

**CITY OF TRACY, MINNESOTA**

**RESOLUTION NUMBER 2017-39 \_\_\_\_\_**

*JOINT RESOLUTION OF THE CITY OF TRACY AND MONROE TOWNSHIP PURSUANT TO MINNESOTA STATUTES, SECTION 414.0325, DESIGNATING AN UNINCORPORATED AREA IN NEED OF ORDERLY ANNEXATION, CONFERRING JURISDICTION OF THE AREA ON THE OFFICE OF ADMINISTRATIVE HEARINGS, MUNICIPAL BOUNDARY ADJUSTMENTS, OF THE STATE OF MINNESOTA, AND AGREEING TO IMMEDIATE ANNEXATION OF THE AREA TO THE CITY OF TRACY*

City of Tracy Resolution Number 2017-39 \_\_\_\_\_

Monroe Township Resolution Number 2017- 6 \_\_\_\_\_

**WHEREAS**, the City of Tracy, Minnesota (hereinafter, "City") and Monroe Township (hereinafter, "Township") jointly agree to designate and request immediate annexation of the following described real property located within Monroe Township (hereinafter, "designated property") to the City of Tracy, Minnesota:

All that part of the Southeast Quarter of Section 15, Township 109 North, Range 40 West, Lyon County Minnesota, being more particularly described as follows:

Commencing at the southeast corner of said Southeast Quarter; thence North 00 degrees 05 minutes 47 seconds West, bearing based on Lyon County Coordinate System (1996 Adj.), along the east line of said Southeast Quarter, a distance of 275.00 feet; thence North 89 degrees 39 minutes 08 seconds West a distance of 500.39 feet, to the point of beginning; thence South 43 degrees 01 minutes 01 seconds East a distance of 378.38 feet, to a point on the south line of said Southeast Quarter; thence North 89 degrees 40 minutes 26 seconds West, along said south line, a distance of 59.21 feet, to a point on the northeasterly right of line of the Chicago and Northwestern Railway; thence North 43 degrees 01 minutes 01 seconds West, along said northwesterly line, a distance of 1821.20 feet, to a point on the south line of the North Half of said Southeast Quarter; thence North 89 degrees 39 minutes 41 seconds West, along said south line, a distance of 1092.44, to the southwest corner of the North Half of said Southeast Quarter; thence North 00 degrees 00 minutes 35 seconds East, along west line of the North Half of said Southwest Quarter, a distance of 1017.56 feet, to a point on the southwesterly right of line of the Chicago and Northwestern Railway; thence South 43 degrees 01 minutes 01 seconds East, along said southwesterly line, a distance of 702.68 feet; thence North 46 degrees 58 minutes 59 seconds East a distance of 140.00 feet; thence South 43 degrees 01 minutes 01 seconds East a distance of 2271.74 feet; thence South 89 degrees 39 minutes 08 seconds East a distance of 4.21 feet, to the point of beginning.

**WHEREAS**, the area of the designated property is 15.30 acres, more or less;

**WHEREAS**, a map and legal description of the designated area is attached hereto as EXHIBIT A;

**WHEREAS**, the City owns real property within the designated property, used and operated as a compost site;

**WHEREAS**, a strip of land located within the designated property, which contains a gravel roadway that is maintained by the City, provides the sole access to the compost site;

**WHEREAS**, the City seeks to annex the designated area to confer jurisdiction upon the City for enforcement of compost site rules to improve the health, safety, and welfare of the residents of the City as prior violations of compost site rules have not been enforced, i.e., improper or illegal deposits of garbage, waste, or refuse;

**WHEREAS**, the designated area is not within the City's boundaries/corporate limits, but adjoins or abuts the City's boundaries/corporate limits;

**WHEREAS**, the designated area is unincorporated;

**WHEREAS**, the designated area is unpopulated and is being used for waste/compost uses.

**WHEREAS**, Minn. Stat. 414.0325 provides a procedure for whereby the City and Township may agree on a process of orderly annexation of the designated area;

