

**RECEIVED**

by OAH on October 30, 2017

**RESOLUTION NO. 7873**

**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 October 11, 2002, accepted by the Municipal Board on November 8, 2002, and which is identified as Docket No. OA-882 ("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**, Friendship Baptist Church requested that the City annex approximately 40 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 formerly known as 12800 Marystown Road (P.I.D. # 6-030001-0);

**WHEREAS**, the City has notified the Town of the request it received from Friendship Baptist Church to annex the Annexation Area;

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

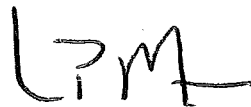
- a. Under Section II, paragraph 2 of the Orderly Annexation Agreement, "The following standards shall be used to determine adjacency when a property owner, or combination of multiple property owners with contiguous property, initiates annexation of property: A property, or combination of contiguous 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 is almost entirely surrounded by the City's boundary and 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:

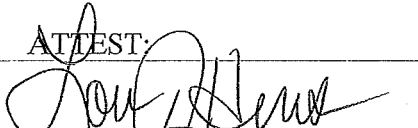
1. The recitals set out above and the exhibits attached hereto are incorporated in and made part of this Resolution.
2. The Annexation Area shown on the attached Exhibit A, and legally described in the attached Exhibit B, is hereby annexed into the municipal boundaries of the City of Shakopee effective 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 regular session of the City Council of the City of Shakopee, Minnesota, held  
this 2nd day of May, 2017.



Mayor of the City of Shakopee

ATTEST:

  
Lori Hensen, City Clerk



## **Exhibit B**

The properties are legally described as follows:

Lot 1, Block 1, FRIENDSHIP CHURCH, Scott County, Minnesota;

AND

That part of 128<sup>th</sup> Street West as dedicated in the plat of FRIENDSHIP CHURCH, according to the recorded plat thereof on file in the office of the County Recorder, Scott County, Minnesota.

AND

That part of 128<sup>th</sup> Street West as dedicated in the plat of THEIS HIGHLANDS 1<sup>ST</sup> ADDITION, according to the recorded plat thereof on file in the office of the County Recorder, Scott County, Minnesota.

AND

That part of C.S.A.H. No. 15 (Marystown Road) as dedicated in the plat of THEIS HIGHLANDS 1<sup>ST</sup> ADDITION, according to the recorded plat thereof on file in the office of the County Recorder, Scott County, Minnesota.

AND

That part of C.S.A.H. No. 15 (Marystown Road) as dedicated in the plat of FRIENDSHIP CHURCH, according to the recorded plat thereof on file in the office of the County Recorder, Scott County, Minnesota.

AND

That part of C.S.A.H. No. 78 (130<sup>th</sup> Street West) as dedicated in the plat of THEIS HIGHLANDS 1<sup>ST</sup> ADDITION, according to the recorded plat thereof on file in the office of the County Recorder, Scott County, Minnesota.

AND

That part of C.S.A.H. No. 78 (130<sup>th</sup> Street West) as dedicated in the plat of FRIENDSHIP CHURCH, according to the recorded plat thereof on file in the office of the County Recorder, Scott County, Minnesota.