

ANNEXATION RESOLUTION NO. 21-15**CITY OF ELKO NEW MARKET
SCOTT COUNTY****A RESOLUTION FOR ORDERLY
ANNEXATION OF LAND TO THE CITY OF ELKO NEW MARKET**

WHEREAS, New Market Township (the "Township") and the City of Elko New Market (the "City") have entered into an orderly annexation agreement identified by Minnesota Municipal Board Number OA-1527, as amended ("Agreement"); and

WHEREAS, that Agreement provides that it shall be binding upon the City and Township and does not provide a right of objection by the Township to the City filing an Annexation Resolution, provided the terms and conditions have been met as contained in the Agreement; and

WHEREAS, the Agreement states, in part, that no consideration by the Chief Administrative Law Judge is necessary, and that all terms and conditions for annexation are provided in the Agreement;

WHEREAS, the Agreement designates, in part, pursuant to Paragraph 8(B), that the City shall file this Annexation Resolution with the Chief Administrative Law Judge, who may review and comment within thirty days of receipt of this Annexation Resolution and the Agreement, and order the annexation of the area designated in this Annexation Resolution in accordance with the Agreement.

WHEREAS, the Agreement designates, in part, the area legally described in Exhibit A attached hereto as in need of orderly annexation ("Land"); and

WHEREAS, the necessary criteria for annexation of the Land pursuant to the Agreement have been met; and


WHEREAS, reimbursement to New Market Township for lost property taxes from the annexed property is addressed in OA-1527 and shall be paid pursuant to OA-1527.

WHEREAS, an annexation charge is required to be paid by the Petitioner/Developer for Annexation within 30 days of the date of the Annexation Order pursuant to Paragraph 9 of OA-1527.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Elko New Market that the Land is hereby annexed into the City.


ADOPTED this 1st day of April, 2021, by the City Council of the City of Elko New Market.

CITY OF ELKO NEW MARKET



Joe Julius, Mayor

ATTEST:



Thomas Terry, City Clerk/City Administrator

EXHIBIT A

Legal Description of Land

All that part of the Southeast Quarter, Section 23, Township 113 North, Range 21 West, Scott County, Minnesota, described as follows:

Commencing at the West Quarter corner of said Section 23; thence South 88 degrees 48 minutes 14 seconds East (assumed bearing) on the north line of the Southwest Quarter of said Section 23, a distance of 1343.44 feet to the northwest corner of the Northeast Quarter of the Southwest Quarter of said Section 23; thence South 88 degrees 48 minutes 14 seconds East on said north line and the north line of said Southeast Quarter, a distance of 2938.50 feet to a point on the north line of the Chicago, Milwaukee, St. Paul and Pacific R.R. Company, now abandoned; thence North 60 degrees 12 minutes 56 seconds East on said north line, a distance of 1156.98 feet to a point on the westerly line of Interstate No. 35; thence South 00 degrees 41 minutes 17 seconds West, on said westerly line, a distance of 258.00 feet; thence southwesterly 587.06 feet on said westerly line and on a 11249.16 foot radius curve, concave to the west, having a central angle of 02 degrees 59 minutes 24 seconds; thence South 18 degrees 16 minutes 26 seconds West on said westerly line, 121.49 feet; thence South 04 degrees 16 minutes 43 seconds West on said westerly line, 945.00 feet to the point of beginning; thence North 89 degrees 53 minutes 56 seconds West, 2078.05 feet; thence South 00 degrees 00 minutes 04 seconds West, 1078.69 feet to a point on the north line of Scott County Right of Way Plat No. 28, according to the recorded plat thereof; thence South 88 degrees 29 minutes 25 seconds East on said north line, 413.46 feet; thence North 46 degrees 30 minutes 35 seconds East on said north line, 106.07 feet; thence South 88 degrees 29 minutes 25 seconds East on said north line, 100.00 feet; thence South 43 degrees 29 minutes 25 seconds East on said north line, 106.07 feet; thence South 88 degrees 29 minutes 25 seconds East on said north line, 812.49 feet to the northeast corner of said Parcel 3; thence North 81 degrees 49 minutes 58 seconds East on the westerly line of Interstate No. 35, a distance of 346.51 feet; thence North 20 degrees 28 minutes 17 seconds East on the westerly line of said Interstate No. 35, 666.03 feet; thence northeasterly 382.68 feet on a 11699.16 foot radius curve, concave to the east, not tangent to the last described line and on said westerly line of Interstate No. 35, having a central angle of 01 degrees 52 minutes 27 seconds and a 382.67 foot chord that bears North 03 degrees 20 minutes 29 seconds East; thence North 04 degrees 16 minutes 43 seconds East on said westerly line, 58.86 feet to the point of beginning.

