

LeRay Township Resolution 2019- /
City of Eagle Lake Resolution 2019-25

JOINT RESOLUTION FOR DESIGNATION OF AN AREA IN NEED OF
ORDERLY ANNEXATION FROM LERAY TOWNSHIP TO THE CITY OF
EAGLE LAKE AND FOR A DESIGNATION OF AN AREA FOR
IMMEDIATE ANNEXATION PURSUANT TO MINNESOTA STATUTES
SECTION 414.0325

WHEREAS, the City of Eagle Lake (hereinafter the "City") and LeRay Township (hereinafter "Township") deem it necessary and appropriate that they work together to develop and implement a process for the orderly and controlled growth of the City and Township; and

WHEREAS, the City and Township agree that municipal governments must efficiently provide governmental services in areas that are developed for residential, commercial, industrial and governmental purposes; and

WHEREAS, a joint notice of intent to designate the area for annexation was published on July 20, 2019;

WHEREAS, the Board of Supervisors of LeRay Township passed this resolution on October 8, 2019;

WHEREAS, the City of Eagle Lake passed this resolution on September 9 2019;

WHEREAS, the Township and City are in agreement as to approving the designation for orderly annexation and request immediate annexation to the City of Eagle Lake, certain land legally described in the attached Exhibit A and graphically described on Exhibit B (hereinafter the "Orderly Annexation Area" or "OAA") in accordance with the same terms set forth herein; and

WHEREAS, Minnesota Statute Section 414.0325 provides a procedure whereby the City of Eagle Lake and LeRay Township may agree on a process of orderly annexation of a designated area; and

WHEREAS, the parties agree that should the developer determine that it will not improve the property, or pay for the full costs of the improvement, and the property has not changed its current character, then the parties agree that they will cooperate with a detachment of the property from the City of Eagle Lake pursuant to Minnesota Statute Section 414.06; and

WHEREAS, the City of Eagle Lake and LeRay Township have agreed to all terms and conditions for the annexation of the Property 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) day, 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 Eagle Lake and the Township Board of LeRay Township as follows:

1. **Designation of Orderly Annexation Areas.** The City and Township here designate the following areas as in need of orderly annexation pursuant to Minnesota Statutes, Section 414.0325: See Exhibit A and Exhibit B attached and incorporated herein. The parties agree that this property shall be immediately annexed.

2. **Acreage/Population/Zoning.** The immediate annexation property consists of approximately 220 acres, the population is 2, upon annexation the Property shall be zoned as follows:

Any land annexed to the City of Eagle Lake in the future shall be placed in the A-1, Agricultural District, until placed in another district by action of the City Council after recommendation of the Planning Commission. Once developed, the land will be zoned for mixed use development.

3. **Jurisdiction.** The Township and the City, 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 as to accomplish annexation of the Immediate Annexation Property in accordance with the terms of this resolution.

4. **Municipal Reimbursement.** The City and the Township agree pursuant to Minnesota Statute Section 414.036, reimbursement from the City to the Township shall occur for the taxes collected on land annexed into the City, according to the following schedules and thereafter all tax revenues will be the property of the City. All percentages are to be multiplied by the Township's share of property taxes from such annexed property in the year in which such property is annexed:

Property Tax payments to Township:

2019 \$3,655.89

2020 \$3,655.89

2021	\$3,655.89
2022	\$3,655.89
2023	\$3,655.89
2024	\$3,655.89
2025	\$3,655.89
2026	\$3,655.89
2027	\$3,655.89
2028	\$3,655.89
2029	\$3,290.30
2030	\$2,924.71
2031	\$2,559.12
2032	\$2,193.53
2033	\$1,827.95
2034	\$1,462.36
2035	\$1,096.77
2036	\$731.18
2037	\$365.59
2038 and onward	\$0.00

That the City shall make three annual payments for the amounts due in 2019, 2020 and 2021. In 2022 the remaining payments will be paid to the Township.

The first three payments once they have been paid shall be the property of the Township.

5. **Township Road.** The proposed property is accessed through a road owned by the Township and described in Exhibit C. The City agrees to maintain the Township road described in Exhibit C as long as the property described in Exhibits A and B remain in the City. Should the property revert back to the Township the road will be the responsibility of the Township. The City will return the road in the same condition that it is currently in.

