

TOWN OF FRANCONIA  
CITY OF LINDSTROM  
CHISAGO COUNTY, MN

REC'D BY  
MBA

DEC 09 2015

## JOINT RESOLUTION

IN THE MATTER OF THE JOINT  
RESOLUTION OF THE TOWN OF  
FRANCONIA AND THE CITY  
OF LINDSTROM, DESIGNATING  
AN UNINCORPORATED AREA AS  
IN NEED OF ORDERLY  
ANNEXATION AND CONFERRING  
JURISDICTION OVER SAID AREA  
TO THE OFFICE OF ADMINISTRATIVE  
HEARINGS, PURSUANT TO M.S. §414.0325

The Town of Franconia and the City of Lindstrom jointly agree to the following:

1. That the owner of the property described below ("Property") has requested annexation by the City. This property is referred to as:

Jay & Jackie Meyer  
PID # 04.00334.40  
Property Address: 28440 Olympic Trail  
Legal Description – See Exhibit A

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 contains approximately 9.84 acres, and is legally described on the attached Exhibit A.

4. The Property is near the existing Southeastern border of the City. See Map(s) of the Property attached as Exhibit B.

5. The Property is platted and has a current population of zero (0).

6. 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.

7. That the Property should be immediately annexed to the City for the purpose of being joined with parcel number 15.00011.61.

8. 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.

9. 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 Franconia 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.

10. That both the Town of Franconia 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.

11. Upon execution and filing of this Joint Resolution, jurisdiction is hereby conferred upon the Office of Administrative Hearings, Boundary Adjustments. 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. 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.

12. That the annexation of the Property will not result in any change of electrical service and that differential taxation under M.S. §414.035 is not required, and that reimbursement under M.S. §414.036 will be provided as specified in the table attached hereto as Exhibit C.

13. 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.

**CITY OF LINDSTROM**

Passed and adopted by the City Council of the City of Lindstrom on this 17<sup>th</sup> day of September, 2015.

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

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

**TOWN OF FRANCONIA**

Passed and adopted by the Town Board of the Town of Franconia on this 10<sup>th</sup> day of November, 2015.

By: *Dennis Gustafson*  
~~Jim Birkholz~~ Town Board Chair  
Dennis Gustafson

Attest: *Melissa Glenna*  
Melissa Glenna, Town Board Clerk



**EXHIBIT "A"**

**Legal Description:** That part of the following described property lying and being within Section 11, Township 33 North, Range 20 West, Chisago County, Minnesota:

That part of the Southeast Quarter of the Northeast Quarter, Government Lot 2 and Government Lot 3, all in Section 10 and that part of the Southwest Quarter of the Northwest Quarter of Section 11, all in Township 33 North, Range 20 West, Chisago County, Minnesota, described as follows:

Commencing at the East Quarter corner of said Section 10; thence North, assumed bearing along the East line of said Southeast Quarter of the Northeast Quarter, a distance of 368.60 feet to the point of beginning of the parcel to be described; thence South 29 degrees 29 minutes 30 seconds West, a distance of 245.70 feet; thence South 89 degrees 33 minutes 30 seconds West, a distance of 1203.50 feet; thence South 3 degrees 21 minutes West, a distance of 307 feet, more or less, to the South line of the North 145 feet of said Government Lot 2; thence Easterly, along said South line, a distance of 1342 feet, more or less, to the East line of said Government Lot 2 (known as line A); thence Northerly, along said East line, a distance of 145 feet, more or less, to the East Quarter corner of said Section 10; thence North 54 degrees 55 minutes 17 seconds East, a distance of 1032 feet, more or less, to the center line of Olympic Trail; thence Northwesterly, along said center line, a distance of 677 feet, more or less, to its intersection with a line that bears North 29 degrees 29 minutes 30 seconds East from the point of beginning, and to the point of beginning of the line hereinafter known as "Line B"; thence South 29 degrees 29 minutes 30 seconds West, along said "Line B", a distance of 872 feet, more or less, to the point of beginning and said "Line A" there terminating.

Line A and Line B are described in document numbers: 258327, 258328 and 258329

Subject to and together with a roadway easement extending over and across that part of said Southwest Quarter of the Northwest Quarter of said Section 11, being 33 feet on each side of the the following described "Line B :

Commencing at the southwest corner of said Southwest Quarter of the Northwest Quarter; thence North, assumed bearing along the west line of said Southwest Quarter of the Northwest Quarter, a distance of 368.60 feet to the point of beginning of the center line to be described; thence North 29 degrees 29 minutes 30 seconds East, a distance of 872 feet, more or less, to the center line of Olympic Trail and there terminating.

