

TOWN OF CHISAGO LAKE
CITY OF LINDSTROM

IN THE MATTER OF THE JOINT
RESOLUTION OF THE TOWN OF
CHISAGO LAKE AND THE CITY
OF LINDSTROM, DESIGNATING
AN UNINCORPORATED AREA AS
IN NEED OF ORDERLY
ANNEXATION AND CONFERRING
JURISDICTION OVER SAID AREA
TO THE DEPARTMENT OF
ADMINISTRATION, BOUNDARY
ADJUSTMENT OFFICE,
PURSUANT TO M.S. §414.0325

JOINT RESOLUTION

The Township of Chisago Lake and the City of Lindstrom jointly agree to the following:

1. That all of the property owners of the property described below ("Property") have requested or consented to annexation by the City pursuant to the terms of this Resolution conditioning annexation upon development approval.

2. The Property lies entirely within the County of Chisago, State of Minnesota, and no portion thereof is currently included within the corporate limits of any incorporated municipality.

3. The Property does not abut the existing border of the City nor any other City, but is located within the anticipated growth area of the City of Lindstrom.

4. The "Johnson Agrinvestment" Property contains approximately 242.39 acres, and is legally described on the attached Exhibit A, and; the "Nelsen" Property contains approximately 62.5 acres, and is legally described on the attached Exhibit B,

See Map(s) of the Property attached as Exhibit C.

5. The Property is currently unimproved except for two agricultural homesteads, and has a population of four (4).

6. That the purpose of the annexation is to facilitate the development of the parcel to urban densities and to provide urban services, including city sewer and water services. As currently contemplated by the owners and developers of the Property, approximately 20 acres of the Property (estimated at 5 acres upland and 15 acres wetland) will be preserved as a rural outlot for the "Johnson" farm homestead and out buildings.

The City and Township agree that this area, which will be more fully defined through the subdivision review and approval process, will remain in the Township unless and until the property owners petition for annexation or urban services.

7. That pursuant to M.S. 414.0325, Subd. 5 authorizing joint planning in the orderly annexation area, and in order to facilitate the construction and financing of the improvements necessary for development that is urban or suburban in character, and the efficient delivery of governmental services, the City of Lindstrom should serve as the reviewing agency and local government unit for the purpose of any land use, subdivision, and environmental review of the proposed development and that the proposed development should be subject to and comply with the comprehensive plan and official controls of the City of Lindstrom.

8. That pursuant to M.S. 414.0325, Subd. 5, the Township consents to the City's extension of its zoning and subdivision ordinances to the property by approving and executing this Orderly Annexation Agreement and the County of Chisago consents to the City's extension of planning and land use controls by approving and executing the Consent attached as Exhibit D.

9. That upon final approval of the development application, and execution of a contract for development between the City and the owner(s) of the Property, the Property should be annexed to and made part of the City of Lindstrom and conversely that upon written notice of withdrawal of a pending application by the Property owner(s) or denial of an application by the City, this Agreement shall terminate.

10. That as a result of the proposed urban density development, the previously described area in Chisago Lake Township, Chisago County, is subject to orderly annexation pursuant to Minnesota Statutes §414.0325, and the parties hereto designate this area for annexation under this orderly annexation agreement.

11. That both the Township of Chisago Lake and the City of Lindstrom agree, pursuant to M.S. §414.0325, Subd. 1(f), that no alteration of the stated boundaries of this agreement is appropriate.

12. Furthermore, each party agrees that pursuant to M.S. §414.0325, Subd. 1(g) no consideration by the Office of Boundary Adjustments is necessary, and that upon receipt of this resolution and agreement, passed and adopted by each party, the Director of the Office of Boundary Adjustment may review and comment but shall, within thirty (30) days, order the annexation in accordance with the terms of this joint resolution.

13. That the annexation of the property will not result in any change of electrical service and that differential taxation under M.S. §414.035, or reimbursement under M.S. §414.036 is not required.

CITY OF LINDSTROM

Passed and adopted by the City Council of the City of Lindstrom on this the 18 day
of November, 2004.

By: Keith V. Carlson
Keith V. Carlson, Mayor

Attest: Lowell C. Enerson
Lowell C. Enerson, City Administrator-Clerk

TOWNSHIP OF CHISAGO LAKE

Passed and adopted by the Town Board of the Town of Chisago Lake on this the 21st
day of December, 2004.

