

CITY OF LINDSTROM
CHISAGO COUNTY, MINNESOTA

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ORDINANCE NO. 20181018-01

**AN ORDINANCE ANNEXING LAND LOCATED IN
CHISAGO LAKE TOWNSHIP, CHISAGO COUNTY, MINNESOTA
PURSUANT TO MINNESOTA STATUTES § 414.033, SUBDIVISION 2(3),
PERMITTING ANNEXATION BY ORDINANCE**

PREAMBLE

WHEREAS, the land proposed for annexation ("Land") is legally described as follows:

That part of Government Lot Three (3), Section Twenty-eight (28), Township Thirty-four (34) North, Range Twenty (20) West, Chisago County, Minnesota, lying Westerly and Northerly of the following described line:

Commencing at the West Quarter corner of said Section 28; thence East 0 degrees 00 minutes, assumed bearing, along the East-West quarter line of said Section 28, a distance of 1355.3 feet to the point of beginning; thence South 33 degrees 06 minutes East, a distance of 262.7 feet; thence South 62 degrees 24 minutes West, a distance of 220 feet, more or less, to the ordinary high water line of North Lindstrom Lake, and there terminating.

Including an existing 33-foot roadway easement extending Northerly from the East-West quarter line of said Section 28, to the center line of an existing Township Road, according to the described recorded in Book 18 of Deeds, page 553.

Also including a 33-foot roadway easement extending Southwesterly from the South end of an existing roadway easement to the Northeasterly line of the above-described tract; the center line of said 33-foot easement is described as follows: Commencing at the West quarter corner of said Section 28; thence East 0 degrees 00 minutes, assumed bearing, along the East-West quarter line of said Section 28, a distance of 1536 feet to the point of beginning on the South end of an existing roadway easement; thence South 27 degrees East, a distance of 11.2 feet; thence South 47 degrees 51 minutes West, a distance of 152 feet to the Northeasterly line of the above-mentioned tract and there terminating.

Excepting therefrom the following described parcel:

That part of Government Lot 3, Section 28, Township 34 North, Range 20 West, Chisago County, Minnesota, described as follows:

Commencing at the west quarter corner of said Section 28; thence on a bearing of East, assumed bearing along the east-west quarter line of said Section 28, a distance of 1255.3 feet to the point of beginning of the parcel to be described; thence continue on a bearing

of East, a distance of 100 feet; thence South 33 degrees 06 minutes East, a distance of 6.75 feet; thence South 89 degrees 48 minutes 33 seconds West, a distance of 103.69 feet; thence on a bearing of North, a distance of 6.00 feet to the point of beginning.

Abstract Property

PID# 02.00782.00

WHEREAS, the Land abuts the municipality, is 120 acres or less, and is not presently served by public wastewater facilities or public wastewater facilities are not otherwise available;

WHEREAS, the City has received a petition for annexation from the sole property owner of the Land;

WHEREAS, the Land is not contiguous to any property either simultaneously proposed to be or previously annexed under Minnesota Statutes § 414.033, Subd. 2(3), within the preceding 12 months which is or has been owned at any point during that period by the same owners;

WHEREAS, the Land is therefore deemed to be urban or suburban in character, or about to become so;

WHEREAS, no part of the Land is included within the limits of an incorporated city;

WHEREAS, the City has authority, pursuant to Minn. Stat. 414.033, Subd. 2(3) to declare the Land annexed to the City;

WHEREAS, the City of Lindstrom held a public hearing pursuant to Minnesota Statutes § 414.033, Subd. 2b, on 18th day of October, 2018, following thirty (30) days written notice by certified mail to Chisago Lake Township and to all landowners within and contiguous to the area legally described herein to be annexed, and;

WHEREAS, notice has been given to the landowner pursuant to Minnesota Statutes § 414.033, Subd. 13.

WHEREAS, said Land is located within a shoreland and/or floodplain area, the City has previously adopted or amended its land use controls to conform with Minnesota Statutes Chapter 103F, and new development of the Land shall be subject to Minnesota Statutes Chapter 103F.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LINDSTROM, CHISAGO COUNTY, MINNESOTA, ORDAINS:

Section A. **Land Annexed.** The corporate limits of the City of Lindstrom are hereby extended to include the Land.

Section B. Taxes/Reimbursement to Township. Pursuant to the requirements of Minn. Stat. 414.036, the City shall provide a reimbursement to the town to compensate the town for the loss of taxable property in the amount of Four Hundred Fifty Five and 72/100 Dollars (\$455.72), payable in two annual payments in accordance with the following schedule:

1. In 2018, an amount equal to Two Hundred Twenty Seven and 86/100 Dollars (\$227.86).

(½ total amount)

2. In 2019, an amount equal to Two Hundred Twenty Seven and 86/100 Dollars (\$227.86).

(½ total amount)

There are no outstanding assessments against the Land.


Section C. Filing. The City Clerk is directed to file certified copies of this ordinance with the Secretary of State, the County Auditor, the Town Clerk of the affected township and the Chief Administrative Law Judge for the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings. The City Attorney may act as necessary to complete the annexation process.

Section D. Effective Date of Annexation. This Ordinance shall be in full force and effect and final upon the date this Ordinance is approved by the Chief Administrative Law Judge for the Office of Administrative Hearings.

ADOPTED this 18th day of October, 2018, by the City Council of the City of Lindstrom.

By: 
Keith V. Carlson, Mayor

ATTEST:


John J. Olinger, City Administrator

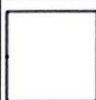


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