

**RESOLUTION 2008-36**

**RESOLUTION APPROVING ANNEXATION OF CERTAIN "NON-DESIGNATED NEIGHBORHOODS" IN BELLE PRAIRIE TOWNSHIP IN ACCORDANCE WITH THE TERMS OF THAT ORDERLY ANNEXATION AGREEMENT, NO. OA-916, (NO. 08-Y)**

WHEREAS, in accordance with Minnesota Statutes 414.0325, the City of Little Falls ("City") and the Township of Belle Prairie ("Township") have signed an Orderly Annexation Agreement, No. OA-916, ("Agreement") on February 10, 2003, and February 3, 2003, respectively; and

WHEREAS, Paragraph 1.b, of said Agreement designates certain properties as the Belle Prairie Suburban Orderly Annexation Area ("Designated Area") for annexation; and

WHEREAS, Paragraph 3.e of said Agreement indicates the City has notified Minnesota Power Company on January 13, 2003, of our intent to annex said territory and requested notification if there is a change in the cost of electric utility service as a result of the annexation of the properties within the Designated Area. The only change anticipated is the addition of a monthly City franchise fee, since the following described properties are and will remain within the Minnesota Public Utilities Commission's Service Area of Minnesota Power; and

WHEREAS, Paragraph 4.c of said Agreement outlines provisions for annexation of "Non-Designated Neighborhoods" in said Designated Area, by City Council resolution, if a petition is received by the City from an individual property owner(s) requesting annexation; and

WHEREAS, Paragraph 4.g of said Agreement outlines provisions for annexation of the following properties by resolution of the City Council:

Attachment "A".

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Little Falls, in accordance with the provisions of said Agreement, that the following described properties are designated for immediate annexation to the City of Little Falls:

Attachment "A"; and

BE IT FURTHER RESOLVED, that in accordance with Paragraph 3.d of said Agreement, the City shall share a one-time payment at 150% of the property taxes for said parcel(s) due and payable in the last year that the Township collected taxes, (i.e. 2008 property taxes \$189.25) for a total of \$283.88; and

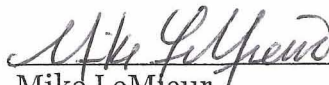
BE IT FURTHER RESOLVED, that the current population in said property is zero (0), with a total area of .59 acres more or less; and

BE IT FURTHER RESOLVED, that in accordance with Chapter 11.03, Subd. 6 of the City Code, a public hearing was held on the proposed zoning of said territory on June 30, 2003 and on August 18, 2003, and said property was zoned "Heavy Industrial, I-2" on August 18, 2003; and

BE IT FURTHER RESOLVED, that the City Administrator is directed to forward copies of this Resolution to the Minnesota Department of Administration, Minnesota Secretary of State, Belle Prairie Town Clerk, and the Morrison County Auditor, Assessor and Recorder; and

BE IT FURTHER RESOLVED, that in accordance with Paragraph 4.g, of said Agreement, the City of Little Falls agrees that no alteration of the stated boundaries as described herein is appropriate, that no consideration by the Minnesota Department of Administration, is necessary, and that all terms and conditions for annexation of the aforementioned properties are provided in that Orderly Annexation Agreement, OA-916. Pursuant to Minnesota Statutes, Section 414.0325, upon receipt of this Resolution, the Minnesota Department of Administration may review and comment, but shall within thirty (30) days order the annexation of the aforementioned properties in accordance with the terms and conditions contained in said Agreement.

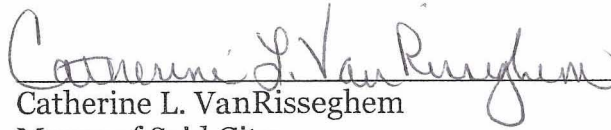
Passed this 5<sup>th</sup> day of May, 2008.

  
Mike LeMieur  
Council President

ATTEST:

  
Garrison L. Hale  
City Administrator

Approved this 5<sup>th</sup> day of May, 2008.

