

RESOLUTION NO. 2018-13

**EXTRACT OF THE CITY COUNCIL MEETING MINUTES OF THE CITY OF MONTROSE,
MINNESOTA HELD APRIL 9, 2018**

A regular meeting of the City Council of the City of Montrose, Minnesota was duly held at Montrose Community Center on the 9th day of April, 2018, at 7:00 p.m.

The following members were present: Mayor Michelle Otto; Council Members Lloyd Johnson and Jill Menard

The following members were absent: Council Members Roy Henry and Ben Kuehl

Councilmember Menard introduced the following resolution and moved its adoption:

**A RESOLUTION APPROVING THE ANNEXATION OF LAND INTO THE
CITY OF MONTROSE, PURSUANT TO A REVISED ORDERLY ANNEXATION
AGREEMENT BETWEEN THE CITY OF MONTROSE AND
THE TOWN OF WOODLAND**

WHEREAS, the City of Montrose, Minnesota (the “City”) and the Town of Woodland, Minnesota (the “Town”), have entered into an Orderly Annexation Agreement, approved by the City Council of the City on April 26, 2004, pursuant to Resolution No. 2004-14, and the Town Board of the Town on April 12, 2004, pursuant to Resolution No. 4-04-1 (the “Annexation Agreement”); and

WHEREAS, the Annexation Agreement was received and accepted by the Minnesota Department of Administration, Municipal Boundary Adjustment Unit, on July 1, 2004; and

WHEREAS, the purpose of the Annexation Agreement is to allow for certain property located within the boundaries of the Town to be efficiently annexed into the City, in furtherance of the protection of the public health, safety, and welfare; and

WHEREAS, the City is the property owner of two parcels of property (PID 220-000-012400 (10.00 acres) and PID 220-000-012301 (13.00 acres), collectively, the “Property”) upon which a portion of the City’s regional wastewater treatment facility is located; and

WHEREAS, the City has learned the Property is actually located within the jurisdictional parameters of the Town; and

WHEREAS, the City desires to annex the Property to the City, so the proper location and ownership of the Property is represented within the City limits; and

WHEREAS, the zoning district surrounding the Property is Institutional District (INS), and the City’s Comprehensive Plan guides the Property for Public/Semi-Public purposes, within Planning District No. 1; and

WHEREAS, the Annexation Agreement provides that no alteration of the area subject to orderly annexation is appropriate, and no extra consideration by the State of Minnesota or any administrative law judge thereunder is necessary; and

WHEREAS, as of the date hereof, the Town Board has approved, or will approve, the detachment of the Property from the Town pursuant to a separate resolution, a fully executed copy of which will be on file at City Hall (the "Town Board Resolution")..

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MONTROSE, MINNESOTA:

1. Approval of Property Detachment. The annexation of the Property into the City is approved. The legal description of the Property is attached hereto on Exhibit A.

2. Distribution to Municipal Boundary Adjustment Unit. City staff is authorized and directed to forward executed copies of this Resolution, the Town Board Resolution, and any other necessary documents to the State of Minnesota Office of Administrative Hearings – Municipal Boundary Adjustment Unit. This Resolution and the Town Board Resolution are considered to be a joint resolution of approval, for purposes of Section 3(F) of the Annexation Agreement.

3. Effective Date. The detachment of the Property from the Town and the annexation of the Property into the City will be effective upon the approval of the annexation by the State of Minnesota Office of Administrative Hearings – Municipal Boundary Adjustment Unit. Pursuant to Minnesota Statutes, Section 414.0325, Subdivision 1(h), the Chief Administrative Law Judge of the Office of Administrative Hearings may review and comment on the annexation but shall within 30 days of receipt order the annexation in accordance with the terms of this Resolution.

4. Tax Levy. The Property is exempt from the levy of property taxes by the Town or the City.

Passed and adopted by the City Council for the City of Montrose, Minnesota, this 9th day of April, 2018.


