

**CITY OF CARLTON  
Resolution No. 2021-31**

**TWIN LAKES TOWNSHIP  
Resolution No. 111721**

**A JOINT RESOLUTION ESTABLISHING AN ORDERLY ANNEXATION  
AGREEMENT BETWEEN THE CITY OF CARLTON AND TWIN LAKES  
TOWNSHIP TO PROVIDE FOR THE IMMEDIATE ANNEXATION OF  
CERTAIN PROPERTY PURSUANT TO MINNESOTA STATUTES § 414.0325**

**WHEREAS**, Carlton County (“**County**”) petitioned the City of Carlton (“**City**”) requesting the annexation of a portion of land it owns within Twin Lakes Township (“**Town**”) to facilitate the construction of a new County Justice Center (“**Justice Center**”) to house its jail and court facilities;

**WHEREAS**, Minnesota Statutes, section 414.0325 provides a procedure whereby the City and Town may agree on a process of orderly annexation of a designated area;

**WHEREAS**, the purpose of this joint resolution (“**Resolution**”) is to adopt an orderly annexation agreement to provide for the immediate annexation of the identified portion of the County’s land into the City;

**WHEREAS**, the public notice requirements prescribed by Minnesota Statutes, section 414.0325, subdivision 1b do not apply because the County is the only owner of the property proposed for annexation and is requesting its immediate annexation;

**WHEREAS**, the City and Town jointly agree to designate and request the immediate annexation of the land described in the attached Exhibit A and as shown on the map attached as Exhibit B (“**Designated Area**”);

**WHEREAS**, the Designated Area is within the service area of a water infrastructure improvement project (“**Water Project**”) the Town is currently constructing to provide municipal water service (“**Water Service**”) to a portion of the Town. The Town recently imposed special assessments on the benefited lands, including on the Designated Area, related to the Water Project. Because the County has prepaid the full amount of its special assessment, including the assessment imposed on the Designated Area, there are no special assessments and no debt attributable to the Designated Area required to be paid the Town under Minnesota Statutes, section 414.036 after the effective date of this annexation;

**WHEREAS**, there are no Town roads within or immediately adjacent to the Designated Area, therefore the City is not required to take over the maintenance of any Town roads and no new line roads are being created as a result of this annexation;

**WHEREAS**, the County expressly waived as part of its petition the electric utility service notice under Minnesota Statutes, section 414.0325, subdivision 1a; and

**WHEREAS**, the City and Town determine the Designated Area is about to become urban or suburban in nature due to the County's proposed Justice Center project and the parties agree to its immediate annexation under the terms and conditions of this Resolution.

**NOW, THEREFORE, BE IT JOINTLY RESOLVED**, by the City Council of the City of Carlton and the Town Board of Twin Lakes Township as follows:

1. Jurisdiction. The City and Town confer jurisdiction upon the Chief Administrative Law Judge ("**Chief Judge**") to accomplish the immediate orderly annexation of the Designated Area in accordance with the terms of this Resolution.
2. No Adjustments. The City and Town agree that no alteration of the boundaries of the Designated Area is appropriate and no consideration by the Chief Judge is necessary. The Chief Judge may review and comment, but shall within thirty (30) days order the annexation in accordance with the terms of this Resolution.
3. Designated Area. The City and Town agree the Designated Area, as described in the attached Exhibit A and shown on the map attached as Exhibit B, is designated for, and is subject to, immediate orderly annexation under Minnesota Statutes, section 414.0325 in accordance with the terms of this Resolution.
4. Acreage/Population/Usage. The Designated Area consists of approximately 28.03 acres, the population is 0, and the current land use type is Recreation Residential District (R-1). Upon the effective date of annexation into the City, the designated land use type for the Designated Area will be C-2 Highway Commercial.
5. Water Service. The City and Town agree the Designated Area will receive its Water Service through the Town's system being constructed as part of the Water Project. The City and Town have entered into an agreement regarding the Water System and the parties agree to work cooperatively on the continued provision of water to the Designated Area as part of the Town's Water System and that the costs of such service will be paid to the Town. The City agrees to aid the Town in the collection of any unpaid water bills from the Designated Property as may be needed.
6. Filing and Costs. The City shall be responsible for filing this Resolution with the Boundary Adjustments Unit ("BAU") of the Minnesota Office of Administrative Hearings and for paying all filing fees and other costs or fees associated with filing this Resolution. The City shall also be responsible for filing any additional information or corrected information needed to accomplish the annexation called for in this Resolution. The City and Town shall each be responsible for its own costs incurred in the negotiation, development, and implementation of this Resolution.
7. Termination or Detachment. If the County indicates it does not intend to proceed with the Justice Center prior to the filing of this Resolution, the parties agree this Resolution terminates and shall not be filed with the BAU. If the County indicates it does not intend to proceed with the Justice Center after this Resolution is filed and approved by the BAU, the City agrees to support the detachment of the Designated Area from the City to the Town as provided in Minnesota Statutes, section 414.06. At the Town's request, the City agrees to adopt and submit to the Chief Judge a resolution seeking the detachment. The City agrees to