Subject to a 66 foot roadway easement extending over, under and across part of said Southeast Quarter of the Northeast Quarter and part of said Government Lot 2, the Easterly line of which is described as follows:

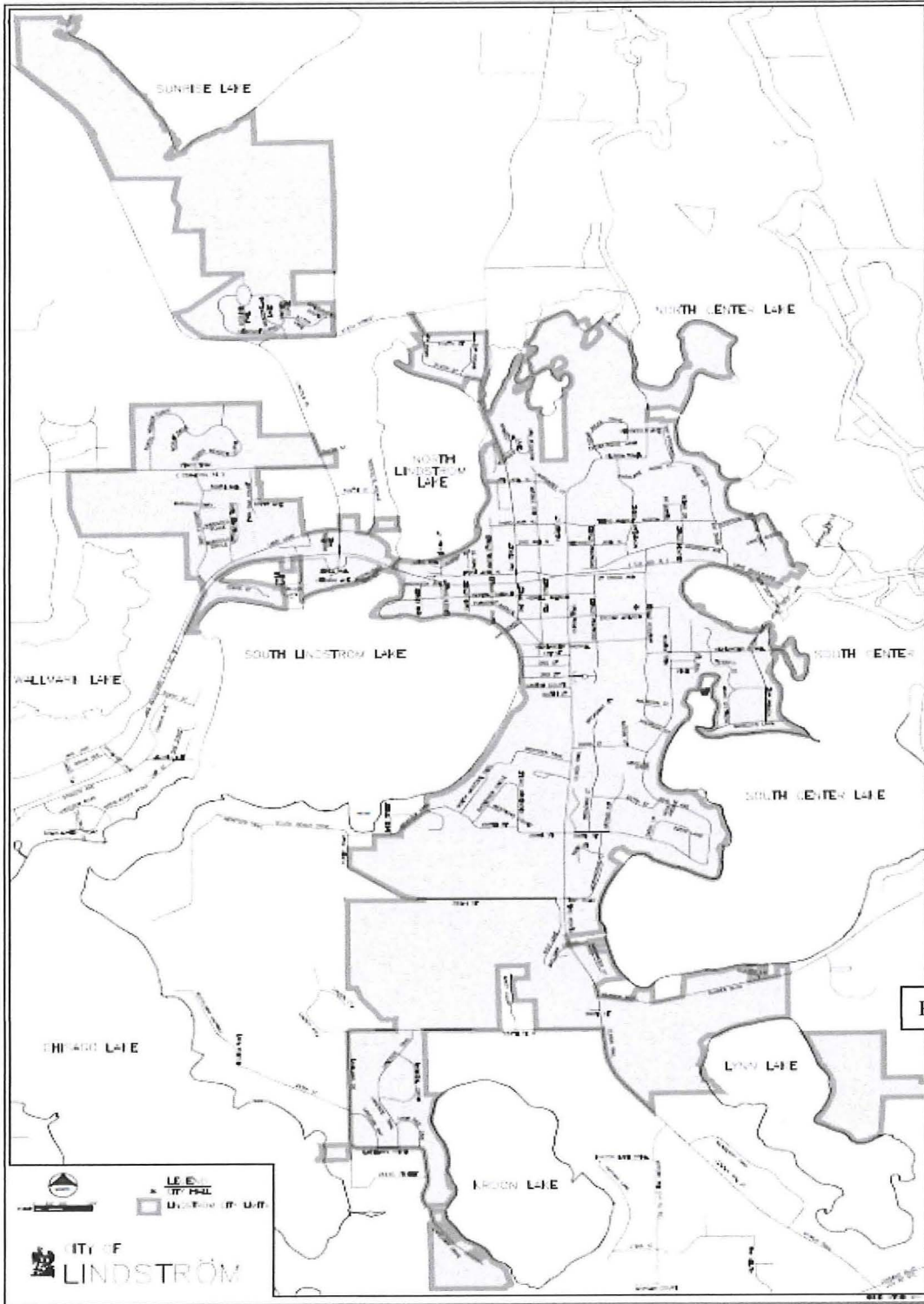
Commencing at the Southeast corner of said North 145 feet of Government Lot 2; thence Westerly, along the South line of said North 145 feet, a distance of 520.00 feet to the point of beginning of said Easterly line to be described, thence Northerly, at a right angle, a distance of 300 feet, more or less, to the North line of the above described parcel and said Easterly line there terminating.

Subject to and together with a roadway easement over and across the following described parcel:

Commencing at the East Quarter corner of said Section 10; thence North, assumed bearing along the East line of said Southwest Quarter of the Northeast Quarter, a distance of 301.57 feet to the point of beginning of the easement to be described; thence South 29 degrees 29 minutes 30 seconds West, 168.35 feet; thence South 89 degrees 33 minutes 30 seconds West, to the West line of the East Half of the Southeast Quarter of the Northeast Quarter of said Section 10; thence Northerly, along said West line, a distance of 80 feet; thence Northeasterly, a distance of 695 feet, more or less, to a point on the East line of said Section 10 distant 134.07 feet, North of the point of beginning; thence South along said East line, a distance of 134.07 feet to the point of beginning.

Corporate Boundary Map and more detailed map of annexation area





**EXHIBIT "C"**

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MBA

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**Tax Reimbursement pursuant to M.S. §414.036**

The City and Township agree that upon approval of the annexation by the Minnesota Municipal Adjustments Board of the Subject Area legally described in Exhibit A, the City shall reimburse the Township for the loss of taxes from the property as follows: the sum of \$92.29 for two years. Payment of \$92.29 to be made in 2017 and \$92.29 to be made in 2018. Thereafter, the City will no longer reimburse the Township for any further Property Taxes.