By: Jim Froberg
Jim Froberg, Town Board Chair

Attest: Eleanor Trippler
Eleanor Trippler, Town Board Clerk

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EXHIBIT "A"—Johnson Agrinvestment parcel**Parcel 1**

The North Half of the Northeast Quarter ($N\frac{1}{2}$ of $NE\frac{1}{4}$) of Section Twenty-nine (29), Township Thirty-four (34), Range Twenty (20); and
The Northeast Quarter of the Northwest Quarter ($NE\frac{1}{4}$ of $NW\frac{1}{4}$) of Section Twenty-nine (29), Township Thirty-four (34), Range Twenty (20), except part conveyed described as follows, to-wit: Commencing at a point on the North line of said Northeast Quarter of Northwest Quarter, 8 chains and 40 links East of the Northwest corner thereof; thence running West to said corner; thence South, 20 chains to the Southwest corner thereof; thence East 12 chains and 41 links to the County road; thence North 41 degrees West, 8 chains and 41 links along County road, thence East 4 chains; thence in right line to place of beginning.

Abstract Property

Parcel 2

Commencing at a point on the north line of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$, Section 29, Township 34, Range 20, 8 chains and 40 links east of the northwest corner of said $NE\frac{1}{4}$ of $NW\frac{1}{4}$; thence running west to said corner; thence south 20 chains to the southwest corner thereof; thence east 12 chains and 41 links to the county road; thence north 41 degrees west, 8 chains and 41 links along the county road; thence east 4 chains; thence in right line to the place of beginning, excepting therefrom all that part thereof lying West of the center line of State Aid Road No. 2.

Abstract Property

Parcel 3

The South One-Half ($S\frac{1}{2}$) of Lot Two (2), Section Twenty (20), Township Thirty-four (34), Range Twenty (20); Lot Three (3), Section Twenty (20), Township Thirty-four (34), Range Twenty (20), except part described as follows, to-wit: Beginning at the one-quarter section post between Sections 19 and 20, Township 34, Range 20; thence Southeasterly 325 feet to a point at an exact distance of 132 feet due East from the section line between said Sections 19 and 20; thence Southwesterly in a straight line to the one-eighth section post between said Sections 19 and 20; thence North along the section line between said Sections 19 and 20 to the place of beginning; and
Lot Four (4), Section Twenty (20), Township Thirty-four (34), Range Twenty (20), except that part described as follows, to-wit: Beginning at the Southwest corner of said Lot 4, said Section; thence running North 1177 $\frac{1}{2}$ feet; thence East 208 and $\frac{3}{4}$ feet; thence

South 417½ feet; thence East 451¼ feet; thence South 660 feet; thence West 660 feet to the placing of beginning; and

The Southwest Quarter of the Southwest Quarter (SW¼ of SW¼) of Section Twenty (20), Township Thirty-four (34), Range Twenty (20).

EXCEPT THE FOLLOWING DESCRIBED PARCELS, TO-WIT:

1. All that part of Lots Two (2), Three (3) and Four (4) in Section Twenty (20), Township Thirty-four (34), Range Twenty (20), which lies south and west of State Aid Road No. 2 as now located, except that part of Lots 2 and 3 in said Section, described as follows, to-wit: Beginning at a point where the west line of Lot 2 in said Section 20 intersects the center line of State Aid Road No. 2 as now located; thence southeasterly along the center line of said road, a distance of 196 feet; thence southwesterly and directly perpendicular to the center line of said road, a distance of 217 feet, 8 inches, to the west line of said Section 20; thence northeasterly along said section line, a distance of 300 feet, 6 inches to the place of beginning, excepting that part of said land used for public highway purposes. All that part of the Southwest Quarter of the Southwest Quarter (SW¼ of SW¼) of Section Twenty (20), Township Thirty-four (34), Range Twenty (20), which lies south and west of State Aid Road No. 2 as now located
2. That part of Lots Two (2) and Three (3), Section Twenty (20), Township Thirty-four (34), Range Twenty (20), described as follows, to-wit: Beginning at a point where the west line of Lot 2 in said Section 20 intersects with the center line of State Aid Road No. 2 as now located; thence southeasterly along the center line of said road, a distance of 196 feet; thence southwesterly and directly perpendicular to the center line of said road, a distance of 217 feet, 8 inches to the west line of said Section 20; thence north along said section line, a distance of 300 feet, 6 inches to the place of beginning, excepting that part of said land used for public highway purposes.