EXISTING DESCRIPTIONS:
(per Title Commitment No. 630990)

Parcel A:
The East Half of the Southeast Quarter (E 1/2 of SE 1/4) of Section Twenty-three (23), Township One Hundred Thirteen (113), Range Twenty-one (21), except the Highway Right of Way, and except that part thereof lying Southerly of County State AID Road No. 2 and Westerly of State Highway No. 35W, except Parcel 3 of Scott County Right of Way Plat No. 28, Scott County, Minnesota.

Parcel B:
The West Half of the Southeast Quarter (W 1/2 of SE 1/4) of Section Twenty-three (23), Township One Hundred Thirteen (113), Range Twenty-one (21), excepting therefrom the following described tract: That part of the West 250 feet of the South 300 feet of the Southwest Quarter of the Southeast Quarter (SW 1/4 of SE 1/4) of Section Twenty-three (23), Township One Hundred Thirteen (113), Range Twenty-one (21) West, except Parcel 2 of Scott County Right of Way Plat No. 28, Scott County, Minnesota.

Parcel C:
The Northeast Quarter of the Southwest Quarter (NE 1/4 of SW 1/4) of Section Twenty-three (23), Township One Hundred Thirteen (113), Range Twenty-one (21), Scott County, Minnesota.

Parcel D:
The East 345.69 feet of the Southeast Quarter of the Southwest Quarter (SE 1/4 of SW 1/4), Section Twenty-three (23), Township One Hundred Thirteen (113), Range Twenty-one (21), as measured perpendicular to the East line thereof and lying North of Scott County State AID Road No. 2, except Parcel 3 of Scott County Right of Way Plat No. 27, Scott County, Minnesota.

EXISTING LEGAL DESCRIPTION
(per Document Nos. 924517, 924518, 924521)

All that part of the East Half of the Northeast Quarter (E 1/2 of NE 1/4) of said Section Twenty-three (23), Township One Hundred Thirteen (113), Range Twenty-one (21), lying South of the South line of the Right of Way of the Chicago, Milwaukee, St. Paul and Pacific R.R. Company, except Highway Right of Way, all of the aforesaid land lying and being in Scott County, Minnesota.

All that part of the abandoned right-of-way of the Chicago, Milwaukee, St. Paul and Pacific Railroad, the centerline of the railroad track as shown in Scott County Documents #181948, 181949 and 181950 lying across the tracts described on Exhibit A-(a) attached hereto.

The Southeast Quarter of the Northeast Quarter (SE 1/4 of NE 1/4), the Northeast Quarter of the Southeast Quarter (NE 1/4 of SE 1/4), the Northwest Quarter of the Southeast Quarter (NW 1/4 of SE 1/4), and the Northeast Quarter of the Southwest Quarter (NE 1/4 of SW 1/4), all in Section Twenty-three (23), Township One Hundred Thirteen North (113N), Range Twenty-one (21W), Scott County, Minnesota

PROPOSED DESCRIPTION:

Tract 1:

All that part of the Southwest Quarter and that part of the Southeast Quarter, and the East Half of the Northeast Quarter, Section 23, Township 113 North, Range 21 West, Scott County, Minnesota, described as follows:

Commencing at the West Quarter corner of said Section 23; thence South 88 degrees 48 minutes 14 seconds East (assumed bearing) on the north line of said Southwest Quarter, 1343.44 feet to the northwest corner of the Northeast Quarter of said Southwest Quarter, said point also being the point of beginning; thence South 88 degrees 48 minutes 14 seconds East on said north line and the north line of said Southeast Quarter, a distance of 2938.50 feet to a point on the north line of the Chicago, Milwaukee, St. Paul and Pacific R.R. Company, now abandoned; thence North 60 degrees 12 minutes 56 seconds East on said north line, a distance of 1156.98 feet to a point on the westerly line of Interstate No. 35; thence South 00 degrees 41 minutes 17 seconds West, on said westerly line, a distance of 258.00 feet; thence southwesterly 587.06 feet on said westerly line and on a 11249.16 foot radius curve, concave to the west, having a central angle of 02 degrees 59 minutes 24 seconds; thence South 18 degrees 16 minutes 26 seconds West on said westerly line, 121.49 feet; thence South 04 degrees 16 minutes 43 seconds West on said westerly line, 945.00 feet; thence North 89 degrees 53 minutes 56 seconds West, 2078.05 feet; thence South 00 degrees 00 minutes 04 seconds West, 1078.69 feet to a point on the north line of Scott County Right of Way Plat No. 28, according to the recorded plat thereof; thence North 88 degrees 29 minutes 25 seconds West on said north line, 142.83 feet to a point on the east line of the West 250.00 feet of said Southeast Quarter; thence North 00 degrees 08 minutes 33 seconds East on said east line, 110.04 feet to a point on the north line of the South 300.00 feet of said Southeast Quarter; thence North 88 degrees 29 minutes 25 seconds West on said north line, 250.07 feet to a point on the west line of the Southeast Quarter of said Section 23; thence South 00 degrees 08 minutes 33 seconds West on said west line, 110.04 feet to the northeast corner of Parcel 3, Scott County Right of Way Plat No. 27, according to the recorded plat thereof; thence North 88 degrees 29 minutes 25 seconds West on the north line of Scott County Right of Way Plat No. 27, a distance of 345.79 feet to a point on the west line of the East 345.69 feet of the Southeast Quarter of the Southwest Quarter of said Section 23; thence North 00 degrees 08 minutes 33 seconds East on said west line, 1115.25 feet to a point on the south line of the Northeast Quarter of the Southwest Quarter of said Section 23; thence North 88 degrees 54 minutes 15 seconds West on said south line, 984.66 feet to the southwest corner of said Northeast Quarter of the Southwest Quarter; thence North 00 degrees 25 minutes 32 seconds West on the west line of said Northeast Quarter of the Southwest Quarter, 1310.43 feet to the point of beginning.

PROPOSED DESCRIPTION:

Tract 2:

All that part of the Southeast Quarter, Section 23, Township 113 North, Range 21 West, Scott County, Minnesota, described as follows:

Commencing at the West Quarter corner of said Section 23; thence South 88 degrees 48 minutes 14 seconds East (assumed bearing) on the north line of the Southwest Quarter of said Section 23, a distance of 1343.44 feet to the northwest corner of the Northeast Quarter of the Southwest Quarter of said Section 23; thence South 88 degrees 48 minutes 14 seconds East on said north line and the north line of said Southeast Quarter, a distance of 2938.50 feet to a point on the north line of the Chicago, Milwaukee, St. Paul and Pacific R.R. Company, now abandoned; thence North 60 degrees 12 minutes 56 seconds East on said north line, a distance of 1156.98 feet to a point on the westerly line of Interstate No. 35; thence South 00 degrees 41 minutes 17 seconds West, on said westerly line, a distance of 258.00 feet; thence southwesterly 587.06 feet on said