

## RESOLUTION

The Township of Shingobee and the City of Walker hereby jointly agree to the following:

1. That the following described area in Shingobee Township is subject to orderly annexation pursuant to Minnesota Statutes 414.0325, and the parties hereto designate this area for orderly annexation, to wit

## LAND DESCRIPTION FOR ANNEXATION

Property OwnersParcel #

- 1.) Baxter Country Estates, Inc. 38-126-2303  
All that portion of Government Lot Two (2), Section Twenty-six (26), Township One Hundred Forty-two (142), range Thirty-one (31), lying between Old Highway 371 and New Highway 371 and South of the following described Line, to-wit, beginning where the greater line of said Old Highway 371 intersects the North line of said Lot 2 at a point 1,440 feet East from its Northwest corner; thence West along the North line 460 feet to an iron monument located 980 feet East from the Northwest corner of said Lot 2; thence south 20 degrees West 180 feet, which is the Westerly terminus of said line; thence South 70 degrees East 335 feet, more or less, to the centerline of said Old Highway 371, which is the Easterly terminus of said line.
- 2.) Baxter Country Estates, Inc. 38-126-2302  
That part of Government Lot One (1) in Section Twenty-six (26), in Township One Hundred Forty-two (142) North, of Range Thirty-one (31) west, described as follows: Commencing at the southwest center of Lot Twenty (20) Plat of Sunrise Heights, according to the plat thereof on file and of record in the office of the Register of Deeds of said Cass County, running thence southerly to a point one hundred fifty (150) feet westerly of U. S. Highway no. 371 on the southerly line of said Lot One (1), thence Easterly along the Southerly line of Lot One (1) to said U.S. Highway, thence northerly along said U. S. Highway to the southeast corner of said lot Twenty (20), thence westerly along the southerly line of said Lot Twenty (20) to the place of beginning, excepting therefrom about one-tenth of an acre taken by condemnation proceedings for permanent State Highway No. 371 of the State of Minnesota, and subject to mineral reservations in prior deeds to said premises of record in the office of the Register of Deeds of said Cass County. Less: The Northerly 250 feet thereof. A part of Lots 1 and 2, Sec. 26-142-31, to wit; That part of said Lot 1 described as follows: Beginning where the center line of U. S. Highway No. 371 intersects

the South line of said lot, at a point 1440 ft. east from its Southwest corner; thence West along said South line 460' to an iron monument place 980 ft. east from the Southwest corner of said Lot 1; thence north 20 degrees East 364 feet; thence South 70 degrees East 432 ft. or more to the center line of said Highway; thence Southeasterly along said center line 210 feet or more to the place of beginning, containing about 2.80 acres. That part of said Lot 2 described as follows: Beginning where the center line of U.S. Highway 371 intersects the North Line of said lot 2, at a point 1440 feet East from its Northwest corner; thence West along said North line 460 feet to an iron monument placed 980 feet East from the Northwest Corner of said Lot 2; thence South 20 degrees West 180 feet; thence South 70 degrees East 335 feet more or less to the center line of said Highway; thence Northeasterly along said center line 334 feet or more to the place of beginning containing 2.20 acres as near as may be. The U. S. 1/16th line between said lots is considered a true east and west line.

3.) Baxter Country Estates, Inc. 38-126-2205  
see #2 (38-126-2302 and 38-126-2205 are combined)

4.) East Ottetail Telephone 38-126-2301  
All that part of Government Lot Two (2) and the south Nine (9) acres of Government Lot One (1), all in Section Twenty-six (26) Township One hundred forty-two (142), Range Thirty-one (31), lying and being east of the easement of Old State Trunk Highway #371 and #34, excepting that portion thereof conveyed to Clara Vipond by deed recorded in Book 72 of Deeds, page 76 subject to flowage rights and mineral reservations of record, railroad right-of way easements and easements for highway, electric or telephone lines.

5.) Gladys LaMusga etal John Hopen, Joann Troyna, Penny Fisher & Dennis Fisher 38-126-2202  
That part of Lot 1, Section 26, Township 142, Range 31, described as follows: Beginning at an iron monument on the east and south side of Trunk Highway No. 19 and 34, which said iron monument is approximately 160 feet from the east line of said Lot 1, as a place of beginning; thence east by south at right angles with said Highway to the right of way of the Minnesota and International Railway Company, thence is a northerly direction along the west side of said right of way to the eastern line of said Lot 1, thence north along the east line of said Lot 1 to State Rural Highway No. 34 & 19, thence in a westerly and southerly direction along said highway to the place of beginning. Subject to easements, reservations, and restrictions, if any, of record. Reserving in Grantor a life estate.