6. **Review and Comment.** The City and the Township agree that upon the 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 immediate annexation of the immediate annexation area in accordance with the terms of this resolution.

7. **Provision of Utilities to Annexed Properties.** In the event that the City provides municipal sewer service to any rural residential zoned properties annexed under the terms of this agreement, the City shall not require any such property to connect to the municipal sewer system for a period of seven years from the date of the most recent septic certification provided that the system does not fail in that seven year time period.

8. **Building Inspection.** Upon annexation of the orderly annexation property described in Exhibit A and B, all new building permits shall be issued and administered by the City. All building permits already issued by the effective date of this agreement shall continue to be administered by the Township, until a certificate of occupancy is issued. The Township shall provide building permits and site plans for annexed properties to the City.

9. **Reversion.** Should the property not be developed and retains its rural character, thirty-six months after the execution of this agreement the property shall revert to back to the Township. The parties agree to follow the detachment process as outlined in Minnesota Statute Section 414.06.

Adopted by affirmative vote of all of the members of the LeRay Township Board of Supervisors this 8 day of October, 2019

LERAY TOWNSHIP

By: Paul Baer
Chairperson
Board of Supervisors

By: Ken M. Sundt
Township Clerk

CITY OF EAGLE LAKE

Adopted by affirmation vote of all of the member of the City Council of Eagle Lake this 9 day of September, 2019.

By: Tim Auringer
Tim Auringer, Mayor

By: Jennifer Bromeland
Jennifer Bromeland, City Administrator

Exhibit A
to
LeRay Township Resolution 2019-1
City of Eagle Lake Resolution 2019-25

Legal Descriptions

Parcel No. R12.10.07.326.003 (C L Dauk Family LLP – 23.70 acres) and Parcel No. R39.10.07.400.010 (C L Dauk Family LLP – 134.39 acres):

E 1/2 SE 1/4 and SW 1/4 SE 1/4 and Government Lot Number 3 and the E 1/2 of Government Lot Number 4, all in Sec. 7-108-25.

Except the following tracts:

1. That part of the Southwest Quarter (SW1/4) of the Southeast Quarter (SE1/4) of Section Seven (7), Township One Hundred Eight (108) North, Range Twenty-five (25) West, Blue Earth County, Minnesota, described as follows, to-wit: Commencing at the Southwest corner of said Southwest Quarter (SW1/4) of the Southeast Quarter (SE1/4), thence East along the South line of said Southwest Quarter (SW1/4) of the Southeast Quarter (SE1/4) a distance of 707.63 feet to the intersection of Blue Earth County Road No. 17 and the centerline of the driveway, bearing North, which provides access to the parcel or real estate herein described, thence North along the centerline of said driveway a distance of 355 feet to the true point of beginning; thence East along a line parallel with the South line of said Southwest Quarter (SW1/4) of the Southeast Quarter (SE1/4) a distance of 169 feet, thence North along a line parallel with the West line of said Southwest Quarter (SW1/4) of the Southeast Quarter (SE1/4) a distance of 280 feet, thence West along a line parallel with the South line of said Southwest Quarter (SW1/4) of the Southeast Quarter (SE1/4) a distance of 260 feet, thence South along a line parallel with the West line of said Southwest Quarter (SW1/4) of the Southeast Quarter (SE1/4) a distance of 280 feet, thence East along a line parallel with the South line of said Southwest Quarter (SW1/4) of the Southeast Quarter (SE1/4) a distance of 91 feet, more or less, to the point of beginning, and including an easement to the grantees across the existing driveway for ingress to and egress from the above described tract of land.
2. A tract of land located in the Southeast Quarter of Section 7-108-25, described as follows: Commencing at the Northeast corner of the Southeast Quarter of Section 7-108-25, thence Westerly along the Northerly line of said Southeast Quarter 580 feet, thence Southerly and parallel with the Easterly line of said Southeast Quarter 65 feet to the point of beginning of the parcel to be described; thence continuing South, parallel with the East line of said Southeast Quarter 446 feet, thence West 487 feet, thence North 446 feet, thence East 487 feet to the point of beginning, containing 5 acres of land more or less. Together with a permanent access easement for driveway purposes from County Road No. 27, running thence Westerly to the parcel of land described herein.
3. Part of the East Half of Government Lot 4 and part of the Southwest Quarter of the Southeast Quarter all in Section 7, Township 108 North, Range 25 West, Blue Earth County, Minnesota, described as: Beginning at the Southeast corner of Government Lot 4; thence South 89 degrees 59 minutes 32 seconds West (assumed bearing) on the South line of Government Lot 4, a distance of 656.45 feet to the Southwest corner of the East Half of Government Lot 4; thence

