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by OAH on October 9, 2018

RESOLUTION R2018-108

**A RESOLUTION ANNEXING PROPERTY FROM JACKSON TOWNSHIP
PURSUANT TO AN EXISTING ORDERLY ANNEXATION AGREEMENT**

WHEREAS, the City of Shakopee (“City”) and Jackson Township (“Town”) entered into a “Joint Resolution for Orderly Annexation between the Town of Jackson & the City of Shakopee”, that was filed with the Minnesota Municipal Board on March 6, 2018, accepted by the Municipal Board on March 12, 2018, and which is identified as Docket No. OA-1694 (“Orderly Annexation Agreement”);

WHEREAS, the entire Town was designated for future annexation under the Orderly Annexation Agreement and the City may annex property from the Town in accordance with the terms and conditions of the Orderly Annexation Agreement;

WHEREAS, Ann Spanish, on behalf of Shakopee Veterinary Clinic Properties LLC, requested that the City annex approximately 5 acres of property within the Town as shown on the map attached hereto as Exhibit A and as legally described in the attached Exhibit B (“Annexation Area”);

WHEREAS, the Annexation Area encompasses property known as 12675 Marystown Road (P.I.D. # 6-913011-0);

WHEREAS, the City has notified the Town of the request it received from Ann Spanish, on behalf of Shakopee Veterinary Clinic Properties LLC, to annex the Annexation Area;

WHEREAS, the City finds and determines as follows with respect to the requested annexation of the Annexation Area:

- a. Under Section II, paragraph 2 of the Orderly Annexation Agreement, “The following standards shall be used to determine adjacency when a property owner, or combination of multiple property owners with contiguous property, initiates annexation of property: A property, or combination of contiguous properties, shall be considered adjacent to the City when fifty (50) linear feet or more of the subject annexation area boundary is shared with the boundary of the City”;

- b. The Annexation Area shares 300 linear feet of boundary with the City of Shakopee which more than satisfies the minimum 50 lineal feet or more of shared boundary required by the Orderly Annexation Agreement;
- c. Under Section II, paragraph 4 of the Orderly Annexation Agreement, “Any landowner, or combination of multiple landowners, with property adjacent to the municipal boundary of the City, may petition the City to annex their property in accordance with this Agreement”;
- d. The City determines that annexing the Annexation Area pursuant to this Resolution is consistent with the terms and conditions of the Orderly Annexation Agreement.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Shakopee as follows:

1. The recitals set out above and the exhibits attached hereto are incorporated in and made part of this Resolution.
2. The Annexation Area shown on the attached Exhibit A, and legally described in the attached Exhibit B, is hereby annexed into the municipal boundaries of the City of Shakopee effective upon the issuance of the Chief Administrative Law Judge’s order.
3. Pursuant to Minn. Stat. § 414.0325, subd. 1(h) and Section I, paragraph 2 of the Orderly Annexation Agreement, the Chief Administrative Law Judge may review and comment, but shall, within thirty (30) days, order the annexation in accordance with the terms of this Resolution.
4. City staff is authorized and directed to file this Resolution with the Office of Administrative Hearings - Municipal Boundary Adjustments Office (“Boundary Adjustments Office”).
5. In the event the Boundary Adjustments Office identifies any errors, omissions, or other problems with the attached map or legal description, City staff is hereby authorized to make such corrections as may be needed to accomplish the purpose of this Resolution.

Adopted in adjourned regular session of the City Council of the City of Shakopee, Minnesota, held this 18th day of September, 2018.



Mayor of the City of Shakopee

ATTEST:



Lori Hensen, City Clerk

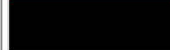
12675 Marystown Road Annexation Area



Legend



Annexed Parcel



Municipal Boundary

Exhibit B

The property located at 12675 Marystown Road is legally described as follows:



A tract of land in the Northwest Quarter of the Southwest Quarter of Section 13, Township 115 North, Range 23 West, described as follows:

Commencing at the Northwest corner of said Northwest Quarter of the Southwest Quarter and thence South along the West line thereof a distance of 749.65 feet to the actual point of beginning, thence continuing South along said West line a distance of 300 feet; thence East at right angles to said West line a distance of 726 feet; thence North at right angles a distance of 300 feet; thence West at right angles a distance of 726 feet to the actual point of beginning.

