

SHINGOBEE TOWNSHIP
P.O. BOX 34
WALKER, MN 56484
(218) 547-3816
shingtwp@arvig.net

RCUD OAH '18 NOV 20

November 16, 2018

State of Minnesota
Municipal Boundary Adjustments Unit
PO Box 64620
St. Paul, MN 55164-0620

RE: City of Walker Annexation by Ordinance No. 2018-02

To Whom It May Concern:

The Shingobee Township Board of Supervisors recently became aware of the above when reading the same as a legal notice publication in the local newspaper and on the City of Walker's website. A copy of the said ordinance, as well as maps the city had included for reference are enclosed.

The City proposes to annex the referenced city owned parcel of land pursuant to Minn. Stat. §414.033, Subd. 2(1), stating that the land "abuts the City of Walker inasmuch as its southern boundary would touch a parcel within the City of Walker but for an intervening roadway and a parcel of publicly owned land."

According to Minn. Stat. §414.011, Subd. 6, abutment is defined as "areas whose boundaries at least touch one another at a single point, including areas whose boundaries would touch but for an intervening roadway, railroad, waterway, or parcel of publicly owned land". The intervening items are listed as singular, which means logically that the abutment requirement is not met if there is more than one intervening item as in this case, specifically, a township maintained roadway and publicly owned land.

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The Shingobee Township Board respectfully asserts that there is no jurisdiction for the boundary adjustment requested by the City of Walker Annexation by Ordinance No. 2018-02 in that the city property proposed to be annexed does not abut municipal land as defined by Minnesota Statutes.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ann Swanson', with a long, sweeping horizontal line extending to the right.

Ann Swanson
Clerk-Treasurer

City of Walker, c/o Walker City Clerk/Administrator

**CITY OF WALKER
CASS COUNTY, MINNESOTA
ORDINANCE No. 2018-02**

**AN ORDINANCE OF THE CITY OF WALKER, MINNESOTA ANNEXING
LAND LOCATED IN SHINGOBEE TOWNSHIP, CASS COUNTY,
MINNESOTA PURSUANT TO MINNESOTA STATUTES § 414.033
SUBDIVISION 2(1), PERMITTING ANNEXATION BY ORDINANCE**

WHEREAS, the property described as follows, to-wit:

The East Half of the Northeast Quarter (E1/2 NE1/4 less that part of the Southeast Quarter of the Northeast Quarter (SE1/4 NE1/4) lying southerly of Township Road #19, and the Southwest Quarter of the Northeast Quarter (SW1/4 NE1/4), Section Twenty (20), Township One Hundred Forty Two (142), Range Thirty One (31), Cass County, Minnesota,

is owned by the City of Walker; and

WHEREAS, said property is unincorporated and abuts the City of Walker, inasmuch as its southern boundary would touch a parcel within the City of Walker but for an intervening roadway and a parcel of publicly owned land; and

WHEREAS, the annexation of land meeting the foregoing criteria is eligible for annexation by ordinance pursuant to M.S.A.sec, 414.033 Subd. 2 (1) without notice or hearing.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WALKER
HEREBY ORDAINS AS FOLLOWS:**

1. The City Council hereby determines that the property as hereinafter described abuts the city limits, is unincorporated and is owned by the City of Walker.
2. None of the property is now included within the limits of any city, or in any area that has already been designated for orderly annexation pursuant to Minnesota Statute § 414.0325.
3. The corporate limits of the City of Walker, Minnesota, are hereby extended to include the following described property, to wit:

The East Half of the Northeast Quarter (E1/2 NE1/4 less that part of the Southeast Quarter of the Northeast Quarter (SE1/4 NE1/4) lying southerly of Township Road #19, and the Southwest Quarter of the Northeast Quarter (SW1/4 NE1/4), Section Twenty (20), Township One Hundred Forty Two (142), Range Thirty One (31), Cass County, Minnesota.

The above described property consists of a total of 144.24 acres, more or less. Copies of the corporate boundary map showing the property to be annexed and its relationship to the

corporate boundaries are attached hereto.

4. That pursuant to Minnesota Statutes § 414.036 with respect to any special assessments assigned by the Town to the annexed property, there are no special assessments or debt incurred by the Town on the subject area for which reimbursement is required.
5. That the City Clerk/Administrator of the City of Walker is hereby authorized and directed to file a copy of this Ordinance with the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, the Minnesota Secretary of State, the Cass County Auditor, and the Shingobee Township Clerk.
6. That this Ordinance shall be in full force and effect and final upon the date this Ordinance is approved by the Office of Administrative Hearings.

PASSED AND ADOPTED by the City Council of the City of Walker, Minnesota, this 5th day of November, 2018.

ATTEST:

Mayor

City Clerk/Administrator

MOTION:

SECOND:

McMurrin:

Moore:

Shaw:

Senenfelder:

Wilkening:



These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

STATE OF MN PROPERTY

This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.

0 487.5 975 1,950 ft

Date: 10/23/2018





Parcel Report

Parcel Number: 38-120-0002

General Information

Township/City: SHINGOBEE TWP
Taxpayer: CITY OF WALKER
PO BOX 207
WALKER MN 56484-0207

Property Address:

Section: 20
Township: 142
Range: 31
Plat:

Lake Number: 0
Lake Name:

Acres: 144.24
School District: 113

Legal Description:

E1/2 OF NE LESS THAT PT OF SE NE LYG SLY OF TWP RD #19 & SW NE, SEC 20-142-31

2018 Tax Information

Class Code 1:	Municipal - All Other
Class Code 2:	Unclassified
Class Code 3:	Unclassified
Homestead:	Non Homestead

Estimated Land Value:	\$253,300.00
Estimated Building Value:	\$0.00
Estimated Total Value:	\$253,300.00
Total Taxable Value:	\$0.00
Net Tax (Specials Not Included):	\$0.00
Total Special Assessments:	\$0.00
Full Tax for Current Year:	\$0.00
Total Paid for Current Year:	\$0.00
Total Penalty for Current Year:	\$0.00
Balance Due for Current Year:	\$0.00



Parcel Report

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Map

