



Resolution No. 2023-24

Moved by Roberts

Seconded by Reiff

A RESOLUTION APPROVING THE ANNEXATION OF PROPERTY IN LAKETOWN TOWNSHIP

WHEREAS, Three Rivers Park District ("Owner"), owns property in Laketown Township as described in **Exhibit A** ("Property");

WHEREAS, by City of Victoria ("City") Resolution 2020-13 and Laketown Township ("Town") Resolution 2020-04, the City and Town amended Resolution 76-47, the orderly annexation agreement ("OAA") governing the Property; and the Minnesota Office of Administrative Hearings ("OAH") approved and ordered the implementation of the OAA amendment; and

WHEREAS, the OAA authorizes the City to submit a resolution to the OAH for annexation of all or portions of the territory covered; and

WHEREAS, by petition dated February 7, 2023, the Owner requested annexation of the Property consisting of 2538.82 acres under the OAA; and

WHEREAS, the City and Owner shall adhere to the requirements of the OAA.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VICTORIA AS FOLLOWS:

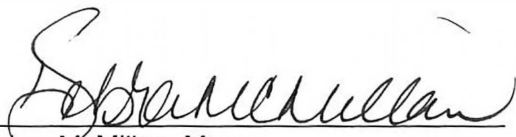
1. OAH Jurisdiction/Consideration by the Chief Judge. The OAA confers jurisdiction over annexation of the Property described in Exhibit A to the OAH. The City requests immediate annexation of the Property upon submission to the OAH. Pursuant to the OAA and Minnesota Statutes, Section 414.0325, Subd. 1(g) and (h), the chief judge may review and comment but no additional consideration is necessary and the annexation shall be ordered within 30 days without alteration of the boundaries.
2. Timely Notice. The Owner timely gave any and all required notices to the City prior to petitioning, and the City timely gave any notices required.
3. Effective Date of Annexation. The chief's order for annexation shall be effective as of the date of issuance.
4. Reimbursement. Pursuant to paragraph 8 of the OAA, the City shall not initiate annexation with the OAH until such time as the Town acknowledges, in writing, receipt of such payment in lieu of tax reimbursement as it may require.

RESULT: Motion carried unanimously 4-1

Ayes: Mayor McMillan, Council Member Evansky, Council Member Reiff and Council Member Roberts

Nays: Council Member Gunderson

This Resolution is adopted by the City of Victoria and approved by the Mayor this 08 day of May 2023


Debra McMillan, Mayor

ATTEST:



Claudia Ettesvold, City Clerk
ANISSA SWANSON

EXHIBIT A

070030100

All of Section 03, Township 116, Range 24, Carver County, Minnesota, except that portion described as follows:

Commencing at the South Quarter corner of Section 34, Township 117, Range 24; thence West along the North line of the Section 03, Township 116, Range 24, a distance of 340.00 feet to the actual point of beginning of the tract to be excepted; thence Southerly, deflecting to the left 91 degrees 45 minutes, a distance of 253.00 feet; thence West, deflecting to the right 91 degrees 45 minutes, to the West Line of the Northeast Quarter of the Northwest Quarter of said section 3, thence North along the West line to the Northwest corner of said Northeast Quarter of the Northwest Quarter, thence East to the actual point of beginning.

Subject to the rights of the public in State Trunk Highway No. 7 and CSAH No. 11.

070040100

All of Section 04, Township 116, Range 24, Carver County, Minnesota. Subject to the rights of the public in State Trunk Highway No. 7 and CSAH No. 11.

070050100

All of Government Lots 2-4, Section 5, Township 226, Range 24, Carver County, Minnesota.

070100100

All of Section 10, Township 116, Range 24, Carver County, Minnesota, except those portions described as follows:

That part of Government Lot 1, Section 15, Township 116, Range 24, and that part of Government Lot 6, Section 10, Township 116, Range 24, Carver County, Minnesota described as follows: Beginning at the Meander corner on the shore of Lake Auburn, said Meander corner being on the east line of said Government Lot 1, distant 16.5 feet south from the Northeast corner of said Section 15; thence South, assumed bearing, along the east line of said Government Lot 1 a distance of 600.0 feet; thence on a bearing of West a distance of 330.0 feet; thence North parallel with the east line of said Government Lot 1 a distance of 649.70 feet; thence North 39 degrees 49 minutes East a distance of 139.5 feet more or less to the shore of Lake Auburn; thence Southeasterly along the shore of Lake Auburn to the point of beginning.

