

TOWN OF CHISAGO LAKE
CITY OF LINDSTROM

RECD BY
MAM B

DEC 10 2007

IN THE MATTER OF THE JOINT
RESOLUTION OF THE TOWN OF
CHISAGO LAKE AND THE CITY
OF LINDSTROM, DESIGNATING
AN UNINCORPORATED AREA AS
IN NEED OF ORDERLY ANNEXATION
AND CONFERRING JURISDICTION
OVER SAID AREA TO THE OFFICE
OF ADMINISTRATIVE HEARINGS/
MUNICIPAL BOUNDARY ADJUSTMENTS,
PURSUANT TO M.S. §414.0325

JOINT RESOLUTION

The Township of Chisago Lake and the City of Lindstrom jointly agree to the following:

1. That the owners of the property described below ("Property") have requested annexation by the City. This property is referred to and described as:

Schmidt Parcel - PID's 02-00081-00 = 45.04 Acres
02-00082-20 = 9.3 Acres

(See Exhibit A for Legal Descriptions).

2. The Property lies entirely within the County of Chisago, State of Minnesota, and no portion thereof is currently included within the corporate limits of any incorporated municipality.

3. The Property contains approximately 54.34 acres, and is legally described on the attached Exhibit A.

4. The Property abuts the existing southeastern border of the City. See Map(s) of the Property attached as Exhibit B.

5. The Property is currently unimproved and has a population of zero (0).

6. It is in the best interest of the City, the Township and their respective residents for the City and Township to agree to orderly annexation of the Property in furtherance of orderly growth, the efficient delivery of public services, and the protection of the public health, safety, and welfare.

7. The City and the Township, following due notice thereof and in accordance with Minnesota Statutes § 414.0325, conducted a joint informational meeting concerning this proposed orderly annexation agreement on November 15, 2007.

8. That the Property should be immediately annexed to the City for the purpose of facilitating the development of the parcels to urban densities and to provide urban services, including city sewer and water services. The City and Township agree that should this area not be platted and developed to urban densities within two years of its annexation, the City and Township will review the Property to determine whether a joint resolution for detachment of the Property is appropriate. The City agrees that as a condition of plat and development approval that it will require the developer to improve and pave Olympic Trail to serve the development from the north, and thereafter the City will be responsible for all maintenance and repair for that improved portion of Olympic Trail.

9. That since the Property will be immediately annexed to the City upon adoption of this Joint Resolution and approval of the State, joint planning pursuant to M.S. 414.0325, Subd. 5 is not warranted. The City of Lindstrom will, upon annexation, serve as the reviewing agency and local government unit for the purpose of any land use, subdivision, and environmental review of the proposed development and the proposed development will be subject to and comply with the comprehensive plan and official controls of the City of Lindstrom.

10. That as a result of the City's proposed provision of urban services to, and urban development of the Property, the previously described area in Chisago Lake Township, Chisago County, is subject to orderly annexation pursuant to Minnesota Statutes §414.0325, and the parties hereto designate this area for annexation under this orderly annexation agreement.

11. That both the Township and the City agree, pursuant to M.S. §414.0325, Subd. 1 (f), that no alteration of the stated boundaries of this agreement is appropriate.

12. That the annexation of the Property will not result in any change of electrical service and that differential taxation under M.S. §414.035, is not required, but that the City will reimburse the Township pursuant to M.S. § 414.036 as shown in Exhibit C.

13. Upon execution and filing of this Joint Resolution, jurisdiction is hereby conferred upon the Office of Administrative Hearings, Municipal Boundary Adjustments (hereinafter "Office"). Upon execution by the respective governing bodies of the City and Township, the City shall file this Joint Resolution with the Office (or its successor agency).

14. In the event that there are errors, omissions or any other problems with the legal description, mapping, or tax reimbursement provided in the attached Exhibits the parties agree to make such corrections and file any additional documentation, including a

new Exhibit making the corrections requested or required by the Office as necessary to make effective the annexation of said area in accordance with the terms of this Joint Resolution, without the necessity of re-adopting this Joint Resolution.

15. Furthermore, each party agrees that pursuant to M.S. §414.0325, Subd. 1(g) no consideration by the Office is necessary, and that upon receipt of this resolution and agreement, passed and adopted by each party, the Director of the Office may review and comment but shall, within thirty (30) days, immediately order the annexation in accordance with the terms of this joint resolution.

CITY OF LINDSTROM

Passed and adopted by the City Council of the City of Lindstrom on this the 15th day of November, 2007.

By: Keith Carlson
Keith Carlson, Mayor

Attest: John Olinger
John Olinger, City Administrator

TOWNSHIP OF CHISAGO LAKE

Passed and adopted by the Town Board of the Town of Chisago Lake on this the 15th day of November, 2007.

