

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

REC'D BY
MBA

SEP 24 2009

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

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

**Michael C. and Karen M. Trudeau Property
PID # 02.01238.00 (0.42 acres)
PID # 02.00088.00 (0.24 acres);**

and

WHEREAS, the Property is located within the Town of Chisago Lake, contains approximately 0.66 acres, is legally described on the attached Exhibit "A", is shown on the map(s) attached hereto as Exhibit "B", and has a current population of two (2); and

WHEREAS, the Property lies 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 Property 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 May 6, 2009 and again 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 Property 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 Property, 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 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.
4. **Electrical Service and Differential Taxation.** 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.
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 property 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 property 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"

REC'D BY
MBA

SEP 24 2009

Legal Description of Property

Parcel No. 02.01238.00 (Trudeau, Michael & Karen)

Lot Twenty-two (22) and Lot Twenty-three (23), GERURB BEACH, according to the plat thereof on file in the office of the County Recorder in and for the County of Chisago, State of Minnesota;

AND

Parcel No. 02.00088.00 (Trudeau, Michael & Karen)

That part of Government Lot 5 of Section 10, Township 33 North, Range 20 West, Chisago County, Minnesota, lying between the southerly extension of the east and west lines of Lot 22 and southerly of the south line of South Shore Drive, all on the recorded plat of Gerurb Beach, Chisago County, Minnesota, and lying northerly of the center line of the existing township road containing 0.1 acre, more or less;

and

That part of Government Lot 5 of Section 10, Township 33 North, Range 20 West, Chisago County, Minnesota, lying between the southerly extension of the east and west lines of Lot 23 and southerly of the south line of South Shore Drive, all on the recorded plat of Gerurb Beach, Chisago County, Minnesota, and lying northerly of the center line of the existing township road containing 0.2 acre, more or less.

REC'D BY
MBA

SEP 24 2009

EXHIBIT "B"

Corporate Boundary Map and More Detailed Map of Annexation Area

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

EXHIBIT "C"REC'D BY
MBA

SEP 24 2009

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.

Year 2009	2009 Tax Amount	X	%	=	Amount	Date Paid	Check Number
Year 1	\$563.85	X	90%	=	\$507.47		
Year 2	\$563.85	X	70%	=	\$394.70		
Year 3	\$563.85	X	50%	=	\$281.93		
Year 4	\$563.85	X	30%	=	\$169.16		
Year 5	\$563.85	X	10%	=	\$ 56.39		

PID No. 02.01238.00 - \$562.54

PID No. 02.00088.00 - \$ 1.31
\$563.85

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
- 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



Trudeau OAA PID #02.01238.00 & #02.00083.00

8/18/2009 2:37:04 PM

REC'D BY
MBA

SEP 24 2009

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.