**WHEREAS**, pursuant to Minn. Stat. 414.036, the City and Township agree that there shall be no reimbursement from the City to the Township for any loss of taxes incurred by the Township for the annexation of the designated property;

**WHEREAS**, after considering all factors, it is deemed appropriate and in the best interests and necessary to protect the public health, safety, and welfare of both the City and Township, that the designated property is in need of orderly annexation and be immediately annexed to the City;

**WHEREAS**, pursuant to Minn. Stat. 414.0325, subd. 1b, the City and Township provided proper notice of the orderly annexation of the designated area;

**NOW THEREFORE**, pursuant to Minn. Stat. 414.0325, be it **JOINTLY RESOLVED** and agreed by the City Council of the City of Tracy and the Board of Supervisors of the Monroe Township, Lyon County Minnesota, as follows does:

1. That the following described property in Monroe Township, as shown on the maps of the area attached to and made part of this resolution, is properly subject to orderly annexation under and pursuant to Minn. Stat. 414.0325, and is hereby designated as in need of orderly annexation as provided by statute:

All that part of the Southeast Quarter of Section 15, Township 109 North, Range 40 West, Lyon County Minnesota, being more particularly described as follows:

Commencing at the southeast corner of said Southeast Quarter; thence North 00 degrees 05 minutes 47 seconds West, bearing based on Lyon County Coordinate System (1996 Adj.), along the east line of said Southeast Quarter, a distance of 275.00 feet; thence North 89 degrees 39 minutes 08 seconds West a distance of 500.39 feet, to the point of beginning; thence South 43 degrees 01 minutes 01 seconds East a distance of 378.38 feet, to a point on the south line of said Southeast Quarter; thence North 89 degrees 40 minutes 26 seconds West, along said south line, a distance of 59.21 feet, to a point on the northeasterly right of line of the Chicago and Northwestern Railway; thence North 43 degrees 01 minutes 01 seconds West, along said northwesterly line, a distance of 1821.20 feet, to a point on the south line of the North Half of said Southeast Quarter; thence North 89 degrees 39 minutes 41 seconds West, along said south line, a distance of 1092.44, to the southwest corner of the North Half of said Southeast Quarter; thence North 00 degrees 00 minutes 35 seconds East, along west line of the North Half of said Southwest Quarter, a distance of 1017.56 feet, to a point on the southwesterly right of line of the Chicago and Northwestern Railway; thence South 43 degrees 01 minutes 01 seconds East, along said southwesterly line, a distance of 702.68 feet; thence North 46 degrees 58 minutes 59 seconds East a distance of 140.00 feet; thence South 43 degrees 01 minutes 01 seconds East a distance of 2271.74 feet; thence South 89 degrees 39 minutes 08 seconds East a distance of 4.21 feet, to the point of beginning.

2. That jurisdiction is hereby conferred on the Office of Administrative Hearings, Municipal Boundary Adjustments, of the State of Minnesota over the provisions contained in this Joint Resolution.
3. That upon order of the Chief Administrative Law Judge of the State of Minnesota, the area described above, as shown on the maps of the attached to and made a part of this resolution, shall be annexed to and become part of the corporate municipal limits of the City of Tracy as if it had originally been made a part thereof.
4. That the area of the property to be annexed contains approximately 15.30 acres, and is unpopulated and is being used for waste/compost uses.
5. That for purposes of real estate taxation if the annexation becomes effective on or before August 1 of a levy year, the City of Tracy may levy on the annexed area beginning with the same levy year. If the annexation becomes effective after August 1 of a levy year, Monroe Township may continue to levy on the annexed area for that levy year.
6. That pursuant to Minn. Stat. 414.0325, subd. 1a, there will be no change in electric utility service and no change in cost to the land annexed.
7. That pursuant to Minn. Stat. 414.036, the City of Tracy and Monroe Township agree that there shall be no reimbursement from the City of Tracy to Monroe Township for any loss of taxes incurred by Monroe Township for the annexation.
8. That no alteration of the stated boundaries is appropriate, no conditions for the annexation are required and no consideration by the Office of Administrative Hearings,

Municipal Boundary Adjustments, of the State of Minnesota is necessary. The Chief Administrative Law Judge may review and comment, but shall, within 30 days, order the annexation in accordance with the terms of this Resolution.