adopt and submit to the Chief Judge a resolution seeking the detachment. The City agrees to actively support the detachment request and to assist the Town as may reasonably needed to complete the process and accomplish the detachment of the Designated Area back into the Town.

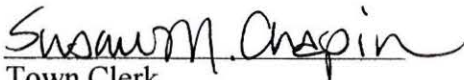
8. Binding Contract. Pursuant to Minnesota Statutes, section 414.0325, subdivision 6, this Resolution is a binding contract upon the parties and is enforceable in district court in the county containing the property to be annexed.
9. Effective Date. This Resolution is effective upon its adoption by the respective governing bodies of the City and Town. The orderly annexation of the Designated Area shall be effective upon the issuance of the order by the Chief Judge. This Resolution is only meant to apply to the land described in the attached Exhibit A and not to any other property or area within Twin Lakes Township.

Adopted by affirmative vote of all the members of the Town Board of Twin Lakes Township this 17th day of November, 2021.

**TWIN LAKES TOWNSHIP**

ATTEST:

By:   
Town Chairperson  
Board of Supervisor

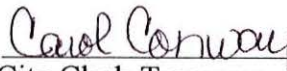
By:   
Town Clerk

Adopted by affirmative vote of the City Council of Carlton this 10th day of November, 2021.

**CITY OF CARLTON**

ATTEST:

By:   
Mayor

By:   
City Clerk-Treasurer

Approved this 17<sup>th</sup> day of November 2021

## **EXHIBIT A**

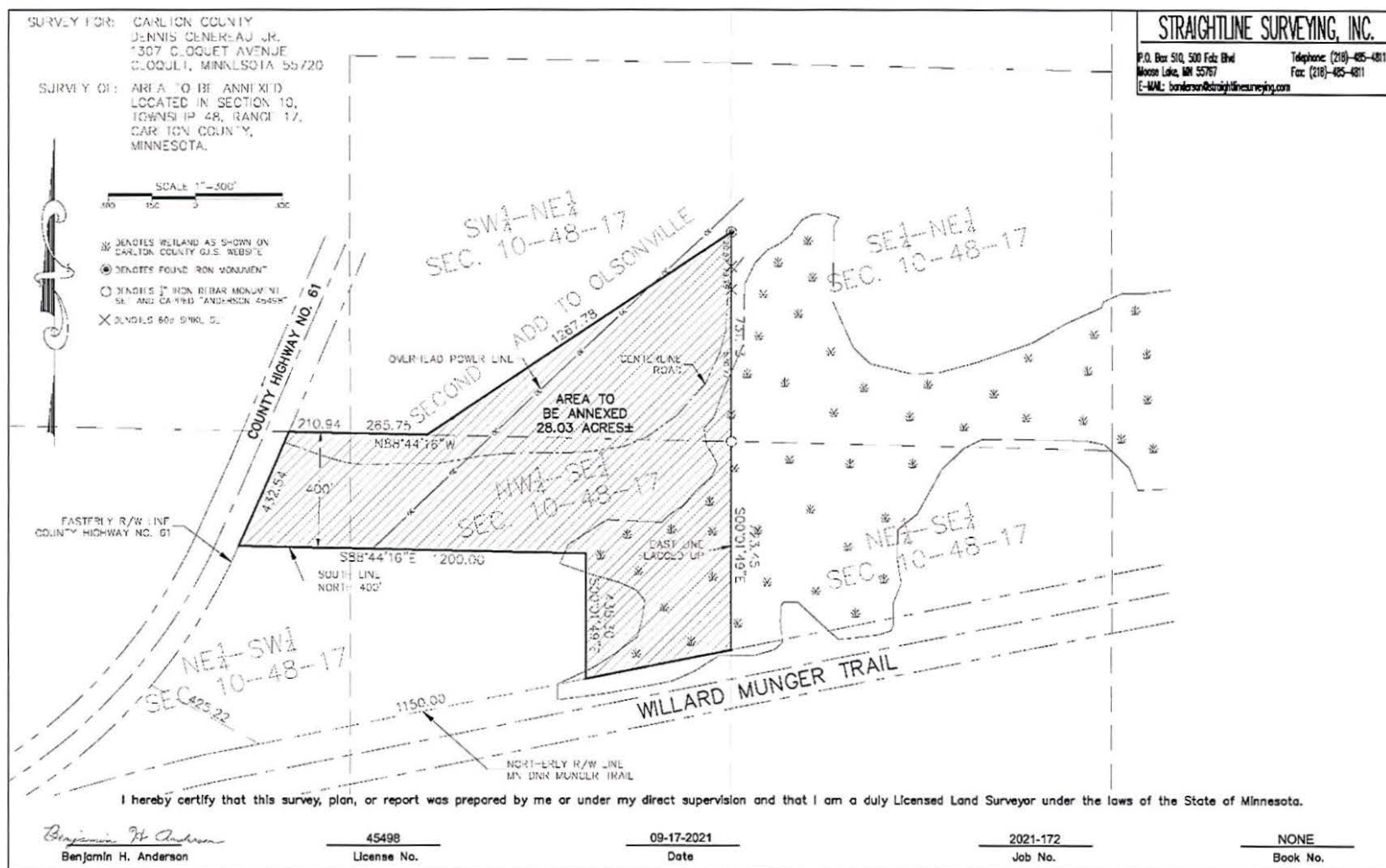
### **Legal Description of Designated Area**

That part of the Southwest Quarter of the Northeast Quarter, Section 10, Township 48, Range 17, Carlton County, Minnesota, lying southerly of the recorded plat of "SECOND ADDITION TO OLSONVILLE" on file and of record in the office of the Carlton County Recorder, Carlton County, Minnesota.

AND ALSO

That part of the Northeast Quarter of the Southwest Quarter and the Northwest Quarter of the Southeast Quarter, Section 10, Township 48, Range 17, Carlton County, Minnesota, lying easterly of the easterly right-of-way line of County State Aid Highway 61, lying northerly of the Minnesota D.N.R. Willard Munger Trail northerly right of way line and lying northerly and easterly of the following described line:

Beginning at the intersection of the easterly right-of-way line of said County State Aid Highway 61 and the south line of the North 400.00 feet of said Northeast Quarter of the Southwest Quarter; thence easterly, along last said south line and its easterly extension, a distance of 1200.00 feet; thence southerly, parallel to the east line of said Northwest Quarter of the Southeast Quarter a distance of 435.30 feet to the northerly right of way line of said Minnesota D.N.R. Willard Munger Trail and there said line terminating.



