

TOWN OF CHISAGO LAKE
CITY OF LINDSTROM
CHISAGO COUNTY, MINNESOTA

REC'D BY
MBA

SEP 24 2009

City Resolution No. 09-08-20-01
Town Resolution No. 09-09-15-02

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 MINNESOTA STATUTES § 414.0325

WHEREAS, the owners of the properties described below ("Properties") have requested annexation by the City. The Properties are referred to as:

Westman Property - Anita L & Michael J. Westman
27938 Lakelawn Drive
PID # 02.01418.00 (1.2 acres)

Leverton/Jasick Property - Lloyd Leverton & A.L. Jasick
28015 Lakelawn Drive
PID # 02.01395.00 (0.26 acres)
PID # 02.01396.00 (0.25 acres)
PID # 02.01397.00 (0.28 acres)
PID # 02.01398.00 (0.25 acres)

Cunningham Property - Robert J. and Deborah Cunningham
27985 Lakelawn Drive
PID # 02.01401.00 (0.5 acres)

Westlund Property - Constance M. Westlund, et al.
27953 Lakelawn Drive
PID # 02.01404.00 (0.22 acres)
PID # 02.01405.00 (0.22 acres)

Bethke Property - Michael F. & Joan A. Bethke
27905 Lakelawn Drive
PID # 02.01408.00 (0.2 acres)

Felix Property - Christine R. & Harold L. Felix
27895 Lakelawn Drive
PID # 02.01409.00 (0.38 acres)

Marotzke Property – Linda & Mark Marotzke
27875 Lakelawn Drive
PID # 02.01410.00 (0.76 acres)

Anderson Property – Kenneth W. Anderson
27819 Lakelawn Drive
PID # 02.01414.00 (0.4 acres)

Zaun/Hart Property – Holly A. Zaun & Thomas W. Hart
27815 Lakelawn Drive
PID # 02.01416.00 (0.16 acres)
PID # 02.00123.10 (0.07 acres)

Di Gioia/Roberts Property – Fiamma Di Gioia & Craig L. Roberts
27834 Lakelawn Drive
PID # 02.00123.00 (19.93 acres)

WHEREAS, the Properties are located within the Town of Chisago Lake, collectively contain approximately 25.08 acres, are legally described on the attached Exhibit "A", are shown on the map(s) attached hereto as Exhibit B, and collectively have a population of 19; 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 published and mailed notice to affected residents, conducted a joint public informational meeting concerning the proposed extension of City services and possible orderly annexation of the Property on June 23, 2009; 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 20th day of August, 2009.

By: Keith V. Carlson
Keith V. Carlson, Mayor

Attest: John J. Olinger
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 15th day of September 2009.

By: Jim Froberg
Jim Froberg, Town Board Chair

Attest: Eleanor Trippler
Eleanor Trippler, Town Board Clerk

EXHIBIT "A"**Legal Description of Properties****WESTMAN PROPERTY – 27938 LAKELAWN DRIVE**

PID #02.01418.00 – Lot 2, Block 1, Lakelawn Terrace, according to the recorded plat thereof, Chisago County, Minnesota.

LEVERTON/JASICK PROPERTY – 28015 LAKELAWN DRIVE

PID #02.01395.00 – Lot 3, Block 1, Lakelawn Beach, according to the recorded plat thereof, Chisago County, Minnesota.

PID #02.01396.00 – Lot 4, Block 1, Lakelawn Beach, according to the recorded plat thereof, Chisago County, Minnesota.

PID #02.01397.00 – Lot 5, Block 1, Lakelawn Beach, according to the recorded plat thereof, Chisago County, Minnesota.

PID #02.01398.00 – Lot 6, Block 1, Lakelawn Beach, according to the recorded plat thereof, Chisago County, Minnesota.

CUNNINGHAM PROPERTY – 27985 LAKELAWN DRIVE

PID #02.01401.00 – Lots 9 and 10, Block 1, Lakelawn Beach, according to the recorded plat thereof, Chisago County, Minnesota.

WESTLUND PROPERTY – 27953 LAKELAWN DRIVE

PID #02.01404.00 – Lot 13, Block 1, Lakelawn Beach, according to the recorded plat thereof, Chisago County, Minnesota.

PID #02.01405.00 – Lot 14, Block 1, Lakelawn Beach, according to the recorded plat thereof, Chisago County, Minnesota.

BETHKE PROPERTY – 27905 LAKELAWN DRIVE

PID #02.01408.00 – Lot 18, Block 1, Lakelawn Beach, according to the recorded plat thereof, Chisago County, Minnesota.