North 00 degrees 04 minutes 14 seconds West on the West line of the East Half of Government Lot 4, a distance of 602.99 feet to the centerline of a 15 foot wide waterway; thence North 55 degrees 44 minutes 19 seconds East on the centerline of said 15 foot waterway, 94.00 feet to the centerline of a 25 foot wide waterway; thence South 80 degrees 01 minutes 41 seconds East, on said centerline, 175.00 feet; thence South 74 degrees 23 minutes 16 seconds East, on said centerline, 217.00 feet; thence South 71 degrees 32 minutes 55 seconds East, on said centerline, 96.00 feet; thence South 62 degrees 42 minutes 36 seconds East, on said centerline, 76.00 feet; thence South 41 degrees 44 minutes 00 seconds East, on said centerline, 64.00 feet; thence South 21 degrees 02 minutes 50 seconds East, on said centerline, 60.00 feet; thence South 02 degrees 54 minutes 11 seconds East, on said centerline, 99.00 feet; thence South 00 degrees 14 minutes 08 seconds West, on said centerline, 120.00 feet; thence South 03 degrees 00 minutes 05 seconds East, on said centerline, 179.52 feet to a point on the South line of the Southeast Quarter of Section 7; thence North 89 degrees 58 minutes 17 seconds West, on said South line, 38.52 feet to the point of beginning. Contains 9.21 acres of land being subject to right-of-way for LeRay Avenue across the southerly boundary and is also subject to and together with any and all easements of record.

4. That part of the Southwest Quarter of the Southeast quarter, Section 7, Township 108 North, Range 25 West described as follows;

Commencing at the southwest corner of said Southwest Quarter of the Southeast Quarter; thence South 89 degrees 58 minutes 17 seconds East, assumed bearing, along the south line of said Southwest Quarter of the Southeast Quarter, 62.56 feet to the point of beginning; thence continuing South 89 degrees 58 minutes 17 seconds East, 502.08 feet to a southerly right of way line of Trunk Highway Number 14; thence North 00 degrees 03 minutes 04 seconds East, along said right of way, 61.58 feet to a point on a 511.37 foot radius curve to the left, having a central angle of 24 degrees 21 minutes 23 seconds and a 215.75 foot chord which bears North 77 degrees 52 minutes 20 seconds East; thence on said curve, also being along said right of way, 217.39 feet; thence North 06 degrees 01 minutes 12 seconds East, along said right of way, 117.38 feet; thence North 48 degrees 02 minutes 38 seconds West, along said right of way, 31.60 feet to the point of curvature of a 2446.48 foot radius curve to the left, having a central angle of 19 degrees, 42 minutes, 18 seconds; thence on the curve, along said right of way, a distance of 841.36 feet; thence South 00 degrees 14 minutes 08 seconds West, 509.61 feet; thence South 03 degrees 00 minutes 05 seconds East, 180.11 feet to the point of beginning. Said parcel's southerly boundary is subject to and together with a roadway easement for County State Aid Highway Number 17 and is subject to and together with any and all other easements of record. Said parcel contains 7.8 acres of land more or less.

