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By: OAH on June 7, 2021

RESOLUTION NO. R2021-073

A RESOLUTION ANNEXING PROPERTY FROM JACKSON TOWNSHIP PURSUANT TO AN EXISTING ORDERLY ANNEXATION AGREEMENT

WHEREAS, the City of Shakopee ("City") and Jackson Township ("Town") entered into a "Joint Resolution for Orderly Annexation between the Town of Jackson & the City of Shakopee", that was filed with the Minnesota Municipal Board on March 6, 2018, accepted by the Municipal Board on March 12, 2018, and which is identified as Docket No. OA-1694 ("Orderly Annexation Agreement");

WHEREAS, the entire Town was designated for future annexation under the Orderly Annexation Agreement and the City may annex property from the Town in accordance with the terms and conditions of the Orderly Annexation Agreement;

WHEREAS, LaTour Farms, LP (c/o John LaTour), property owner & applicant, requested the annexation of 91.34 acres of land (PID 06-9150032) as identified on the attached legal description;

WHEREAS, the City has notified the Township of the request for annexation;

WHEREAS, the City Council reviewed this request on May 18, 2021, finding and determining as follows with respect to the requested annexation:

- a. Under Section II, paragraph 2 of the Orderly Annexation Agreement, "The following standards shall be used to determine adjacency when a property owner, or combination of multiple property owners with contiguous property, initiates annexation of property: A property, or combination of contiguous properties, shall be considered adjacent to the City when fifty (50) linear feet or more of the subject annexation area boundary is shared with the boundary of the City";
- b. The Annexation Area shares approx. 1,400 linear feet of boundary with the City of Shakopee which more than satisfies the minimum 50 lineal feet or more of shared boundary required by the Orderly Annexation Agreement;
- c. Under Section II, paragraph 4 of the Orderly Annexation Agreement, "Any landowner, or combination of multiple landowners, with property adjacent to the municipal boundary of the City, may petition the City to annex their property in accordance with this Agreement";
- d. The City determines that annexing the Annexation Area pursuant to this Resolution is consistent with the terms and conditions of the Orderly Annexation Agreement.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Shakopee as follows:

1. The recitals set out above and the exhibits attached hereto are incorporated in and made part of this Resolution.
2. The Annexation Area identified in the attached legal description is hereby annexed into the municipal boundaries of the City of Shakopee effective upon the issuance of the Chief Administrative Law Judge's order.
3. Pursuant to Minn. Stat. § 414.0325, subd. 1(h) and Section I, paragraph 2 of the Orderly Annexation Agreement, the Chief Administrative Law Judge may review and comment, but shall, within thirty (30) days, order the annexation in accordance with the terms of this Resolution.
4. The Annexation Area is subject to local property taxes and, pursuant to the Orderly Annexation Agreement, the City is required to make tax reimbursement payments to the Town related to this annexation.
5. City staff is authorized and directed to file this Resolution with the Office of Administrative Hearings - Municipal Boundary Adjustments Office ("Boundary Adjustments Office").
6. In the event the Boundary Adjustments Office identifies any errors, omissions, or other problems with the attached map or legal description, City staff is hereby authorized to make such corrections as may be needed to accomplish the purpose of this Resolution.

Adopted in adjourned regular session of the City Council of the City of Shakopee, Minnesota, held this 18th day of May, 2021.



Mayor of the City of Shakopee

ATTEST:



Lori Hensen, City Clerk

Legal Description:

The North one-half of the Southwest Quarter of the Southeast Quarter of Section 15, Township 115, Range 23, Scott County, Minnesota.

TOGETHER WITH

The Northwest Quarter of the Southeast Quarter of Section 15, Township 115, Range 23, Scott County, Minnesota.