westerly line and on a 11249.16 foot radius curve, concave to the west, having a central angle of 02 degrees 59 minutes 24 seconds; thence South 18 degrees 16 minutes 26 seconds West on said westerly line, 121.49 feet; thence South 04 degrees 16 minutes 43 seconds West on said westerly line, 945.00 feet to the point of beginning; thence North 89 degrees 53 minutes 56 seconds West, 2078.05 feet; thence South 00 degrees 00 minutes 04 seconds West, 1078.69 feet to a point on the north line of Scott County Right of Way Plat No. 28, according to the recorded plat thereof; thence South 88 degrees 29 minutes 25 seconds East on said north line, 106.07 feet; thence South 88 degrees 29 minutes 25 seconds East on said north line, 100.00 feet; thence South 43 degrees 29 minutes 25 seconds East on said north line, 106.07 feet; thence South 88 degrees 29 minutes 25 seconds East on said north line, 812.49 feet to the northeast corner of said Parcel 3; thence North 81 degrees 49 minutes 58 seconds West on said westerly line, 121.49 feet; thence South 04 degrees 16 minutes 43 seconds West on said westerly line, 945.00 feet to the point of beginning; thence North 89 degrees 53 minutes 56 seconds West, 2078.05 feet; thence South 00 degrees 00 minutes 04 seconds West, 1078.69 feet to a point on the north line of Scott County Right of Way Plat No. 28, according to the recorded plat thereof; thence South 88 degrees 29 minutes 25 seconds East on said north line, 413.46 feet; thence North 46 degrees 30 minutes 35 seconds East on said north line, 106.07 feet; thence South 88 degrees 29 minutes 25 seconds East on said north line, 100.00 feet; thence South 43 degrees 29 minutes 25 seconds East on said north line, 106.07 feet; thence South 88 degrees 29 minutes 25 seconds East on said north line, 812.49 feet to the northeast corner of said Parcel 3; thence North 81 degrees 49 minutes 58 seconds West on said westerly line, 121.49 feet; thence South 04 degrees 16 minutes 43 seconds West on said westerly line, 945.00 feet to the point of beginning; thence North 89 degrees 53 minutes 56 seconds West, 2078.05 feet; thence South 00 degrees 00 minutes 04 seconds West, 1078.69 feet to a point on the north line of Scott County Right of Way Plat No. 28, according to the recorded plat thereof; thence South 88 degrees 29 minutes 25 seconds East on said north line, 413.46 feet; thence North 46 degrees 30 minutes 35 seconds East on said north line, 106.07 feet; thence South 88 degrees 29 minutes 25 seconds East on said north line, 100.00 feet; thence South 43 degrees 29 minutes 25 seconds East on said north line, 106.07 feet; thence South 88 degrees 29 minutes 25 seconds East on said north line, 812.49 feet to the northeast corner of said Parcel 3; thence North 81 degrees 49 minutes 58 seconds West on said westerly line, 121.49 feet; thence South 04 degrees 16 minutes 43 seconds West on said westerly line, 945.00 feet to the point of beginning; thence North 89 degrees 53 minutes 56 seconds West, 2078.05 feet; thence South 00 degrees 00 minutes 04 seconds West, 1078.69 feet to a point on the north line of Scott County Right of Way Plat No. 28, according to the recorded plat thereof; thence South 88 degrees 29 minutes 25 seconds East on said north line, 413.46 feet; thence North 46 degrees 30 minutes 35 seconds East on said north line, 106.07 feet; thence South 88 degrees 29 minutes 25 seconds East on said north line, 100.00 feet; thence South 43 degrees 29 minutes 25 seconds East on said north line, 106.07 feet; thence South 88 degrees 29 minutes 25 seconds East on said north line, 812.49 feet to the northeast corner of said Parcel 3; thence North 81 degrees 49 minutes 58 seconds West on said westerly line, 121.49 feet; thence South 04 degrees 16 minutes 43 seconds West on said westerly line, 945.00 feet to the point of beginning.

