



"CELEBRATE PRIOR LAKE'S CENTENNIAL - 1991"

RESOLUTION 91-13

RESOLUTION IN SUPPORT OF THE ANNEXATION PETITION OF NEW CENTURY CONSTRUCTION

MOTIONED BY WHITE SECONDED BY FITZGERALD

WHEREAS, the Prior Lake City Council adopted an Annexation Policy and Process in August, 1990, and

WHEREAS, New Century Construction, as applicant, has followed the annexation policy and process, and

WHEREAS, the City of Prior Lake and Spring Lake Township have an Orderly Annexation Agreement in effect, which was adopted in 1972, and

WHEREAS, discussions with Spring Lake Township officials and City officials on this annexation petition and on orderly annexation in general are ongoing, and

WHEREAS, the City has determined that for planning and improvement purposes the entire right-of-way of Mushtown Road abutting the subject site be included in the annexation action, and

WHEREAS, the status of improvements to Mushtown Road is an outstanding issue between the parties and until this issue is resolved to the satisfaction of the City no development will be allowed on the annexed property, and

WHEREAS, an evaluation of the Annexation Petition has resulted in the following findings:

1. The land is urban or is about to become suburban in character.
2. The annexation of this property represents orderly growth and development and is within the Orderly Annexation designated area as set forth in the Joint Resolution of the Orderly Annexation dated November 20, 1972.
3. Municipal services are available in a capacity to service the site.
4. The contiguous land uses will benefit from residential land use in the future.
5. The applicant has completed the appropriate information in the Stipulation Form pursuant to Minnesota Statutes 414.0325, and

WHEREAS, the Prior Lake Planning Commission conducted a Public Hearing on March 7, 1991, and adopted findings in support of the annexation petition, and

WHEREAS, positive comments were received from two letters submitted to the Planning Commission at the Public Hearing, and

WHEREAS, except Spring Lake Township officials present at the Hearing to voice their concern, no negative or opposing comments were received from citizens of the Township or City at the Public Hearing, and

WHEREAS, the Prior Lake City Council, on March 18, 1991, has thoroughly discussed and reviewed this Annexation Petition.

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF PRIOR LAKE, MINNESOTA that we hereby adopt and incorporate the findings set forth above and the Annexation Petition of New Century Construction is hereby accepted and approved.

BE IT FURTHER BE RESOLVED, that this Resolution be forwarded to the Municipal Board for processing and to any other appropriate governmental jurisdictions.

Passed and adopted this 18th day of March, 1991.

	<u>YES</u>		<u>NO</u>
Andren	<u>X</u>	Andren	<u> </u>
Fitzgerald	<u>X</u>	Fitzgerald	<u> </u>
Larson	<u>X</u>	Larson	<u> </u>
Scott	<u>X</u>	Scott	<u> </u>
White	<u>X</u>	White	<u> </u>



David J. Unmacht
City Manager
City of Prior Lake

{Seal}



REC'D. BY MAY 06 1991

"CELEBRATE PRIOR LAKE'S CENTENNIAL - 1991"

EXHIBIT "B"

IN THE MATTER OF THE AMENDMENT TO THE
JOINT RESOLUTION FOR ORDERLY ANNEXATION
BETWEEN THE CITY OF PRIOR LAKE
AND SPRING LAKE TOWNSHIP, MINNESOTA
PURSUANT TO MINNESOTA STATUTES 414.0325, SUBD. 1

TO: Minnesota Municipal Board
165 Metro Square Building
St. Paul, Minnesota 55101

Pursuant to an Amendment to Joint Resolution as to Orderly Annexation between the City of Prior Lake ("City") and Spring Lake Township ("Township"), the City and the Township hereby jointly agree that the Joint Resolution as to Orderly Annexation between the City and the Township be amended with respect to the following described property, to include the following:

Both the City and the Township agree that no alteration of the stated boundaries of the Joint Resolution as to Orderly Annexation between the parties dated November 20, 1972, is appropriate. Furthermore, both parties have entered into an Amendment to the existing Agreement made as of April 18, 1991. Both parties agree that no consideration by the Minnesota Municipal Board ("Board") is necessary. Upon receipt of this Resolution, the Board may review and comment, but shall, within 30 days, order the annexation of the following described property in accordance with the terms of the amendment to the Joint Resolution:

THAT PART OF THE WEST HALF OF THE NORTHEAST
QUARTER OF SECTION 11, TOWNSHIP 114, RANGE 22,
SCOTT COUNTY, MINNESOTA, LYING NORTHEASTERLY
OF THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF
MUSHTOWN ROAD, CONSISTING OF APPROXIMATELY 71
ACRES.

Approved by the City of Prior Lake this 15th day of April,
1991.