5. U.S. Trunk Highway #14.
6. Any land already within the City limits.

Exhibit A (Continued)
to
LeRay Township Resolution 2019-1
City of Eagle Lake Resolution 2019-25

Legal Descriptions

Parcel No. R39.10.07.400.005 (James and Darlene Dauk – 0.11 acres):

That part of the Southeast Quarter (SE1/4) of Section Seven (7), Township One Hundred Eight (108) North, Range Twenty-five (25) West, described as:

Commencing at the Southwest corner of the Southeast Quarter (SE1/4) of Section Seven (7);
thence North 90 degrees 00 minutes 00 seconds East, assumed bearing, along the South line of Section Seven (7), a distance of 707.63 feet;
thence North 0 degrees 00 minutes 00 seconds East 354.55 feet to the point of beginning;
thence North 00 degrees 00 minutes 00 seconds East 169.03 feet;
thence North 90 degrees 00 minutes 00 seconds East 280 feet;
thence South 00 degrees 00 minutes 00 seconds West 260.03 feet;
thence South 90 degrees 00 minutes 00 seconds West 280 feet;
thence North 00 degrees 00 minutes 00 seconds East 91 feet, to the point of beginning

EXCEPTING THEREFROM, 1.56 acres pursuant to Minnesota Department of Transportation Right of Way Plat No. 07-46, according to the plat thereof on file and of record with the Blue Earth County Recorder.

Exhibit A (Continued)
to
LeRay Township Resolution 2019-1
City of Eagle Lake Resolution 2019-25

Legal Descriptions

Parcel No. R39.10.07.400.006 (James and Darlene Dauk - 5 acres):

A tract of land located in the Southeast Quarter of Section 7-108-25, described as follows: Commencing at the Northeast corner of the Southeast Quarter of Section 7-108-25, thence Westerly along the Northerly line of said Southeast Quarter 580 feet, thence Southerly and parallel with the Easterly line of said Southeast Quarter 65 feet to the point of beginning of the parcel to be described; thence continuing South, parallel with the East line of said Southeast Quarter 446 feet, thence West 487 feet, thence North 446 feet, thence East 487 feet to the point of beginning, containing 5 acres of land more or less. Together with a permanent access easement for driveway purposes from County Road No. 27, running thence Westerly to the parcel of land described herein.

Exhibit A (Continued)
to
LeRay Township Resolution 2019-1
City of Eagle Lake Resolution 2019-25

Legal Descriptions

Parcel No. R39.10.07.200.003 (Kopacheck - 92.25 acres less 12 acres):

The Southeast Quarter of the Northeast Quarter (SE1/4 of NE1/4) and Government Lot 2, all in Section Seven (7), Township One Hundred Eight (108), Range Twenty-five (25), containing 92.25 acres, Blue Earth County, Minnesota.

