Unit. Upon approval by resolution of the City Council of the City (the "City Resolution"), the Town understands the City will forward executed copies of the City Resolution, this Resolution, the Annexation Request, and any other necessary documents to the State of Minnesota Office of Administrative Hearings – Municipal Boundary Adjustment Unit.
3. Effective Date. The detachment of the Property from the Town and the annexation of the Property into the City will be effective upon the approval of the annexation by the State of Minnesota Office of Administrative Hearings – Municipal Boundary Adjustment Unit. Pursuant to Minnesota Statutes, Section 414.0325, Subdivision 1(h), the Chief Administrative Law Judge of the Office of Administrative Hearings may review and comment on the annexation, but shall within 30 days order the annexation in accordance with the terms of this Resolution and the City Resolution.
4. Tax Levy. Pursuant to Minnesota Statutes, Section 414.0325, Subdivision 4b, because the annexation will become effective on or before August 1, 2018, the City will be authorized to levy taxes on the Property for the 2018 levy year and thereafter.

Passed and adopted by the City Council for the City of Montrose, Minnesota, this 9th day of April, 2018.


Michelle Otto, Mayor

ATTEST:

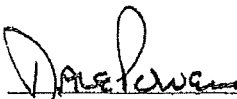

Dale Powers, Clerk-Treasurer

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

Parcel Identification No. 220000024404

That part of the Southeast Quarter of Section 2, Township 118, Range 26, Wright County, Minnesota, described as follows: Commencing at the Northeast corner of said Southeast Quarter; thence on an assumed bearing of South 01 degrees 10 minutes 17 seconds East along the East line of said Southeast Quarter a distance of 1681.20 feet to the point of beginning; thence continue South 01 degrees 10 minutes 17 seconds East, along said East line, a distance of 33.00 feet thence North 88 degrees 06 minutes 35 seconds West, parallel with the north line of the North Half of the South Half of said Southeast Quarter a distance of 179.00 feet; thence South 01 degrees 10 minutes 17 seconds East a distance of 33.00 feet; thence North 88 degrees 06 minutes 35 seconds West a distance of 134.08 feet; thence North 01 degrees 10 minutes 17 seconds West a distance of 66.00 feet to a line parallel with the north line of said North Half of the South Half of the Southeast Quarter drawn west from the point of beginning; thence South 88 degrees 06 minutes 35 seconds East, along said parallel line a distance of 313.08 feet to the point of beginning. Subject to Public Road Easement.

Parcel Identification No. 220000024400

That part of the East 313.08 feet of the North Half of the South Half of the Southeast Quarter of Section 2, Township 118, Range 26, Wright County, Minnesota, as measured along the North line thereof, described as follows: Commencing at the northeast corner of said Southeast Quarter; thence on an assumed bearing of South 0 degrees 48 minutes 47 seconds East along the East line of said Southeast Quarter, a distance of 1714.20 feet to the point of beginning; thence North 87 degrees 45 minutes 01 seconds West, parallel with the North line of the North Half of the South Half of said Southeast Quarter, a distance of 179.00 feet; thence South 0 degrees 48 minutes 47 seconds East, a distance of 33.00 feet; thence North 87 degrees 45 minutes 01 seconds West, a distance of 134.08 feet to the West line of said East 313.08 feet of the North Half of the South Half of the Southeast Quarter; thence South 0 degrees 48 minutes 47 seconds East along said West line, a distance of 201.83 feet; thence South 87 degrees 30 minutes 48 seconds East, a distance of 115.15 feet; thence North 0 degrees 48 minutes 47 seconds West, a distance of 92.00 feet; thence South 87 degrees 30 minutes 48 seconds East, a distance of 198.00 feet to the East line of the said North Half of the South Half of the Southeast Quarter; thence North 0 degrees 48 minutes 47 seconds West along said East line, a distance of 144.13 feet to the point of beginning.

RESOLUTION NO. 15-08

**EXTRACT OF THE BOARD OF SUPERVISOR MEETING MINUTES OF THE TOWN BOARD
OF WOODLAND, MINNESOTA HELD AUGUST 10, 2015**

A regular meeting of the Board of Supervisors of the Town of Woodland, Minnesota was duly held at the Woodland Township Hall, 9065 Clementa Avenue Southwest, Montrose, Minnesota, on the 10th day of August, 2015.

