



REC'D BY  
MAM

JAN 04 2006

***"Gateway to the Chisago Lakes Area"***

RESOLUTION NO. 06-01-01

RESOLUTION OF THE CITY OF CHISAGO CITY PETITIONING THE  
MINNESOTA OFFICE OF ADMINISTRATIVE HEARINGS FOR ANNEXATION  
OF CERTAIN PORTIONS OF WYOMING TOWNSHIP TO THE CITY OF CHISAGO CITY  
PURSUANT TO MINNESOTA STATUTES, SECTION 414.031

WHEREAS, the City of Chisago City (the "Chisago City"), Chisago County, Minnesota, abuts and is bordered on the City's westerly and southerly boundary by Wyoming Township (the "Township"), Chisago County, Minnesota; and

WHEREAS, Chisago City and the Township are located in a growth corridor along and in close proximity to Minnesota Interstate Highway 35 and U.S. Highway 8; and

WHEREAS, Chisago City and the Township have and will continue to see significant urban or suburban growth pressure along these corridors from the Twin Cities metropolitan area directly to the south;

WHEREAS, the Township and the City of Wyoming have filed a joint resolution for orderly annexation (the "Wyoming Agreement"), dated December 6, 2005, with the Minnesota Office of Administrative Hearings ("OAH") seeking annexation of the entirety of Wyoming Township, including the areas Chisago City seeks to annex through this petition for annexation pursuant to Minn. Stat. § 414.031; and

WHEREAS, the Wyoming Agreement is a competing proceeding under Minn. Stat. § 414.0325 seeking annexation of the subject area that Chisago City seeks to annex through this petition for annexation; and

WHEREAS, the Wyoming Agreement will adversely affect the interests of Chisago City and the property owners located within the area proposed herein for annexation; and

WHEREAS, the Wyoming Agreement will deny Chisago City its ability to extend its westerly and southerly borders to include property which, by its nature and location adjacent to the westerly and southerly boundary of Chisago City are in Chisago City's growth area, can be more cost-effectively and efficiently planned and served by Chisago City, and should be made a part of Chisago City and not the City of Wyoming; and

WHEREAS, urban or suburban development pressure in the Township necessitates long-term planning to ensure that urban or suburban growth is controlled, planning and zoning are consistent with growth patterns, available infrastructure is used efficiently, and services are

provided cost-effectively and Chisago City is in the best position to do so given its proximity to the area proposed herein for annexation; and

WHEREAS, Chisago City has also made a substantial public investment in infrastructure to accommodate future growth around Chisago City and seeks to use such investment efficiently and prudently for the betterment of the community and for the protection of the environment in those areas of the Township proposed herein for annexation to Chisago City; and

WHEREAS, Chisago City's public investment in infrastructure and services will be wasted if the entirety of the Township is annexed to the City of Wyoming through the Wyoming Agreement; and

WHEREAS, Chisago City has the professional staff and the capacity to provide municipal services more cost-effectively and efficiently, to the Township areas that are proposed herein to be annexed, than the City of Wyoming; and

WHEREAS, annexation of the property proposed herein for annexation to Chisago City will enable the property to be developed in a cohesive manner in Chisago City; and

WHEREAS, the area of the Township proposed to be annexed, as described herein, is urban or suburban in character or about to become so based on existing and anticipated residential, commercial, industrial, institutional, and governmental development; and

WHEREAS, annexation to and extension of municipal services from Chisago City to the area proposed herein for annexation is in the best interest of Chisago City and the property owners within said area and is necessary to protect the public, health, safety, and welfare of the residents of the area proposed herein for annexation and Chisago City; and

WHEREAS, the Township and City of Wyoming refused to allow Chisago City to participate in their prior merger discussions precluding Chisago City from being a party to the Wyoming Agreement and leaving Chisago City with no other opportunity to protect its rights and the rights of its citizens than through filing this competing annexation petition with OAH; and

WHEREAS, it is the intent and desire of Chisago City to resolve its growth, annexation, and service issues with the Township and City of Wyoming for the betterment of the community by initiating a legal proceeding under state law for the annexation of certain areas of the Township, legally described herein, with the OAH Municipal Boundary Adjustments Office; and

WHEREAS, the City Council of the City of Chisago City supports the filing of this Resolution with the above-mentioned state agency for a hearing regarding the annexation of the areas of Wyoming Township legally described herein to the City of Chisago City.