Abstract Property

Parcel 4

Lot Five (5) and the Southeast Quarter of the Southeast Quarter, both in Section 20, Township 34, Range 20.

Abstract Property

Parcel 5

The West part of Lot 4 in Section 20, Township 34, Range 20, described as follows, to wit: Beginning at the Southwest corner of said Lot 4; thence north 1177 ½ feet; thence east 208 ¾ feet; thence south 417 ½ feet; thence 451 ¼ feet; thence south 660 feet; thence west 660 feet to the place of beginning, the north and south lines running with a variation of 14 degrees 40 minutes and the east and west lines running with a variation of 15

RECD BY
MME

FEB 11 2005

degrees 20 minutes, except that part which lies south and west of State Aid Road No. 2 as now located.

Abstract Property

Parcel 6

A piece or parcel of land two rods wide in the North Half of Section 29, Township 34, North of Range 20 West, the center line of which is described as commencing in the North line of the Southwest Quarter of the Northeast Quarter of said Section 29, and 4 rods East of the Northwest corner thereof; thence South 26 ½ degrees West, 560 feet to the center line of the Lindstrom and North Branch public road.

Abstract Property

Form No. 1068-2
ALTA Plain Language Commitment

Commitment No.: NCS-122408-MPLS
Page Number: 9

Exhibit "B"

REC'D BY
M.M.B.

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The land referred to in this Commitment is situated in the State of Minnesota, County of Chisago, and described as follows:

Parcel 1 (PID: 02-00803-00)

That part of the South Half of the Northeast Quarter and all that part of the Southeast Quarter of the Northwest Quarter lying East of Lincoln Road (CSAH No. 14), all in Section 29, Township 34, Range 20, described as follows: The West Half of the Southeast Quarter of the Northeast Quarter and that part of the Southeast Quarter of the Northwest Quarter and the Southwest Quarter of the Northeast Quarter lying Northeasterly of the center line of Lincoln Road, and lying Southeasterly of the following described line: Commencing at the Northeast corner of the Southwest Quarter of the Northeast Quarter; thence North 89 degrees 15 minutes 40 seconds West, assumed bearing, along the North line of said Southwest Quarter of the Northeast Quarter 283.65 feet; thence South 53 degrees 12 minutes 12 seconds West 1,164.56 feet; thence South 74 degrees 42 minutes 29 seconds West to the center line of Lincoln Road and said line there terminating.

Parcel 2 (PID: 02-00803-20)

That part of the Southeast Quarter of the Northeast Quarter, Section 29, Township 34 North, Range 20 West, Chisago County, Minnesota, described as follows: beginning at the East Quarter corner of said Section 29; thence North 01 degrees 33 minutes 29 seconds East, assumed bearing along the East line of said Southeast Quarter of the Northeast Quarter, 693.51 feet; thence North 89 degrees 14 minutes 01 seconds West 355.00 feet; thence South 01 degrees 08 minutes 42 seconds West to the South line of said Southeast Quarter of the Northeast Quarter; thence Easterly, along said South line to the point of beginning.

Parcel 3 (PID: 02-00803-30)

That part of the Southeast Quarter of the Northeast Quarter, Section 29, Township 34 North, Range 20 West, Chisago County, Minnesota, described as follows: Commencing at the East Quarter corner of said Section 29; thence North 01 degrees 33 minutes 29 seconds East, assumed bearing along the East line of said Southeast Quarter of the Northeast Quarter, 693.15 feet; thence North 89 degrees 14 minutes 01 seconds West 355.00 feet to the point of beginning; thence continuing North 89 degrees 14 minutes 01 seconds West 355.84 feet; thence South 00 degrees 31 minutes 19 seconds West to the South line of said Southeast Quarter of the Northeast Quarter; thence Easterly, along said South line, to the intersection with a line bearing South 01 degrees 08 minutes 42 seconds West from the point of beginning; thence North 01 degrees 08 minutes 42 seconds East to the point of beginning.

(All Astract property)

Exhibit "C"

REC'D BY
MMB

FEB 11 2005

PIONEER
ENGINEERING

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer in the State of Minnesota.

Name

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ANNEXATION EXHIBIT B

OWNER
LYMAN DEVELOPMENT CO

PROJECT

JOHNSON PROPERTY

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SHEETS

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