

**CITY OF BATTLE LAKE
COUNTY OF OTTER TAIL
STATE OF MINNESOTA**

RESOLUTION #2017-01-10G

**IN THE MATTER OF THE ORDERLY ANNEXATION BETWEEN
THE CITY OF BATTLE LAKE AND CLITHERALL TOWNSHIP
PURSUANT TO MINNESOTA STATUTES § 414.0325**

WHEREAS, a request from the property owner of the area proposed for designation and immediate annexation was received and is attached hereto as Exhibit A.

WHEREAS, the City of Battle Lake and Clitherall Township jointly agree to designate and request the immediate annexation of the following described land located within Clitherall Township to the City of Battle Lake, County of Otter Tail, Minnesota;

That part of Government Lot 2, Section 3, Township 132, Range 40, Otter Tail County, Minnesota, which lies southerly of the southerly limits of the City of Battle Lake, Minnesota, as located on December 13, 2016, and which is contained within that certain tract of land described in Exhibit "A", Document No. 5447, Certificate Number 2186, (Torrens Title) filed on May 31, 2006 in the office of the Recorder, said County.

and

WHEREAS, the City of Battle Lake and Clitherall Township are in agreement as to the orderly annexation of the unincorporated land described; and

WHEREAS, Minnesota Statutes § 414.0325 provides a procedure whereby the City of Battle Lake and Clitherall Township may agree on a process of orderly annexation of a designated area; and

WHEREAS, the City of Battle Lake and Clitherall Township have agreed to all the terms and conditions for the annexation of the above-described lands; and the signatories hereto agree that no alteration of the designated area is appropriate and no consideration by the Chief Administrative Law Judge is necessary. The Chief Administrative Law Judge may review and comment, but shall within thirty (30) days, order the annexation in accordance with the terms of the resolution.

NOW, THEREFORE, BE IT RESOLVED, jointly by the City Council of the City of Battle Lake and the Township Board of Clitherall Township as follows:

1. **(Property.)** That the following described land is subject to orderly annexation pursuant to Minnesota Statutes § 414.0325, and that the parties hereto designate the area for orderly annexation; and agree that the land be immediately annexed:

That part of Government Lot 2, Section 3, Township 132, Range 40, Otter Tail County, Minnesota, which lies southerly of the southerly limits of the City of Battle Lake, Minnesota, as located on December 13, 2016, and which is contained within that certain tract of land described in Exhibit "A", Document No. 5447, Certificate Number 2186, (Torrens Title) filed on May 31, 2006 in the office of the Recorder, said County.

2. **(Acreage/Population/Usage.)** That the orderly annexation area consists of approximately .25 acres, the population in the area is 0, and the land use type is residential.

3. **(Jurisdiction.)** That Clitherall Township and the City of Battle Lake, by submission of this joint resolution to the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, confers jurisdiction upon the Chief Administrative Law Judge so as to accomplish said orderly annexation in accordance with the terms of this resolution.

4. **(Municipal Reimbursement).** Minnesota Statutes § 414.036.

a. Reimbursement to Towns for lost taxes on annexed property.

In the first year following the year in which the City of Battle Lake could first levy on the annexed area, an amount equal to \$100.00; and will continue paying an amount equal to \$100 each following year for 8 years, for a total of \$800 reimbursement.

b. Assessments and Debt.

That pursuant to Minnesota Statutes § 414.036 with respect to any special assessment assigned by the Township to the annexed property and any portion of debt incurred by the Township prior to the annexation and attributable to the property to be annexed, but for which no special assessments are outstanding, for the area legally described (herein or attached exhibit) there are (1) no special assessments or debt.

5. **(Tax Rate Step Up).** Minnesota Statutes § 414.035 (1 – 6 years).

The tax capacity rate applicable to the property after annexation shall be increased in substantially equal proportions over a period of one year to equality with the tax rate of property already within the city.

6. **(Review and Comment).** The City of Battle Lake and Clitherall Township agree that upon receipt of this resolution, passed and adopted by each party, the Chief Administrative Law Judge may review and comment, but shall within thirty (30) days, order the annexation in accordance with the terms of the resolution.

Adopted by affirmative vote of all the members of the Clitherall Township Board of Supervisors
this 12th day of January 2017

CLITHERALL TOWNSHIP

By: John Krenn
Chairperson
Board of Supervisors

ATTEST:

By: [Signature]
Township Clerk



Adopted by affirmative vote of the City Council of the city of Battle Lake this 10th day of
January 2017.

CITY OF BATTLE LAKE

By: [Signature]
Mayor

ATTEST:

By: [Signature]
City Clerk

Approved this 12th day of January 2017

PRELIMINARY PLAT OF:
**WRIGHT'S FIRST ADDITION
TO BATTLE LAKE**

NOTES:

ALL WELLS TO BE INSTALLED BY LOT PURCHASERS ACCORDING TO THE CITY OF BATTLE LAKE, OTTER TAIL COUNTY AND MINNESOTA DEPARTMENT OF HEALTH REQUIREMENTS.

