

Office of Administrative Hearings Docket No. _____
City of Maple Lake Resolution No. R2010-25

**RESOLUTION OF THE CITY OF MAPLE LAKE AS TO THE ORDERLY
ANNEXATION OF PROPERTY**

WHEREAS, the City of Maple Lake ("City") and Maple Lake Township ("Township") entered into an agreement allowing for the orderly annexation of certain property, pursuant to Minnesota Statute Section 414.0325 which was adopted by the Maple Lake Township on July 19, 2005 and by the City of Maple Lake on February 21, 2006 ("Agreement"); and

WHEREAS, the Agreement was approved by the Office of Administrative Hearings, Municipal Boundary Adjustments Unit as Docket # OA-1289 on December 15, 2006; and

WHEREAS, the City of Maple Lake has received a Petition for annexation from the owner of real property described in the attached Exhibit A ("Annexed Parcel"), which is located within Maple Lake Township and is located within the Orderly Annexation Area; and

WHEREAS, all terms of the Orderly Annexation Agreement have been satisfied;
and

WHEREAS, it is in the best interest of the City to annex the property; and

WHEREAS, as there will be no change in electric utility service, notice is not needed.

NOW, THEREFORE, BE IT RESOLVED by the City of Maple Lake, Wright County, Minnesota as follows:

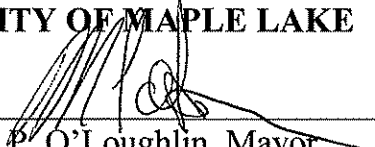
1. **Annexation.** City desires to immediately annex, pursuant to the Agreement, the area encompassing the territory of the Township as described herein as the Annexed Parcel subject to merger and orderly annexation under and pursuant to Minnesota Statutes Section 414.0325.

2. **Population of Merger Area.**
 - (a) The population of the annexed area is approximately 0 persons.
 - (b) The 2000 census results of the population of the City of Maple Lake was 1633 persons. Therefore, following the annexation, the
 - (c) estimated population of the City will increase by 0 persons.
3. **State Agency Jurisdiction.** The Agreement confers jurisdiction upon the Office of Administrative Hearings to accomplish the orderly annexation in accordance with the terms of this Resolution and Agreement.
4. **No Alterations of Boundaries.** No alterations of the boundaries of the area designated herein for orderly annexation is appropriate.
5. **Property Taxes.** Commencing in 2011, City shall receive the taxes collected on the Annexed Parcel.
6. **Taxation Reimbursement.** Prior to annexation of the parcel by the City, Lake Region CO-OP Oil Association, the owner of the Annexed Parcel, deposited with the City the amount of Taxation Reimbursement owed under the Agreement. City has forwarded the Taxation Reimbursement to the Township. No other reimbursement or taxes is owed to the Township from either the City or Lake Region CO-OP Oil Association with regard to the Annexed Parcel.
7. **Filing Costs.** City shall pay all applicable filing fees and other costs necessary to have the Resolution filed with and approved by the State.
8. **Effective Date.** This Resolution is effective upon its adoption by the respective governing body of the City, as provided by law.
9. **Review and Comment by State Board.** The Agreement sets forth all the conditions for the annexation of the designated area and no consideration by the Office of Administrative Hearings is necessary. Pursuant to the Agreement, the Office of Administrative Hearings may review and comment, but must, within 30 days of receipt of this Resolution order merger and orderly annexation in accordance with its terms and conditions.

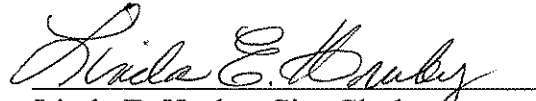
PASSED, ADOPTED AND APPROVED by the Maple Lake City Council, Wright

County, Minnesota this 30th day of June 2010.

