

JUN 06 2002

**AMENDED JOINT RESOLUTION FOR ORDERLY ANNEXATION BETWEEN THE  
TOWNSHIP OF SIBLEY AND THE CITY OF PEQUOT LAKES, MINNESOTA**

**WHEREAS**, The Township of Sibley (hereinafter the "Town") and the City of Pequot Lakes (hereinafter the "City") have had numerous discussions regarding the planning and development of land areas adjacent to the City; and

**WHEREAS**, the Town Board and the City Council have undertaken a study of the factors impacting growth and development; and

**WHEREAS**, the Town Board and the City Council desire to accomplish future planning and development of land areas adjacent to the City in an orderly fashion; and

**WHEREAS**, the Town Board and the City Council each unanimously adopted a Joint Resolution For Orderly Annexation on the 12th day of March, 2002, and which was filed with the Office of Strategic and Long Range Planning, (hereinafter "Minnesota Planning") on March 14, 2002; and

**WHEREAS**, since the adoption and filing of the above-described Joint Resolution, the Town Board and City Council and their respective staffs have worked diligently to resolve issues which needed to be addressed prior to the effective date of the annexation; and

**WHEREAS**, the Town Board and the City Council have resolved the issues which were pending at the time they passed the Joint Resolution on March 12, 2002; and

**WHEREAS**, the Town Board and City Council are in agreement that it is appropriate to amend their original Joint Resolution and to obtain an Order from the Office of Strategic and Long Range Planning making the proposed annexation effective at the earliest possible date; and

**WHEREAS**, the Town Board and City Council have determined the immediate annexation of the Town is of mutual benefit to both parties and the residents thereof.

**NOW, THEREFORE, BE IT RESOLVED**, by the Town Board and the City of Pequot Lakes as follows:

1. **Amendment of March 12, 2002 Joint Resolution:** The Joint Resolution For Orderly Annexation adopted by the Town Board and City Council on March 12, 2002, is hereby amended, and this Amended Joint Resolution For Orderly Annexation supersedes and in all respects replaces the original Joint Resolution of March 12, 2002.

2. **Expedited Review:** The Town Board and City Council respectfully request that this Amended Joint Resolution For Orderly Annexation be scheduled for expedited review by Minnesota Planning.
3. **Effective Date of Annexation:** The area proposed for annexation is in need of orderly annexation, and annexation would be in the best interests of the subject area. Therefore, the parties agree that the area encompassing the entire unincorporated territory of the Township of Sibley be annexed effective June 14, 2002, or as soon thereafter as it may be ordered by Minnesota Planning.
4. **Designation of Orderly Annexation Area:** The Town and City designate by this Amended Joint Resolution and Agreement the area encompassing the entire unincorporated territory of said Town as subject to immediate annexation under and pursuant to Minnesota Statutes Section 414.0325. Said Orderly Annexation Area is further described as that area set forth in the map attached, identified as Exhibit 1.
5. **Minnesota Planning Jurisdiction:** Upon approval by the respective governing bodies of the Town and the City, this Amended Joint Resolution and Agreement shall confer jurisdiction upon Minnesota Planning so as to accomplish orderly annexation in accordance with the terms of this Amended Joint Resolution and Agreement.
6. **No Alterations of Boundaries:** The Town and the City mutually state that no alterations by Minnesota Planning of boundaries of the area designated herein for orderly annexation is appropriate.
7. **Review and Comment by Minnesota Planning:** The Town and the City mutually state that this Amended Joint Resolution and Agreement sets forth all the conditions for annexation of the area designated herein for orderly annexation and that no consideration by Minnesota Planning is necessary. Minnesota Planning may review and comment, but shall within thirty (30) days order annexation in accordance with the terms and conditions of this Amended Joint Resolution and Agreement.
8. **Special Terms and Conditions for Orderly Annexation:** The Town and the City mutually agree and resolve that the following terms and conditions shall govern annexation under this Amended Joint Resolution and Agreement for Orderly Annexation.
9. **Transition Committee:** The City and the Town have created a Transition Committee to advise on issues that affect



the effective implementation of this Amended Joint Resolution and Agreement. This committee will work closely with the City Council and the Planning and Zoning Board.

- a. After annexation membership on the Transition Committee shall continue to consist of three of the members from each the City and the former Town area.

All members already appointed, including the additional member selected to serve as chair, are hereby reappointed by both the Town Board and City Council.

- b. The chair will only vote in the case of a tie, unless the vote is equally divided between representatives appointed by the Town and the City.
- c. The City and the Town mutually agree that the Transition Committee will review, on a continuous basis, the factors impacting this orderly annexation and will report to the City Council its recommendations.
- d. The City will designate an employee whose duties will include providing information and acting as a liaison in respect to City government for former Township residents.
- e. The Transition Committee shall remain in existence for a period of one year from the date of annexation as specified in this Amended Joint Resolution. Following annexation, the Committee's recommendations as described above shall be made to the City Council.

10. **Agricultural, Forestry, Rural Preservation:** The City and the Town mutually agree that the preservation and protection of agricultural, forestry and the rural atmosphere is beneficial and have taken steps to establish a preservation policy. This policy includes the following items:

- a. Items protecting these areas are, and shall continue to be included in the Comprehensive Plan and the Zoning Ordinance as necessary to ensure enforcement of this policy.
- b. The property annexed to the City pursuant to this Amended Joint Resolution shall continue to be designated as zoned in the Town immediately prior

to the annexation.