FELIX PROPERTY – 27895 LAKELAWN DRIVE

PID #02.01409.00 – Lot 19, Block 1, Lakelawn Beach, according to the recorded plat thereof, Chisago County, Minnesota, and Lot 20, Block 1, Lakelawn Beach except the southerly 10 feet thereof.

MAROTZKE PROPERTY – 27875 LAKELAWN DRIVE

PID #02.01410.00 – The southerly 10 feet of Lot 20, Block 1, Lakelawn Beach, and Lots 21 to 23 inclusive, Block 1, Lakelawn Beach, according to the recorded plat thereof, Chisago County, Minnesota.

ANDERSON PROPERTY – 27819 LAKELAWN DRIVE

PID #02.01414.00 – Lot 28, Block 1, Lakelawn Beach, according to the recorded plat thereof, Chisago County, Minnesota.

ZAUN/HART PROPERTY – 27815 LAKELAWN DRIVE

PID #02.01416.00 – Lot 30, Block 1, Lakelawn Beach, according to the recorded plat thereof, Chisago County, Minnesota.

PID #02.00123.10 – That part of Government Lot Three (3), Section Sixteen (16), Township Thirty-three (33) North, Range Twenty (20) West, Chisago County, Minnesota, described as follows: Beginning at the most southerly corner of Lot Thirty (30) of the recorded plat of Lakelawn Beach; thence South 31 degrees 20 minutes East, plat bearing along the southeasterly extension of the southwesterly line of Lot 30, a distance of 20 feet; thence North 58 degrees 40 minutes East, a distance of 150 feet, more or less, to the shoreline of Kroon Lake; thence northwesterly, along said shoreline 20 feet, more or less, to the southeasterly line of Lot 30; thence south 58 degrees 40 minutes West, along said southeasterly line, a distance of 150 feet, more or less, to the point of beginning.

DI GIOIA/ROBERTS PROPERTY – 27834 LAKELAWN DRIVE

PID #02.00123.00 – That part of Government Lot Three (3), Section Sixteen (16), Township Thirty-three (33) North, Range Twenty (20) West, Chisago County, Minnesota, lying southerly of the recorded plat of LAKELAWN TERRACE and the following described line: Commencing at the most southerly corner of Lakelawn Drive as dedicated on said plat of LAKELAWN TERRACE; thence North 58 degrees 04 minutes 23 seconds East, plat bearing along the southeasterly line of Lakelawn Drive, 66.00 feet to the point of beginning of the line to be described; thence North 64 degrees 08 minutes

43 seconds East, 47.26 feet; thence North 58 degrees 04 minutes 23 seconds East, 103 feet, more or less, to the shoreline of Kroon Lake and there terminating.

AND

That part of said Lot Three (3), Block One (1), Lakelawn Terrace, lying southeasterly of the following described line: Beginning at the northeasterly corner of said Lot Three (3); thence South 50 degrees 12 minutes 21 seconds West, 231.36 feet, more or less, to a point on the southwesterly line of said Lot Three (3), and said line there terminating.

EXHIBIT "B"

Corporate Boundary Map and More Detailed Map of Annexation Area

[Please have maps inserted after this page when submitting to the Town Board and the State of Minnesota].

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.

WESTMAN PROPERTY – 27938 LAKELAWN DRIVE
PID #02.01418.00

| Year 2009 | 2009 Tax Amount | X | % | = | Amount | Date Paid | Check Number |
|--------------|-----------------------|---|-----|---|----------|--------------|-----------------|
| Year 1 | \$396.97 | X | 90% | = | \$357.27 | | |
| Year 2 | \$396.97 | X | 70% | = | \$277.88 | | |
| Year 3 | \$396.97 | X | 50% | = | \$198.49 | | |
| Year 4 | \$396.97 | X | 30% | = | \$119.09 | | |
| Year 5 | \$396.97 | X | 10% | = | \$ 39.68 | | |

LEVERTON/JASICK PROPERTY – 28015 LAKELAWN DRIVE
PID 02.01396.00 - \$ 41.22
PID 02.01397.00 - \$380.03
PID 02.01398.00 - \$ 25.49
PID 02.01395.00 - \$ 30.88
\$477.62

| Year 2009 | 2009 Tax Amount | X | % | = | Amount | Date Paid | Check Number |
|--------------|-----------------------|---|-----|---|----------|--------------|-----------------|
| Year 5 | \$477.62 | X | 10% | = | \$ 47.76 | | |
| Year 1 | \$477.62 | X | 90% | = | \$429.86 | | |
| Year 2 | \$477.62 | X | 70% | = | \$334.33 | | |
| Year 3 | \$477.62 | X | 50% | = | \$238.81 | | |
| Year 4 | \$477.62 | X | 30% | = | \$134.29 | | |