Lynne Anderson
Mayor

David J. Hamelt
City Manager

Approved by Spring Lake Township this 11th day of April,
1991.

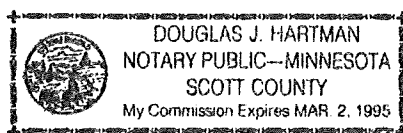
Ed Hais
Chairperson

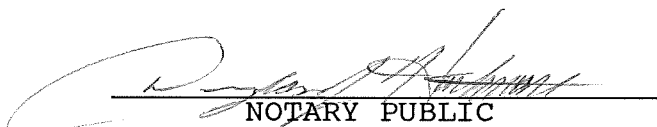
Barbara Lane Johnson
Clerk

REC'D. BY MAY 16 1991
MMB

STATE OF MINNESOTA)
 (ss.
COUNTY OF SCOTT)

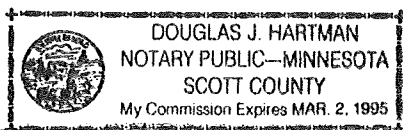
The foregoing instrument was acknowledged before me this 23RD day of APRIL, 1991, by Lydia Andren and David Unmacht, respectively the Mayor and City Manager of the City of Prior Lake, a Minnesota municipal corporation, on behalf of the corporation and pursuant to the authority granted by its City Council.

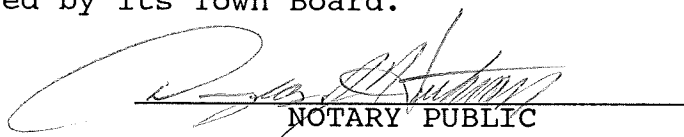



NOTARY PUBLIC

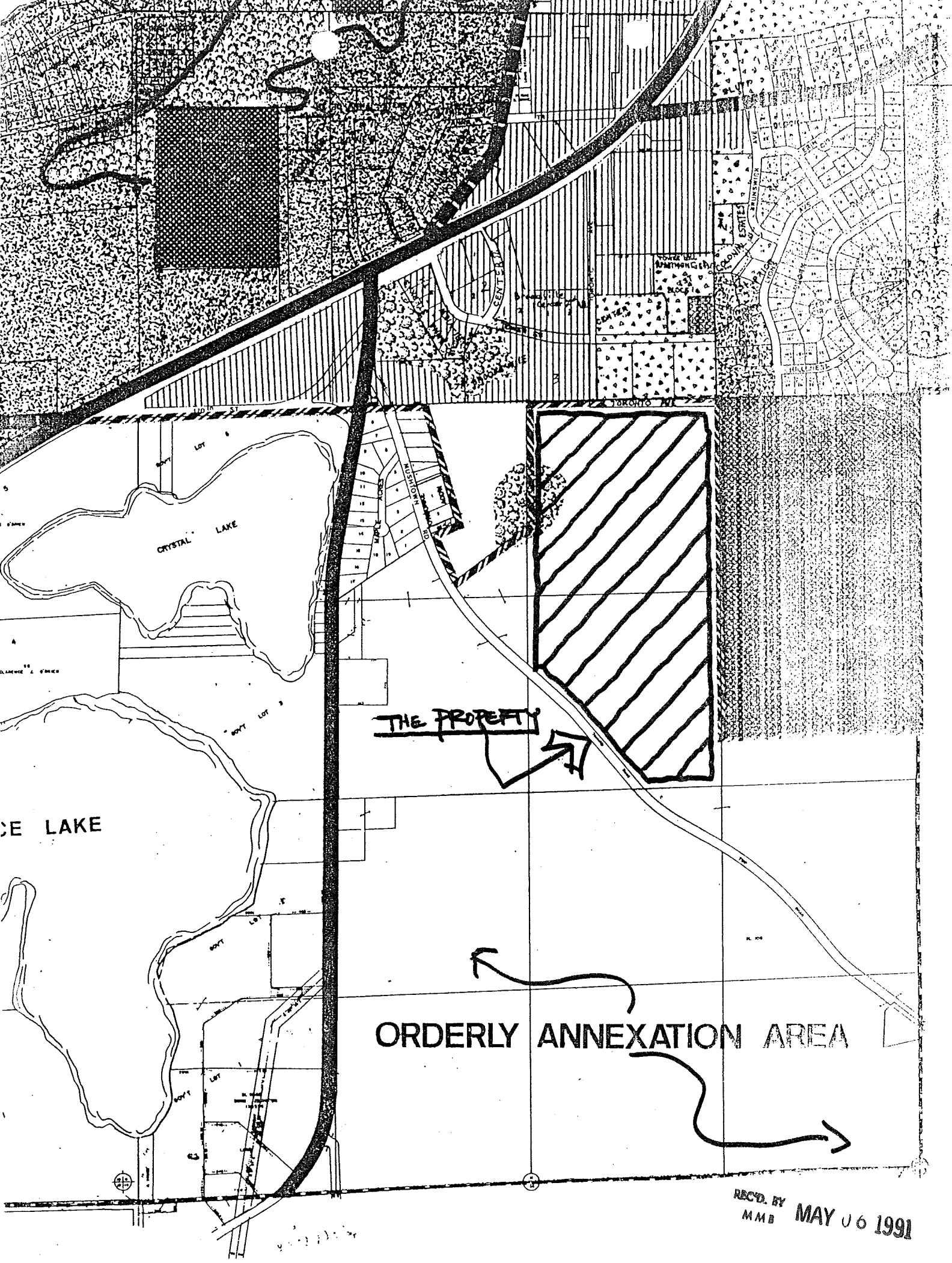
STATE OF MINNESOTA)
 (ss.
COUNTY OF SCOTT)