ALL ON-SITE SEPTIC SYSTEMS TO BE INSTALLED BY LOT PURCHASERS ACCORDING TO THE CITY OF BATTLE LAKE AND THE OTTER TAIL COUNTY SANITARY SEWER REQUIREMENTS.

SOILS - USDA, SOIL CONSERVATION SERVICE HAS CLASSIFIED THE FOLLOWING SOIL TYPES ON THIS PROPERTY:
711C - ARVILLA-SANDBERG COMPLEX, 6 TO 12 PERCENT SLOPES
341B - ARVILLA SANDY LOAM, 2 TO 6 PERCENT SLOPES

NONE OF THE PROPERTY LIES WITHIN A 100 YEAR FLOOD PLAIN.

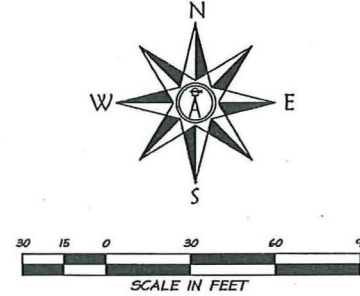
VEGETATION - THE PROPERTY CONTAINS A MIXED VARIETY OF UPLAND VEGETATION, TREES, BUILDINGS, MAINTAINED YARD, LANDSCAPING AND DRIVES.

PROPOSED USAGE - 2 SINGLE FAMILY RESIDENTIAL LOTS

NO PROTECTIVE COVENANTS ARE PROPOSED AT THIS TIME.

THERE ARE NO BLUFFS ACROSS THE PROPERTY.

UTILITY EASEMENTS ARE TO BE DEDICATED AS FOLLOWS:
BEING 10 FEET IN WIDTH AND ADJOINING THE PROPOSED DEDICATED ROAD.
BEING 5 FEET IN WIDTH AND ADJOINING THE LOT LINES.



SCALE: 1 INCH = 30 FEET
BEARINGS ARE BASED ON OTTER TAIL COUNTY COORDINATES
1994 ADJUSTMENT AS DETERMINED BY THE MNDOT CORS/VRS NETWORK.

- DENOTES IRON MONUMENT FOUND.
- DENOTES IRON MONUMENT SET MARKED "PLS 13620 & 17825".
- R= DENOTES PLASTIC SEWER RISER OR MANHOLE
- PP= DENOTES POWER POLE.
- W O DENOTES EXISTING WELL



PROPOSED AREA FOR SEWER SITES
DESIGNED, STAKED AND VERIFIED BY
BILL SCHUELLER ON 9/13/16.

**IMPERVIOUS SURFACE CALCULATIONS
OVER LOT 1**

HOUSE, DECKS AND OVERHEAD SCREENED PORCH - 5,070 S.F.
CONCRETE AND PAVERS - 524 S.F.
NEW BULLET EDGERS - 20 S.F.
RR TIE PLANTER - 22 S.F.
TOTAL GRAVEL DRIVE TO S.W. PROPERTY LINE - 4,525 S.F.
TOTAL IMPERVIOUS - 10,174 S.F.
10,174/69,617 = 14.6% IMPERVIOUS

**IMPERVIOUS SURFACE CALCULATIONS
OVER LOT 2**

TOTAL GRAVEL DRIVE TO S.W. PROPERTY LINE - 5,230 S.F.
5,230/54,582 = 9.6% IMPERVIOUS

PROPOSED LOT AREAS
(IN SQUARE FEET)

	LOT 1, BLOCK 1	LOT 2, BLOCK 1
TOTAL AREA	69,617 S.F.±	54,582 S.F.±
-WETLANDS	0 S.F.	0 S.F.
-ROAD R/W	0 S.F.	0 S.F.
-BLUFFS	0 S.F.	0 S.F.
NET AREA	69,617 S.F.±	54,582 S.F.±
AREA WITHIN BUILDING SETBACKS	47,284 S.F.±	36,256 S.F.±
CONTINUOUS BUILDABLE AREA 3' ABOVE CHN	41,800 S.F.±	22,626 S.F.±

TOTAL AREA OF PROPOSED PLAT = 124,199 S.F.± (2.85 ACRES±)

OWNER/DEVELOPER:
ROBERT G. WRIGHT AND DOROTHY S. WRIGHT, TRUSTEES
UNDER THE WRIGHT FAMILY REVOCABLE LIVING TRUST
507 FRONT STREET
BATTLE LAKE, MN 56515
218-864-0025

LEGAL DESCRIPTION
PART OF GOVERNMENT LOT 2
SECTION 3, TOWNSHIP 132, RANGE 40, OTTER TAIL COUNTY, MINNESOTA
AS DESCRIBED IN TORRENS DOCUMENT NO. 5447

TOWNSHIP NAME - CLITHERALL
PARCEL NO'S. = 63000500015000 AND 10000030020031
911 ADDRESS: 507 FRONT STREET, BATTLE LAKE, MN 56515

SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY THAT THIS SURVEY, PLAN OR REPORT WAS
PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT
I AM A PROFESSIONAL LAND SURVEYOR LICENSED UNDER THE LAWS OF
THE STATE OF MINNESOTA, DATED THIS 24TH DAY OF OCTOBER, 2016.