CITY OF MAPLE LAKE



M.P. O'Loughlin, Mayor



Linda E. Hruby, City Clerk

That part of the West half of the Southwest quarter and Government Lots 4 and 5 of Section 5, Township 120, Range 26, described as follows: Commencing at the Southwest corner of the said West Half of the Southwest Quarter; thence North along the West line of the said West Half of the Southwest Quarter a distance of 1,567.78 feet to the Southerly right-of-way line of a 66.00 foot road deeded to the Village of Maple Lake; thence Southeasterly deflecting 100°10' right along the said right-of-way line a distance of 780.81 feet to the actual point of beginning; thence continue Southeasterly along the last described course a distance of 329.50 feet to the Southerly right-of-way line of Minnesota State Highway Number 55; thence Southeasterly deflecting 9°59'48" right along the said right-of-way line a distance of 241.00 feet; thence Southwesterly deflecting 90° right a distance of 300.00 feet; thence Northwesterly deflecting 90° right a distance of 565.60 feet; thence Northeasterly deflecting 90° right a distance of 242.79 feet to the point of beginning, containing 3.68 acres, and hereinafter called The Basic Tract. Subject, however, to servitude of the following easement: That the grantors shall reserve and have right of access across the strips of land hereinafter described as the First Easement Area and the Second Easement Area from public road or highway to any other premises now owned by the grantors in the West Half of the Southwest Quarter and in Government Lots 4 and 5 of Section 5, Township 120, Range 26, Wright County, Minnesota, hereinafter referred to as the dominant tenement. Such right of access will not be exclusive and may be enjoyed by both the grantee and its successors, and by the grantors and their successors, and shall appertain to the premises of the grantors herein referred to as the dominant tenement and shall run therewith, and the servitude and burden of this access easement shall run with the above Basic Tract as the servient tract. Access will include all types including vehicular, pedestrian and utility. In event the grantors or their successors elect to plat real estate in the dominant tenement above referred to, the grantee or its successors will join with them in dedicating. Either or both the First Easement Area or the Second Easement Area to the public for public road and highway purposes. The First Easement Area is described as follows: A strip of land 25 feet wide and substantially 242.79 feet in length, whose Westerly boundary is the Westerly-Northwesterly line of the above Basic Tract; whose Southerly-Southwesterly boundary is the same as the Southerly-Southwesterly boundary of such Basic Tract; whose Northerly boundary is the public road boundary as the same coincides with the Northerly boundary of the above Basic Tract; and the Easterly-Southeasterly line of such First Easement Area being parallel with the Westerly-Northwesterly line thereof. The Second Easement Area is described as follows: A strip of land 33 feet in width and 300 feet in length whose Easterly-Southeasterly line is the Easterly-Southeasterly line of the Basic Tract; whose Westerly-Northwesterly line is 33 feet therefrom and parallel with such line; whose Northerly-Northeasterly line is the Southerly right-of-way line of State Highway Number 55 as the same coincides with the Northerly-Northeasterly line of the Basic Tract; and whose Southerly-Southwesterly line is the Southerly-Southwesterly line of the Basic Tract.