Michelle Otto, Mayor

ATTEST:


Dale Powers, City Clerk/Treasurer

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

Parcel Identification No. 220-000-012400

That part of the South Half of the Northwest Quarter of Section 1, Township 118 North, Range 26 West, Wright County, Minnesota, described as follows: Commencing at the Southwest corner of said Northwest Quarter; thence on an assumed bearing of North 89 degrees 29 minutes 23 seconds East along the South line of said Northwest Quarter 1790.87 feet to the beginning of the land to be described; thence North 0 degrees 30 minutes 37 seconds West 708.50 feet; thence South 89 degrees 29 minutes 23 seconds West 614.82 feet; thence South 0 degrees 30 minutes 37 seconds East 708.50 feet to the South line of said Northwest Quarter; thence North 89 degrees 29 minutes 23 seconds East along said South line 614.82 feet to the point of beginning.

Parcel Identification No. 220-000-012301

That part of the Southeast Quarter of the Northwest Quarter of Section 1, Township 118 North, Range 26 West, Wright County, Minnesota, described as follows:

Commencing at the Southwest corner of said Northwest Quarter; thence North 89 degrees 29 minutes 23 seconds East, assumed bearing, along the South line of said Northwest Quarter, 1790.87 feet to the point of beginning of the land to be described thence continuing North 89 degrees 29 minutes 23 seconds East, along said South line, 639.03 feet; thence North 26 degrees 45 minutes 24 seconds East 299.63 feet; thence North 18 degrees 52 minutes 03 seconds East 440.48 feet; thence North 39 degrees 52 minutes 46 seconds East 34.97 feet; thence South 89 degrees 29 minutes 23 seconds West 945.11 feet; thence South 0 degrees 30 minutes 37 seconds East 708.50 feet to the point of beginning.

Subject to a flowage easement granted to the State of Minnesota over that part of the above-described property described as follows:

Commencing at the Southwest corner of said Northwest Quarter; thence North 89 degrees 29 minutes 23 seconds East, assumed bearing, along the South line of said Northwest Quarter, 2429.20 feet to the point of beginning of the land to be described; thence North 26 degrees 45 minutes 24 seconds East 299.63 feet; thence South 55 degrees 36 minutes 52 seconds West 477.83 feet to said South line; thence North 89 degrees 29 minutes 23 seconds East, 259.45 feet along said South line to the point of beginning.

RESOLUTION NO. 2016 - 1

EXTRACT OF THE BOARD OF SUPERVISORS MEETING MINUTES OF THE TOWN
BOARD OF WOODLAND, MINNESOTA HELD Apr 11, 2016

A regular meeting of the Board of Supervisors of the Town of Woodland, Minnesota was duly held at the Woodland Township Hall, 9065 Clementa Avenue Southwest, Montrose, Minnesota, on the 11 day of Apr, 2016.

The following members were present:

Gene JANIKULA Barry PAWEIK Dan Dornjahn
Gloria JANIKULA

The following members were absent:

Paula LAVIGNE

Supervisor Dornjahn moved to adopt the following Resolution. Supervisor PAWEIK seconded the motion. The motion was carried unanimously to adopt the following Resolution:

**A RESOLUTION APPROVING THE DETACHMENT AND ORDERLY
ANNEXATION OF LAND INTO THE CITY OF MONTROSE, MINNESOTA,
PURSUANT TO AN ORDERLY ANNEXATION AGREEMENT BETWEEN THE
CITY OF MONTROSE AND THE TOWN OF WOODLAND**

WHEREAS, the City of Montrose, Minnesota (the "City") and the Town of Woodland, Minnesota (the "Town"), have entered into an Orderly Annexation Agreement, approved by the City Council of the City on April 26, 2004, pursuant to Resolution No. 2004-14, and the Town Board of the Town on April 12, 2004, pursuant to Resolution No. 4-04-1 (the "Annexation Agreement"); and

WHEREAS, the Annexation Agreement was received and accepted by the Minnesota Department of Administration, Municipal Boundary Adjustment Board, on July 1, 2004; and

