

TOWN OF CHISAGO LAKE
CITY OF LINDSTROM
CHISAGO COUNTY, MINNESOTA

City Resolution No. 07-06-12-01

Town Resolution No. 07-06-12-01

**JOINT RESOLUTION OF THE TOWN OF CHISAGO LAKE AND THE CITY
OF LINDSTROM DESIGNATING AN UNINCORPORATED AREA AS IN NEED
OF ORDERLY AND CONFERRING JURISDICTION OVER SAID AREA TO
THE OFFICE OF ADMINISTRATIVE HEARINGS, BOUNDARY
ADJUSTMENTS, PURSUANT TO MINNESOTA STATUTES § 414.0325**

WHEREAS, the owner of the following property ("Property") has requested annexation by the City. This Property is referred to as:

Shafer Hartman Property

PID # 02.01793.10

Legal Description: Lots 6, 7, and 8, Woodlawn Beach; and

WHEREAS, the Property abuts (separated by Lakelawn Drive located along the SW border of the City as shown on the map(s) attached as Exhibit B, contains approximately 3.09 acres, and has a population of zero (0); and

WHEREAS, 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, and otherwise qualifies under state law for annexation to the City; and

WHEREAS, it is in the best interest of the City, the Township and their respective residents for the City and Township to agree to orderly annexation of the Property in furtherance of orderly growth, the efficient delivery of public services, and the protection of the public health, safety, and welfare; and

WHEREAS, the City and the Township, following due notice thereof and in accordance with Minnesota Statutes § 414.0325, conducted a joint informational meeting concerning this proposed orderly annexation agreement on June 12, 2007; and

WHEREAS, as a result of these processes, the City and the Township are in agreement as to the procedures and process for orderly annexation of said Property and desire to set forth the terms and conditions of such orderly annexation by means of this Joint Resolution for Orderly Annexation ("Joint Resolution").

NOW THEREFORE BE IT RESOLVED by the City of Lindstrom and the Town of Chisago Lake that:

1. **Designation of Area to be Annexed.** That as a result of the City's proposed provision of urban services to, and urban development of the Property, the previously described area in Chisago Lake Township, Chisago County, is subject to orderly annexation pursuant to Minnesota Statutes § 414.0325, and the parties hereby designate this area for annexation under this orderly annexation agreement.
2. **Timing of Annexation.** Upon execution and filing of this Joint Resolution, jurisdiction is hereby conferred upon the Office of Administrative Hearings, Boundary Adjustments.
3. **Joint Planning.** That since the Property will be immediately annexed to the City upon adoption of this Joint Resolution and approval of the State, joint planning pursuant to M.S. § 414.0325, Subd. 5 is not warranted. The City of Lindstrom will, upon annexation, 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 the proposed development will be subject to and comply with the comprehensive plan and official controls of the City of Lindstrom.
4. **Electrical Service.** That the annexation of the property will not result in any change of electrical service, that differential taxation under M.S. § 414.035 is not required, and that reimbursement under M.S. § 414.036 will be provided by the City to the Township as specified in the table attached hereto as Exhibit C.
5. **City Reimbursement to Township to Annex Taxable Property.** That the City and Township hereby agree that the Order effecting the annexation shall reference the obligation of the City to reimburse the Township for the lost taxes from the annexed property as required by Minnesota Statutes § 414.036 as detailed in Exhibit C and that there are no special assessments assigned by the Township to the annexed property or any portion of debt incurred by the Township prior to the annexation and attributable to the property but for which no special assessments are outstanding.
6. **Filing of Joint Resolution.** Upon execution by the respective governing bodies of the City and Township, the City shall file this Joint Resolution with the Office of Administrative Hearings, Boundary Adjustments (or its successor agency).
7. **Alteration of Boundaries Not Authorized.** 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. 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 Adjustments may review and comment but shall, within thirty (30) days, immediately order the annexation in accordance with the terms of this Joint Resolution.
8. **Correction of Errors.** In the event that there are errors, omissions or any other problems with the legal description, mapping, or tax reimbursement provided in the

attached Exhibits the parties agree to make such corrections and file any additional documentation, including a new Exhibit making the corrections requested or required by the Office of Administrative Hearings, Boundary Adjustments as necessary to make effective the annexation of said area in accordance with the terms of this Joint Resolution, without the necessity of re-adopting this Joint Resolution.

CITY OF LINDSTROM

Passed and adopted by the City Council of the City of Lindstrom on this the 21st day of June, 2007.

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

Attest: John J. Olinger
John J. Olinger, City Administrator

TOWN OF CHISAGO LAKE

Passed and adopted by the Town Board of the Town of Chisago Lake on this the 19th day of June, 2007.

By: Jim Froberg
Jim Froberg, Town Board Chair

Attest: Eleanor Trippler
Eleanor Trippler, Town Board Clerk

EXHIBIT "A"

REC'D BY
MAR

JUL 13 2007

Legal Description of Property

Lots 6, 7, and 8, WOODLAWN BEACH, Chisago County, Minnesota.

EXHIBIT "B"

Corporate Boundary Map and More Detailed Map of Annexation Area

[Please have maps attached here when submitting to Town Board and state].

Hartman

REC'D BY
MMA

JUL 13 2007



EXHIBIT "C"

City Reimbursement to Town Pursuant to M.S. § 414.036

The City and Township agree that upon annexation of the Subject Area legally described in Exhibit A, the City shall reimburse the Township for the loss of taxes from the property so annexed for the period and in accordance with the following schedule: 1) in the first year following the year the City could first levy on the annexed area, an amount equal to ninety (90) percent of the property taxes distributed to the Township in regard to the annexed area in the last year that property taxes from the annexed area were payable to the Township; 2) in the second year, an amount equal to seventy (70) percent; 3) in the third year, an amount equal to fifty (50) percent; 4) in the fourth year, an amount equal to thirty (30) percent, and; 5) in the fifth and final year, an amount equal to ten (10) percent/ Thereafter, the City will no longer reimburse the Township.

Year	2007 Tax Amount	X	%	=	Amount	Date Paid	Check Number
Year 1	\$285.29	x	90%	=	\$256.76		
Year 2	\$285.29	x	70%	=	\$199.70		
Year 3	\$285.29	x	50%	=	\$142.65		
Year 4	\$285.29	x	30%	=	\$ 85.59		
Year 5	\$285.29	x	10%	=	\$ 28.53		

Special Assessments—None.

Bonded Indebtedness—None.