By: Jim Froberg
Jim Froberg, Town Board Chair

Attest: Eleanor Trippler
Eleanor Trippler, Town Board Clerk

EXHIBIT "A" Legal Description of Property

(See attached Exhibit A – Legal Description)

EXHIBIT "B" Corporate Boundary Map and more detailed map of annexation area

(See attached Exhibit B – Map)

EXHIBIT "C" Tax Reimbursement pursuant to M.S. §414.036

The City and Township agree that upon annexation of the Subject Area legally described in Exhibit A, the City shall reimburse the Township for the loss of taxes from the property so annexed for the period and in accordance with the following schedule: 1) in the first year following the year the City could first levy on the annexed area, an amount equal to ninety (90) percent of the property taxes distributed to the Township in regard to the annexed area in the last year that property taxes from the annexed area were payable to the Township; 2) in the second year, an amount equal to seventy (70) percent; 3) in the third year, an amount equal to fifty (50) percent; 4) in the fourth year, an amount equal to thirty (30) percent, and; 5) in the fifth and final year, an amount equal to ten (10) percent/ Thereafter, the City will no longer reimburse the Township.

Year	2006 Tax Amount	X	%	=	Amount	Date Paid	Check Number
Year 1	\$558.22	x	90%	=	\$502.40		
Year 2	\$558.22	x	70%	=	\$390.75		
Year 3	\$558.22	x	50%	=	\$279.11		
Year 4	\$558.22	x	30%	=	\$167.47		
Year 5	\$558.22	x	10%	=	\$ 55.02		

JOINT_RESOLUTION_FOR_ORDERLY_ANNEXATION-SCHMIDT

PID #02-00081-00 (45.047 Acres)

Year	2006 Tax Amount	X	%	=	Amount	Date Paid	Check Number
Year 1	\$2.53	x	90%	=	\$2.28		
Year 2	\$2.53	x	70%	=	\$1.77		
Year 3	\$2.53	x	50%	=	\$1.27		
Year 4	\$2.53	x	30%	=	\$.76		
Year 5	\$2.53	x	10%	=	\$.25		

JOINT_RESOLUTION_FOR_ORDERLY_ANNEXATION-SCHMIDT

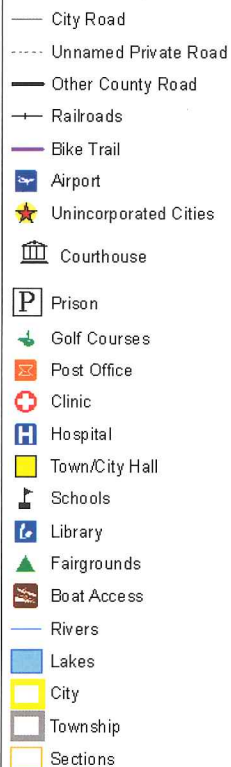
PID #02-00082-20 (9.3 Acres)

EXHIBIT "A"**Legal Description of Property****LEGAL DESCRIPTION OF THE 2 SCHMIDT PARCELS THAT RESIDE IN CHISAGO LAKES TOWNSHIP:****Parcel A**

That part of the Southeast Quarter of the Northeast Quarter, Government Lot 2 and Government Lot 3, all in Section 10, Township 33 North, Range 20 West, Chisago County, Minnesota, described as follows: Commencing at the southwest corner of said Southeast Quarter of the Northeast Quarter; thence easterly along the south line of said Southeast Quarter of the Northeast Quarter, a distance of 698.94 feet; thence northerly, at a right angle, a distance of 237.60 feet; thence westerly, parallel with the south line of said Southeast Quarter of the Northeast Quarter, a distance of 32 feet, more or less, to the east line of the West half of the Southeast Quarter of the Northeast Quarter and the point of beginning of the parcel to be described; thence continuing westerly, parallel with the south line of said Southeast Quarter of the Northeast Quarter a distance of 665 feet, more or less, to the west line of said Southeast Quarter of the Northeast Quarter; thence northerly, along said west line, a distance of 930 feet, more or less, to the south line of the parcel described in Book 28 of Deeds, page 343; thence westerly, along said south line, to the shoreline of Linn Lake; thence southerly and easterly along said shoreline, to the hereinafter described "Line A"; thence northerly, along said "Line A" to the hereinafter described "Point A"; thence easterly, continuing along said "Line A", a distance of 659 feet, more or less, to the east line of the West Half of the Southeast Quarter of the Northeast Quarter; thence northerly, along said east line, a distance of 79 feet, more or less, to the point of beginning. "Line A" and "Point A" are described as follows: Commencing at the East Quarter corner of said Section 10; thence North, assumed bearing along the east line of said Southeast Quarter of the Northeast Quarter, a distance of 368.60 feet; thence South 29 degrees 29' 30" West, a distance of 245.70 feet to the point of beginning of said "Line A" to be described; thence South 89 degrees 33' 30" West, a distance 1203.50 feet to said "Point A"; thence South 3 degrees 21' West, to the shoreline of Linn Lake and said "Line A" there terminating.