**CITY OF LINDSTROM  
CHISAGO COUNTY, MINNESOTA**

IN THE MATTER OF THE PETITION )  
OF CERTAIN PERSONS FOR ANNEXATION )  
PURSUANT TO MINNESOTA STATUTES 414 ) PETITION UNDER  
§ 414.0325, ORDERLY  
ANNEXATION

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TO: City Council of the City of Lindstrom, Minnesota  
Town Board of FRANCONIA, Minnesota

PETITIONER(S) STATE: I (We), the property owner(s) of all the property described below, hereby request the City and Township to enter into an orderly annexation agreement pursuant to Minnesota Statutes § 414.0325, to annex the certain property described below, which lies entirely in the Town of FRANCONIA to the City of Lindstrom, County of CHISAGO, Minnesota.

The legal description of the area proposed for annexation is as follows: 64.00334.40  
28440 Olympic Trail

**(NOTE FOR PETITIONER(S): INSERT THE COMPLETE AND ACCURATE PROPERTY DESCRIPTION AND PROPERTY IDENTIFICATION NUMBER(S). DO NOT USE DESCRIPTIONS FROM PROPERTY TAX STATEMENTS OR ONLY PIN(S)—IF LEGAL IS LONG METES AND BOUNDS DESCRIPTION ATTACH AS EXHIBIT AND ENTER "SEE ATTACHED EXHIBIT").**

1. There are 1 property owners in the area proposed for annexation.
2. The current population on this parcel is 0.
3. Said property is located totally within Chisago County and the Town of FRANCONIA abuts on the city's N S E W (circle one) boundary, and is not incorporated nor included within any other municipality.
4. The area of land proposed for annexation, in acres, is 19.53 acres 9.84  
 Unplatted  Platted  Total
5. The reason for the requested annexation is to join with part of the parcel which is already located within city
5. The area proposed for annexation is requested to be zoned A-O 15.00000.61  
A-O
6. The petitioners acknowledge that electric utility service and their costs will not (circle one) change and have (check one of the following):



\_\_\_\_\_ complied with M.S. 414.033, Subd. 13 requiring notice to and from the  
City; or

waived any notice concerning possible changes in electric costs as required  
by M.S. §414.033, Subd. 13

7. All of the area proposed for annexation is or is about to become urban or suburban in  
character and the undersigned request said annexation for the purpose of receiving city  
services, and specifically the following services: NA

8. The area to be annexed is not included in any other boundary adjustment proceeding  
pending before the Department of Administration - Municipal Boundary Adjustments,  
nor in any area that has already been designated for orderly annexation pursuant to M.S.  
§414.0325.

9. The undersigned property owner(s) understand that this petition may be combined by  
the City and Town with other valid petitions from other property owners in the area  
proposed for annexation.

PETITIONERS REQUEST: That pursuant to M.S. 414.0325, the property described  
herein be annexed to and included within the City of Lindstrom, Minnesota upon such  
terms and conditions as agreed to by the City and Town.

Applicant Name JAN + Jackie Meyer  
Applicant Address 29920 Cedar Blvd Lindstrom mn  
Phone # or Contact Information 651-408-2761  
Signature(s): J Meyer Dated: 9/8/15

(\*If the land is owned by both husband and wife, both must sign the Petition to represent  
all owners).

**\*Please note** and remember to furnish the City with a **Map of the property or Boundary Line  
Survey**, and also the **complete Legal Description of the property**. These are required to  
process your request with the **State Municipal Boundary Adjustment Unit** and local  
governing authorities. As of 2008, there is an **Annexation Fee of \$100.00**, in addition to the  
**County Recording/Filing Fees (approximately \$45.00)** \*(See Fee Schedule for new  
Subdivisions or Developments.)

Property currently owned by Schmidt Holdings

Mayor

Keith Carlson



Council Members

AnnMarie Brink

Curt Flug

Bill Schlumbohm Sr.

Joe Wishy

City Administrator

John J. Olinger

**CITY OF LINDSTRÖM**

"America's Little Sweden"

13292 Sylan Ave. • Lindström, Minnesota 55045  
(651) 257-0620 • Fax: (651) 257-0623

REC'D BY  
MBA

DEC 09 2015

December 2, 2015

MN Office of Administrative Hearings  
PO Box 64620  
St. Paul, MN 55164-0620

RE: 28440 Olympic Trail, Lindstrom

Dear Persons:

Enclosed for processing please find the following regarding annexation of the above-referenced property:

- Joint Resolution for Orderly Annexation between the City of Lindstrom and Franconia Township
- Petition initiated by property owners – Jay & Jackie Meyer
- Check in the amount of \$50.00

If you should have any questions, or if additional information is required, please don't hesitate to contact me.

Sincerely,

Kathy George  
Deputy Clerk / Admin Assistant  
Direct: 651-257-0805  
[kgeorge@cityoflindstrom.us](mailto:kgeorge@cityoflindstrom.us)

Enclosures