9. The Resolution shall be effective upon approval and adoption by both the Board of Supervisors of Monroe Township and the City Council of the City of Tracy.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TRACY,  
MINNESOTA THIS 26<sup>TH</sup> DAY OF JUNE, 2017.

APPROVED:

  
Stephen Ferrazzano, Mayor

ATTESTED:

  
Madonna Peterson, City Clerk

PASSED AND ADOPTED BY THE BOARD OF SUPERVISORS OF MONROE TOWNSHIP  
THIS 13<sup>TH</sup> DAY OF JULY, 2017.

APPROVED:

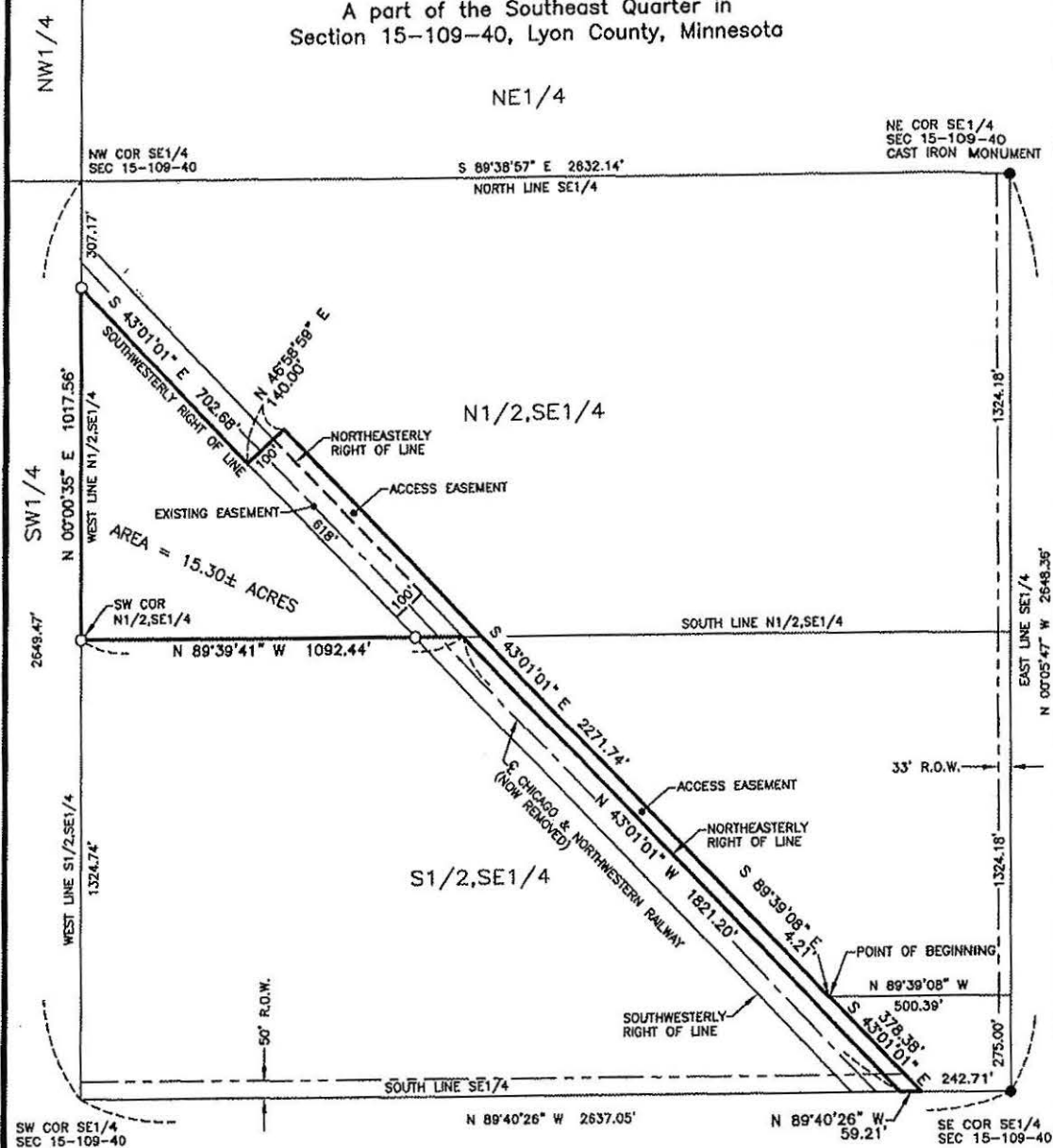
  
Chairperson

ATTESTED:

  
Clerk

# Certificate of Survey

A part of the Southeast Quarter in  
Section 15-109-40, Lyon County, Minnesota



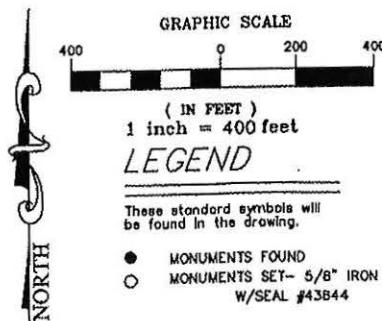
## SURVEYOR'S CERTIFICATION

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

DANIEL L. BUELTEL LICENSE NO: 43844

DATE: JUNE 7, 2017

Sheet 1 of 2



Prepared for City of Tracy

Prepared by  
**Bueltel-Moseng Land Surveying, Inc.**  
Marshall, MN 56258 Ph. 507-532-9043  
PROJECT NO. 17-5137

# Certificate of Survey

A part of the Southeast Quarter in  
Section 15-109-40, Lyon County, Minnesota

## LAND DESCRIPTION - for Annexation

All that part of the Southeast Quarter of Section 15, Township 109 North, Range 40 West, Lyon County, Minnesota, being more particularly described as follows:

Commencing at the southeast corner of said Southeast Quarter; thence North 00 degrees 05 minutes 47 seconds West, bearing based on Lyon County Coordinate System (1996 Adj.), along the east line of said Southeast Quarter, a distance of 275.00 feet; thence North 89 degrees 39 minutes 08 seconds West a distance of 500.39 feet, to the point of beginning; thence South 43 degrees 01 minutes 01 seconds East a distance of 378.38 feet, to a point on the south line of said Southeast Quarter; thence North 89 degrees 40 minutes 26 seconds West, along said south line, a distance of 59.21 feet, to a point on the northeasterly right of line of the Chicago and Northwestern Railway; thence North 43 degrees 01 minutes 01 seconds West, along said northeasterly line, a distance of 1821.20 feet, to a point on the south line of the North Half of said Southeast Quarter; thence North 89 degrees 39 minutes 41 seconds West, along said south line, a distance of 1092.44, to the southwest corner of the North Half of said Southeast Quarter; thence North 00 degrees 00 minutes 35 seconds East, along west line of the North Half of said Southeast Quarter, a distance of 1017.56 feet, to a point on the southwesterly right of line of the Chicago and Northwestern Railway; thence South 43 degrees 01 minutes 01 seconds East, along said southwesterly line, a distance of 702.68 feet; thence North 46 degrees 58 minutes 59 seconds East a distance of 140.00 feet; thence South 43 degrees 01 minutes 01 seconds East a distance of 2271.74 feet; thence South 89 degrees 39 minutes 08 seconds East a distance of 4.21 feet, to the point of beginning.

Said tract is subject to any existing highways, roadways, or easements.