ALSO EXCEPTING that part of Government Lot 3, Section 10, Township 116, Range 24, Carver County, Minnesota, described as commencing at the Southwest Corner of Said government Lot 3, thence North along the West line of Government Lot 3 125.4 feet, thence North 52 degrees East for a distance of 227.7 feet to the point of beginning; thence North 60 degrees 30 minutes West for a distance of 56.0 feet, thence North 53 degrees 30 minutes East 254.5 feet, thence North 61 degrees 30 minutes East 148.0 feet, thence South 31 degrees 30 minutes East 62 feet, more or less, to the shoreline of Auburn Lake, and thence Southwesterly along the shoreline of Auburn Lake 371.0 feet, more or less, to the point of beginning and there terminating.

Subject to the rights of the public in CSAH No. 11.

070151300

All of Section 15, Township 116, Range 24, Carver County, Minnesota lying Northerly of the Northerly Right of Way Line of State Highway No.5, excepting that part of said section 15 described as follows:

That part of Government Lot 1, Section 15, Township 116, Range 24, and that part of Government Lot 6, Section 10, Township 116, Range 24, Carver County, Minnesota described as follows:
Beginning at the Meander corner on the shore of Lake Auburn, said Meander corner being on the east line of said Government Lot 1, distant 16.5 feet south from the Northeast corner of said Section 15; thence South, assumed bearing, along the east line of said Government Lot 1 a distance of 600.0 feet; thence on a bearing of West a distance of 330.0 feet; thence North parallel with the east line of said Government Lot 1 a distance of 649. 70 feet; thence North 39 degrees 49 minutes East a distance of 139.5 feet more or less to the shore of Lake Auburn; thence Southeasterly along the shore of Lake Auburn to the point of beginning.

070090100

All of Section 9, Township 116, Range 24, Carver County, Minnesota. Subject to the rights of the public in State Trunk Highway No. 5.