6.) Tim & Vicki Hurlburt 38-552-0010  
Lots 1 & 2, Sunrise Heights, according to the plat on file in the office of the County Recorder for Cass County, Minnesota. Subject to easements, reservations and restrictions, if any, of record.

7.) Donald D. & Diane LaMarca 38-552-0030  
Lots 3, 4, 5, 6, 7, 8, 9, 10 Plat of Sunrise Heights.  
Tract E: That certain triangular tract of land described as being a part of Lot 1, Sec.26-142-31, and lying north of the Plat of Sunrise Heights and continuation of the southwest line of Lot 6, of Sunrise Heights projected Northwesterly to intersection with the north line of said Govt. Lot 1.

Tract D: All that part of Govt. Lot 1, Sec. 26-142-31, described as follows, to wit: Commencing at the SW corner of Lot 6 of the Plat of Sunrise Heights, the point of beginning; thence in a northwesterly direction on a continuation of the NW boundary line of said Lot 6, a distance of 100 feet; thence in a southwesterly direction parallel to the westerly boundary line of the Plat of Sunrise Heights a distance of 175 feet; thence in a southeasterly direction to a point on the westerly boundary line of the Plat of Sunrise Heights, equally distant between the southwest and the northwest boundary line of said Plat of Sunrise Heights to the place of beginning, conveying and intending to convey a tract of land 100 feet in width and 175 feet in length extending along the westerly side of Lots 7, 8, 9 and a portion of Lot 10, of the said Plat of Sunrise Heights and adjacent to that certain unplatted tract of land described in Deed of record in Book 83 of Deeds, page 266, in the Office of the County Recorder, Cass County, Minnesota.

8.) David & Joann Melby 38-552-0110  
Lots 11 & 12, Sunrise Heights, according to the plat on file in the office of the County Recorder for Cass County, Minnesota. Subject to easements, reservations and restrictions, if any, of record.

9.) Jim & Bev Worcester 38-552-0130  
Lots 13 & 14 Sunrise Heights, according to the plat on file in the office of the County Recorder for Cass County, Minnesota. Subject to easements, reservations and restrictions, if any, of record.

10.) Kenneth & Jennifer Clyde 38-552-0150  
Lots Fifteen (15) and Sixteen (16), Plat of Sunrise Heights, according to the map or plat thereof on file and of record in the office of the Cass County, Minnesota, Recorder. Subject to easements, reservations, restrictions and conditions of record, if any.

11.) Brenda Salazar 38-552-0170

Lots 17, 18, 19, and 20, Sunrise Heights, according to the plat on file in the office of the County Recorder for Cass County, Minnesota.  
Subject to easements, reservations and restrictions, if any, of record.

12.) William & Marjorie Koch 38-126-2212  
All that part of the former Burlington Northern Railroad right of way located in Government Lot 1, Section 26, Township 142 North, Range 31 West, Cass County, Minnesota.

13.) Harold & Vera Fisher 38-126-2201  
All that part of Government Lot One (1), Section Twenty Six (26), Township One hundred forty-two (142), Range Thirty-one (31) lying east of the right-of-way of the Minnesota & International Railway Company now known as Northern Pacific Railway Company; the intention of this instrument to convey to said parties of the second part all that portion of said government Lot 1 lying between said railroad right-of-way and Leech Lake.

14.) D. W. Jones, Inc. 38-126-0001  
All that portion of Burlington Northern Railroad Company's 100-foot wide Brainerd to Bemidji, Minnesota Branch Line right-of-way, now discontinued, being 50 feet wide on each side of the main track centerline as originally located and constructed upon, over and across Government Lots 1, 2, 3 and 4 of Section 26, and Government Lots 1 and 2 of Section 35, all in Township 142 North, Range 31 West of the Fifth P.M., Cass County, Minnesota, lying between the North line of said Section 26 and the East-West centerline of said Section 35.

15.) Harold and Vera Fisher 38-126-2208  
The northerly 250 feet of the following described tract of land described as follows, to-wit: That part of Gov. Lot 1, Section 26, Township 142, Range 31, described as follows: Commencing at the southwest corner of Lot 20, Plat of Sunrise Heights, according to the plat thereof on file and of record in the office of the Register of Deeds of said Cass County, running thence southerly to a point 150 feet westerly of U. S. Highway No. 371 on the southerly line of said Lot 1, thence easterly along the southerly line of Lot 1 to said U. S. Highway, thence northerly along said U. S. Highway to the southeast corner of said Lot 20, thence westerly along the southerly line of said Lot 20 to the place of beginning, excepting therefrom about 1/10 of an acre taken by condemnation proceedings for permanent State Highway No. 371 of the State of Minnesota, and subject to mineral reservations in prior deeds to said premises of record in the office of the Register of Deeds of Cass County, Minnesota.

