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By: OAH on July 22, 2021

RESOLUTION NO. R2021-090

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, Garth & Catherine Kangas, property owners & applicants, requested the annexation of 10.82 acres of land (PID 06-913010-1) as identified on the attached legal description;

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

WHEREAS, the City finds and determines 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. 394 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 16th day of June, 2021.



Mayor of the City of Shakopee

ATTEST:



Lori Hensen, City Clerk

Existing Property Description

That part of the Northwest Quarter of the Southwest Quarter of Section 13, Township 115, Range 23, Scott County, Minnesota, that lies east of the West 938.00 feet thereof and South of a line described as follows:

Beginning at a point on the east line of said Northwest Quarter of the Southwest Quarter distant 69.85 feet South from the Northeast corner of said Northwest Quarter of the Southwest Quarter; thence west to a point on the west line of said Northwest Quarter of the Southwest Quarter distant 196.26 feet south from the Northwest corner of said Northwest Quarter of the Southwest Quarter and said line there terminating.



Shakopee
Municipal
Boundary