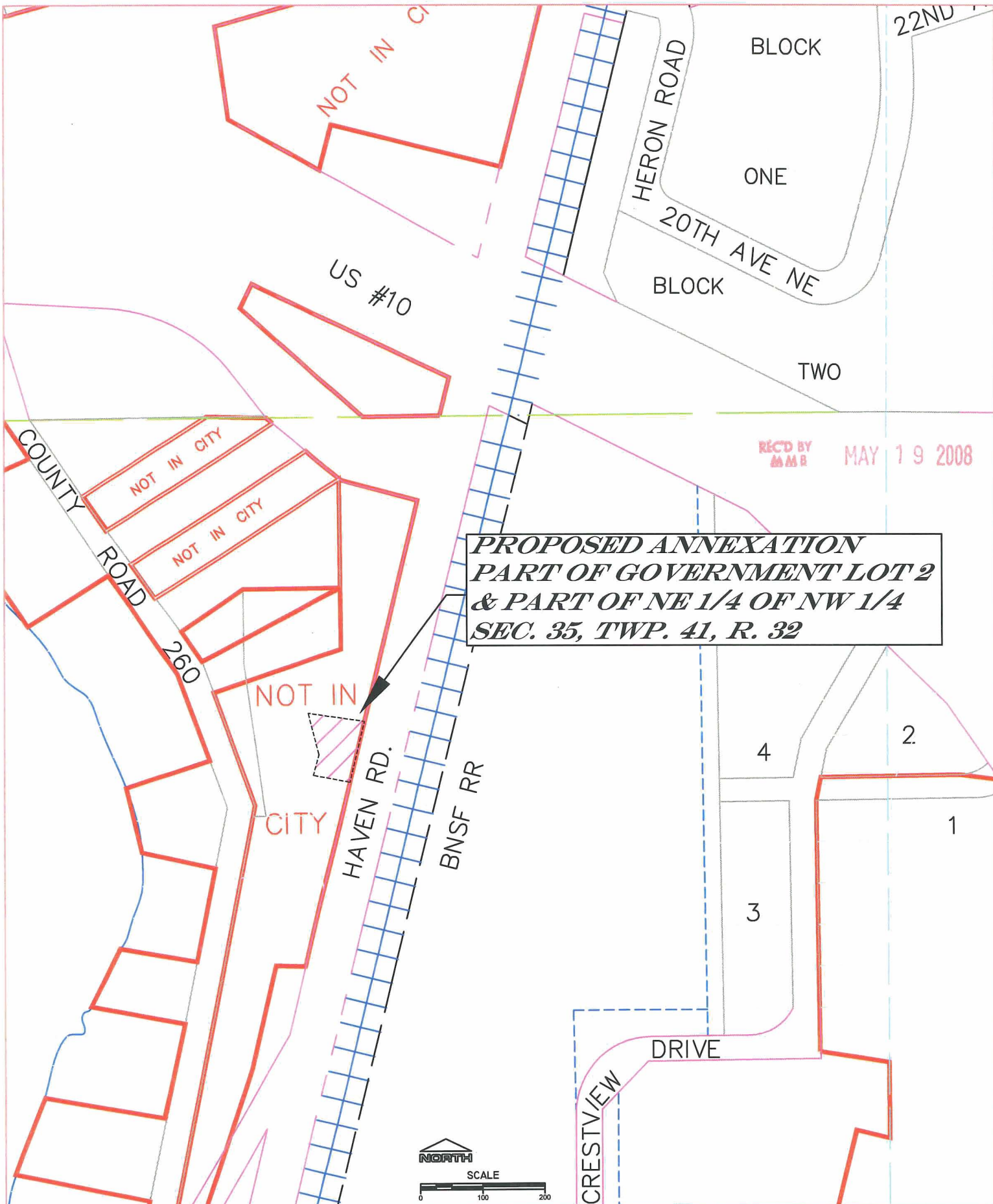
  
Catherine L. VanRisseghem  
Mayor of Said City

(SEAL)



