

**TOWN OF CHISAGO LAKE
CITY OF LINDSTROM
CHISAGO COUNTY, MINNESOTA**

REC'D BY
AMB

APR 08 2008

City Resolution No. 08-02-21-02

Town Resolution No. 08-03-18-02

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

WHEREAS, the following properties located within the Town of Chisago Lake ("Properties") are completely surrounded by the City of Lindstrom:

A5 – South South Center Lake Property

PID #02.01068.00 (Brian E. & Gina N. Johnsen) - .75 acre

PID #02.01067.00 (Dale H. Anderson & Sandra A. Bramlett) - .75 acre

Legal Description: See Exhibit A; and

WHEREAS, the Properties are completely surrounded by City property or existing areas of the City as shown on the map(s) attached as Exhibit B, contain approximately 1.5 acres; and

WHEREAS, the Properties lie entirely within the County of Chisago, State of Minnesota, and no portions thereof are currently included within the corporate limits of any incorporated municipality, and otherwise qualify under state law for annexation to the City; and

WHEREAS, 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 Properties in furtherance of orderly growth, the efficient delivery of public services, and the protection of the public health, safety, and welfare; and

WHEREAS, 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 December 19, 2007; and

WHEREAS, as a result of these processes, the City and the Township are in agreement as to the procedures and process for orderly annexation of said Properties and desire to set forth the terms and conditions of such orderly annexation by means of this Joint Resolution for Orderly Annexation ("Joint Resolution").

NOW THEREFORE BE IT RESOLVED by the City of Lindstrom and the Town of Chisago Lake that:

1. **Designation of Area to be Annexed.** That as a result of the City's proposed provision of urban services to, and urban development of the Properties, the previously described areas in Chisago Lake Township, Chisago County, are subject to orderly annexation pursuant to Minnesota Statutes § 414.0325, and the parties hereby designate these areas for immediate annexation to the City under this orderly annexation agreement.

2. **Timing of Annexation.** Upon execution and filing of this Joint Resolution, jurisdiction is hereby conferred upon the Office of Administrative Hearings/Municipal Boundary Adjustments (hereinafter "Office").

3. **Joint Planning.** Since the Properties 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.

4. **Electrical Service and Differential Taxation.** That the annexation of the properties will not result in any change of electrical service and that differential taxation under M.S. § 414.035 is not required.

5. **City Reimbursement to Township to Annex Taxable Property.** That the City and Township hereby agree that the Order effecting the annexation shall reference the obligation of the City to reimburse the Township for lost taxes from the annexed properties as required by Minnesota Statutes § 414.036 as detailed in Exhibit C and that there are no special assessments assigned by the Township to the annexed properties or any portion of debt incurred by the Township prior to the annexation and attributable to the properties but for which no special assessments are outstanding.

6. **Filing of Joint Resolution.** 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).


7. **Alteration of Boundaries Not Authorized.** That both the Township of Chisago Lake and the City of Lindstrom agree, pursuant to M.S. § 414.0325, Subd. 1(f), that no alteration of the stated boundaries of this agreement is appropriate. 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.

8. **Correction of Errors.** In the event that there are errors, omissions or any other problems with the legal descriptions, 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.

CITY OF LINDSTROM

Passed and adopted by the City Council of the City of Lindstrom on this the 21st day of February, 2008.

By: 
Keith V. Carlson, Mayor

Attest: 
John J. Olinger, City Administrator

TOWN OF CHISAGO LAKE

Passed and adopted by the Town Board of the Town of Chisago Lake on this the 18th day of March 2008.

By: 
Jim Froberg, Town Board Chair

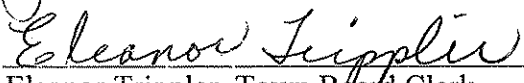
Attest: 
Eleanor Trippler, Town Board Clerk

EXHIBIT "A"

REC'D BY
CMB

APR 08 2008

Legal Description of Property

A5 – SOUTH SOUTH CENTER LAKE PROPERTY

PID #02.01068.00 (Brian E. & Gina N. Johnsen)

Lot 3, CHEROKEE HEIGHTS, Chisago County, Minnesota. (Including that part of adjacent South Shore Drive lying within Chisago Lake Township, Minnesota).

PID #02.01067.00 (Dale Herbert Anderson & Sandra A. Bramlett)

Lot 002, CHEROKEE HEIGHTS, Chisago County, Minnesota. (Including that part of adjacent South Shore Drive lying within Chisago Lake Township, Minnesota).

EXHIBIT "B"

RECD BY
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Corporate Boundary Map and More Detailed Map of Annexation Area

[Please have maps attached here when submitting to Town Board and State].