Subject to a road over the West 33 feet thereof. Said Tract containing 5 acres.

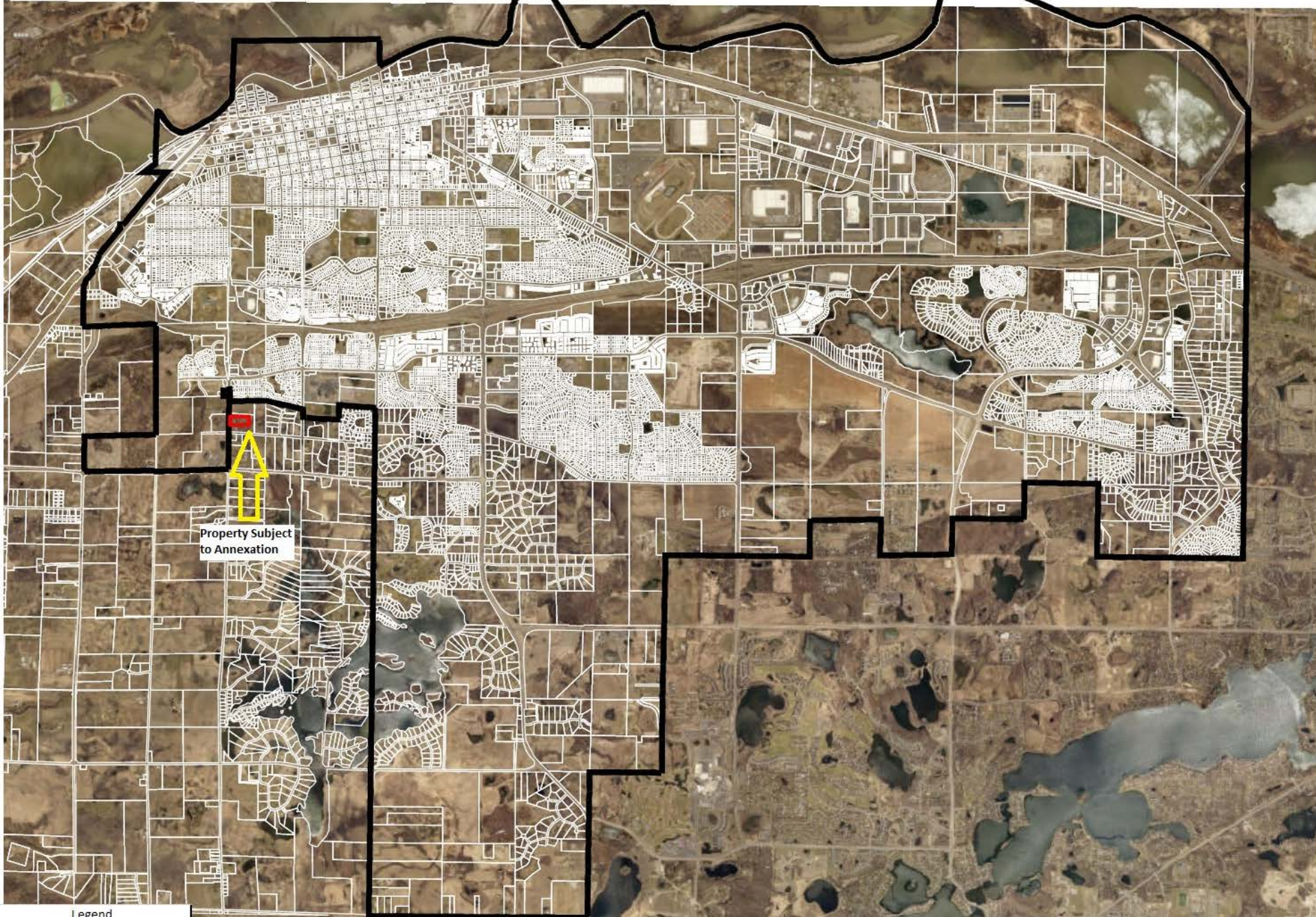
Annexation Area 12675 Marystown Road






 Municipal Boundaries
 Annexed Parcel Boundary

Miles 0 0.1 0.2 0.3 0.4





Property Subject to Annexation

Legend	
	Municipal Boundaries
	Parcels
	Property to be Annexed