CUNNINGHAM PROPERTY – 27985 LAKELAWN DRIVE
PID #02.01401.00

| Year 2009 | 2009 Tax Amount | X | % | = | Amount | Date Paid | Check Number |
|--------------|-----------------------|---|-----|---|----------|--------------|-----------------|
| Year 1 | \$371.66 | X | 90% | = | \$344.49 | | |
| Year 2 | \$371.66 | X | 70% | = | \$260.16 | | |
| Year 3 | \$371.66 | X | 50% | = | \$185.83 | | |
| Year 4 | \$371.66 | X | 30% | = | \$111.50 | | |
| Year 5 | \$371.66 | X | 10% | = | \$ 37.17 | | |

WESTLUND PROPERTY – 27953 LAKELAWN DRIVE
02.01405.00 -\$268.74
02.01404.00 -\$ 37.00
\$305.74

| Year 2009 | 2009 Tax Amount | X | % | = | Amount | Date Paid | Check Number |
|--------------|-----------------------|---|-----|---|----------|--------------|-----------------|
| Year 1 | \$305.74 | x | 90% | = | \$275.17 | | |
| Year 2 | \$305.74 | x | 70% | = | \$214.02 | | |
| Year 3 | \$305.74 | x | 50% | = | \$152.87 | | |
| Year 4 | \$305.74 | x | 30% | = | \$ 91.72 | | |
| Year 5 | \$305.74 | x | 10% | = | \$ 30.57 | | |

BETHKE PROPERTY – 27905 LAKELAWN DRIVE --
PID #02.01408.00

| Year 2009 | 2009 Tax Amount | X | % | = | Amount | Date Paid | Check Number |
|--------------|-----------------------|---|-----|---|----------|--------------|-----------------|
| Year 1 | \$227.96 | x | 90% | = | \$250.16 | | |
| Year 2 | \$227.96 | x | 70% | = | \$159.57 | | |
| Year 3 | \$227.96 | x | 50% | = | \$113.98 | | |
| Year 4 | \$227.96 | x | 30% | = | \$ 68.39 | | |
| Year 5 | \$227.96 | x | 10% | = | \$ 22.80 | | |

FELIX PROPERTY – 27895 LAKELAWN DRIVE
PID #02.01409.00

| Year 2009 | 2009 Tax Amount | X | % | = | Amount | Date Paid | Check Number |
|--------------|-----------------------|---|-----|---|----------|--------------|-----------------|
| Year 1 | \$351.71 | x | 90% | = | \$316.54 | | |
| Year 2 | \$351.71 | x | 70% | = | \$246.20 | | |
| Year 3 | \$351.71 | x | 50% | = | \$175.86 | | |
| Year 4 | \$351.71 | x | 30% | = | \$105.51 | | |
| Year 5 | \$351.71 | x | 10% | = | \$ 35.17 | | |

MAROTZKE PROPERTY – 27875 LAKELAWN DRIVE
PID #02.01410.00

| Year 2009 | 2009 Tax Amount | X | % | = | Amount | Date Paid | Check Number |
|--------------|-----------------------|---|-----|---|----------|--------------|-----------------|
| Year 1 | \$357.12 | x | 90% | = | \$321.41 | | |
| Year 2 | \$357.12 | x | 70% | = | \$249.98 | | |
| Year 3 | \$357.12 | x | 50% | = | \$178.56 | | |
| Year 4 | \$357.12 | x | 30% | = | \$107.14 | | |
| Year 5 | \$357.12 | x | 10% | = | \$ 35.71 | | |

ANDERSON PROPERTY – 27819 LAKELAWN DRIVE
PID #02.01414.00

| Year 2009 | 2009 Tax Amount | X | % | = | Amount | Date Paid | Check Number |
|--------------|-----------------------|---|-----|---|----------|--------------|-----------------|
| Year 1 | \$228.25 | x | 90% | = | \$205.43 | | |
| Year 2 | \$228.25 | x | 70% | = | \$159.78 | | |
| Year 3 | \$228.25 | x | 50% | = | \$114.13 | | |
| Year 4 | \$228.25 | x | 30% | = | \$ 68.48 | | |
| Year 5 | \$228.25 | x | 10% | = | \$ 22.83 | | |