- c. Prior to the effective date of this Amended Joint Resolution, modifications as necessary have been made to the City zoning ordinance to allow for the continuation of activities in the Town area currently zoned for these districts - Agriculture, Forestry, 371 Corridor, Shoreland, Waterfront Commercial, Non-City Lakeshore Residential, Rural Residential and Residential Zoning Districts. The City recognizes the special needs and problems associated with residential development in these districts. The ordinance includes boundaries for each zoning district as agreed by both the City and Town. A map showing these boundaries is attached, marked as Exhibit 2.
11. **Police and Fire Protection:** The property annexed into the City will be served by the City Police and Fire Departments from the effective date of annexation.
12. **Assessments and Bonded Indebtedness:** The City agrees that it will not charge any additional (above the going City rate) trunk fees or hook up fees to the annexed property unless service or hook-up is requested. Neither the Town nor the City is making any levy for bonded indebtedness for projects completed or embarked upon prior to the date of this Amended Joint Resolution.
13. **Assets:** Upon the effective date of the annexation of the Town, all of the assets and fund balances of the Town will become assets and funds balances of the City. All the records of the Town that pertain to the portions of the present Town being annexed will become records of the City. All rights and obligations of the Town existing on that effective date become the rights and obligations of the City as of that date. The Town will work with the City in obtaining financial assistance from the State to assist in funding the annexation.
14. **Dedicated Funds of the Town:** Any dedicated funds for roads or parks affected by annexation, shall be turned over to the city within 15 days after the date of the annexation Order. The Town shall forward any accounts receivable to be collected in the future for dedicated roads or park funds on annexed lands to the City. Future payments on any bond or other debt instrument related to a specific project on annexed property shall be made to the City.
15. **Rural and Urban Service Districts:** The City shall be divided into an urban service district and a rural



service district with boundaries as shown on the attached Exhibit 3. Because Sibley Township will not be benefited to the same degree as other lands by municipal services financed by general taxation, the rural service district shall include all of Sibley Township except those parcels classified for tax purposes as Commercial, Industrial, Utility or Seasonal Commercial. Those parcels so excepted are designated herein as "Area A" and are described on the list attached hereto and made a part hereof, marked as Exhibit 4. The parcels in "Area A" shall be included in the urban service district. The urban service district shall include all lands within the boundaries of the City which are not included in the rural service district. The approximate ratio which in the judgment of the Town and City exists between the benefits resulting from tax supported municipal service to parcels of land of like market value situated in the urban service district and the rural service district is 2:1, respectively.

16. **Sewer and Water Services:** The City has adopted a sewer and water ordinance which requires appropriate sizing of trunk sewer lines and water facilities. This ordinance provides for anticipated development as described in the current Comprehensive Plan and Zoning Ordinance.
  - a. The goal is to provide sewer and water services to designated areas as necessary in a logical, orderly, and cost efficient manner. Consideration shall be given to the following:
    - i. Use of public sewer and water systems is required when public sewer service is extended and accessible to a building or premises. When the public water service is extended and available to a building or premises, it may be connected to the public water supply. Whereupon private residential wells may continue to be used for lawn sprinkling systems.
      1. Existing and conforming individual septic systems will be granted not more than five (5) years to connect to the municipal system from the time municipal service is available.
      2. Existing non-conforming systems must connect within twelve (12) months of the municipal system becoming available.
    - ii. Criteria for any sewer and water extensions

outside of the schedule may include the following:

1. Development has minimal impact on natural surroundings;
  2. Development follows the Comprehensive Plan;
  3. The payment for the installations of services is made by the developer;
  4. New development without provision for sewer and water is discouraged;
  5. A preference is made for growth closer to existing sewer and water services; and
  6. A petition of affected property owners.
- b. Cluster systems: When public sewer is not feasible, public cluster systems are preferred. Language allowing cluster systems is included in the City's ordinances.
- c. Individual systems: Individual systems will be allowed where a municipal system is not available, and where not practical for cluster systems.
- d. Storm sewer: Town areas will receive storm sewer, as deemed necessary by the City Council.
17. **Employees:** The City will assimilate personnel employed by the Town into the City's work force at the time of annexation. Upon employment with the City, former Town employees' salary and benefits will be the greater of the two governments. Employees of both the City and Town will retain their original hire date with the City or Town respectively for purposes of seniority.
- a. The former Town employees will not be considered for promotions during the first six months of their employment with the City.
  - b. No employee will be terminated by the City due to elimination of their position within six months of final annexation in accordance with this Amended Joint Agreement and Resolution.
  - c. Upon employment with the City, Town employees will be granted all benefits and vacations with pay equivalent to the number of days they were entitled

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to during their last year of employment with the Town. The amount of benefits or vacation shall not increase until time in service with the City entitles the employee to more benefits or days of vacation than were provided by the Town prior to the annexation.

- d. Nothing in this Amended Joint Resolution shall be construed to in any way restrict the employer from terminating an employee for just cause.
18. **Firearms:** The City's ordinance restricting the use of firearms shall not apply to any portions of the City located within the rural service district.
19. **"Area A" Phase-in of Property Taxes:** The tax rate of the City on all parcels in "Area A" as identified on Exhibit 4 shall be increased in substantially equal proportions over six (6) years to equality with the local tax rate on property already within the City in the same tax classification.
20. **Authorization:** The appropriate officers of the City and the Town are hereby authorized to take appropriate and necessary steps to implement the terms of this Amended Joint Resolution and Agreement.
21. **Severability:** Should any section of this Amended Joint Resolution and Agreement be held by a court of competent jurisdiction to be unconstitutional or void, the remaining provisions shall remain in full force and effect.
22. **Effective Date:** This Amended Joint Resolution and Agreement shall be effective immediately upon its adoption by the respective governing bodies of the Town and City.

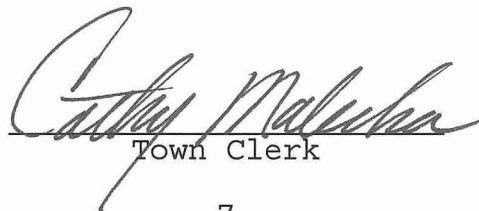
Adopted by the Town Board of Supervisors for the Town of Sibley this 4 day of June, 2002.

  
Chairman

  
Supervisor

  
Supervisor

Attest:

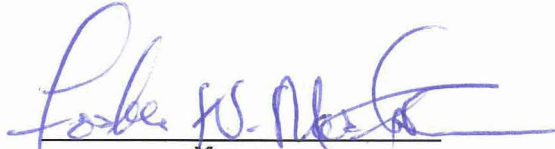
  
Town Clerk



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Adopted by the City Council for the City of Pequot Lakes this  
4 day of June, 2002.