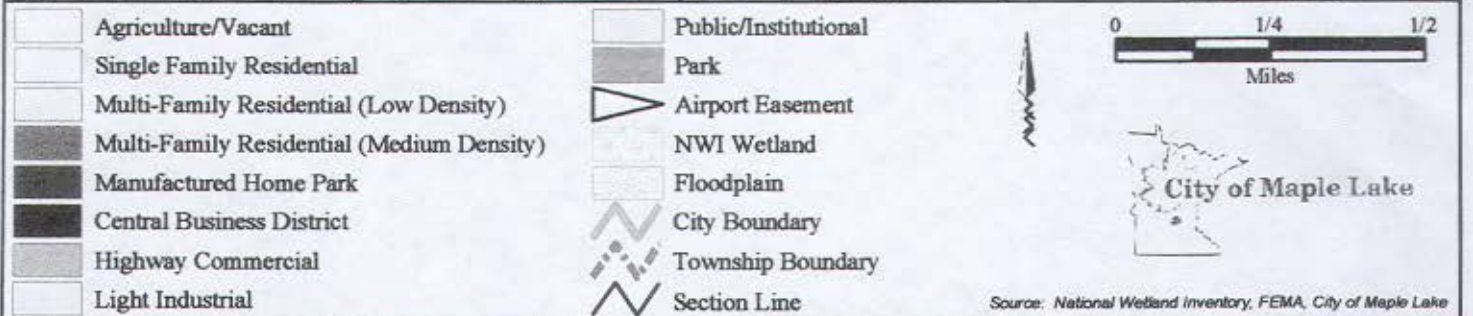
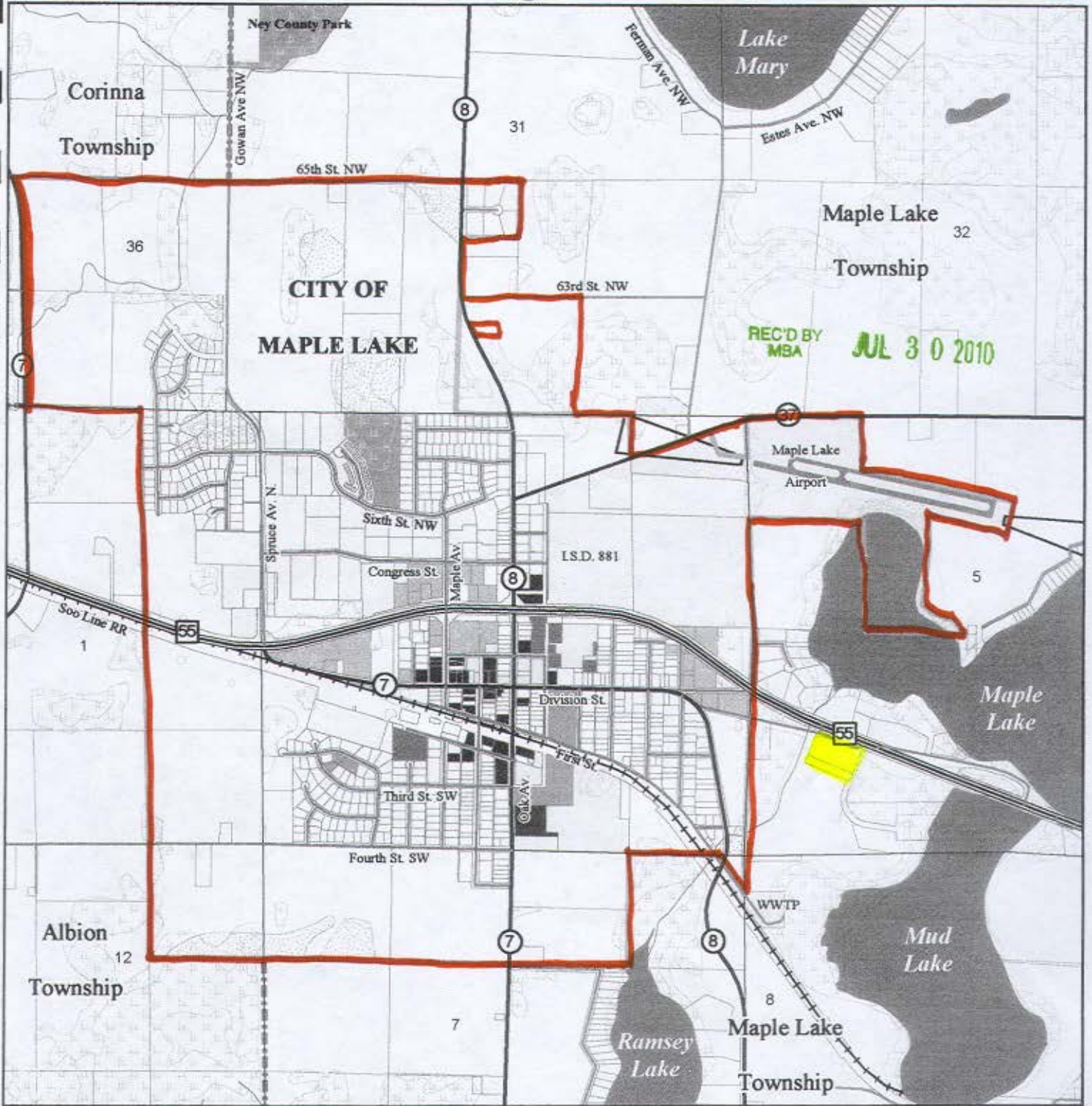
The first parties further hereby grant to the second party, an easement of access for all purposes as above-defined to the above Basic Tract from the public highway over a strip of land hereinafter called the Third Easement Area, being a strip of land 33 feet wide and 300 feet in length whose Westerly-Northwesterly line is the Easterly-Southeasterly line of the above Basic Tract; whose Easterly-Southeasterly line is 33 feet from and parallel with such line; whose Northerly-Northeasterly line is the Southerly right-of-way of State Highway Number 55; and whose Southerly-Southwesterly line is the Southerly-Southwesterly line of the Basic Tract projected Southeasterly. The easement of access over the Third Easement Area shall appertain to the above Basic Tract and run therewith, and the servitude thereof shall run with the area above subjected to such easement of access. In event the first parties plat as above-described, the second party or its successors shall join in just as above-provided across the First and Second Easement Areas.

AND

All that part of the West Half of the Southwest Quarter of Section 5, Township 120, Range 26, described as follows: Commencing at the most Southerly corner of that certain tract described in a Warranty Deed from John Paul Jude and Bileen Jude, husband and wife, to Lake Region Cooperative Oil Association of Maple Lake dated September 17, 1970, and recorded November 12, 1970, in Book 235 of Deeds, page 494 (hereafter referred to as the Lake Region Cooperative Tract); thence proceed in a Southwesterly direction along the Southeasterly line of the Lake Region Cooperative tract projected in a Southwesterly direction 100 feet; thence angle right 90° parallel to the Southwesterly line of the Lake Region Cooperative Tract, 565.60 feet; thence angle right 90°, 100 feet to the most Westerly corner of the Lake Region Cooperative tract; thence angle right 90° along the Southwesterly line of the Lake Region Cooperative tract, 565.60 feet to the point of beginning.

City of Maple Lake Existing Land Use

Figure 4



Source: National Wetland Inventory, FEMA, City of Maple Lake