AREA TABLE:

Tract 1: 141.99 acres
Tract 2: 49.58 acres
Total: 191.57 acres

NOTES:

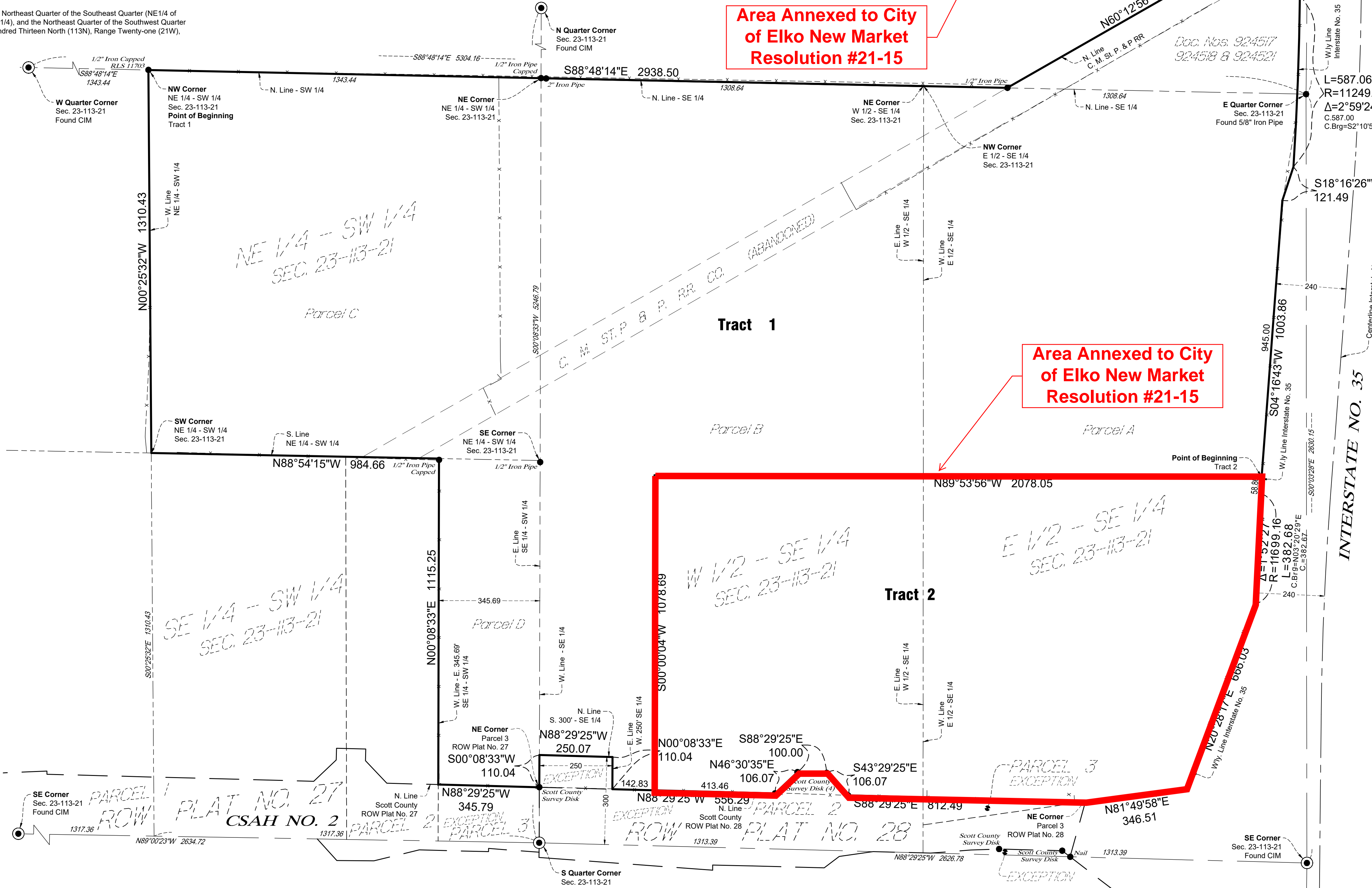
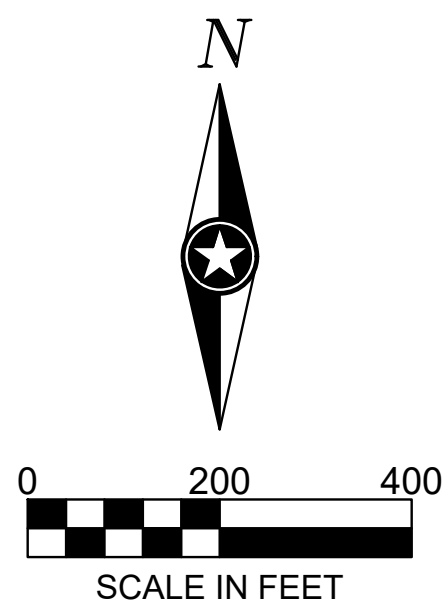
- 1. This survey does not purport to show land ownership or all easements or encumbrances that affect the described property.
- 2. The client provided Title Commitment No. 630990 issued by First American Title Insurance Company dated January 27, 2021 which is the basis of this survey.

Said Title Commitment does not include all property owned by the client shown on this survey. Document Nos. 924517, 924518, 924521 were referenced to complete the boundary on this survey.

3. Orientation of this bearing system is based upon the north line of the Southwest Quarter of Section 23-113-21. Said line bears South 88 degrees 48 minutes 14 seconds East.

LEGEND

- Iron Monument Found
- ⊙ Cast Iron Monument Found
- - - - - Fence



Area Annexed to City of Elko New Market Resolution #21-15

Area Annexed to City of Elko New Market Resolution #21-15



I HEREBY CERTIFY THAT THIS SURVEY, PLAN, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

DANIEL L. STUEBER
[Signature]

DATE 03/26/21 LIC. NO. 43110

THIS DOCUMENT IS THE PROPERTY OF I & S GROUP, INC. AND MAY NOT BE USED, COPIED OR DUPLICATED WITHOUT PRIOR WRITTEN CONSENT.

PROJECT
ADELMANN FARMS (NEW MARKET), LLC

Part of Sec. 23-113-21, Scott County, Minnesota.

REVISION SCHEDULE

DATE	DESCRIPTION	BY
03/25/21	Revised Description and Legal	JW
03/26/21	Revised Description	JW

PROJECT NO. 17-20548
FILE NAME 20548 DESC
DRAWN BY JK/KH
DESIGNED BY ---
REVIEWED BY ---
ORIGINAL ISSUE DATE 3/9/21
CLIENT PROJECT NO. ---

TITLE
PROPERTY EXHIBIT

SHEET **1** OF 1

Adelmann Property Annexation
Location Map
Resolution #21-15

