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by OAH on September 27, 2016

TOWN OF CHISAGO LAKE
CITY OF LINDSTROM
CHISAGO COUNTY, MN

JOINT RESOLUTION

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, PURSUANT TO M.S. §414.0325

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

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

Owner: Christine Carlson
PID # 02.00038.00
Property Address: 12492 Mentzer Trail
Legal Description – See Exhibit A

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 .6 acre, and is legally described on the attached Exhibit A.

4. The Property is near the existing West border of the City. See Map(s) of the Property attached as Exhibit B.

5. The Property is platted and has a current population of two (2).

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. That the Property should be immediately annexed to the City for the purpose of providing urban services from the City, including sewer service, to the Property.

8. 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.

9. 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.

10. That both the Town 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.

11. Upon execution and filing of this Joint Resolution, jurisdiction is hereby conferred upon the Office of Administrative Hearings, Boundary Adjustments. Upon execution by the respective governing bodies of the City and Township, the City shall file this Joint Resolution with the Office of Administrative Hearings, Boundary Adjustments. 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 of Administrative Hearings, Boundary Adjustments 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.

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, and that reimbursement under M.S. §414.036 will be provided as specified in the table attached hereto as Exhibit C.

13. Furthermore, each party agrees that pursuant to M.S. §414.0325, Subd. 1(g), no consideration by the Office of Boundary Adjustments is necessary, and that upon receipt of this resolution and agreement, passed and adopted by each party, the Director of the Office of Boundary Adjustments 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 18th day of August, 2016.

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 30th day of September, 2016.

By: Sherry Stirling
Sherry Stirling, Town Board Chair

Attest: Jeanette Peterson
Jeanette Peterson, Town Board Clerk



EXHIBIT "A"

Legal Description:

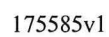
Part of Government Lots Four (4) and Five (5), in Section Four (4), Township Thirty-three (33), Range Twenty (20), Chisago County, Minnesota, described as follows, to wit:

Beginning at the Northeast corner of Lot 1 in Block 3 of Bethel Grove Addition, according to the plat thereof on file and of record in the office of the County Recorder of Chisago County, Minnesota; thence East for 240 feet; thence North 0 degrees 36 minutes East for 100 feet; thence North 76 degrees 17 minutes East for 100 feet to a point which constitutes the point of beginning of the tract hereby conveyed; continuing thence North 76 degrees 17 minutes East a distance of 100 feet; thence North 0 degrees 36 minutes East a distance of 260 feet more or less, to the shore of Chisago Lake; thence South 76 degrees 17 minutes West a distance of 100 feet; running thence South 0 degrees 36 minutes West to the point of beginning,

EXCEPT any part thereof lying westerly of the following described line:

Commencing at the northeast corner of Lot 1, Block 3 of Bethel Grove Addition, Chisago County, Minnesota; thence East, assumed bearing along the easterly extension of the north line of said Lot 1, a distance of 240.28 feet; thence North 0 degrees 30 minutes 35 seconds East, 100.03 feet to an iron monument; thence North 77 degrees 03 minutes 05 seconds East, 99.88 feet to an iron monument and the point of beginning of the line to be described; thence North 0 degrees 27 minutes 30 seconds East, to the shoreline of South Lindstrom Lake (formerly known as Chisago Lake) and there terminating.