  
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Mayor

  
\_\_\_\_\_  
Council Member

  
\_\_\_\_\_  
Council Member

  
\_\_\_\_\_  
Council Member

  
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Council Member

Attest:

  
\_\_\_\_\_  
City Clerk

"AREA A"

EXHIBIT 4

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Properties containing Commercial Classification in Sibley Township

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Parcel Nbr	Name	Sect	Twp	Rge	Deeded Acres	Parcel description
91P114300A00009	EMEOTT, PAUL	11	136.0	29	5.00	LEASE #144-16-0894 LOCATED ON PART OF SW1/4 OF SW1/4 OF SE1/4 SECTION 11 TWP 136RNG 29. RUNNING FROM JANUARY 1 2000 THRU DECEMBER 31 2004.
910011300000009	ANDERSON, JAMES A	1	136.0	29	40.00	SW1/4 OF NE1/4
910011400AA0009	ANDERSON, JAMES A & LINNEA	1	136.0	29	17.87	THE E. 920 FT OF SE1/4 OF NE1/4 SECTION 1, EXCEPT THE E. 660 FT OF THE S. 660 FT THEREOF.
910011400B00009	ANDERSON, JAMES A	1	136.0	29	12.13	SE1/4 OF NE1/4 SECTION 1, EXCEPT THE E. 920 FT THEREOF.
910014100A00009	ANDERSON, JAMES A & LINNEA	1	136.0	29	12.12	THE E. 400 FT OF THE NE1/4 OF SE1/4 SECTION 1
910014100B00009	ANDERSON, JAMES A	1	136.0	29	27.88	NE1/4 OF SE1/4 SECTION 1, EXCEPT THE E. 400 FT THEREOF
910014200000009	ANDERSON, JAMES A	1	136.0	29	40.00	NW1/4 OF SE1/4
910014300000009	ANDERSON, JAMES A	1	136.0	29	40.00	SW1/4 OF SE1/4
910014400AA0889	ANDERSON, JAMES A	1	136.0	29	29.57	THAT PART OF SE1/4 OF SE1/4 SECTION 1 LYING N. & W. OF THE TOWNSHIP ROAD
910014400BA0009	TRI-CITY PAVING INC	1	136.0	29	10.43	THAT PART OF SE1/4 OF SE1/4 SECTION 1 LYING S. OF THE TOWNSHIP ROAD.
910022103B00889	NEUMANN, TATE E & LINDA	2	136.0	29	6.14	W. 270 FT OF E. 600 FT OF GOV. LOT 3 SEC. 2 SUBJECT TO HWY EASEMENT OF RECORD.
910031202C00889	EBNET, THEODORE J N	3	136.0	29	1.21	THAT PART OF GOV. LOT 2 SECTION 3 DESCRIBED AS FOLLOWS; THE E. 165 FT OF THE W. 485 FT OF THE N. 353 FT OF GOV. LOT 2, LESS THAT PARCEL DESCRIBED IN BOOK 234 OF DEEDS PAGE 318 & LESS THAT PART OF THE ABOVE DESCRIBED PARCEL TAKEN FOR HWY PURPOSES. SUBJECT TO EASEMENTS, RESERVATIONS OR RESTRICTIONS OF RECORD.
910034200B00009	MINNESOTA POWER AND LIGHT	3	136.0	29	13.50	A PARCEL OF LAND 215 FT WIDE ACROSS N. 1/2 OF SE1/4 SECTION 3., SAID PARCEL OF LAND IS FURTHER DESCRIBED AS A STRIP OF LAND 215 FT IN WIDTH ACROSS THE NE1/4 OF SE1/4 SECTION 3 BEING 107.5 FT ON EITHER SIDE OF A CENTERLINE DESCRIBED AS FOLLOWS; BEG. AT A POINT ON THE W. LINE OF SAID QUARTER WHICH IS 390 FT S. OF THE NW CORNER OF SAID TRACT, THEN RUNNING E'LY TO A POINT ON THE E

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## Properties containing Commercial Classification in Sibley Township

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Parcel Nbr	Name	Sect	Twp	Rge	Deeded Acres	Parcel description
910034200B00009	MINNESOTA POWER AND LIGHT	3	136.0	29	13.50	LINE OF SAID QUARTER WHICH IS 310 FT S. OF THE NE CORNER OF SAID TRACT CONTAINING APPROX 6.8 ACRES, AND ALSO INCLUDING A STRIP OF LAND 215 FT IN WIDTH ACROSS THE NW1/4 OF SE1/4 SECTION 3 BEING 107 .5 FT ON EITHER SIDE OF A CENTERLINE DESCRIBED AS FOLLOWS; BEG. AT A POINT ON THE W. LINE OF SAID NWSE WHICH IS 480 FT S. OF THE NW CORNER OF SAID TRACT, THEN RUNNING E'LY TO A POINT ON THE E. LINE WHICH IS 390 FT S. OF THE NE CORNER OF SAID TRACT CONTAINING APPROX. 6.7 ACRES.
910101200AA0889	LANGENBAU, ROGER W	10	136.0	29	5.41	THAT PART OF NW1/4 OF NE1/4 SECTION 10 LYING E'LY OF THE E'LY ROW LINE OF THE MINNESOTA & INTERNATIONAL RAILWAY, & LYING N'LY OF THE FOLLOWING DESCRIBED LINE; COMM. AT THE NE CORNER OF SAID NW1/4 OF NE1/4, THEN S. 2 DEG 12 MIN 58 SEC W. ASSUMED BEARING ALONG THE E. LINE THEREOF 407.41 FT TO THE POINT OF BEG OF THE LINE TO BE HEREIN DESCRIBED, THEN N. 81 DEG 12 MIN 54 SEC W. 40 .80 FT, THEN S. 74 DEG 21 MIN 53 SEC W. 374.69 FT MORE OR LESS TO SAID E'LY ROW LINE AND SAID LINE THERE TERMINATING. SUBJECT TO STATE HWY 371 AS DESCRIBED IN BK 117 OF DEEDS PAGE 491. SUBJECT TO EASEMENTS, RESERVATIONS OR RESTRICTIONS OF RECORD.
910101200AB0889	LANGENBAU, ROGER W	10	136.0	29	2.11	THAT PART OF NW1/4 OF NE1/4 SECTION 10 LYING E'LY OF THE E'LY ROW LINE OF THE MINNESOTA & INTERNATIONAL RAILWAY, & LYING S'LY OF THE FOLLOWING DESCRIBED LINE; COMM. AT THE NE CORNER OF SAID NW1/4 OF NE1/4, THEN S. 2 DEG 12 MIN 58 SEC W. ASSUMED BEARING ALONG THE E. LINE THEREOF 407.41 FT TO THE POINT OF BEG OF THE LINE TO BE HEREIN DESCRIBED, THEN N. 81 DEG 12 MIN 54 SEC W. 40 .80 FT, THEN S. 74 DEG 21 MIN 53 SEC W. 374.69 FT MORE OR LESS TO SAID E'LY ROW LINE AND SAID LINE THERE TERMINATING. SUBJECT TO STATE HWY 371 AS DESCRIBED IN BK 117 OF DEEDS PAGE 491. SUBJECT TO EASEMENTS, RESERVATIONS OR RESTRICTIONS OF RECORD.
910111100B00009	MINNESOTA POWER AND LIGHT	11	136.0	29	.67	THAT PART OF THE NE1/4 NE1/4 DESC AS: A STRIP OF LAND 100 FT IN WIDTH BEING 50 FT IN WIDTH ON EACH SIDE OF A CENTERLINE, BEG AT A POINT