GLENN HOWE
PROFESSIONAL LAND SURVEYOR
MINN. LICENSE NO. 17825

PRELIMINARY PLAT FOR:
ROBERT WRIGHT

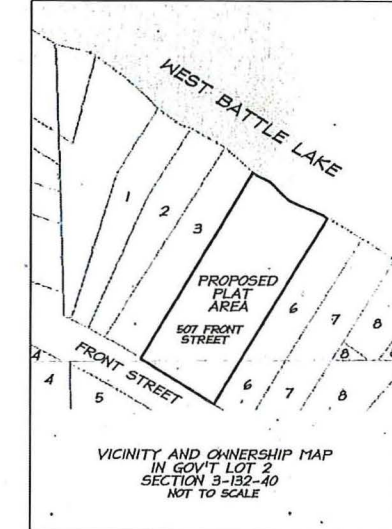
CONTRACT NO.	FOLDER	DRAWN BY	FIELD BOOK
247-16	247-16	GEH	ALS-182/72, 232/11
DWG FILE	CRD FILE	CHECKED BY	FIELD CRB
247-16PP	247-16	LJB/GEH	JAK
SEC - TWP - RG	REVISED ON		DRAWING NUMBER
3-132-40			8258

CURVE TABLE

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	2577.42	01°53'55"	85.43	S58°45'19"E	85.42

ANDERSON LAND SURVEYING, INC.
PROFESSIONAL LAND SURVEYORS, CIVIL ENGINEERS & LAND DEVELOPMENT CONSULTANTS
313 SOUTH MILL STREET, FERGUS FALLS, MN 56537 (218) 739-5268
(800) 300-9276

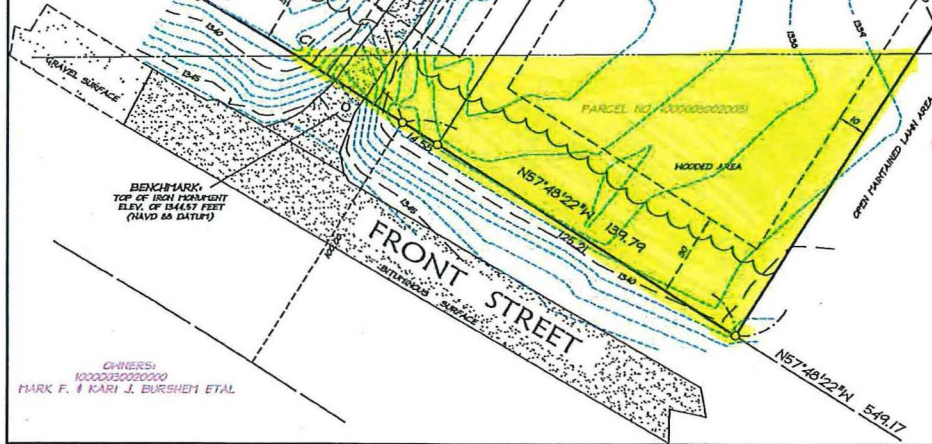
BOUNDARIES ARE SHOWN PER ANDERSON LAND SURVEYING CERTIFICATE
OF SURVEY NO. 3861, SIGNED BY DAVID A. ANDERSON ON JANUARY 8, 1998.
(THAT SURVEY WAS PREPARED UNDER AN ASSUMED BEARING SYSTEM)



**VICINITY AND OWNERSHIP MAP
IN GOV'T LOT 2
SECTION 3-132-40
NOT TO SCALE**

OWNER #1: DOUGLAS S. & DEAN H. TROSBACH - PARCEL #63000500015004
OWNER #2: SCOTT A. LEVIN & JOAN ANDERSON - PARCEL #63000500015005
OWNER #3: ALAN KINN - PARCEL #63000500015006
OWNER #4: TIMOTHY E. & MARILYN E. SHNEIDER - PARCEL #63000500015007 & 10000030020031
OWNER #5: MARK F. & KARI J. BURSHEFF ETAL - PARCEL #10000030020032
OWNER #6: THEODORE R. & REBECCA H. VAN ERP - PARCEL #63000500015009 & 10000030020033
OWNER #7: JOHANNA H. & MEGHAN M. ANDERSON - PARCEL #63000500015010 & 10000030020034
OWNER #8: PLEASANT FAMILY TRUST - PARCEL #63000500015011, 63000500015012 & 10000030020035

AS A CONDITION TO THE RECORDING OF THE FINAL PLAT
A 20 FOOT WIDE ACCESS EASEMENT DESCRIPTION
ACROSS LOT 2 FOR THE BENEFIT OF LOT 1
WILL BE RECORDED IMMEDIATELY FOLLOWING
THE RECORDING OF THE FINAL PLAT



BATTLE LAKE CITY LIMITS