**EXHIBIT B**  
Map of Designated Area

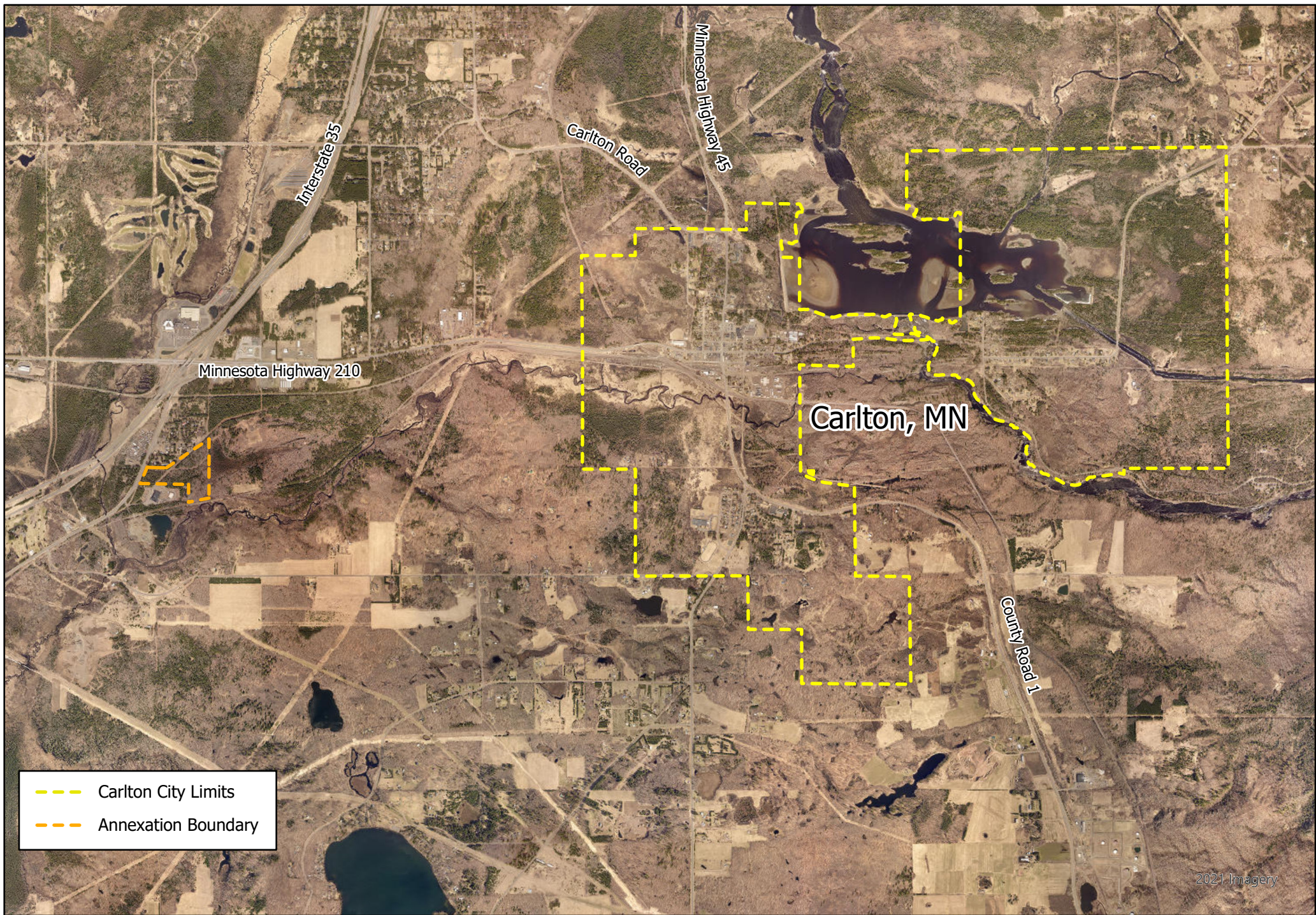




## Carlton County's Justice Center Project Annexation Area

0 250 500 750 1,000 Feet





# Carlton County's Justice Center Project

## Carlton City Limits w/ Annexation Area

0 0.25 0.5 0.75 1 Miles