WHEREAS, the purpose of the Annexation Agreement is to allow for certain property located within the boundaries of the Town to be efficiently annexed into the City, in furtherance of the protection of the public health, safety, and welfare; and

WHEREAS, the City is the property owner of two parcels of property (PID 220-000-012400 (10.00 acres) and PID 220-000-012301 (13.00 acres), collectively, the "Property") upon which a portion of the City's regional wastewater treatment facility is located; and

WHEREAS, the City has learned the Property is actually located within the jurisdictional parameters of the Town; and

WHEREAS, the City desires to annex the Property to the City so the proper location and ownership of the Property is represented within the City limits; and

WHEREAS, the zoning district surrounding the Property is Institutional District (INS), and the City's Comprehensive Plan guides the Property for Public/Semi-Public purposes, within Planning District No. 1; and

WHEREAS, the Annexation Agreement provides that no alteration of the area subject to orderly annexation is appropriate, and no extra consideration by the State of Minnesota or any administrative law judge thereunder is necessary; and

WHEREAS, the Town hereby waives the fees normally payable to it under Section 3 of the Annexation Agreement, as the Property is governmental property and is not subject to taxation.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE TOWN OF WOODLAND, MINNESOTA:

1. Approval of Property Detachment. The detachment of the Property from the Town and the annexation into the City is approved, upon the express understanding and agreement by the City that the Town has no liability for or with respect to the City's prior, or future, operation of the City's wastewater treatment facility on, or near, the Property. The legal description of the Property is attached hereto on Exhibit A.

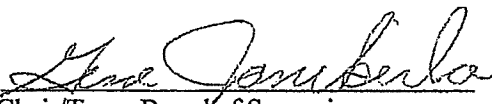
2. Distribution to Municipal Boundary Adjustment Unit. Upon approval by resolution of the City Council of the City (the "City Resolution"), the Town understands the City will forward executed copies of the City Resolution, this Resolution, and any other necessary documents to the State of Minnesota Office of Administrative Hearings – Municipal Boundary Adjustment Unit. This Resolution and the City Resolution are considered to be a joint resolution of approval, for purposes of Section 3(F) of the Annexation Agreement.

3. Effective Date. The detachment of the Property from the Town and the annexation of the Property into the City will be effective upon the approval of the annexation by the State of Minnesota Office of Administrative Hearings – Municipal Boundary Adjustment Unit. Pursuant to Minnesota Statutes, Section 414.0325, Subdivision 1(h), the Chief Administrative Law Judge of the Office of Administrative Hearings may review and comment on the annexation, but shall within 30 days order the annexation in accordance with the terms of this Resolution and the City Resolution.

4. Tax Levy. The Property is exempt from the levy of property taxes by the Town or the City.

WOODLAND TOWNSHIP

ATTESTED:

By: 
Chair/Town Board of Supervisors

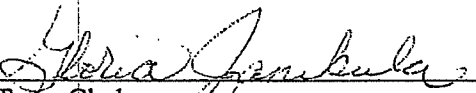
By: 
Town Clerk

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

Parcel Identification No. 220-000-012400

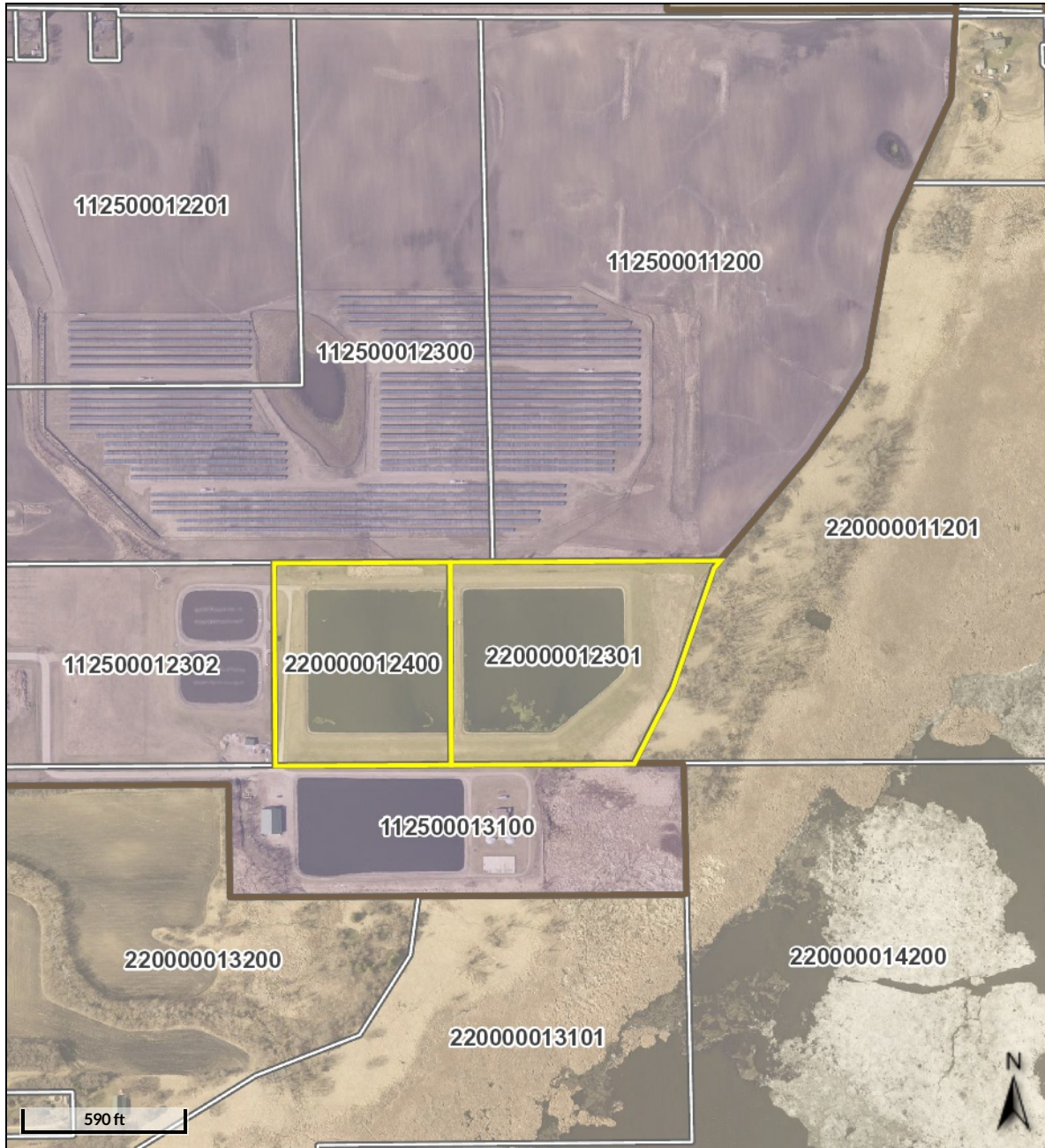
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Parcel Identification No. 220-000-012301

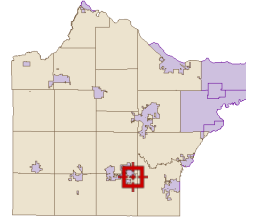
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Subject to a flowage easement granted to the State of Minnesota over that part of the above-described property described as follows:



Overview



Legend

Roads

- CSAHCL
- CTYCL
- MUNICL
- PRIVATECL
- TWPCL

Highways

- Interstate
- State Hwy
- US Hwy

City/Township Limits

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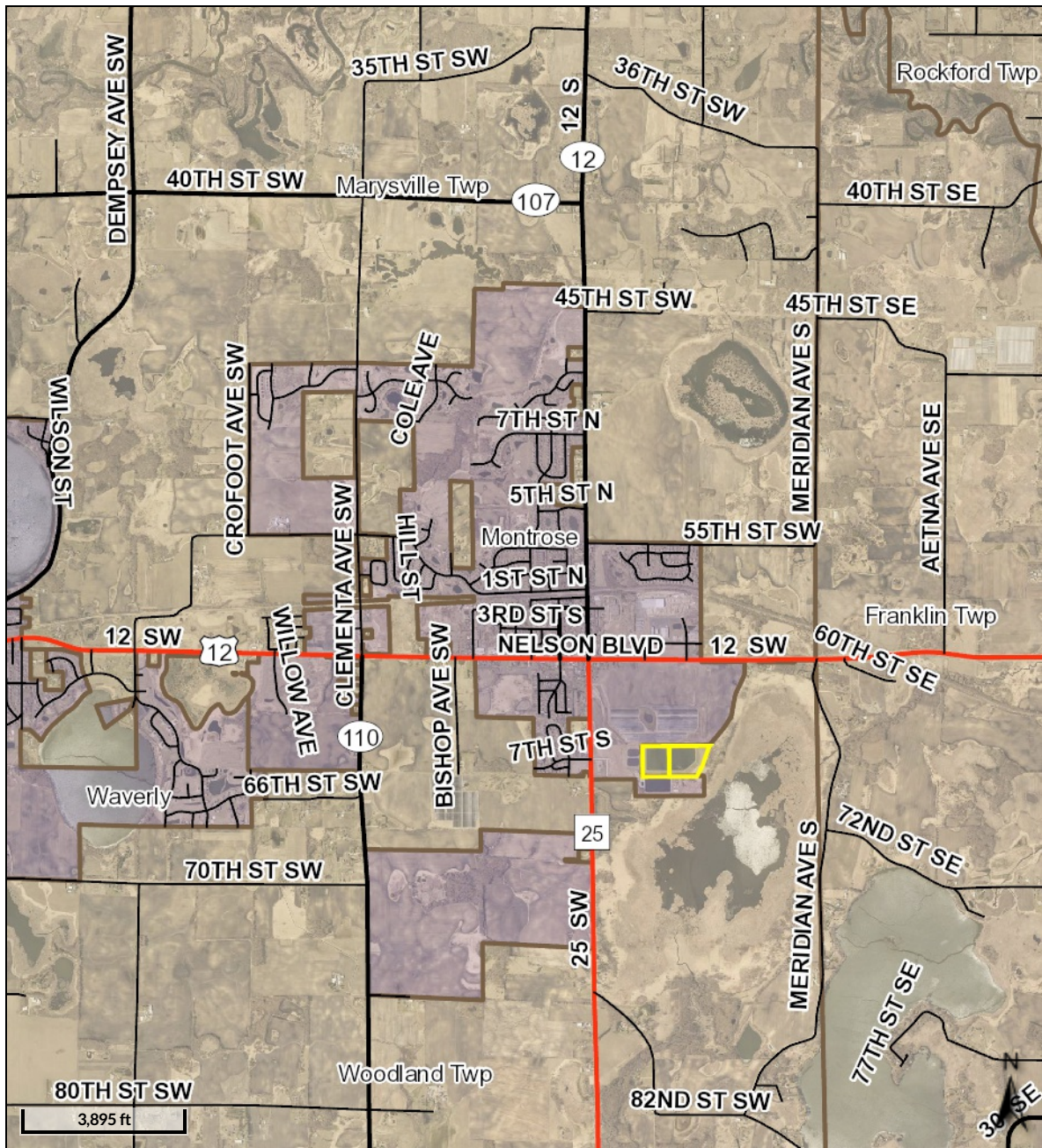
City/Township Background

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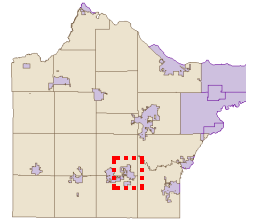
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Developed by  **Schneider**
GEOSPATIAL



Overview



Legend

Roads

- CSAHCL
- CTYCL
- MUNICL
- PRIVATECL
- TWPCCL

Highways

- Interstate
- State Hwy
- US Hwy

City/Township Limits

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- Parcels

City/Township Background

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