16.) All of Cass County Highway 163 and all of Minnesota Highways #371 and #200 in Government Lots 1 & 2, Section 26, Township 142 and Range 31.

2. That the Town Board of the Township of Shingobee, and the City Council of the City of Walker, upon passage and adoption of this resolution and upon the acceptance by the Municipal Board, confer jurisdiction upon the Municipal Board over the various provisions contained in this Agreement.

3. That these certain properties which abut the City of Walker are presently urban or suburban in nature or are about to become so. Further, the City of Walker is capable of providing services to this area within a reasonable time, and the annexation is in the best interest of the area proposed for annexation. Therefore, these properties would be immediately annexed to the City of Walker, to wit:

#### LAND DESCRIPTION FOR ANNEXATION

##### Property Owners

##### Parcel #

1.) Baxter Country Estates, Inc.

38-126-2303

All that portion of Government Lot Two (2), Section Twenty-six (26), Township One Hundred Forty-two (142), range Thirty-one (31), lying between Old Highway 371 and New Highway 371 and South of the following described Line, to-wit, beginning where the greater line of said Old Highway 371 intersects the North line of said Lot 2 at a point 1,440 feet East from its Northwest corner; thence West along the North line 460 feet to an iron monument located 980 feet East from the Northwest corner of said Lot 2; thence south 20 degrees West 180 feet, which is the Westerly terminus of said line; thence South 70 degrees East 335 feet, more or less, to the centerline of said Old Highway 371, which is the Easterly terminus of said line.

2.) Baxter Country Estates, Inc.

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Minnesota, and subject to mineral reservations in prior deeds to said premises of record in the office of the Register of Deeds of said Cass County. Less: The Northerly 250 feet thereof. A part of Lots 1 and 2, Sec. 26-142-31, to wit; That part of said Lot 1 described as follows: Beginning where the center line of U. S. Highway No. 371 intersects the South line of said lot, at a point 1440 ft. east from its Southwest corner; thence West along said South line 460' to an iron monument place 980 ft. east from the Southwest corner of said Lot 1; thence north 20 degrees East 364 feet; thence South 70 degrees East 432 ft. or more to the center line of said Highway; thence Southeasterly along said center line 210 feet or more to the place of beginning, containing about 2.80 acres. That part of said Lot 2 described as follows: Beginning where the center line of U.S. Highway 371 intersects the North Line of said lot 2, at a point 1440 feet East from its Northwest corner; thence West along said North line 460 feet to an iron monument placed 980 feet East from the Northwest Corner of said Lot 2; thence South 20 degrees West 180 feet; thence South 70 degrees East 335 feet more or less to the center line of said Highway; thence Northeasterly along said center line 334 feet or more to the place of beginning containing 2.20 acres as near as may be. The U. S. 1/16th line between said lots is considered a true east and west line.

3.) Baxter Country Estates, Inc. 38-126-2205  
see #2 (38-126-2302 and 38-126-2205 are combined)

4.) East Ottertail Telephone 38-126-2301  
All that part of Government Lot Two (2) and the south Nine (9) acres of Government Lot One (1), all in Section Twenty-six (26) Township One hundred forty-two (142), Range Thirty-one (31), lying and being east of the easement of Old State Trunk Highway #371 and #34, excepting that portion thereof conveyed to Clara Vipond by deed recorded in Book 72 of Deeds, page 76 subject to flowage rights and mineral reservations of record, railroad right-of way easements and easements for highway, electric or telephone lines.

5.) Gladys LaMusga etal John Hopen, Joann Troyna, Penny Fisher & Dennis Fisher 38-126-2202

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Lot 1 to State Rural Highway No. 34 & 19, thence in a westerly and southerly direction along said highway to the place of beginning. Subject to easements, reservations, and restrictions, if any, of record. Reserving in Grantor a life estate.

6.) Tim & Vicki Hurlburt 38-552-0010  
Lots 1 & 2, Sunrise Heights, according to the plat on file in the office of the County Recorder for Cass County, Minnesota. Subject to easements, reservations and restrictions, if any, of record.

7.) Donald D. & Diane LaMarca 38-552-0030  
Lots 3, 4, 5, 6, 7, 8, 9, 10 Plat of Sunrise Heights.  
Tract E: That certain triangular tract of land described as being a part of Lot 1, Sec.26-142-31, and lying north of the Plat of Sunrise Heights and continuation of the southwest line of Lot 6, of Sunrise Heights projected Northwesterly to intersection with the north line of said Govt. Lot 1.