ZAUN/HART PROPERTY – 27815 LAKELAWN DRIVE

PID 02.00123.10 - \$ 11.65

PID 02.01416.00 - \$248.35

\$260.00

| Year 2009 | 2009 Tax Amount | X | % | = | Amount | Date Paid | Check Number |
|--------------|-----------------------|---|-----|---|----------|--------------|-----------------|
| Year 1 | \$260.00 | X | 90% | = | \$234.00 | | |
| Year 2 | \$260.00 | X | 70% | = | \$182.00 | | |
| Year 3 | \$260.00 | X | 50% | = | \$130.00 | | |
| Year 4 | \$260.00 | X | 30% | = | \$ 78.00 | | |
| Year 5 | \$260.00 | X | 10% | = | \$ 26.00 | | |

DI GIOIA/ROBERTS PROPERTY – 27834 LAKELAWN DRIVE

PID #02.00123.00

| Year 2009 | 2009 Tax Amount | X | % | = | Amount | Date Paid | Check Number |
|--------------|-----------------------|---|-----|---|----------|--------------|-----------------|
| Year 1 | \$813.51 | x | 90% | = | \$732.16 | | |
| Year 2 | \$813.51 | x | 70% | = | \$569.46 | | |
| Year 3 | \$813.51 | x | 50% | = | \$406.76 | | |
| Year 4 | \$813.51 | x | 30% | = | \$244.05 | | |
| Year 5 | \$813.51 | x | 10% | = | \$ 81.35 | | |

Special Assessments—None.
Bonded Indebtedness-None.



Legend

- Parcels
- Addresses
- Interstate-US Highway
- State Highway
- County State Aid Highway - Bituminous
- County State Aid Highway - Gravel
- County Road - Bituminous
- County Road - Gravel
- Township Road - Bituminous
- Township Road - Gravel
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- Rivers
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Westman OAA PID #02.01418.00

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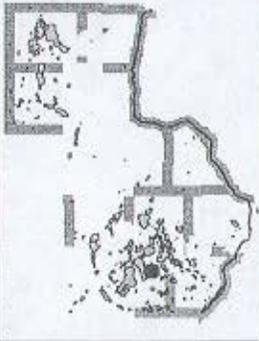
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- Legend**
- Parcels
 - Addresses
 - Interstate-US Highway
 - State Highway
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 - County State Aid Highway - Gravel
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 - County Road - Gravel
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 - Township Road - Gravel
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 - Ramp
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LEVERTON OAA PID 02.01395-398.00

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 - P Prison
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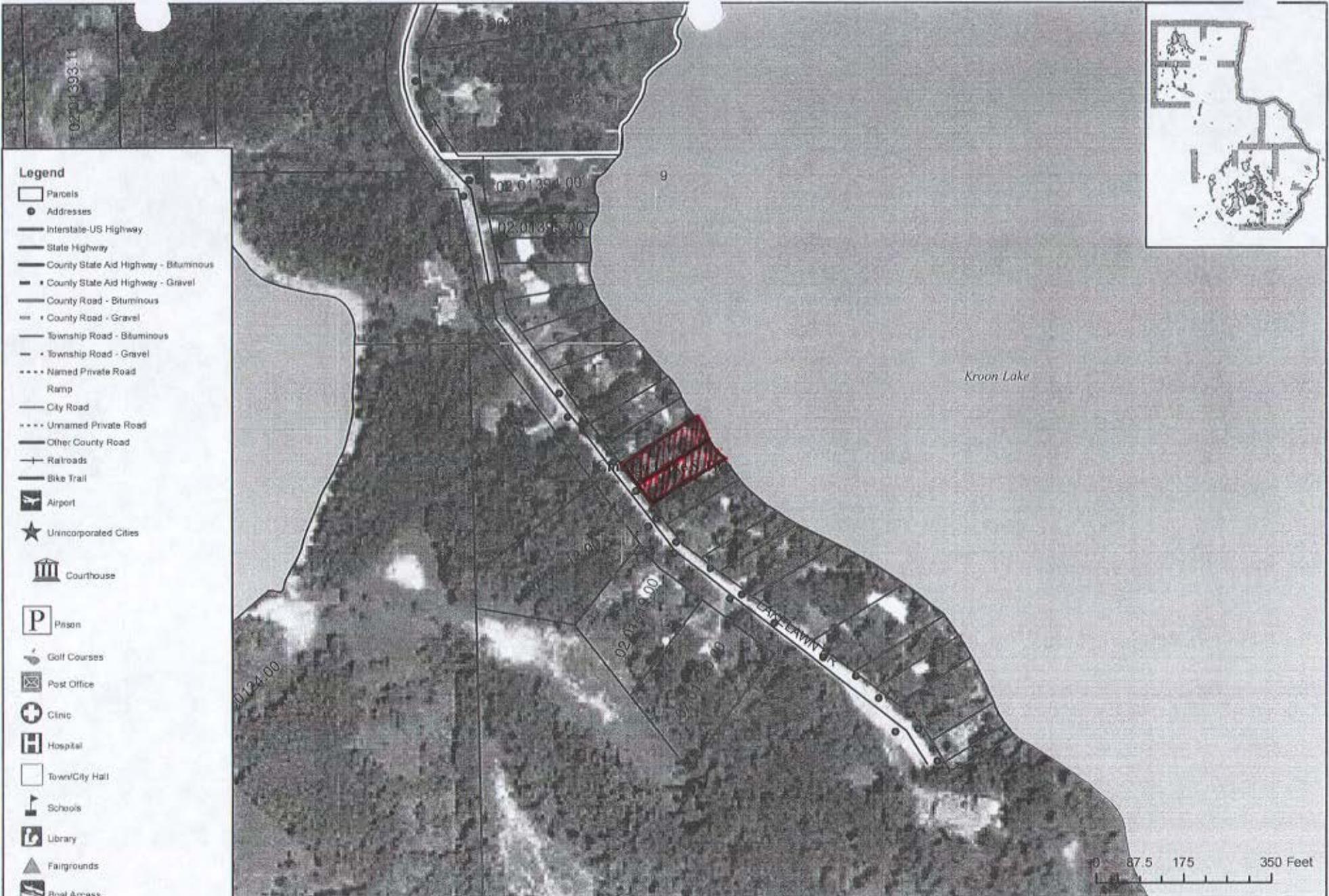
Cunningham OAA PID #02.01401.00

