

JUN 24 1974

JOINT RESOLUTION AS TO ORDERLY ANNEXATION:
CITY OF LINDSTROM - TOWN OF CHISAGO LAKES

WHEREAS, the Municipal Commission of the State of Minnesota presently has before it for hearing and consideration the matter of annexing certain portions of Chisago Lakes Township to the City of Lindstrom; and

WHEREAS, the Township of Chisago Lakes and the City of Lindstrom are parties to the said hearing; and

WHEREAS, there is a basis for agreement between the parties to this action upon which the matters presently before the Minnesota Municipal Commission can be settled, and the municipal parties hereto desire to set forth such terms of settlement by means of this resolution.

NOW, THEREFORE, BE IT RESOLVED by the City of Lindstrom and the Town of Chisago Lakes as follows:

1. That the following described area in Chisago Lakes Township is properly subject to orderly annexation under and pursuant to Minnesota Statutes 414.032, and the parties hereto do hereby designate this area as in need of orderly annexation as provided by statute, and as more specifically provided herein:

That part of Government Lot 4, Section 3, Township 33 Range 20; and that part of Government Lots 2 and 10, Section 34, Township 34, Range 20, including that part of the recorded plat of Wood's Addition, and all of Linder's Bayview Estates and Sundberg's Beach, all in Chisago County, Minnesota, described as follows, to-wit: Commencing at the northwest corner of Government Lot 10 of Section 34; thence East, assumed bearing, along the north line of Government Lot 10, a distance of 400 feet of the northerly projection of the east line of Velma Street, being the point of beginning; thence South 10° 6' East a distance of 300 feet, to the north line of Terryll Street of the recorded plat of Wood's Addition; thence East along the north line of said Terryll Street, 415 feet, more or less, to the point of intersection with the northwesterly projection of the west line of Lot 6 of Wood's Addition; thence southeasterly along the northwesterly projection of and continuing along the west line of Lot 6, a distance of 324 feet, more or less, to the shoreline of South Center Lake; thence easterly, southeasterly and southerly, along said shoreline to the north line of Lot 49 of the recorded plat of Sundberg's Beach; thence generally southerly, easterly and northerly along and around said shoreline to a point thereon where the north line of Lot 1 of Sundberg's Beach intersects with same; thence northerly to the connection road between Government Lots 10 and 2 of Section 34; thence

counterclockwise, along said connection road and then around Government Lot 4 to the easterly extension of the north line of Government Lot 10; thence West, along said easterly extension and the north line of Government Lot 10, to the point of beginning.

2. The Township hereby withdraws all objections and agrees to the annexation of the above described area as provided herein, both parties hereby stipulating that the property, and all of same, is or is about to become urban or suburban in character. The city hereby stipulates that it has available and is capable of providing the municipal services required by the area within a reasonable time.

3. It is hereby stipulated that any and all lots or any combination of lots presently under common ownership containing dwellings utilizing on-site sewage systems other than such lots or combination of lots serviced by privies approved under the Chisago County On-Site Sewage Ordinance, which are deemed defective or otherwise fail to comply with the Chisago County On-Site Sewage Ordinance, shall be immediately connected to the city sewer system.

4. The determination of whether or not an on-site sewage system is defective or otherwise fails to comply with the Chisago County On-Site Sewage Ordinance may be made by the city of Lindstrom, or any other public body or agency authorized under law to make such determination.

5. The city agrees to expedite the installation of a sanitary sewer collection system capable of serving the area first above described, in compliance with existing engineering practices and contract standards.

6. The city agrees to assess the costs of the sewage system serving the designated area over a period of twenty years. The city further agrees to revise its mandatory sewer hookup ordinance policy for purposes of this project to require hookups for a period within but not to exceed five years from the date of this agreement. The city agrees that the existing hookup fee, being \$425, will remain in affect and not be increased insofar as same is applicable to the lots or combination of lots in Sundberg's Beach.

7. The city agrees not to construct any public improvements other than those provided herein which would be assessable to a lot or lots in Sundberg's Beach without first obtaining a petition therefor from a majority of the benefiting property owners.

8. It is hereby stipulated and agreed that a petition was filed for annexation for all of the property above described, excepting therefrom Sundberg's Beach, by the terms of which the owners thereof desired immediate annexation to said city; that this agreement represents a compromise to said original petition for annexation, agreed to by the city and the township; and agreed to by the representatives of the property owners of Sundberg's Beach; that in view thereof, the mill rate applied to the lots of Sundberg's Beach, annexed as provided herein, shall be adjusted in equal proportions over a period of three years from the then existing town mill rate to the city mill rate.

9. The seasonal tax classification presently applicable to any lot or parcel contained within the area first above described shall not be modified or changed as a consequence of the annexation herein provided.

10. The city agrees to investigate and obtain the correction of potential storm sewer runoff problems resulting from the development of the area originally petitioned for annexation.

11. The parties hereby agree that the original petition for annexation be rejected as presented; that the area to be annexed be that described herein subject to the provisions herein; and that the matter now pending before the Minnesota Municipal Commission be dismissed.

TOWNSHIP OF CHISAGO LAKES

Passed and adopted by the Township of Chisago Lakes this 18th day of

June, 1974.

ATTEST: Carl L. Andersen
Township Clerk

BY Georgie W Jackson
Its Chairman

CITY OF LINDSTROM

Passed and adopted by the City of Lindstrom this 20th day of

June, 1974.

ATTEST: Christina J. Anderson
City Clerk

BY Kenneth W. Carlson
Its Mayor

CLERK'S CERTIFICATE

STATE OF MINNESOTA)
) SS
COUNTY OF CHISAGO)

I, Curtis J. Anderson, City Clerk of the City of Lindstrom, County of Chisago, State of Minnesota, do hereby certify that I have compared the foregoing Resolution with the original minutes now on file and remaining of record in my office; that the same is a true and correct copy and transcript of said original minutes and the whole thereof, so far as said minutes pertain to the matters contained herein.

Witness My Hand and the Corporate Seal of the City of Lindstrom, Minnesota,
this 30th day of June, 1974.

(SEAL)

74. Ernest J. Anderson
City Clerk, City of Lindstrom, Minnesota

CLERK'S CERTIFICATE

STATE OF MINNESOTA)
) SS
COUNTY OF CHISAGO)

I, Carl L. Andersen, Town Clerk of the Town of Chisago Lakes, County of Chisago, State of Minnesota, do hereby certify that I have compared the foregoing Resolution with the original minutes now on file and remaining of record in my office; that the same is a true and correct copy and transcript of said original minutes and the whole thereof, so far as said minutes pertain to the matters contained herein.

Witness My Hand this 18th day of June, 1974.

June, 1974.
Earl L. Andersen
Town Clerk, Town of Chisago Lakes, Minnesota