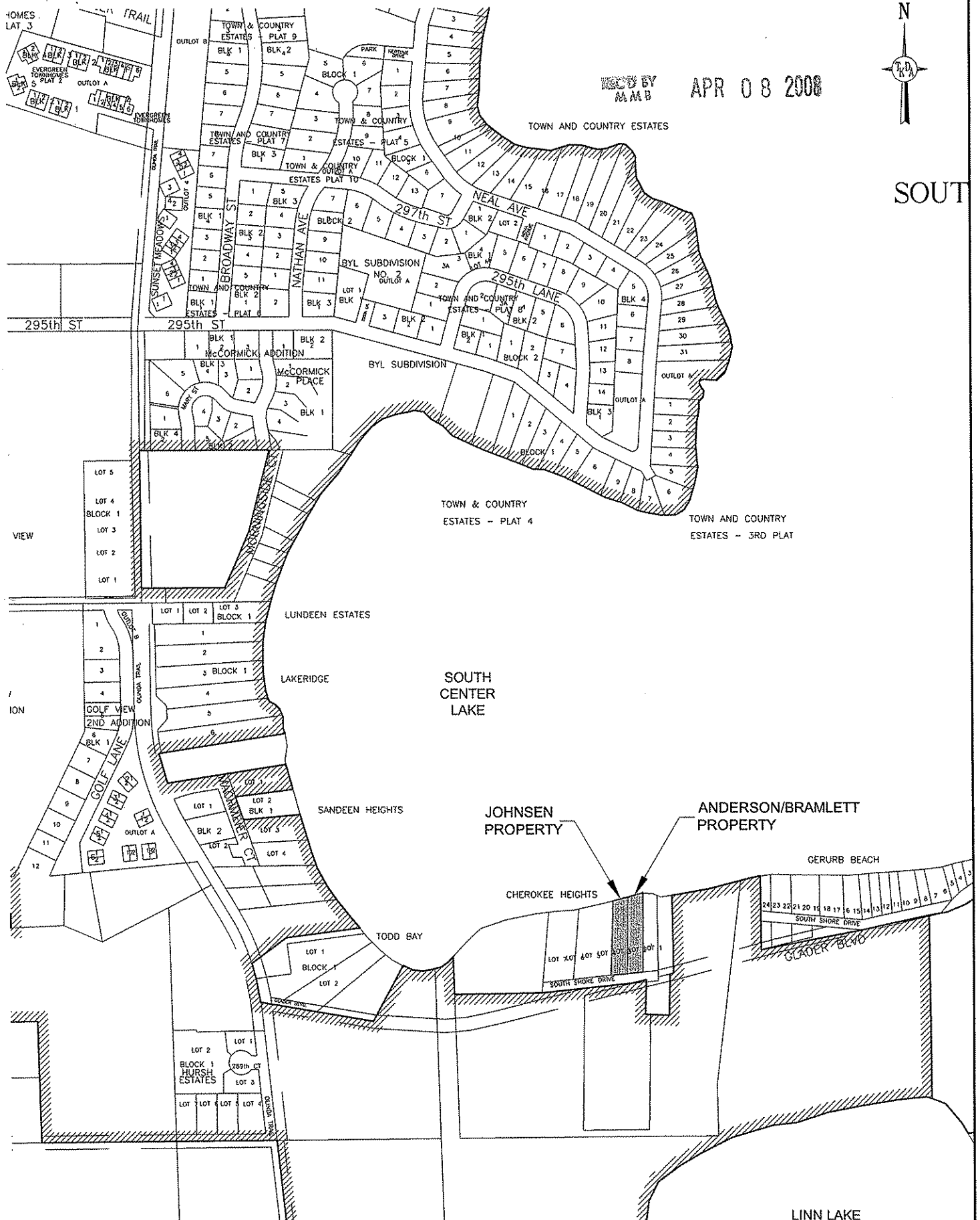


EXHIBIT "C"

City Reimbursement to Town 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.

PID #02.02068.00 – Brian E. & Gina N. Johnsen

Year	Current year Tax Amount	X	%	=	Amount	Date Paid	Check Number
Year 1	\$410.57	X	90%	=369.51	\$369.51		
Year 2	\$410.57	X	70%	=287.40	\$287.40		
Year 3	\$410.57	X	50%	=205.29	\$205.29		
Year 4	\$410.57	X	30%	=123.17	\$123.17		
Year 5	\$410.57	X	10%	=41.06	\$41.06		

Special Assessments - None.

Bonded Indebtedness - None.

PID #02.02067.00 – Dale H. Anderson & Sandra A. Bramlett

Year	Current year Tax Amount	X	%	=	Amount	Date Paid	Check Number
Year 1	\$449.17	X	90%	=404.25	\$404.25		
Year 2	\$449.17	X	70%	=314.42	\$314.42		
Year 3	\$449.17	X	50%	=224.59	\$224.59		
Year 4	\$449.17	X	30%	=134.75	\$134.75		
Year 5	\$449.17	X	10%	=44.92	\$44.92		

Special Assessments - None.

Bonded Indebtedness - None.