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## Properties containing Commercial Classification in Sibley Township

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Parcel Nbr	Name	Sect	Twp	Rge	Deeded Acres	Parcel description
910122300B00009	MINNESOTA POWER AND LIGHT	12	136.0	29	4.22	NW'LY A DISTANCE OF 1340 FT TO A POINT ON THE W. LINE WHICH IS 365 FT S. OF THE NW CORNER OF SAID TRACT, AS SHOWN ON DRAWING MA-20011, AND ALSO PART OF SE1/4 OF NW1/4 OF SEC. 12 DESCRIBED; A PARCEL OF LAND 115 FT IN WIDTH, CONTAINING 3.0 ACRES M/O/L.
910124400000009	HUNT TECHNOLOGIES INC	12	136.0	29	40.00	SE1/4 OF SE1/4
910131100ABA009	HUNT TECHNOLOGIES INC	13	136.0	29	6.44	THAT PART OF THE E'LY 645 FT OF THE NE1/4 OF NE1/4 SECTION 13 LYING N'LY OF NICKELS ROAD (OLD CO RD 11), EXCEPT THAT PART OF THE E'LY 200 FT OF THE NENE SECTION 13 LYING N'LY OF SAID ROAD.
910131100C00009	HUNT TECHNOLOGIES INC	13	136.0	29	5.12	THAT PART OF THE W. 335 FT OF THE E. 980 FT OF THE NE1/4 OF NE1/4 SECTION 13 LYING N'LY OF THE CENTERLINE OF NICKELS ROAD (OLD COUNTY ROAD #11. SUBJECT TO HWY ROWS OF RECORD.
910131100D00009	HUNT TECHNOLOGIES INC	13	136.0	29	5.04	THAT PART OF NE1/4 OF NE1/4 SECTION 13 LYING W'LY OF THE E'LY 980 FT THEREOF, & LYING N'LY OF THE CENTERLINE OF NICKELS ROAD (OLD COUNTY ROAD #11) SUBJECT TO HWY ROWS OF RECORD.
910154100ACD889	GAMMELLO, LINDA R & JAMES M TRTEES	15	136.0	29	1.72	THE N. 876 FT OF THE SE1/4 SEC. 15 LYING E'LY OF THE RAILROAD ROW, EXCEPT THE N. 526 FT THEREOF, AND EXCEPT THE S. 75 FT THEREOF.
910154100ADA889	CASANOVA, CHAD T & KARI M	15	136.0	29	1.09	THE S. 349 FT OF N. 1150 FT OF E. 1/2 OF SE1/4 SECTION 15 LYING E. OF RAILROAD ROW.
910154100C00009	JOHNSON, STEPHEN A	15	136.0	29	1.85	PART OF NE1/4 OF SE1/4 DESC AS FOL: COMM AT A POINT ON THE N LINE OF SAID NESE DIST 952.56 FT N 89 DEG 08 MIN 09SEC W FROM THE NE COR THEREOF, THEN S 0 DEG 51 MIN 51 SEC W A DISTOF 306.0 FT TO THE ACTUAL POINT OF BEG OF THE TRACT DESC, THEN S 8 DEG 50 MIN 11 EC E A DIST OF 259.83 FT, THEN N 81 DEG 09 MIN 49SEC E A DIST OF 350 FT MORE OR LESS TO THE W RIGHT OF WAY LINE OF ST HW Y #371, THEN NW'LY ALG SAID RIGHT OF WAY LINE A DIST OF 200 FT MORE OR LESS TO A POINT WHERE A LINE BEARING S 89 DEG 08 MIN 09SEC E FROM THE POINT OF BEG, INTERS SAID RIGHT OF WAY LINE, THEN N89 DEG 08 MIN 09 SEC W A DIST OF 355.08 FT MORE OR LESS TO THE POINT OF BEG. SUBJ TO EASE OF RECORD.