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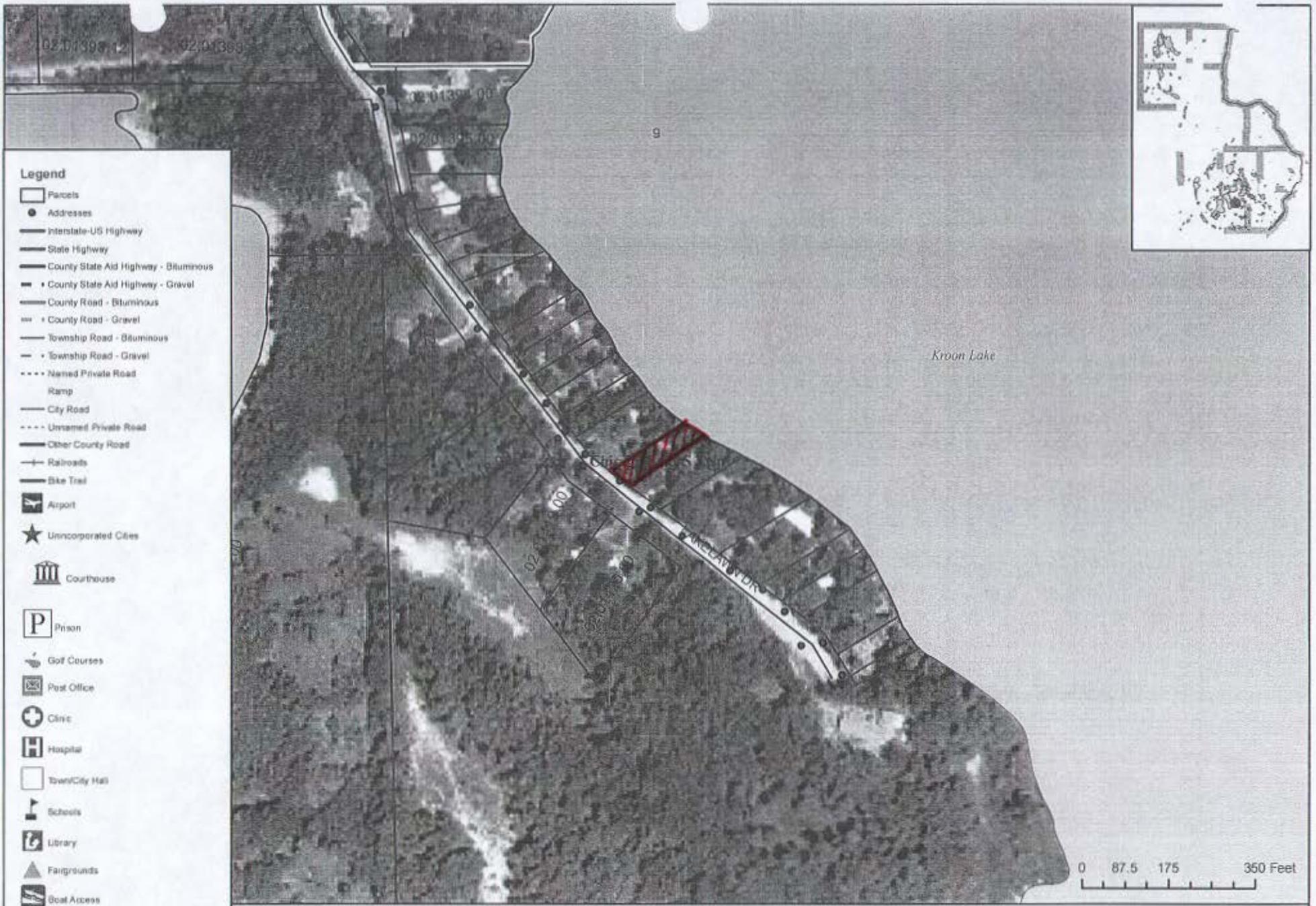
Westlund OAA PID #02.01404-405.00