Prepared for City of Tracy

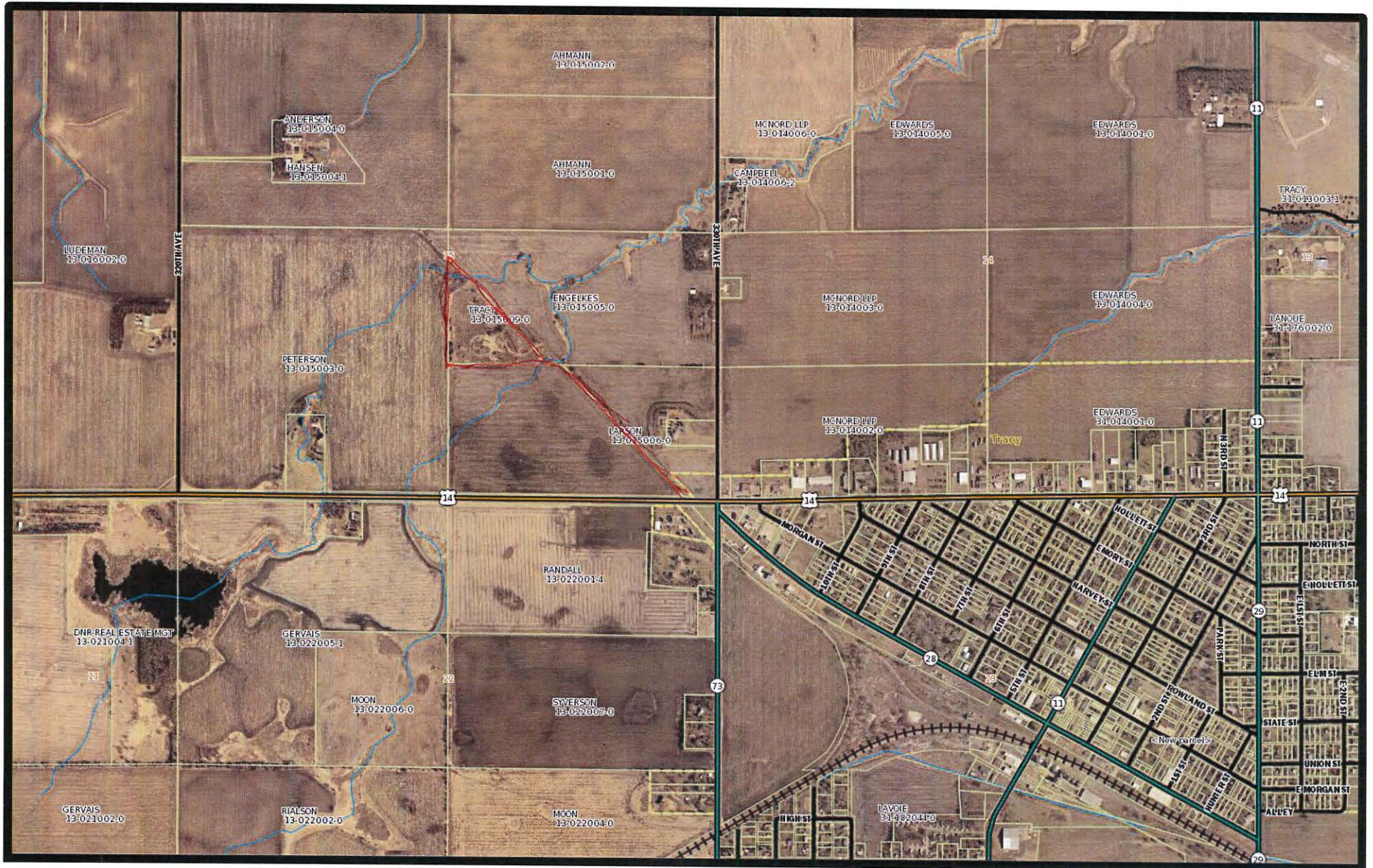
Prepared by  
**Bueltel-Moseng Land Surveying, Inc.**  
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# Map



Lyon County, MN Interactive Mapping



This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. This map is to be used for reference purposes only. Lyon County is not responsible for any inaccuracies herein contained.