The following members were present:

Gene Janikula, Barry Pawelk

The following members were absent:

Dan Domjohn

Supervisor Pawelk moved to adopt the following resolution. Supervisor JANIKULA seconded the motion. The motion was carried unanimously to adopt the following resolution:

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WHEREAS, the Annexation Agreement was received and accepted by the Minnesota Department of Administration, Municipal Boundary Adjustment Board, on July 1, 2004; and

WHEREAS, the purpose of the Annexation Agreement is to allow for certain property located within the boundaries of the Town to be efficiently annexed into the City, in furtherance of the protection of the public health, safety, and welfare, particularly when the affected property or properties does not have access to municipal infrastructure; and

WHEREAS, property owners Joe and Deb Mauk (the "Petitioners"), have submitted an Annexation Request to the City, dated June 17, 2015 (the "Annexation Request"), requesting detachment of two parcels (collectively, the "Property") from the Town and annexation of said parcels into the City; and

WHEREAS, the Property's Parcel Identification Numbers (PIN) are as follows: 220000024404 (0.34 acres) and 220000024400 (1.15 acres); and

WHEREAS, the Petitioners are aware the City has adopted a Comprehensive Plan, which discusses the future growth and development of the City, including growth related to the Property; and

WHEREAS, the Petitioners also desire to be connected to City sewer and water services, which may be extended to the Property by the City but are not available within the boundaries of the Town; and

WHEREAS, the Petitioners have paid the requisite fees to the Town for the orderly annexation, as

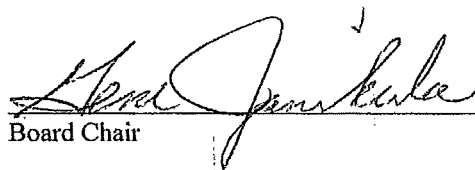
required pursuant to Section 3 of the Annexation Agreement; and

WHEREAS, the Annexation Agreement provides that no alteration of the area subject to orderly annexation is appropriate, and no extra consideration by the State of Minnesota or any administrative law judge thereunder is necessary.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE TOWN OF WOODLAND, MINNESOTA:

1. Approval of Property Detachment. The detachment of the Property from the Town and the annexation into the City is approved. The legal description of the Property is attached hereto on Exhibit A.
2. Distribution to Municipal Boundary Adjustment Unit. Upon approval by resolution of the City Council of the City (the "City Resolution"), the Town understands the City will forward executed copies of the City Resolution, this Resolution, the Annexation Request, and any other necessary documents to the State of Minnesota Office of Administrative Hearings – Municipal Boundary Adjustment Unit.
3. Effective Date. The detachment of the Property from the Town and the annexation of the Property into the City will be effective upon the approval of the annexation by the State of Minnesota Office of Administrative Hearings – Municipal Boundary Adjustment Unit. Pursuant to Minnesota Statutes, Section 414.0325, Subdivision 1(h), the Chief Administrative Law Judge of the Office of Administrative Hearings may review and comment on the annexation, but shall within 30 days order the annexation in accordance with the terms of this Resolution and the City Resolution.
4. Tax Levy. Pursuant to Minnesota Statutes, Section 414.0325, Subdivision 4b, because the annexation will become effective after August 1, 2015, the Town may continue to levy taxes on the Property for the 2015 levy year, and the City will be authorized to levy taxes on the Property for the 2016 levy year and thereafter.

Passed and adopted by the Board of Supervisors for the Town of Woodland, Minnesota, this 10th day of August, 2015.