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910154100E00009	SCHOEB, MARK	15	136.0	29	.80	PART OF NE1/4 OF SE1/4 SEC. 15 DESCRIBED AS FOLLOWS; COMM. AT A POINT ON THE N LINE OF SAID NESE DISTANT 952.56 FT N 89 DEG 08 MIN 09 SEC W FROM THE NE CORNER THEREOF, THEN S. 0 DEG 51 MIN 51 SEC W. A DIST OF 306.0 FT, THEN S 8 DEG 50 MIN 11 SEC E A DIST OF 259.83 FT TO THE ACTUAL POINT OF BEG OF THE TRACT TO BE HEREIN DESCRIBED, THEN S 08 DEG 50 MIN 11 SEC E A DIST OF 100 FT, THEN N 81 DEG 09 MIN 49 SEC E A DIST OF 350 FT M/O/L TO THE W ROW LINE OF STATE HWY #371, THEN NW'LY ALONG SAID ROW LINE A DIST OF 100 FT M/O/L TO A POINT WHERE A LINE BEARING N 81 DEG 09 MIN 49 SE C E FROM THE POINT OF BEG INTERSECTS SAID RIGHT OF WAY LINE, THEN S 81 DEG 09 MIN 49 SEC W A DIST OF 350 FT M/O/L TO THE POINT OF BEG, SUBJECT TO A ROAD EASE OF RECORD.
910221100C00889	SHERWOOD, JAMES L & CURTIS L LINDEL	22	136.0	29	10.00	S 330 FT OF NE1/4 OF NE1/4 EX HWY
910221402B00889	DOTTY, JOHN P	22	136.0	29	6.06	N 200 FT OF S 429 FT OF N 672 1/2 FT OF SE1/4 OF NE1/4 SUBJ TO RESERV, RESTR & EASE OF RECORD.
910221402C00009	DOTTY, JOHN P	22	136.0	29	6.94	S 429 FT OF N 672 1/2 FT OF SE1/4 OF NE1/4 SUBJ TO ROAD EASEMENTS AS LAID OUT EX N 200 FT THEREOF
910221402DAD009	PESTELLO, MIKE	22	136.0	29	2.46	THE S. 358 FT OF THAT PART OF SE1/4 OF NE1/4 SECTION 22 WHICH LIES E'LY OF A LINE DRAWN PARALLEL WITH AND MEASURED 300 FT W'LY AT A RIGHT ANGLE TO THE W'LY RIGHT OF WAY LINE OF STATE TRK HWY 371.
910224100FA0889	SEILS, GREGORY R & CHARLENE	22	136.0	29	11.35	THE S. 250 FT OF NE1/4 OF SE1/4 AND THE S. 250 FT OF GOV. LOT 3 SEC. 22 EXCEPT THAT PART OF THE S. 250 FT OF THE NE1/4 OF SE1/4 SECTION 22 DESCRIBED AS FOLLOWS; BEG. AT THE IRON MONUMENT WHERE THE S. LINE OF SAID NESE INTERSECTS WITH THE W'LY ROW LINE OF TRK HWY 371, SAID POINT BEING S. 89 DEG 30 MIN 22 SEC W. 153.91 FT FROM THE SE CORNER OF SAID NESE AS MEASURED ALONG SAID S. LINE OF THE NESE, THEN S. 89 DEG 30 MIN 22 SEC W. 418.13 FT ALONG SAID S. LINE OF THE NESE TO AN IRON MONUMENT, THEN N. 00 DEG 17 MIN 53 MIN E. 145.71 FT TO AN IRON MONUMENT, THEN N. 89 DEG 30 MIN 22 SEC E. 183 FT TO AN IRON MONUMENT, THEN S. 00

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Parcel Nbr	Name	Sect	Twp	Rge	Deeded Acres	Parcel description
910224100FA0889	SEILS, GREGORY R & CHARLENE	22	136.0	29	11.35	DEG 17 MIN 53 SEC W. 45.69 FT TO AN IRON MONUMENT HEREINAFTER DESIGNATED POINT A, THEN N. 89 DEG 30 MIN 22 SEC E. 234.63 FT TO AN IRON MONUMENT ON SA ID W'LY ROW LINE OF TRK HWY 371, THEN S. 00 DEG 00 MIN 53 SEC W. 100 FT ALONG SAID W'LY ROW LINE OF TRK HWY 371 TO THE POINT OF BEG. SUBJECT TO AN EASEMENT OF RECORD.
910224304D00889	TULENCHIK, LEROY R	22	136.0	29	33.40	ALL THAT PORTION OF THE S 850 FT OF THE FOL DESC TRACT: THE SE1/4 OF SE1/4 & GOV LOT 4 WHICH LIES W'LY OF THE FOL DESC LINE, COMM AT THE INTERSECTION OF THE N LINE OF SAID S 850 FTWITH THE W LINE OF THE TRACTS DESC IN THAT FINAL CERTIFICATE TO THE STATE OF MINN. DATED 11-10-1952 & RECORDED IN BK 117 OF DEEDS ON PAGE 491 & RUNNING THEN W'LY ALG SAID N LINE A DIST OF 800 FT TO A POINT IN THE SAID SE SE ON SAID N LINE THEREOF, THE POINT OF BEG OF SAID LINE, RUN THEN S'LY, PARALLEL TO SAID W LINE OF THE TRACT IN SAID FINAL CERTIFICATE 850 FT MORE OR LESS TO THE S LINE OF SAI D SE SE & THERE TERMINATING.
910224400AAA009	BRETZ, DAVID A	22	136.0	29	2.34	THE N. 150 FT OF THE E. 680 FT OF SE1/4 OF SE1/4 SECTION 22 SUBJECT TO EASEMENTS OF RECORD. SUBJECT TO STATE TRK HWY 371.
910224400AA0889	SANDBERG, MARIE	22	136.0	29	13.36	ALL THAT PORTION OF THE S. 850 FT OF SE1/4 OF SE1/4 SEC. 22 WHICH LIES E'LY OF THE FOLLOWING DESCRIBED LINE, COMM. AT THE INTERSECTION OF THE N. LINE OF SAID S. 850 FT WITH THE W. LINE OF THE TRACTS DESCRIBED IN THAT FINAL CERTIFICATE TO THE STATE OF MINN. DATED NOV. 10, 1952, FILED APRIL 18, 1953 & RECORDED IN BK 117 OF DEEDS ON PAGE 491 IN THE OFFICE OF THE REGISTER OF DEEDS FOR SAID COUNTY AND RUNNING THEN W'LY ALONG SAID N. LINE A DIST. OF 800 FT TO A POINT IN SAID SESE ON SAID N. LINE THEREOF, THE POINT OF BEG OF SAID LINE, RUNNING THEN S'LY PARALLEL TO SAID W. LINE OF THE TRACT IN SAID FINAL CERTIFICATE, 850 FT, MORE OR LESS TO THE S. LINE OF SAID SESE AND THERE TERMINATING. LESS ANY PART OR PORTION THEREOF TAKEN UNDER SAID FINAL CERTIFICATE. SUBJECT TO EASEMENTS, RESERVATIONS OR REGULATIONS OF RECORD. EXCEPT PART TO HAROLD HERBOLT.