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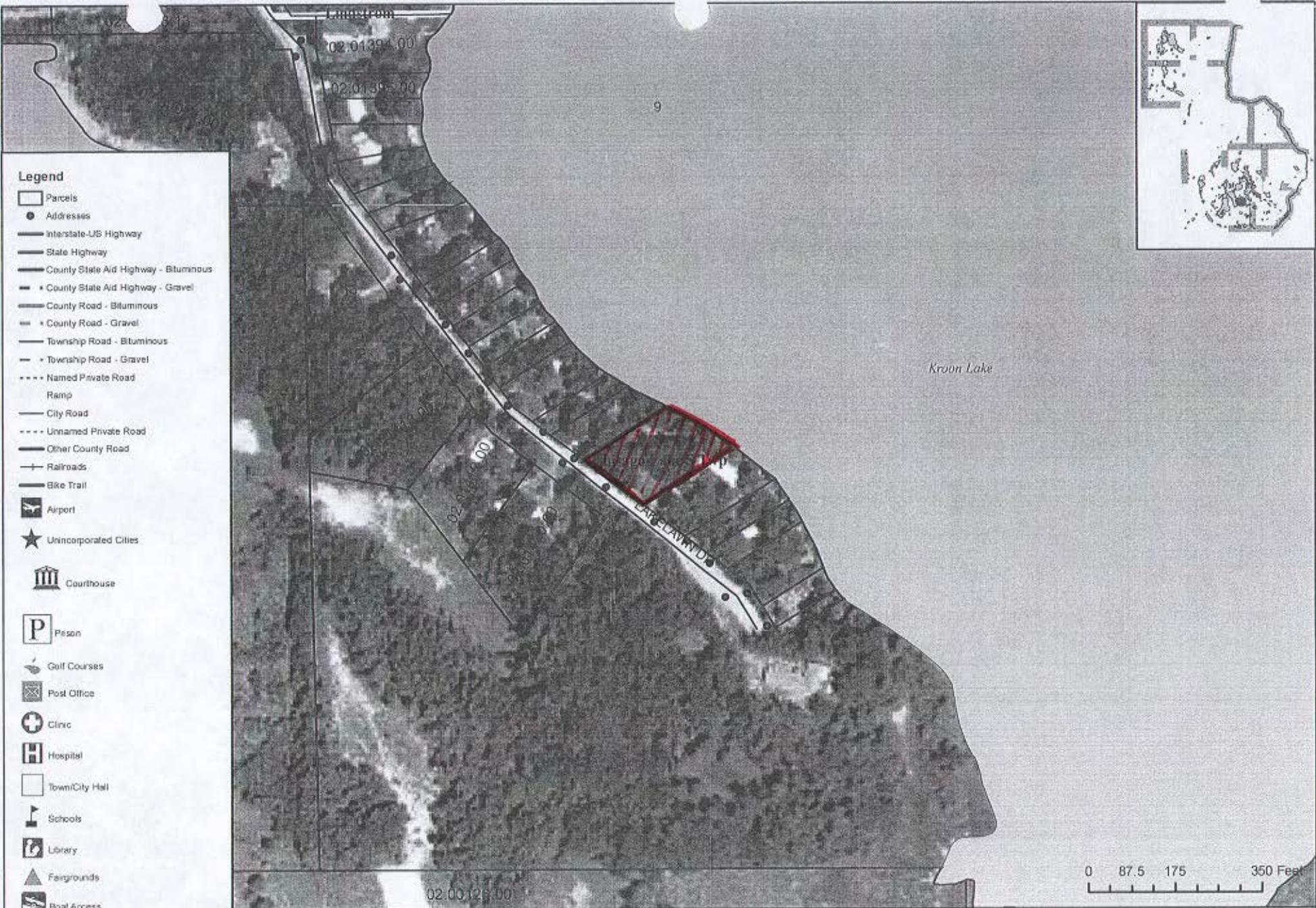
Bethke OAA PID #02.01408.00