Board Chair

ATTEST:

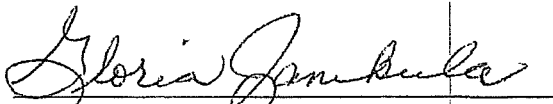

Town Clerk

EXHIBIT A

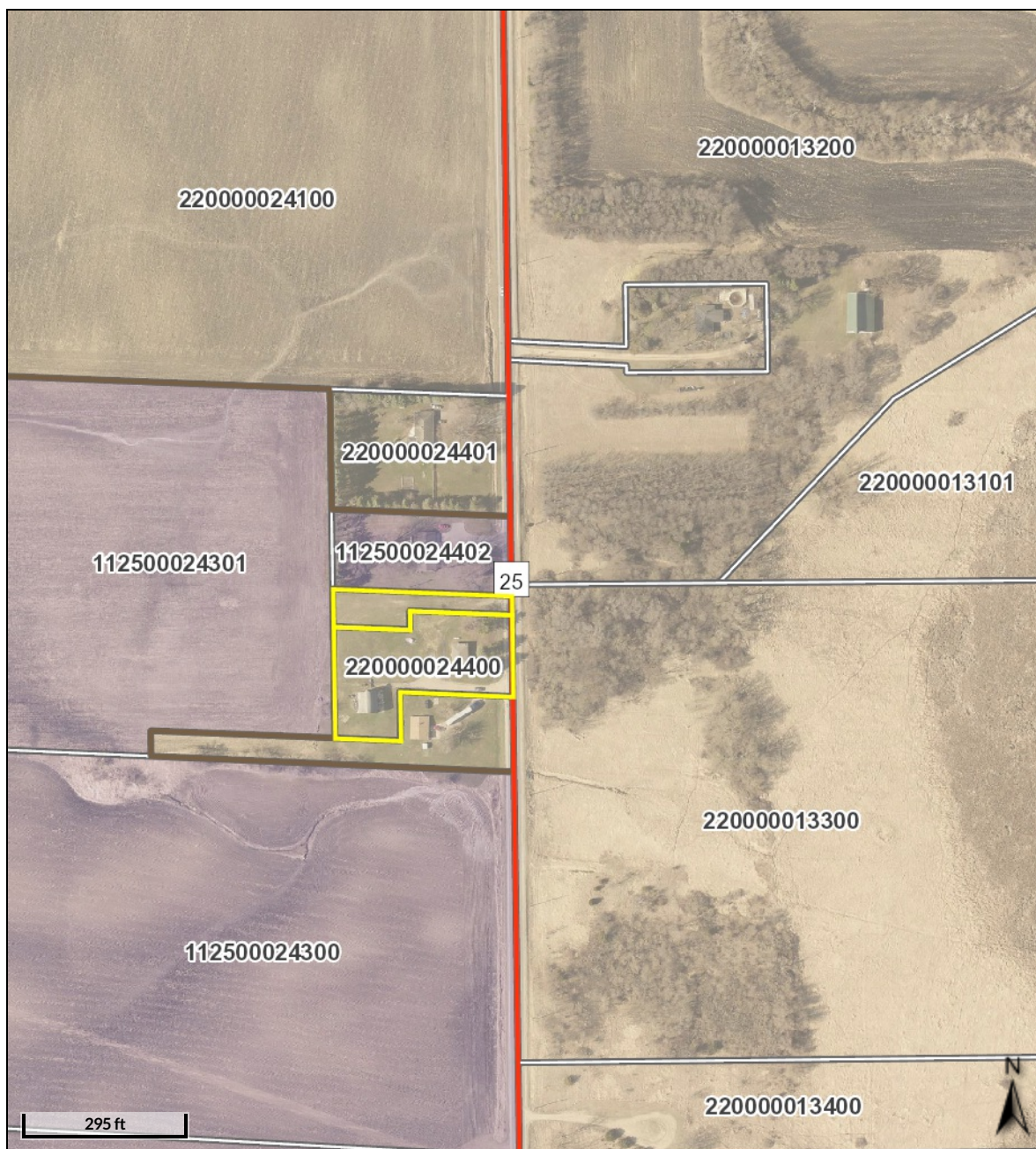
LEGAL DESCRIPTION OF PROPERTY

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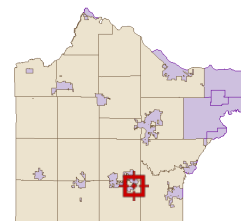
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Overview