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Parcel Nbr	Name	Sect	Twp	Rge	Deeded Acres	Parcel description
910252100BZ0889	THE PRESERVE LLC	25	136.0	29	202.64	256.73 FT, THEN S. 02 DEG 59 MIN 25 SEC E. 223.32 FT, THEN S. 70 DEG 12 MIN 46 SEC W. 348.05 FT, THEN N. 70 DEG 17 MIN 58 SEC W. 155.87 FT, THEN S. 49 DEG 35 MIN 01 SEC W. 90.81 FT, THEN S. 49 DEG 10 MIN 57 SEC E. 415.51 FT, THEN S. 17 DEG 39 MIN 44 SEC E. 455.53 FT, THEN N. 74 DEG 16 MIN 16 SEC E. 490.72 FT, THEN N. 15 DEG 18 MIN 08 SEC W. 452.74 FT, THEN N. 01 DEG 24 MIN 30 SEC E. 147.07 FT, THEN N. 36 DEG 36 MIN 27 SEC E. 344.99 FT, THEN N. 59 DEG 16 MIN 24 SEC E. 397.03 FT, THEN N. 83 DEG 55 MIN 07 SEC E. 234.85 FT TO THE E. LINE OF SAID NW1/4, THEN S. 01 DEG 57 MIN 47 SEC W. 3626.17 FT ALONG SAID E. LINE OF THE NW1/4 AND ALONG THE E. LINE OF SAID N. 1/2 OF SW1/4 TO THE SE CORNER OF SAID N. 1/2 OF SW1/4, THEN S. 88 DEG 35 MIN 50 SEC W. 2439.58 FT ALONG THE S. LINE OF SAID N. 1/2 OF SW1/4 TO THE SW CORNER OF SAID N. 1/2 OF SW1/4 TO THE W. QUARTER CORNER OF SAID SECTION 25, THEN N. 02 DEG 00 MIN 57 SEC W. 2680.09 FT ALONG THE W. LINE OF SAID NW1/4 TO THE POINT OF BEG., EXC EPT THAT PART OF NW1/4 SECTION 25 DESC AS FOL COMM AT THE NW CORNER OF SAID NW1/4, THEN S. 02 DEG 00 MIN 57 SEC E ASSM/BEAR 1385.07 FT ALONG THE W LINE OF SAID NW1/4 TO THE POINT OF BEG OF THE TRT T O BE DESC, THEN N. 76 DEG 15 MIN 40 SEC E 73.52 FT, THEN S 30 DEG 13 MIN 11 SEC E 418.70 FT THEN S 38 DEG 37 MIN 29 SEC E 186.29 FT, THEN N 75 DEG 46 MIN 01 SEC W 130.38 FT, THEN N 64 DEG 32 MIN 40 SEC W 288.30 FT TO SAID W LINE OF THE NW1/4, THEN N 02 DEG 00 MIN 57 SEC W 334.12 FT ALONG SAID W LINE OF THE NW1/4 TO THE POINT OF BEG. SUBJECT TO EASEMENTS OF RECORD.
910271100B00889	NEMITZ, WILLIAM C	27	136.0	29	2.29	N. 200 FT OF E. 500 FT OF NE1/4 OF NE1/4 SUBJECT TO RESERVATIONS, RESTRICTIONS, AND EASEMENTS OF RECORD.
910271100C00009	PETERSON, GARY L & JACULIN M	27	136.0	29	1.38	THE S. 200.0 FT OF THE N. 600 FT OF THE W. 300.0 FT OF THE E. 500 FT OF NE1/4 OF NE1/4 SEC. 27. SUBJECT TO AN EASEMENT OF RECORD.
910344300000889	DERFLER, REGINA L LIFE ESTATE	34	136.0	29	40.00	SW1/4 OF SE1/4

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Properties containing Commercial Classification in Sibley Township

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Parcel Nbr	Name	Sect	Twp	Rge	Deeded Acres	Parcel description
9110800090BA009	ARVIG TELEPHONE CO	35	136.0	29	.00	PART OF OUTLOT B DESC AS: HTHE N'LY 60 FT OF OUTLOT B LYING E'LY OF THE E'LY RIGHT OF WAY LINE OF HWY #371, EX THE E'LY 60 FT. HE N'LY LINE COMM WITH THE S'LY LINE OF LAKE ST &THE E'LY LINE BEING PARALLEL WITH & DISST 60 FT MEAS AT RIGHT ANGLES FROM THE W'LY RIGHT OF WAY LINE FOR THE M & I RAILROAD.
9110800090BB009	ARVIG TELEPHONE CO	35	136.0	29	.00	N'LY 60 FT OF E'LY 60 FT OF OUTLOT B OF POW WOW POINT, A SQUARE TRACT. THE N'LY LINE BEING COMMON TO THE S'LY LINEOF LAKE ST & E'LY LINE BEING COMMON TO RAILROAD
911190050050009	BRUNES ROYCE LLC	15	136.0	29	.00	LOT 5 BLOCK 5

\* \* \* E N D O F R E P O R T \* \* \*

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## Properties containing Seas Commercial Classification in Sibley Township