# MONROE TWP

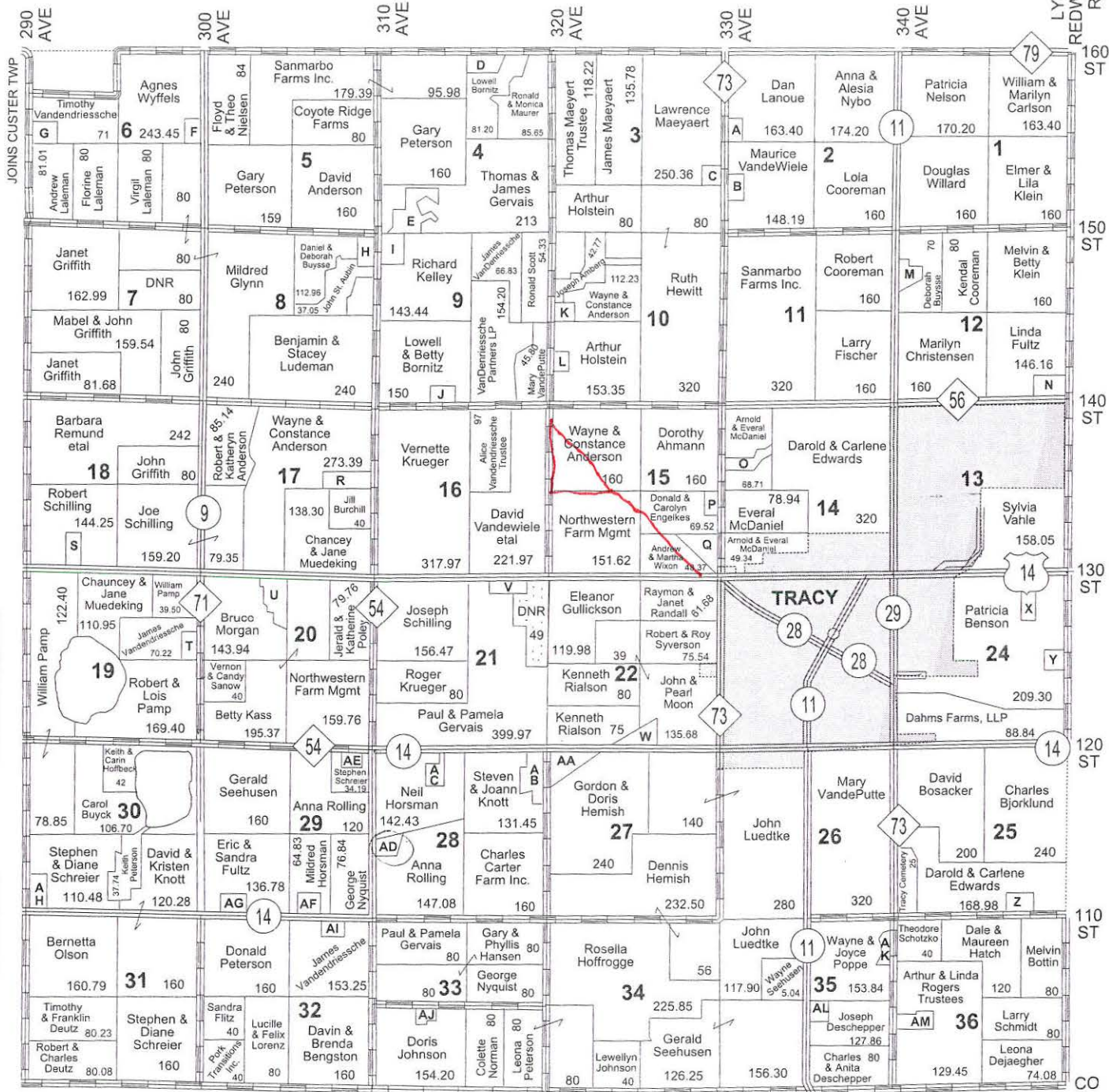
T 109 N

R 40 W

JOINS AMIRET TWP

LYON  
REDWOOD RD

JOINS REDWOOD COUNTY, MN



LAND OWNER MAPS

SECTION	OWNER	SECTION	OWNER	SECTION	OWNER
1	Sanmarbo Farms Inc.	13	Sylvia Vahle	25	Allen & Patricia Breczinski
2	Lorraine & Austin DeWitte	14	Dennis Campbell	26	Mary Vandeputte
3	Albert & Frances Haecherl	15	George & Lori Hebig	27	Gordon & Doris Hemish
4	Steven & Edna Almle	16	Dru & Nicole Larson	28	Robert Weilage
5	Larry Bornitz	17	Roger & Shirlee Gilmore	29	Kevin & Christine Lanners
6	William & Bonita Miller	18	Dolores & Curtis Shaw	30	David & Kathleen Wilking
7	Kenneth & Denise Louwagie	19	Marc & Angela Nelson	31	Neil & Mildred Horsman
8	Merlyn Mickelson	20	Dennis Morgan	32	Dale Scott
9	Corey & Jessica Krueger	21	Adolfo Avila	33	Steven & Pamela Johnson
10	William & Margaret Bornitz	22	Yang Lee Vang	34	Theodore & Janet Schotzko
11	Midwest Wireless	23	Oden & Marjorie Hyland	35	Wayne Seehusen
12	Ronald Scott	24	Lau Bros.	36	Keith & Julie Rayman
13	Agnes & Merlyn Caron	25	Allen & Patricia Breczinski		Steven & Kari Meyer

- Section 2 A Lorraine & Austin DeWitte - 12  
 B Albert & Frances Haecherl - 8.01  
 Section 3 C Steven & Edna Almle - 5  
 D Larry Bornitz - 7.34  
 E Rodney & Corey Krueger - 27  
 Section 6 F William & Bonita Miller - 5.27  