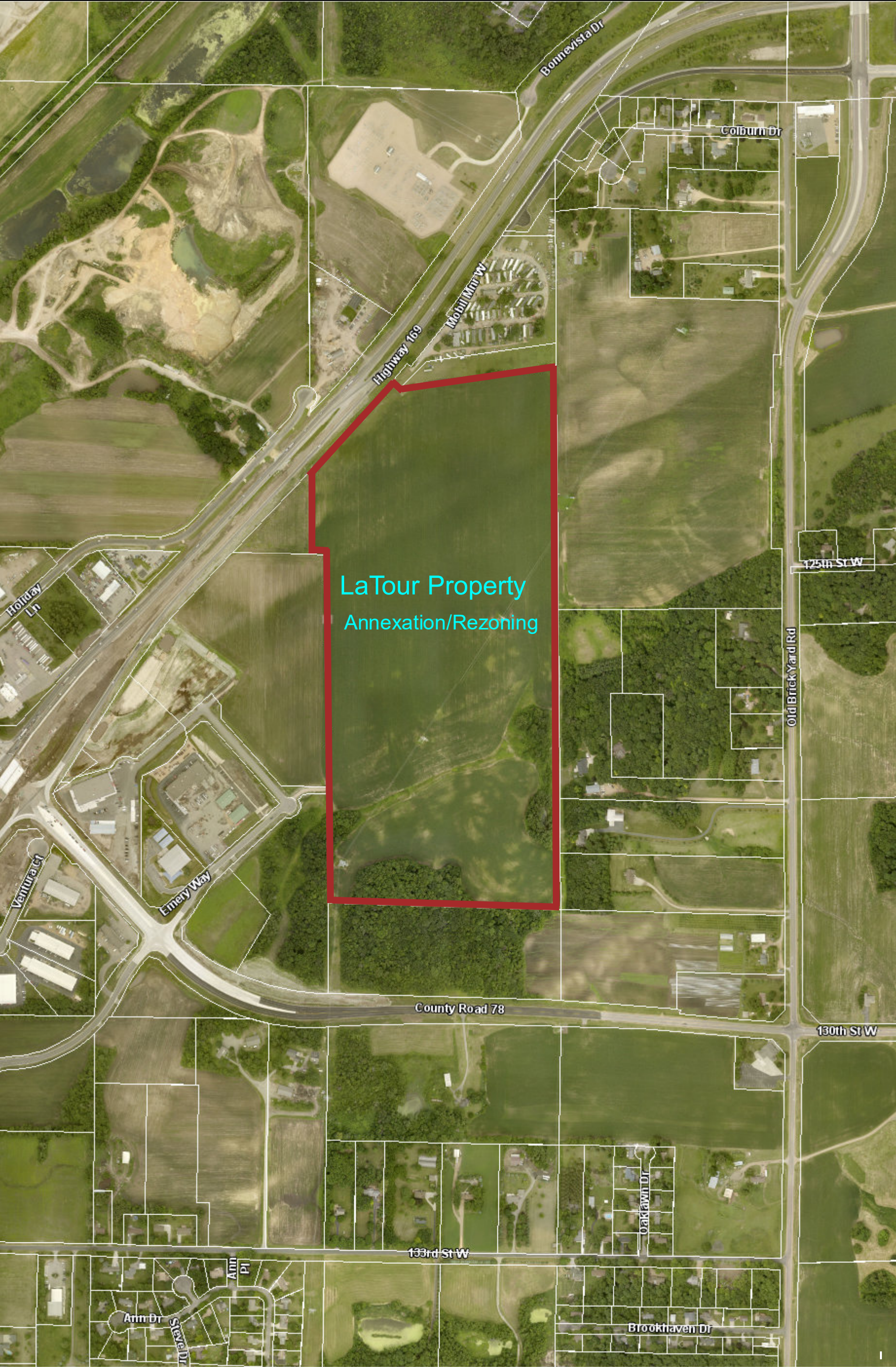
TOGETHER WITH

That part of the West one-half of the Northeast Quarter of Section 15, Township 115, Range 23, Scott County, Minnesota, lying Southeasterly of the center line of the North Bound Lane of State Highway No. 169; and Southerly of the following described line: Commencing at the Northeast corner of said West one-half of the Northeast Quarter; thence South 00 degrees 50 minutes 15 seconds East along the East line of said West one-half of the Northeast Quarter a distance of 1545.10 feet to the point of beginning of the line to be described; thence South 81 degrees 27 minutes 05 seconds West a distance of 896.64 feet; thence North 49 degrees 13 minutes 00 seconds West a distance of 135.0 feet more or less to its intersection with the center line of said North Bound Lane of State Highway No. 169 and there terminating. Subject to the rights of state highway department for State Highway No. 169. Also subject to easements of record.

TOGETHER WITH

That part of the East 5.00 rods of the Northwest Quarter of Section 15, Township 115, Range 23, Scott County, Minnesota, lying Southeasterly of the center line of the North Bound Lane of State Highway No. 169.

ANNEXATION SKETCH AND DESCRIPTION SHAKOPEE, MINNESOTA



April 26, 2021

LaTour Property Annexation/Rezoning

0 0.05 0.1
mi



Shakopee
Municipal
Boundary