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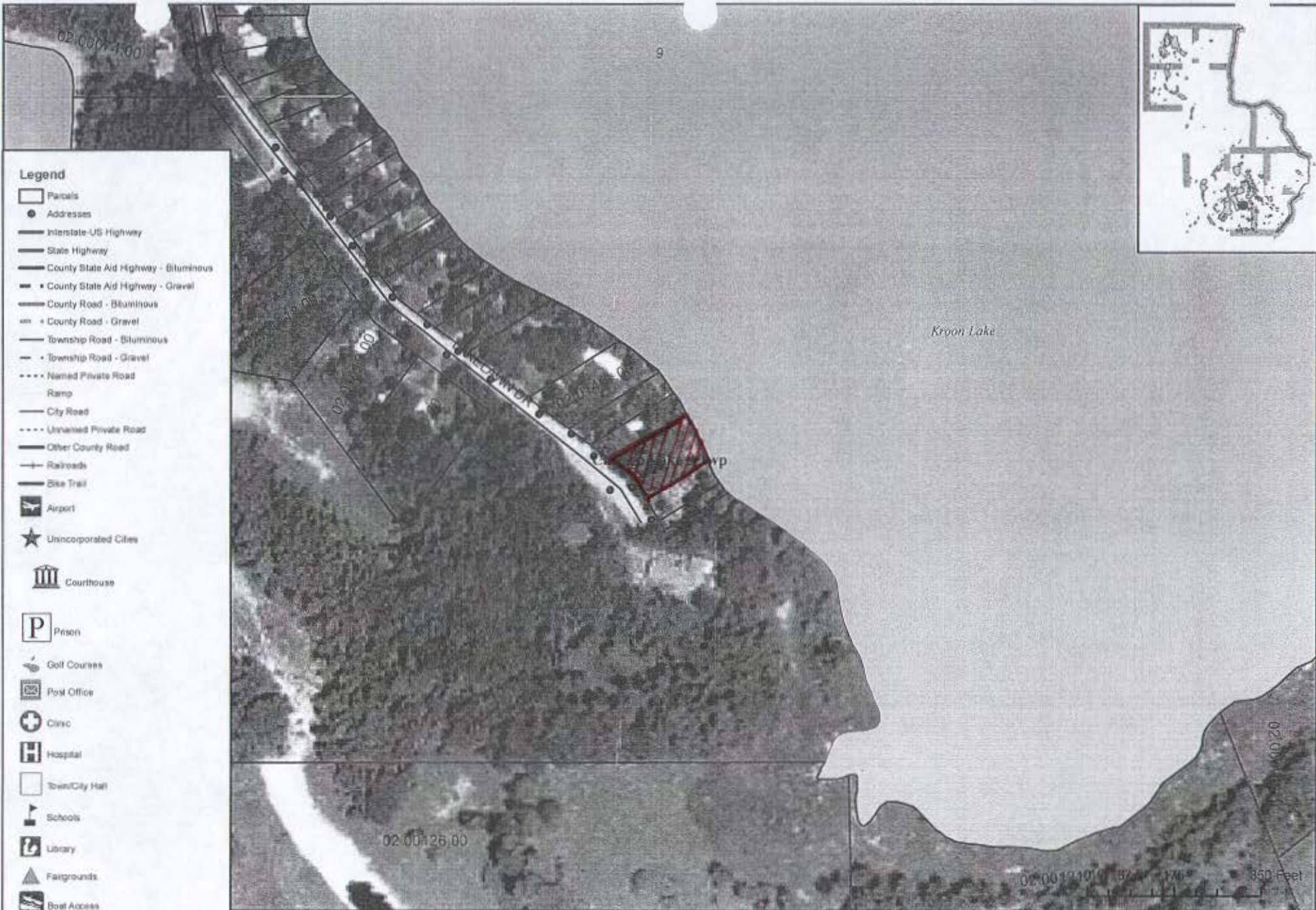
Marotzke OAA PID #02.01410.00

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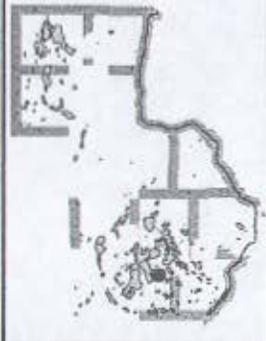
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Anderson OAA PID #02.01414.00