 G Kenneth & Denise Louwagie - 8.48  
 Section 8 H Merlyn Mickelson - 10  
 Section 9 I Corey & Jessica Krueger - 15.32  
 J William & Margaret Bornitz - 10  
 Section 10 K Midwest Wireless - 5  
 L Ronald Scott - 6.65  
 Section 12 M Lois Johnson - 10  
 N Agnes & Merlyn Caron - 13.84

- Section 14 O Dennis Campbell - 7.03  
 Section 15 P George & Lori Hebig - 6.58  
 Q Dru & Nicole Larson - 25.57  
 Section 17 R Roger & Shirlee Gilmore - 20.47  
 Section 18 S Dolores & Curtis Shaw - 15.44  
 Section 19 T Marc & Angela Nelson - 9.78  
 Section 20 U Dennis Morgan - 15.12  
 Section 21 V Adolfo Avila - 10  
 Section 22 W Yang Lee Vang - 12.47  
 Section 24 Y Oden & Marjorie Hyland - 10  
 Y Lau Bros. - 5  
 Section 25 Z Allen & Patricia Breczinski - 6.32  
 Section 27 AA Paul Sanders - 12.47

- Section 28 AB Robert Weilage - 10.87  
 AC Todd & Sherrie Cambronne - 12.39  
 AD Vernon & Katherine Sanow - 10.52  
 Section 29 AE Kevin & Christine Lanners - 5.81  
 AF David & Kathleen Wilking - 12.01  
 AG Neil & Mildred Horsman - 8  
 Section 30 AH Dale Scott - 22.45  
 Section 32 AI Larry Strom - 6  
 Section 33 AJ Steven & Pamela Johnson - 5.80  
 Section 35 AK Theodore & Janet Schotzko - 6.16  
 AL Wayne Seehusen - 5.04  
 Section 36 AM Keith & Julie Rayman - 10.55  
 AN Steven & Kari Meyer - 5.92