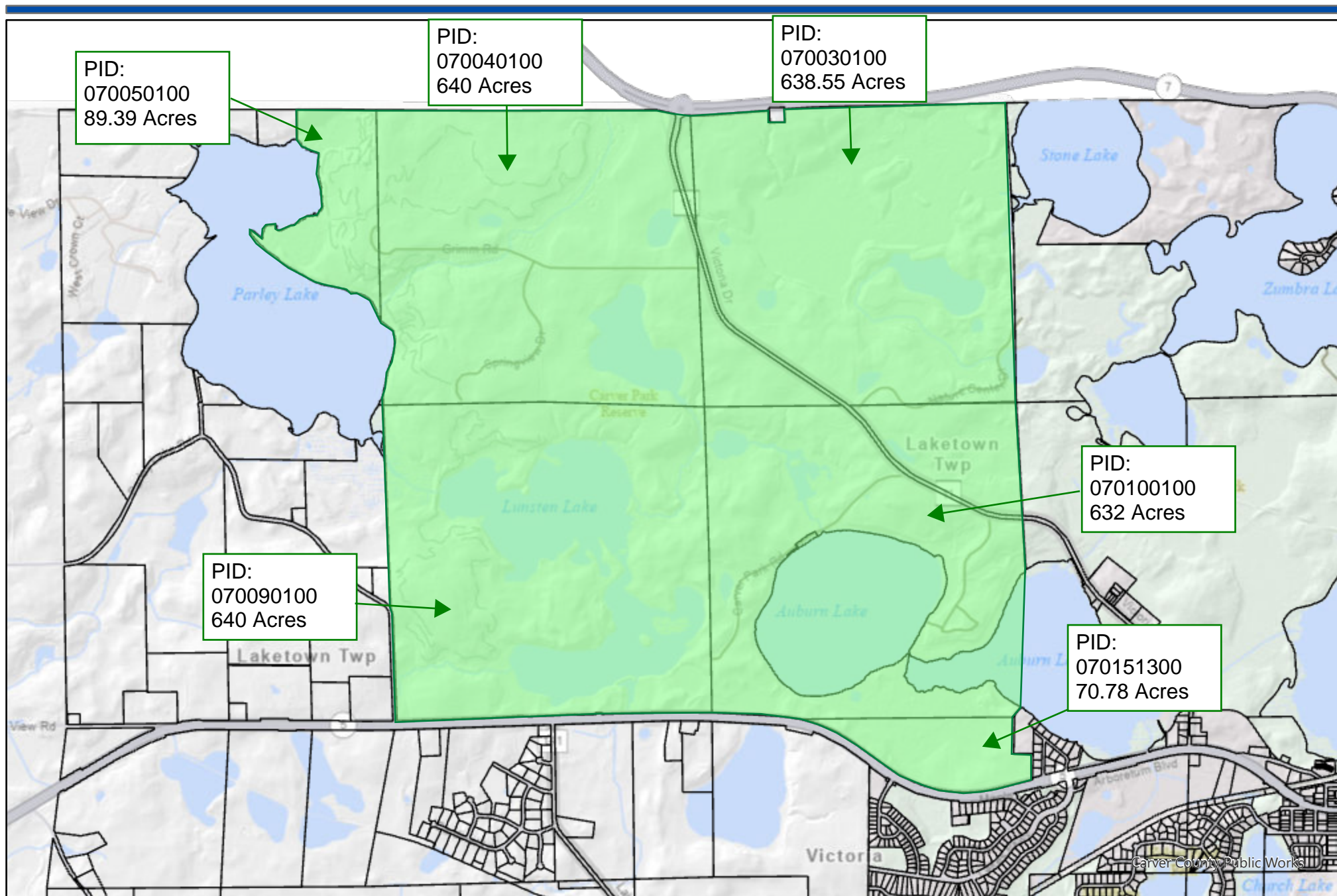


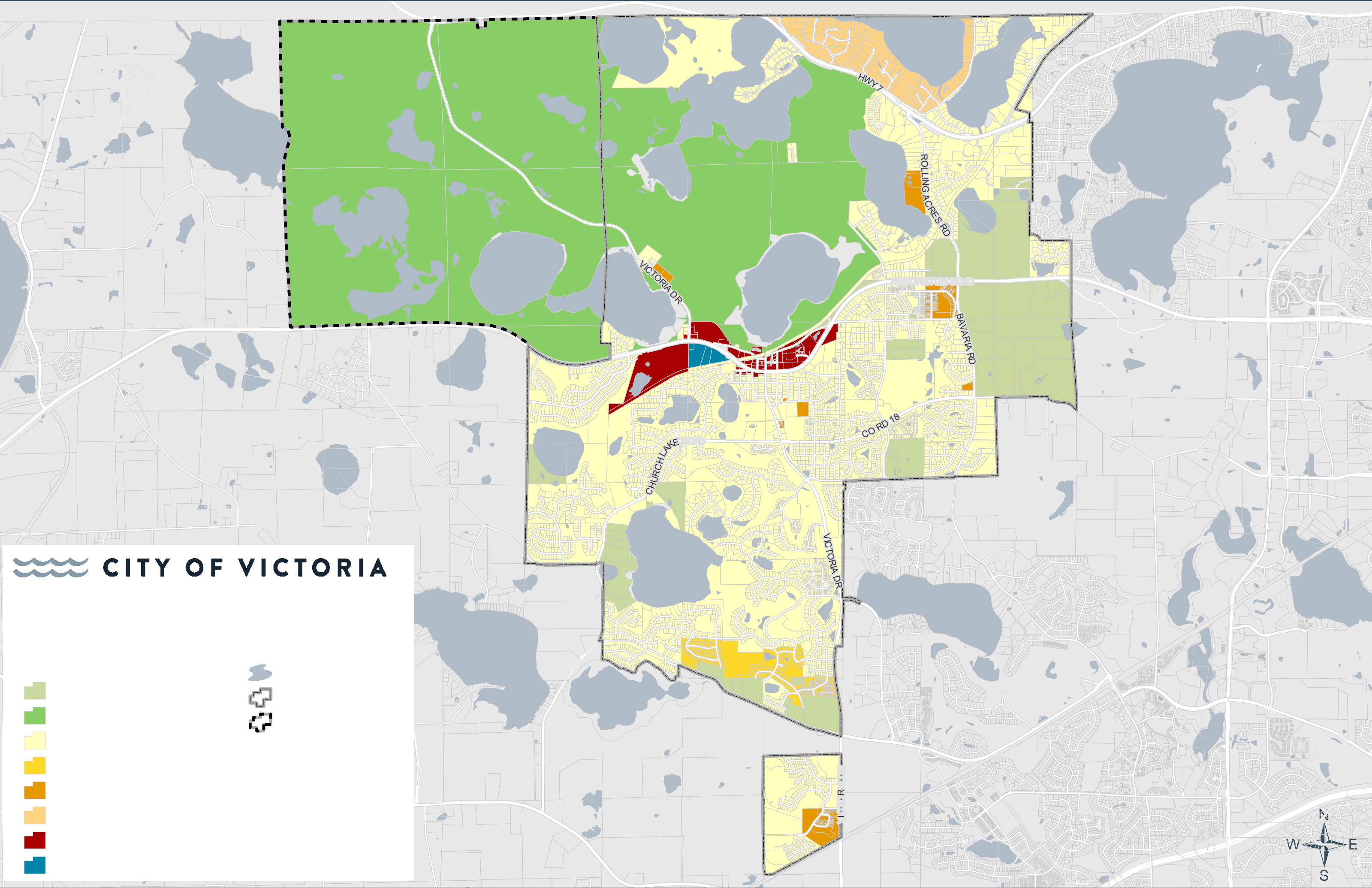
CITY OF VICTORIA

Landscape_8.5x11

Map Date: 6/1/2023

0 0.2 0.4 0.8 1.2 1.6 mi





 **CITY OF VICTORIA**














Nathan Fuerst

From: Clerk Treasurer <laketowntownship@gmail.com>
Sent: Wednesday, May 10, 2023 1:39 PM
To: Nathan Fuerst
Subject: Re: Confirmation Required - Carver Park Reserve Annexation

Hello Nathan,

You are correct. There would be no annexation fee or payment as the land being annexed is tax exempt.

Respectfully,
Leanne Kunze
Clerk/Treasurer

P.S.

You may also want to update your files to show Leanne Kunze as the Clerk/Treasurer for Laketown Township.

Jean has transitioned to a part-time Administrative Assistant position with the township.

Have a great day!

Laketown Township
www.LaketownTownship.info
9530 Laketown Road
Chaska, MN 55318
952-442-5278

On Wed, May 10, 2023 at 12:04 PM Nathan Fuerst <nathan.fuerst@bolton-menk.com> wrote:

Hello Jean,

I am reaching out on behalf of the City of Victoria regarding the annexation of the land encompassing Carver Park Reserve. The City approved the annexation of the remaining park areas into the city limits of Victoria at its regular City

Council meeting on May 8, 2023. In the Resolution approving and ordering the annexation, the City approved a condition that:

“Pursuant to paragraph 8 of the OAA, the City shall not initiate annexation with the OAH until such time as the Town acknowledges, in writing, receipt of such payment in lieu of tax reimbursement as it may require.”

Since the land being annexed is tax exempt, it is my understanding that no payment is required and that we should therefore be ok to proceed with the annexation process.

Would you be able to write back confirming that this is the case? I will use that as documentation to show that we have satisfied the condition above in order to move this process along with OAH.

Thank you,

Nathan Fuerst, AICP

Planner II

Bolton & Menk, Inc.

111 S. Washington Ave.

Minneapolis, MN 55401

Mobile: 612.210.8150

Bolton-menk.com