Legend

Roads

- CSAHCL
- CTYCL
- MUNICL
- PRIVATECL
- TWPCCL

Highways

- Interstate
- State Hwy
- US Hwy

City/Township Limits

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- t

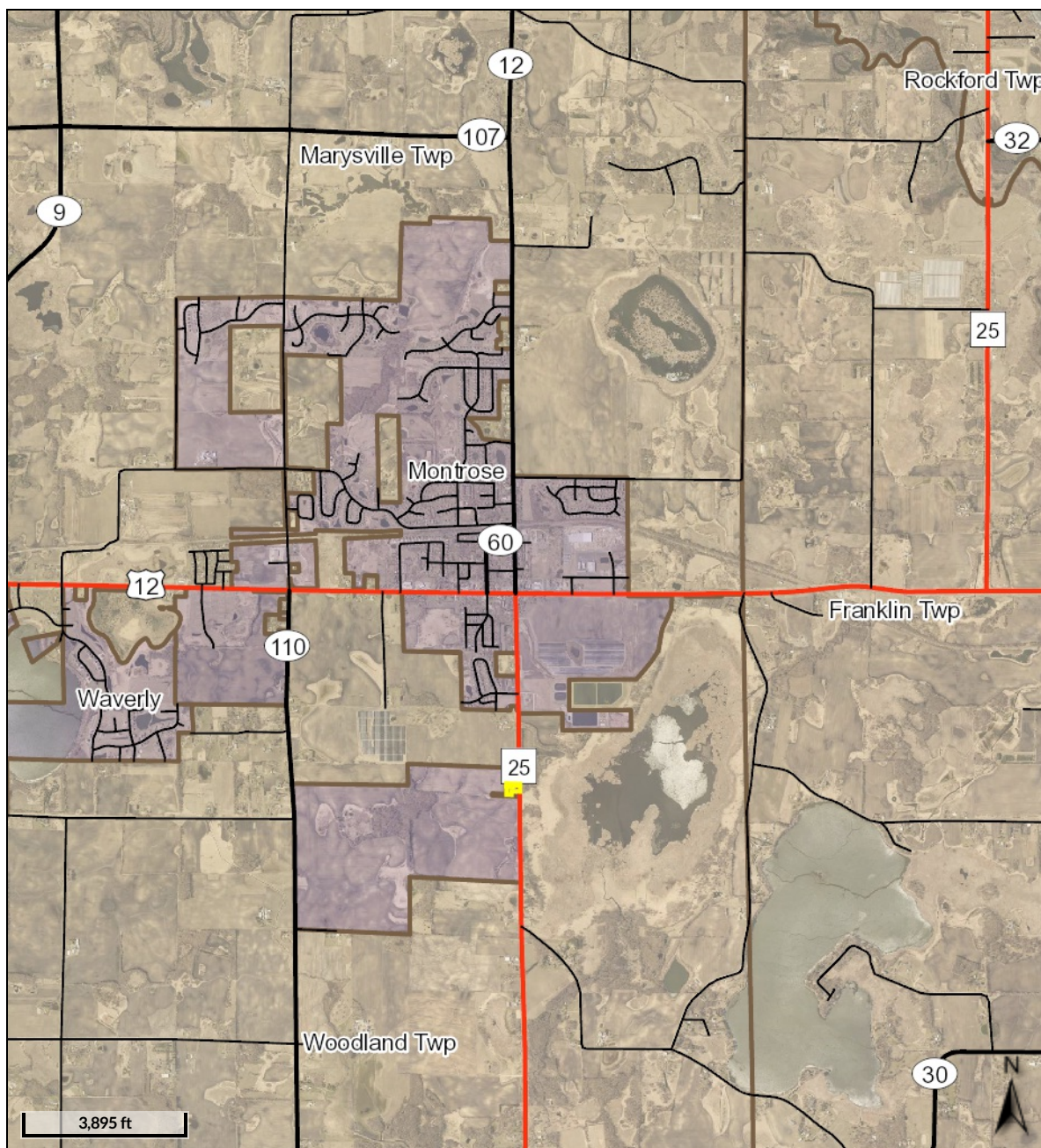
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City/Township Background

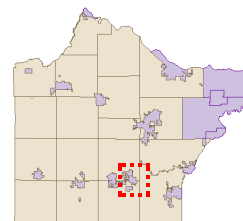
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GEOSPATIAL



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