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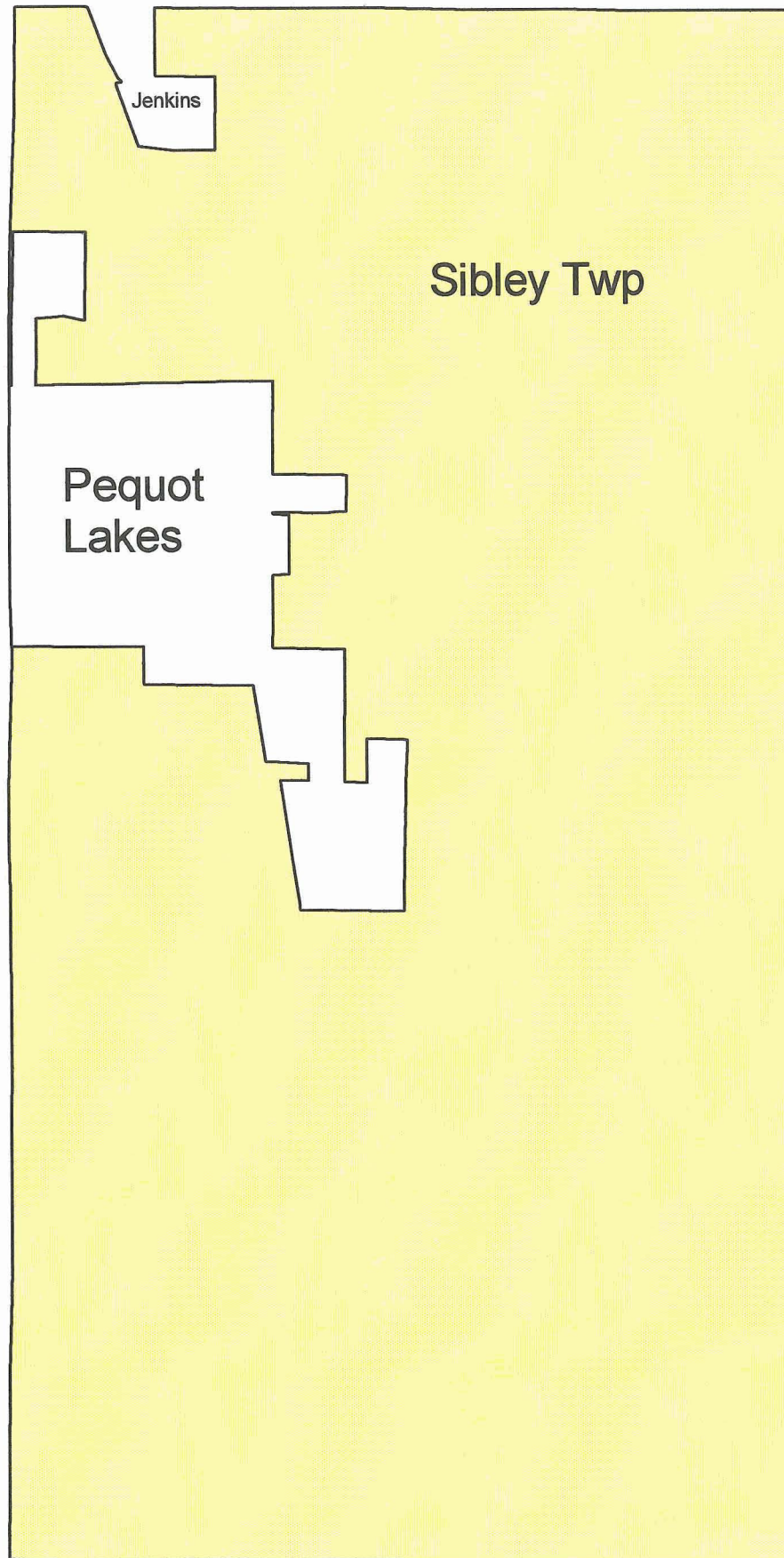
Parcel Nbr	Name	Sect	Twp	Rge	Deeded Acres	Parcel description
910102303AA0889	PEDERSON, A SCOTT & SUSAN	10	136.0	29	12.49	PART OF GOV LOT 3 SEC 10 LESS THE FOLLOWING DESCRIBED TRACT: BEG AT A POINT 515 FT EAST OF THE SW CORNER THEREOF, THEN DEFLECT LEFT 90 DEG AND RUN 707.5 FT TO A POINT, THEN DEFLECT RIGHT 90 DEG AND RUN 230 FT TO A POINT, THEN DEFLECT RIGHT 35 DEG 54 MIN AND RUN 238.4 FT TO A POINT, THEN DEFLECT RIGHT 19 DEG 20 MIN AND RUN 167.15 FT TO AN I/M ON THE SHORE OF SIBLEY LAKE AND CONTINUE ON THE SAME COURSE TO THE SHORELINE OF SIBLEY LAKE AT LOW WATER MARK, RUNNING SOUTHWESTERLY A DISTANCE OF 426.3 FT M/O/L TO THE S LINE OF SAID LOT 3, THEN RUNNING W'LY A DISTANCE OF 410 FT, M/O/L TO THE POINT OF BEG. ALSO EXC THEREFROM THE W 515 FT OF SAID GOV LOT 3. ALSO EXC THE N 400 FT OF GOV LOT 3 LYING W OF THE W 665 FT OF SAID GOV LOT 3 AND LYING E OF THE W 515 FT OF SAID GOV LOT 3. SUBJ TO RESERV, RESTR & ESMTS OF RECORD.
910252100BZ0889	THE PRESERVE LLC	25	136.0	29	202.64	THAT PART OF N. 1/2 OF SW1/4 AND THAT PART OF THE NW1/4 SECTION 25 DESCRIBED AS FOLLOWS; BEG. AT THE NW CORNER OF SAID NW1/4, THEN N. 89 DEG 29 MIN 34 SEC E, ASSUMED BEARING, 243.90 FT ALONG THE N. LINE OF SAID NW1/4, THEN S. 02 DEG 00 MIN 57 SEC E. 503.64 FT, THEN N. 74 DEG 18 MIN 34 SEC E. 1021.29 FT, THEN S. 78 DEG 49 MIN 31 SEC E. 204.23 FT, THEN S. 32 DEG 03 MIN 38 SEC E. 256.73 FT, THEN S. 02 DEG 59 MIN 25 SEC E. 223.32 FT, THEN S. 70 DEG 12 MIN 46 SEC W. 348.05 FT, THEN N. 70 DEG 17 MIN 58 SEC W. 155.87 FT, THEN S. 49 DEG 35 MIN 01 SEC W. 90.81 FT, THEN S. 49 DEG 10 MIN 57 SEC E. 415.51 FT, THEN S. 17 DEG 39 MIN 44 SEC E. 455.53 FT, THEN N. 74 DEG 16 MIN 16 SEC E. 490.72 FT, THEN N. 15 DEG 18 MIN 08 SEC W. 452.74 FT, THEN N. 01 DEG 24 MIN 30 SEC E. 147.07 FT, THEN N. 36 DEG 36 MIN 27 SEC E. 344.99 FT, THEN N. 59 DEG 16 MIN 24 SEC E. 397.03 FT, THEN N. 83 DEG 55 MIN 07 SEC E. 234.85 FT TO THE E. LINE OF SAID NW1/4, THEN S. 01 DEG 57 MIN 47 SEC W. 3626.1 7 FT ALONG SAID E. LINE OF THE NW1/4 AND ALONG THE E. LINE OF SAID N. 1/2 OF SW1/4 TO THE SE CORNER OF SAID N. 1/2 OF SW1/4, THEN S. 88 DEG 35 MIN 50 SEC W. 2439.58 FT ALONG THE S. LINE OF SAID N. 1/2 OF SW1/4 TO THE SW CORNER OF SAID N. 1/2 OF



