

**RESOLUTION 2013-38**

**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. 13AJ)**

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.e of said Agreement outlines provisions for annexation of all property within the Belle Prairie Suburban Annexation Area not otherwise previously annexed by December 31, 2013; and

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

Parts of Sections Fourteen, Twenty-three, Twenty-six, Twenty-seven and Thirty-five, Township Forty-one North, Range Thirty-two West, Morrison County, Minnesota, more specifically described as follows:

All that part of Sections Fourteen, Twenty-three, Twenty-six and Twenty-seven, Township Forty-one North, Range Thirty-two West, Morrison County, Minnesota, not previously annexed, lying and being southerly of the south line of Morrison County Belle Prairie Park (Document Nos. 262921 and 275369 as recorded in the Office of the Morrison County Recorder's Office), and its extension easterly; and westerly of the easterly line of the Burlington Northern Santa Fe railroad right-of-way;

AND

All of the northerly half of Section Thirty-five, Township Forty-one North, Range Thirty-two West, not previously annexed, Morrison County, Minnesota;

AND

That part of the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of Section Twenty-six, Township Forty-one North, Range Thirty-two West, Morrison County, Minnesota described as follows: Commencing at the northeast corner of said Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4); thence North 89 degrees 40 minutes 03 seconds west, assumed bearing, 221.39 feet along the north line of said Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) to its intersection with the east line of the

Burlington Northern Railroad; thence South 13 degrees 54 minutes 13 seconds West 1,064.53 feet along said east line of the Burlington Northern Railroad to the point of beginning; thence South 76 degrees 05 minutes 47 seconds East 250.00 feet; thence South 13 degrees 54 minutes 13 seconds West 200.00 feet; thence North 76 degrees 05 minutes 47 seconds West 250.00 feet to said east line of the Burlington Northern Railroad; thence North 13 degrees 54 minutes 13 seconds East 200.00 feet along said east line of the Burlington Northern Railroad to the point of beginning. All in accordance with a survey by Kevin Festler, RLS 22702, dated January 7, 1998;

Being approximately 360 acres more or less.

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 annexation to the City of Little Falls effective January 1, 2014:

All that part of Sections Fourteen, Twenty-three, Twenty-six and Twenty-seven, Township Forty-one North, Range Thirty-two West, Morrison County, Minnesota, not previously annexed, lying and being southerly of the south line of Morrison County Belle Prairie Park (Document Nos. 262921 and 275369 as recorded in the Office of the Morrison County Recorder's Office), and its extension easterly; and westerly of the easterly line of the Burlington Northern Santa Fe railroad right-of-way;

AND

All of the northerly half of Section Thirty-five, Township Forty-one North, Range Thirty-two West, not previously annexed, Morrison County, Minnesota;

AND

That part of the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of Section Twenty-six, Township Forty-one North, Range Thirty-two West, Morrison County, Minnesota described as follows: Commencing at the northeast corner of said Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4); thence North 89 degrees 40 minutes 03 seconds west, assumed bearing, 221.39 feet along the north line of said Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) to its intersection with the east line of the Burlington Northern Railroad; thence South 13 degrees 54 minutes 13 seconds West 1,064.53 feet along said east line of the Burlington Northern Railroad to the point of beginning; thence South 76 degrees 05 minutes 47 seconds East 250.00 feet; thence South 13 degrees 54 minutes 13 seconds West 200.00 feet; thence North 76 degrees 05 minutes 47 seconds West 250.00 feet to said east line of the Burlington Northern Railroad; thence North 13 degrees 54 minutes 13 seconds East 200.00 feet along said east line of the Burlington Northern Railroad to the point of beginning. All in accordance with a survey by Kevin Festler, RLS 22702, dated January 7, 1998;

Being approximately 360 acres more or less.

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. 2013 property taxes \$36,236.24) for a total of \$54,354.36; and

BE IT FURTHER RESOLVED, that the current population in said property is four hundred eighty nine (489), with a total area of 360 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 majority of said property was zoned One- and Two-Family Residential, with some Business and Industrial zoning, on August 18, 2003; and

BE IT FURTHER RESOLVED, that the City Administrator is directed to forward copies of this Resolution to the Office of Administrative Hearings, Belle Prairie Town Clerk, and the Morrison County Auditor, Assessor and Recorder; and

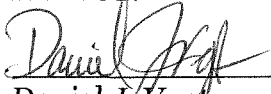
BE IT FURTHER RESOLVED, that in accordance with Paragraph 4.g, of said Agreement, the City of Little Falls agrees that no alteration of the stated boundaries as described herein is appropriate, that no consideration by the Office of Administrative Hearings, is necessary, and that all terms and conditions 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 Office of Administrative Hearings 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 4<sup>th</sup> day of November, 2013.

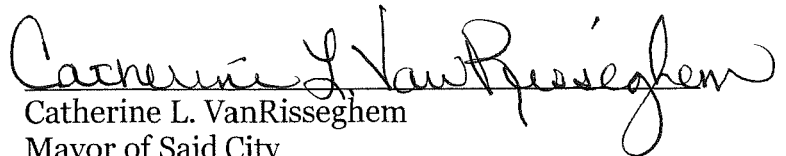


Don Klinker  
Council President

ATTEST:

  
Daniel J. Vogt  
City Administrator

Approved this 4<sup>th</sup> day of November, 2013.