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9.) Jim & Bev Worcester 38-552-0130  
Lots 13 & 14 Sunrise Heights, according to the plat on file in the office of the County Recorder for Cass County, Minnesota. Subject to easements, reservations and restrictions, if any, of record.

10.) Kenneth & Jennifer Clyde 38-552-0150



REC'D. BY  
MMR JAN 16 1996

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the place of beginning, excepting therefrom about 1/10 of an acre taken by condemnation proceedings for permanent State Highway No. 371 of the State of Minnesota, and subject to mineral reservations in prior deeds to said premises of record in the office of the Register of Deeds of Cass County, Minnesota.

16.) All of Cass County Highway 163 and all of Minnesota Highways #371 and #200 in Government Lots 1 & 2, Section 26, Township 142 and Range 31.

4. Upon annexation, the City shall zone said property as follows:

Property Owners

Parcel #

- 1.) Baxter Country Estates, Inc.

38-126-2303

Commercial Zoning

All that portion of Government Lot Two (2), Section Twenty-six (26), Township One Hundred Forty-two (142), range Thirty-one (31), lying between Old Highway 371 and New Highway 371 and South of the following described Line, to-wit, beginning where the greater line of said Old Highway 371 intersects the North line of said Lot 2 at a point 1,440 feet East from its Northwest corner; thence West along the North line 460 feet to an iron monument located 980 feet East from the Northwest corner of said Lot 2; thence south 20 degrees West 180 feet, which is the Westerly terminus of said line; thence South 70 degrees East 335 feet, more or less, to the centerline of said Old Highway 371, which is the Easterly terminus of said line.

- 2.) Baxter Country Estates, Inc.

38-126-2302

Commercial Zoning

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premises of record in the office of the Register of Deeds of said Cass County. Less: The Northerly 250 feet thereof. A part of Lots 1 and 2, Sec. 26-142-31, to wit; That part of said Lot 1 described as follows: Beginning where the center line of U. S. Highway No. 371 intersects the South line of said lot, at a point 1440 ft. east from its Southwest corner; thence West along said South line 460' to an iron monument place 980 ft. east from the Southwest corner of said Lot 1; thence north 20 degrees East 364 feet; thence South 70 degrees East 432 ft. or more to the center line of said Highway; thence Southeasterly along said center line 210 feet or more to the place of beginning, containing about 2.80 acres. That part of said Lot 2 described as follows: Beginning where the center line of U.S. Highway 371 intersects the North Line of said lot 2, at a point 1440 feet East from its Northwest corner; thence West along said North line 460 feet to an iron monument placed 980 feet East from the Northwest Corner of said Lot 2; thence South 20 degrees West 180 feet; thence South 70 degrees East 335 feet more or less to the center line of said Highway; thence Northeasterly along said center line 334 feet or more to the place of beginning containing 2.20 acres as near as may be. The U. S. 1/16th line between said lots is considered a true east and west line.

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**Residential Zoning**

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**16.) Residential Zoning**

All of Cass County Highway 163 and all of Minnesota Highways #371 and #200 in Government Lots 1 & 2, Section 26, Township 142 and Range 31.

5. Both the Township of Shingobee and the City of Walker agree that no alteration of the stated boundaries of this agreement is appropriate. Furthermore, each party agrees that no consideration by the Municipal Board is necessary. Upon receipt of this resolution, passed and adopted by each party, the Municipal Board may review and comment, but shall, within thirty (30) days, order the annexation in accordance with the terms of this joint resolution.

Approved by the Township of Shingobee this 10th day of JANUARY, 1996

Shingobee Township

By: Don Vallmar  
Township Board Chair

By: [Signature]  
Township Board Clerk

Approved by the City of Walker this 5th day of December, 1995

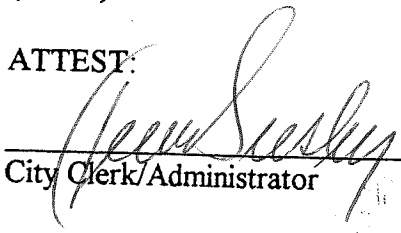
City of Walker

By: [Signature]  
Mayor

REC'D. BY JAN 16 1996  
MMR

(SEAL)

ATTEST:

  
\_\_\_\_\_  
City Clerk/Administrator



SECTION 26  
TOWNSHIP 142  
RANGE 31

REC'D. BY JAN 16 1996  
MMR

City  
Limits