# EXHIBIT 1

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# SIBLEY TOWNSHIP EXISTING LAND USE

- Vacant Land - no actively-used buildings or no active farming
- Residential - houses, private cabins, multiple family, mobile home
- Agriculture - crop farming, pasture land, animal raising
- Forest - land used for tree production
- Commercial - business/professional offices, retail, restaurants, motels, banks, lumber yards, gas stations
- Municipal - city/county owned land
- Industrial - manufacturing, warehousing, assembly, mining, quarries, truck terminals
- Public/Semi-Public - publicly-owned uses such as water towers, public utilities, golf courses, state owned land, schools
- Water - lakes

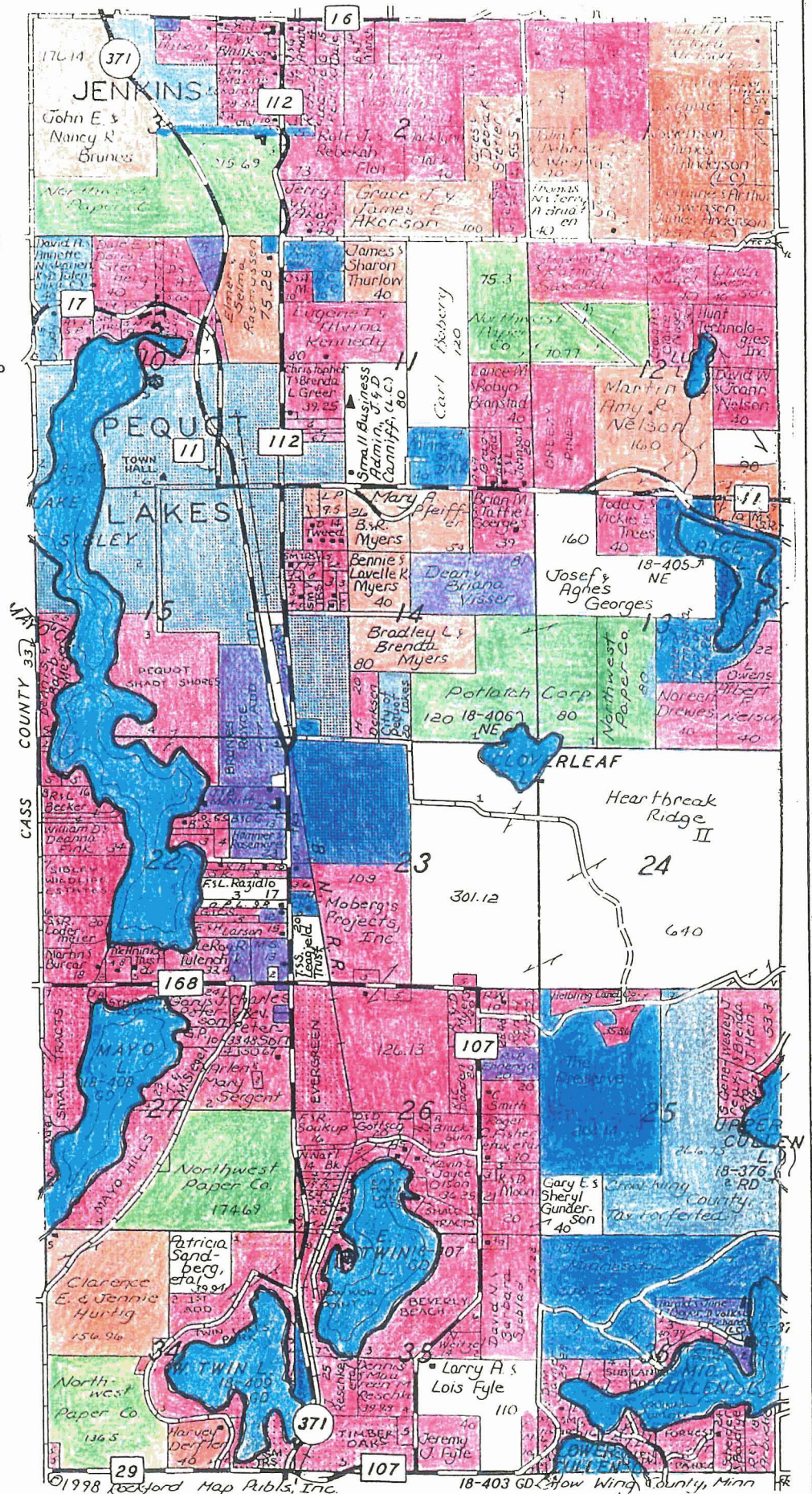




EXHIBIT 3

City of Pequot Lakes and Sibley Township

URBAN SERVICE DISTRICT

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