  
Catherine L. VanRisseghem  
Mayor of Said City

(SEAL)

**LEGEND**

SCALE 1"=2000'

 DENOTES CURRENT CITY LIMITS

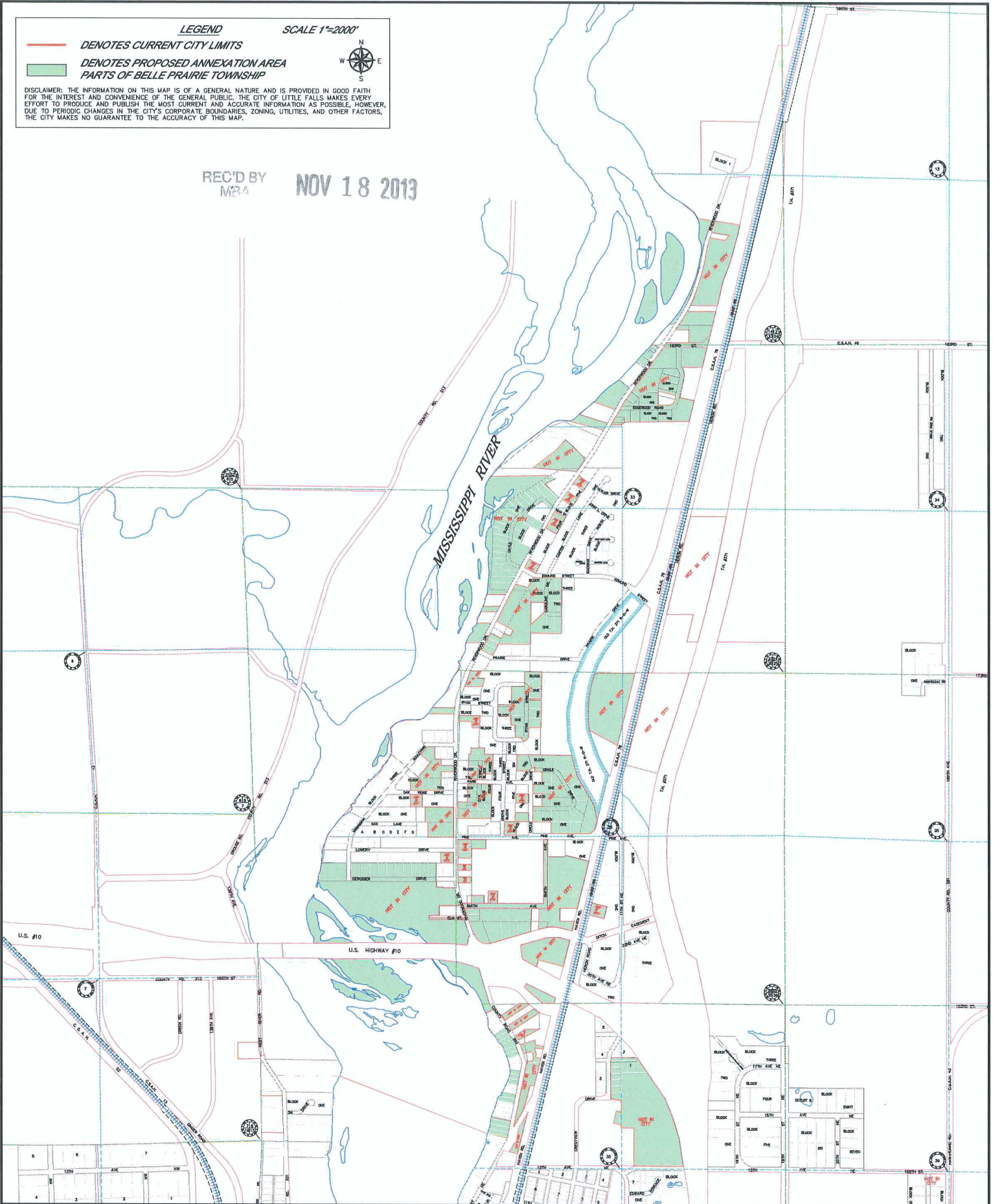
 DENOTES PROPOSED ANNEXATION AREA  
PARTS OF BELLE PRAIRIE TOWNSHIP



DISCLAIMER: THE INFORMATION ON THIS MAP IS OF A GENERAL NATURE AND IS PROVIDED IN GOOD FAITH FOR THE INTEREST AND CONVENIENCE OF THE GENERAL PUBLIC. THE CITY OF LITTLE FALLS MAKES EVERY EFFORT TO PRODUCE AND PUBLISH THE MOST CURRENT AND ACCURATE INFORMATION AS POSSIBLE, HOWEVER, DUE TO PERIODIC CHANGES IN THE CITY'S CORPORATE BOUNDARIES, ZONING, UTILITIES, AND OTHER FACTORS, THE CITY MAKES NO GUARANTEE TO THE ACCURACY OF THIS MAP.

REC'D BY  
MBA

NOV 18 2013



SHEET NO.

1  
OF  
1

CITY OF LITTLE FALLS  
LITTLE FALLS, MINNESOTA

Belle Prairie Annexation Area

JOB NUMBER:

SCALE: 1"=2000'

DRAWN BY: B.D.R

CHECKED BY: D.H.S

PLOTTED: 11/6/2013 9:12 AM



MORRISON COUNTY  
MINNESOTA