The foregoing instrument was acknowledged before me this 23RD day of APRIL, 1991, by C. L. Kaiser and Barbara Kane Johnson, respectively the Chairperson and Clerk of Spring Lake Township, a Minnesota political subdivision, on its behalf and pursuant to authority granted by its Town Board.




NOTARY PUBLIC

DRAFTED BY :
City of Prior Lake
4629 Dakota Street S.E.
Prior Lake, MN 55372
(612) 447-4230
HWG:rms

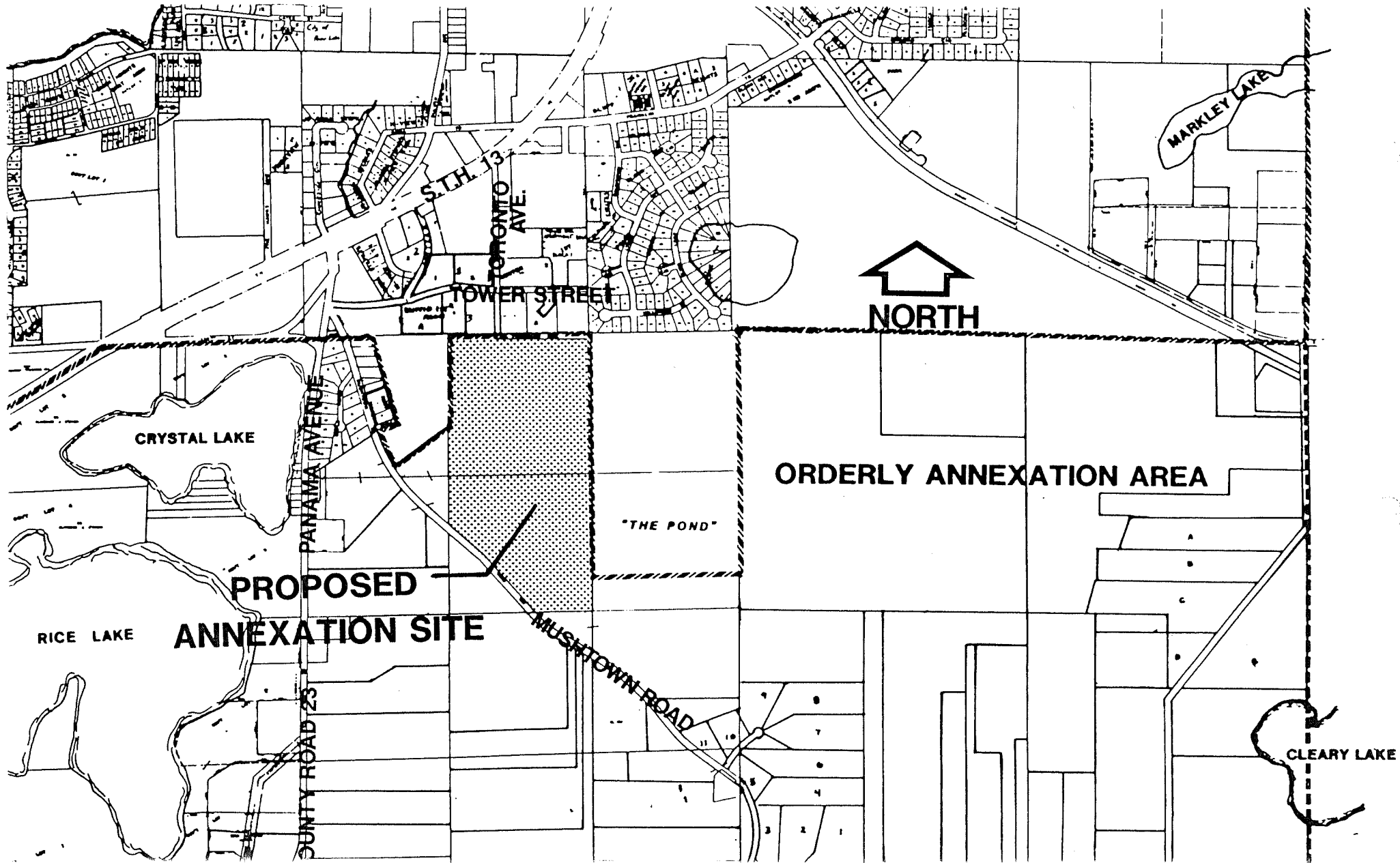


THE PROPERTY

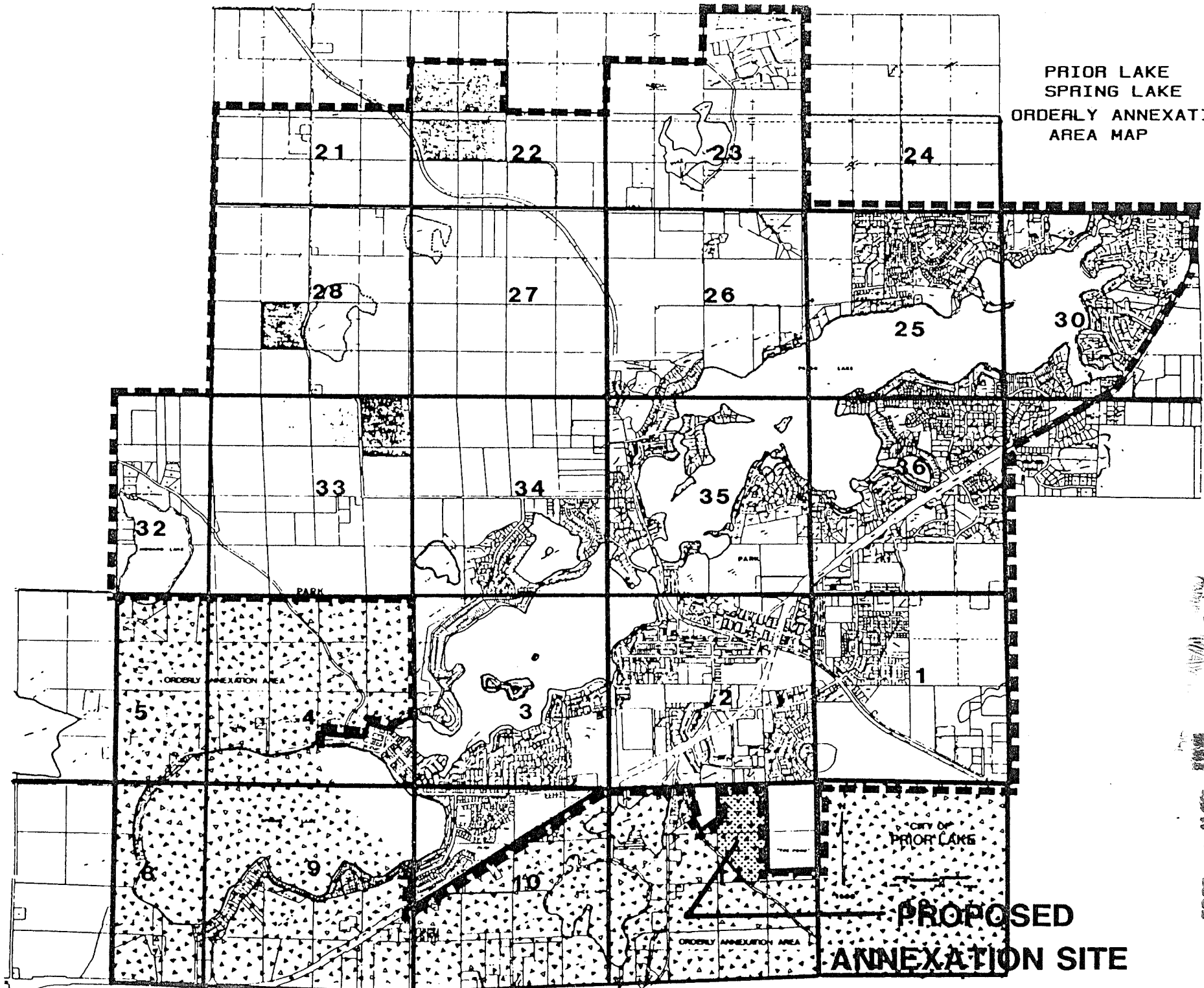
ORDERLY ANNEXATION AREA

REC'D. BY
MMB MAY 06 1991

REC'D. BY MAY 06 1991
MMB



PRIOR LAKE
SPRING LAKE
ORDERLY ANNEXATION
AREA MAP



MAILED
MAY 06 1991

PROPOSED
ANNEXATION SITE