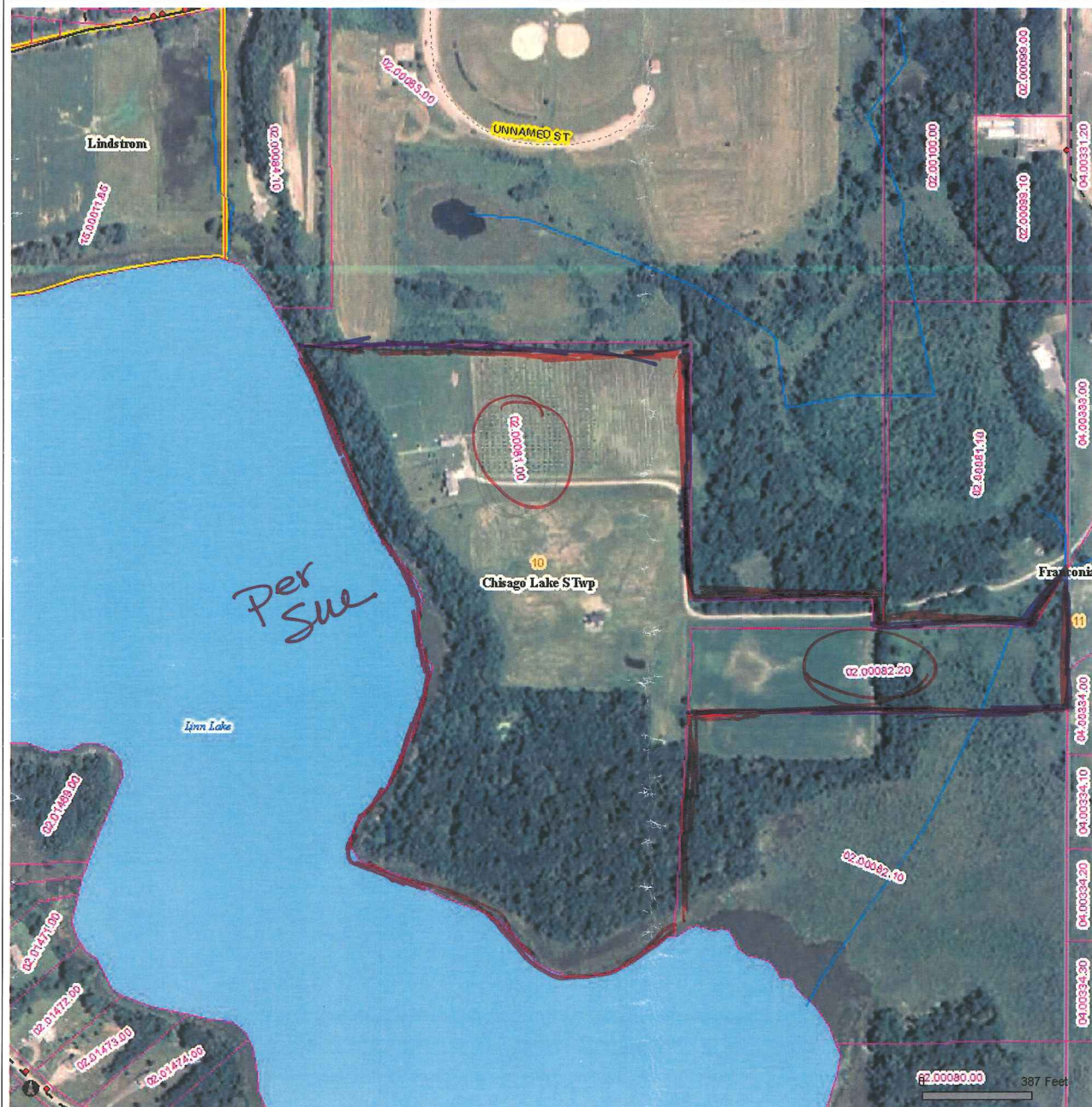
Parcel B

That part of the Southeast Quarter of the Northeast Quarter, Government Lot 2 and Government Lot 3, all in Section 10, Township 33 North, Range 20 West, Chisago County, Minnesota, described as follows: Commencing at the East Quarter corner of said Section 10; thence North, assumed bearing along the east line of said Southeast Quarter of the Northeast Quarter, a distance of 368.60 feet to the point of beginning of the parcel to be described; then South 29 degrees 29' 30" West, a distance of 245.70 feet; thence South 89 degrees 33' 30" West, a distance of 1203.50 feet; thence South 3 degrees 21' West, a distance 307 feet, more or less, to the south line of the North 145 feet of said Government Lot 2; thence easterly, along said south line, a distance of 1342 feet, more or less, to the east line of said Government Lot 2; thence northerly, along said east line, a distance of 145 feet, more or less, to the East Quarter corner of said Section 10, thence north along the east line of said Southeast Quarter of the Northeast Quarter to the point of beginning.



RGB

Red: Band_1
Green: Band_2
Blue: Band_3



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.

REC'D BY
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