Corporate Boundary Map and more detailed map of annexation area



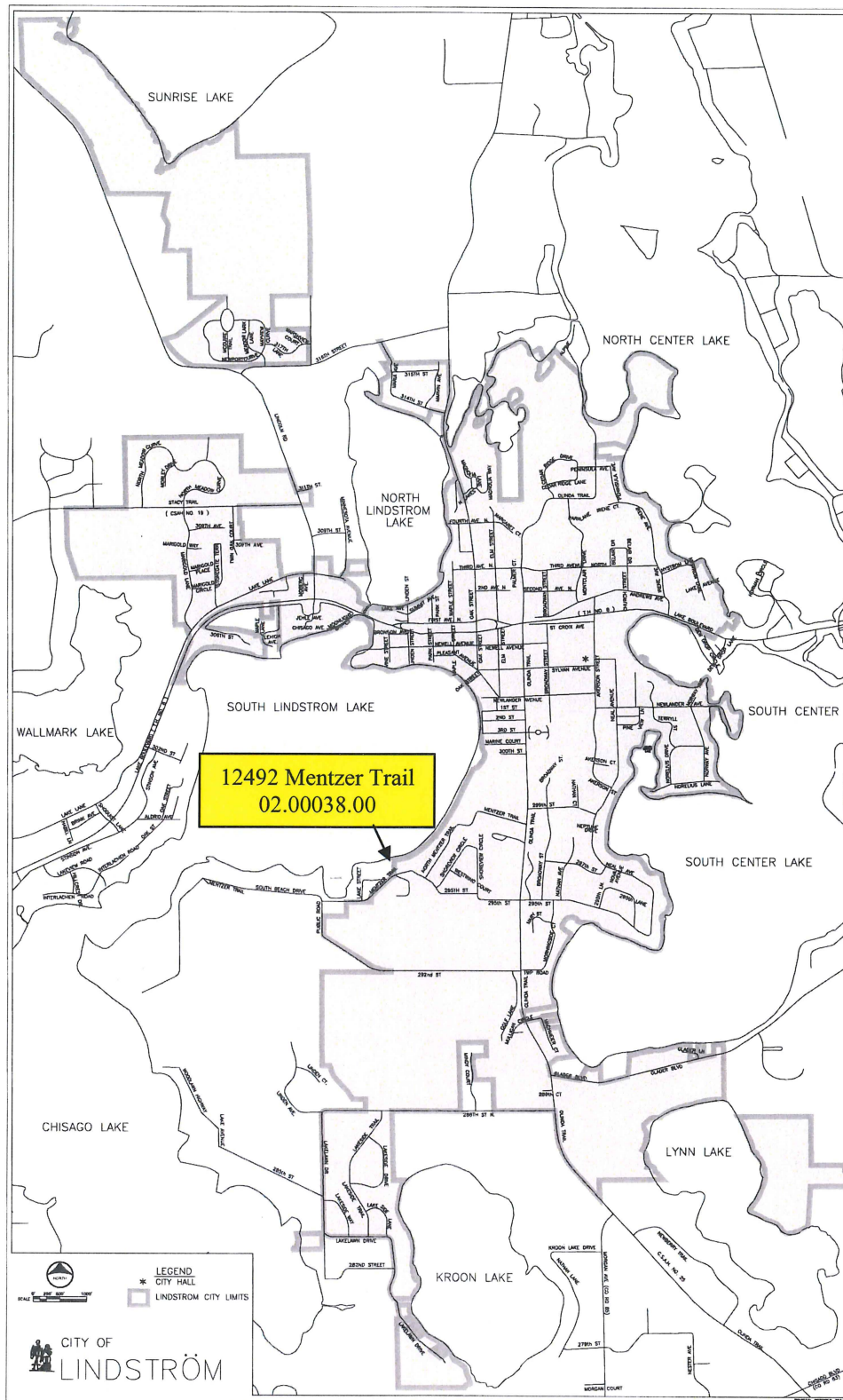


EXHIBIT “C”

Tax Reimbursement pursuant to M.S. §414.036

Pursuant to the requirements of Minn. Stat. 414.036, the City shall provide a reimbursement to the town to compensate the town for the loss of taxable property in the amount of eight hundred fifty and 38/100 dollars (\$850.38), payable in two annual payments in accordance with the following schedule:

- (i). On December 1, 2018, an amount equal to \$425.19.
(½ total amount)
- (ii). On December 1, 2019, an amount equal to \$425.19.
(½ total amount)

Thereafter, the City will no longer reimburse the Township for any further Property Taxes.