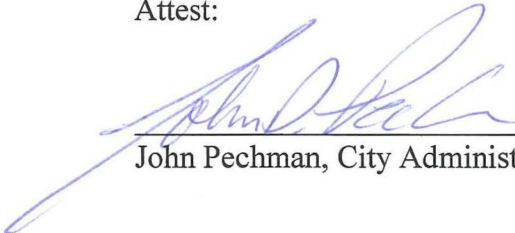
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHISAGO CITY, CHISAGO COUNTY, MINNESOTA, THAT;

1. The Minnesota Office of Administrative Hearings, is hereby requested to hold a public hearing pursuant to Minnesota Statutes, Section 414.09, on the question of annexation of certain portions of Wyoming Township, Chisago County, Minnesota, legally described herein, to the City of Chisago City, Chisago County, Minnesota, pursuant to Minnesota Statutes, Section 414.031.
2. The subject area of the Township proposed for annexation to the City (hereinafter referred to as the "Subject Area") is legally described in Exhibit A, which is attached hereto and incorporated herein by reference. A map showing the Subject Area proposed for annexation to Chisago City is attached hereto as Exhibit B and incorporated herein by reference.
3. The Subject Area is unincorporated and abuts the City on the City's westerly and southerly boundary and none of the Subject Area is presently a part of any incorporated city or an area designated for orderly annexation.
4. The total acreage of the Subject Area is approximately 3,300 acres.
5. The following parties are entitled to notice pursuant to Minnesota Statutes, Section 414.09;
  - a) Wyoming Township, as the township presently governing the area proposed to be annexed.
  - b) Chisago County, as the county in which the area proposed to be annexed is located.
  - c) The Chisago County Planning Commission and Wyoming Township Planning Commission, as planning agencies with jurisdiction over the area proposed to be annexed.
  - d) The Cities of Wyoming and Forest Lake, as cities, which abut the area proposed to be annexed.
  - e) The Townships of Lent and Chisago Lakes, as townships, which abut the area proposed to be annexed.
6. Chisago City staff is hereby directed to file this Resolution, along with the applicable filing fee, with the Minnesota Office of Administrative Hearings Municipal Boundary Adjustments Office for annexation of the Subject Area pursuant to Minnesota Statutes, Section 414.031 to the City of Chisago City. Chisago City staff is further directed to

serve a copy of this resolution/petition for annexation upon Wyoming Township and the City of Wyoming.

Passed, adopted, and approved by the City Council of the City of Chisago City, this 3<sup>rd</sup> day of January, 2006.

Attest:

  
\_\_\_\_\_  
John Pechman, City Administrator

Approved:

  
\_\_\_\_\_  
Chris DuBose, Mayor

**EXHIBIT A****Legal Description of Subject Area Proposed for Annexation to the City of Chisago City**

The Subject Area of Wyoming Township, Chisago County, Minnesota, proposed for annexation by the City of Chisago City, Chisago County, Minnesota, as referenced in the attached Resolution, is legally described as follows:

**Lands in Township 33 North, Range 21 West**

All of the East-half of Sections 3, 15, 22, and 27, in Township 33 North, Range 21 West, Chisago County, Minnesota.

And also all of that part of Section 10 in Township 33 North, Range 21 West, Chisago County, Minnesota, except the City of Wyoming, Chisago County, Minnesota.

And also all of the East-half, all of the Southwest Quarter, and all of the Northwest Quarter located south and east of U.S. Highway 8, all in Section 34, in Township 33 North, Range 21 West, Chisago County, Minnesota.

And also all of Sections 35 and 36, in Township 33 North, Range 21 West, Chisago County, Minnesota.

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MMB

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**EXHIBIT B**

**Boundary Map of the Subject Area Proposed for Annexation to the City of Chisago City**

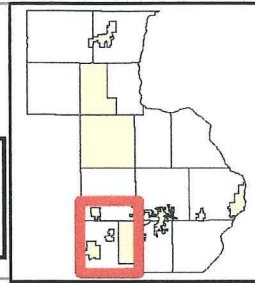
# Exhibit B

0 2,500 5,000 Feet

January 3, 2006



This is a compilation of records as they appear in the Chicago County offices affecting the area shown. This drawing is to be used for reference purposes only and the County is not responsible for any inaccuracies herein contained.



- |                                       |                                   |                        |                                |
|---------------------------------------|-----------------------------------|------------------------|--------------------------------|
| Proposed Annexation Area              | County State Aid Highway - Gravel | Township Road - Gravel | Parcels                        |
| Interstate-US Highway                 | County Road - Bituminous          | Named Private Road     | Lakes                          |
| State Highway                         | County Road - Gravel              | City Road              | Other Cities                   |
| County State Aid Highway - Bituminous | Township Road - Bituminous        | Unnamed Private Road   | Existing Chisago City Boundary |
|                                       |                                   | Sections               | Townships                      |