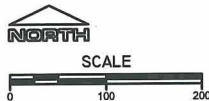
## ATTACHMENT "A"

That part of Government Lot 2 and being a part of the Northeast Quarter of the Northwest Quarter (NE1/4 NW1/4) all in Section 35, Township 41, Range 32, described as follows: commencing at the intersection of the south line of Lot 36 of Riverwood extended easterly and the west right-of-way line of US Highway 371 as located on June 24, 1968; thence northerly along said right-of-way line of said Highway 371 for a distance of 150.0 feet to the northeast corner of the tract conveyed to these grantees in that deed dated June 24, 1968, and recorded in Book 164 of Deeds on page 240, said point begin the point of beginning of the tract herein conveyed; thence continuing northerly along said right-of-way line of Highway 371 for a distance of 80.0 feet; thence westerly to the southeast corner of the premises conveyed to Edward L. Welinski and Renee Welinski, his wife by that deed recorded in Book 164 of Deeds on page 472; thence southeasterly to the northwest corner of the tract conveyed by that deed recorded in said Book 164 of Deeds on page 240; thence easterly along the northerly line of the tract conveyed by that deed recorded in said Book 164 of Deeds on page 240 for a distance of 90.0 feet to the point of beginning of the tract herein conveyed; and that part of Government Lot 2, Section 35, Township 41, Range 32 and adjoining land, described as follows: commencing at the intersection of the south line of said Lot 36 of Riverwood extended easterly and the west right-of-way line of US Highway 371 as now located; thence northerly along said west right-of-way line a distance of 150.0 feet; thence west on a line parallel to said south line of Lot 36 extended a distance of 90.0 feet; thence at a right angle south a distance of 150.0 feet to said south line of Lot 36 extended; thence easterly along the south line of Lot 36 extended a distance of 90.0 feet to the point of beginning; less that part described as follows: that part of Government Lot 2 and the Northeast Quarter of the Northwest Quarter (NE1/4 NW1/4), all in Section 35, Section 41, Range 32, described as follows: commencing at a point on the west right-of-way line of County State Aid Highway 76 (formerly US Highway 371) as located on June 24, 1968, which point is 10.0 feet southwesterly of the intersection of the south line of Lot 36 or Riverwood extended easterly and the west right-of-way line of said County State Aid Highway 76; thence northwesterly to a point on the westerly line of the tract described in warranty deed recorded May 1, 1975, as Document No. 256651 which is 10.0 feet northeasterly of the southwest corner of said tract described in Document No. 256651; thence northeasterly along the westerly line of said tract described in said Document 256651 for a distance of 90.0 feet; thence southeasterly on a line parallel to and 90.0 feet distant from the southerly line of the tract herein described to a distance of 90.0 feet to the westerly right-of-way line of said County State Aid Highway 76; thence southwesterly along the westerly right-of-way line of said County State Aid Highway 76 for a distance of 90.0 feet to the point of beginning of the tract herein described; and subject to a permanent non-exclusive easement for access purposes over and across the easterly 12.0 feet of the parcel herein conveyed for access from County Road 76 to that parcel described in warranty deed recorded on September 22, 1989, as Document No. 323194, together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions; those exceptions described in paragraph 3. (a), (i) and (ii) of the contract for deed between the parties recorded in the office of the Morrison County Recorder as Document No. 332410 pursuant to which contract for deed this deed is given.



REC'D BY  
MAY 19 2008

**PROPOSED ANNEXATION  
PART OF GOVERNMENT LOT 2  
& PART OF NE 1/4 OF NW 1/4  
SEC. 35, TWP. 41, R. 32**



SHEET NO.  
**1**  
OF  
**1**

CITY OF LITTLE FALLS  
LITTLE FALLS, MINNESOTA  
Central Mn Electric Annexation

JOB NUMBER: N/A  
SCALE: 1"=300'  
DRAWN BY: B.D.R.  
CHECKED BY: D.H.S.  
PLOTTED: 4/25/2008 2:41 PM