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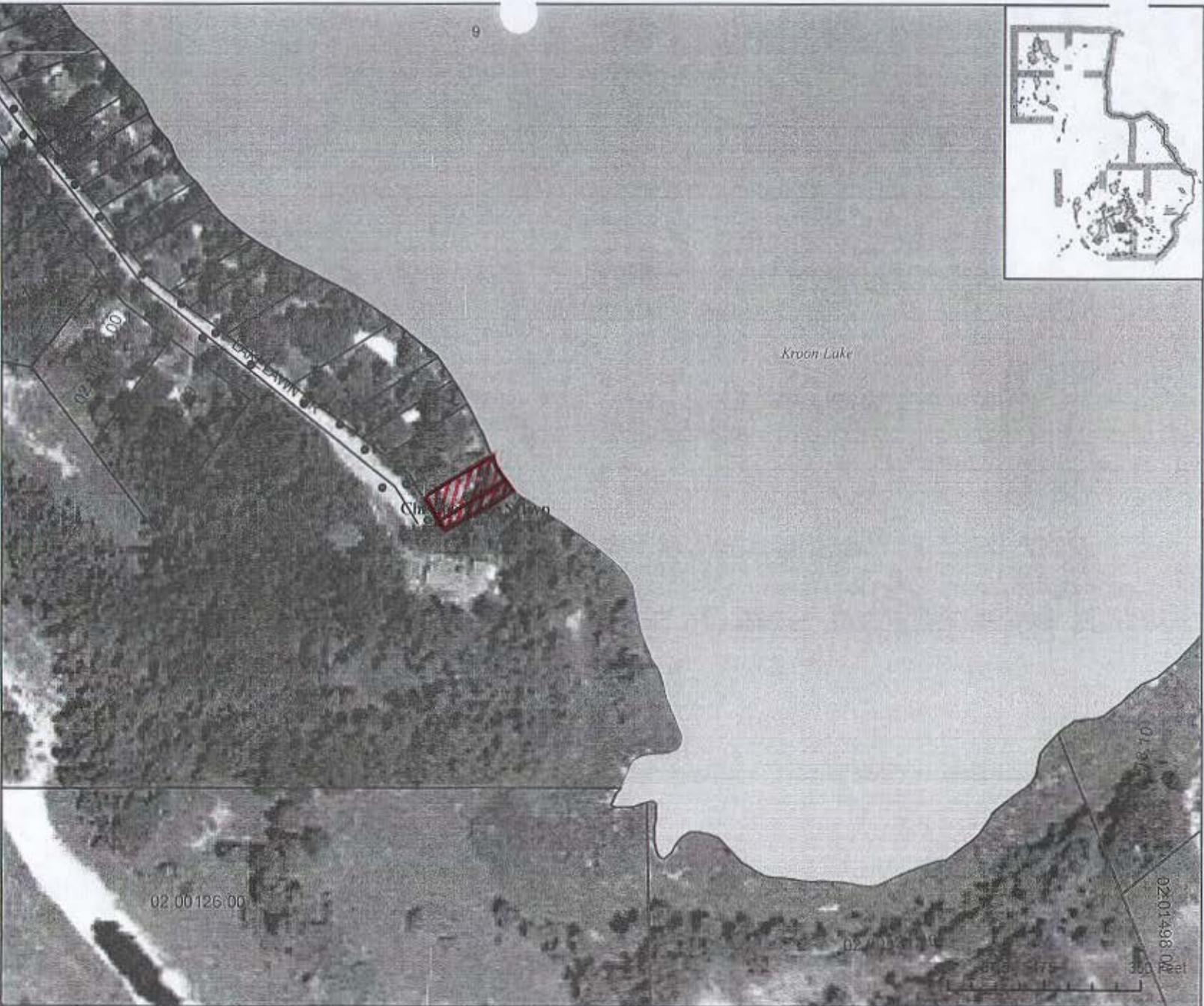
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MBA

SEP 24 2009



Legend

- Parcel
- Address
- Interstate-US Highway
- State Highway
- County State Aid Highway - Bituminous
- County State Aid Highway - Gravel
- County Road - Bituminous
- County Road - Gravel
- Township Road - Bituminous
- Township Road - Gravel
- Named Private Road
- Ramp
- City Road
- Unnamed Private Road
- Other County Road
- Railroads
- Bike Trail
- Airport
- Unincorporated Cities
- Courthouse
- Prison
- Golf Courses
- Post Office
- Clinic
- Hospital
- Town/City Hall
- Schools
- Library
- Fairgrounds
- Boat Access
- Rivers
- Lakes
- City
- Township
- Sections



Zaun OAA PID #02.01416.00 & 02.00123.10

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