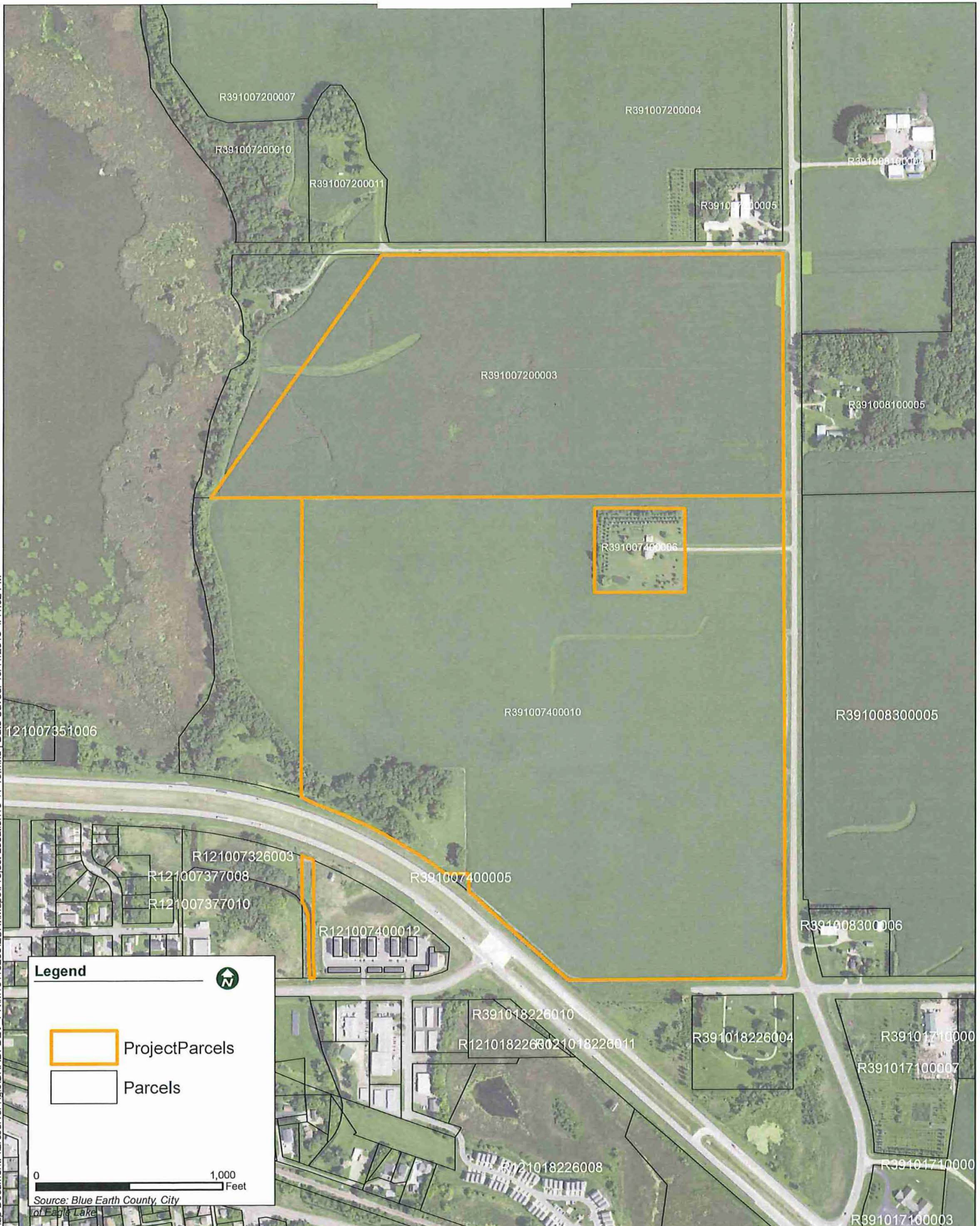
LESS:

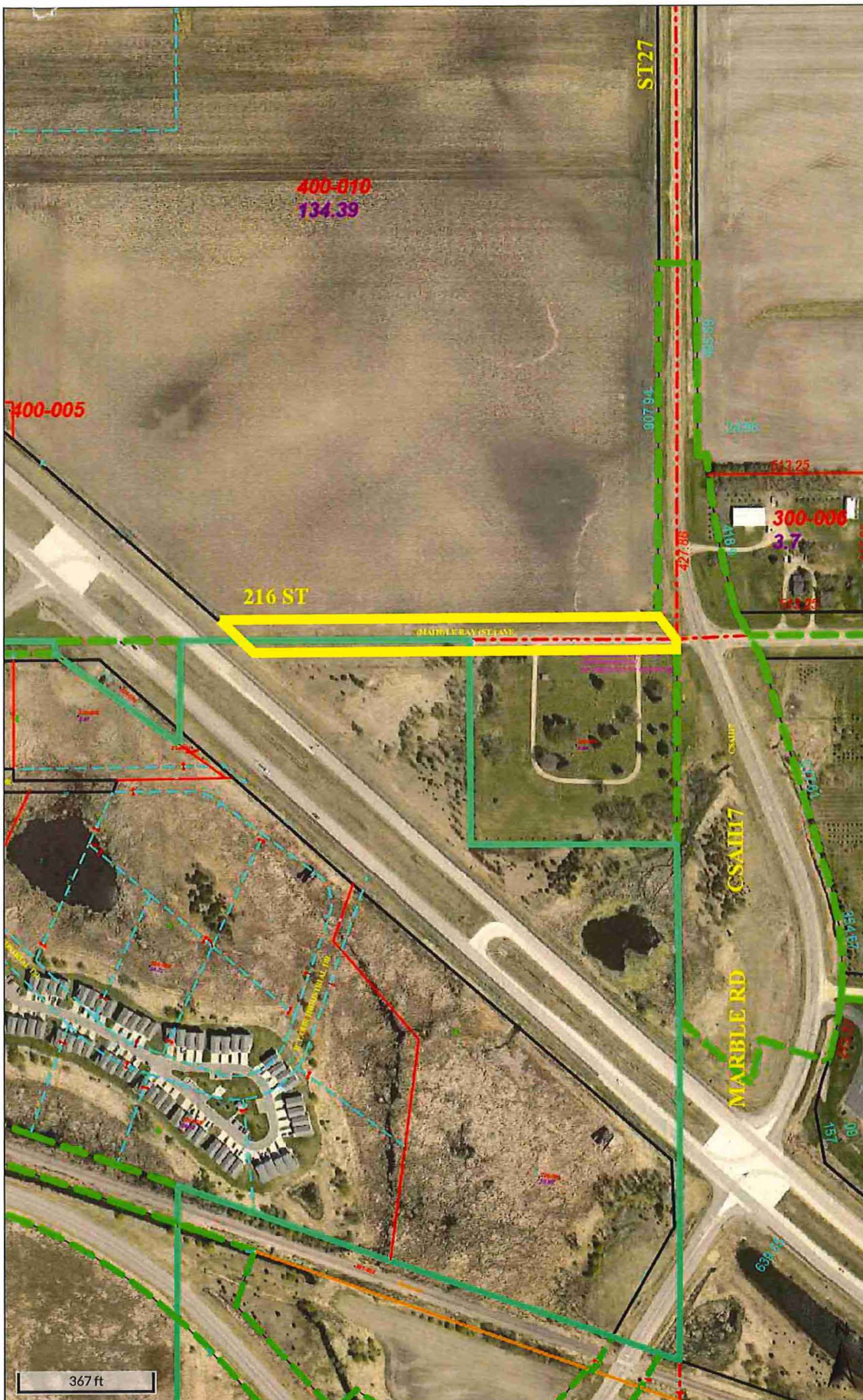
That part of Government Lot 2, Section 7, Township 108 North Range 25 West, Blue Earth County, Minnesota, described as:

Commencing at the East Quarter corner of said Section 7; thence North 00 degrees 40 minutes 01 seconds West, (Minnesota County Coordinate System – Blue Earth County Zone – HARN NAD83 – 1996), along the east line of the Northeast Quarter of said Section 7, a distance of 1316.22 feet to the northeast corner of the Southeast Quarter of the Northeast Quarter of said Section 7; thence South 89 degrees 48 minutes 59 seconds West, along the north line of the Southeast Quarter of the Northeast Quarter of said Section 7 and along the north line of said Government Lot 2, a distance of 2154.83 feet to the southeasterly corner of Schneider Second Subdivision, according to the plat thereof on file and of record with the Blue Earth County Recorder; thence continuing South 89 degrees 48 minutes 59 seconds West, along the south line of said Schneider Second Subdivision, a distance of 25.69 feet to the point of beginning; thence South 35 degrees 19 minutes 33 seconds West, a distance of 1615.37 feet to a point on the south line of said Government Lot 2; thence South 89 degrees 50 minutes 20 seconds West, along said south line, a distance of 90 feet, more or less, to the point of intersection with the easterly water's edge of Eagle Lake; thence northerly, along said water's edge, 1600 feet, more or less, to the point of intersection with the south line of said Schneider Second Subdivision; thence North 89 degrees 48 minutes 59 seconds East, a distance of 810 feet, more or less, to the point of beginning. Containing 12 acres, more or less.



Map Document: \\larcserver1\gis\BRADFDEV PRIM15118258\ESRI\Maps\Project Location10-11-19.mxd | Date Saved: 10/11/2019 4:41:02 PM





Legend

Parcel Point Urban

- Centroid
- Non Centroid

Cartography Urban

- Lot Dim Carto 100
- Lot Number Carto 100
- Parcel Acreage Carto 100
- Parcel Dim Carto 100
- Parcel Owner Hool 100
- Railroad Name Carto 100
- Road Name Carto 100
- Sub Blk Number Carto 100

Cadastral Line

<all other values>

- Corp Line
- Geo Twp Line
- Lot Line
- Mon Linear
- Parcel Line
- Pol Twp Line
- Railroad ROW
- Road ROW
- Section Line
- Sub Line 100
- Sub Line 400
- Water Line
- Parcel Links

Amended by Plat 07-55

MN/DOT ORIGINAL

MINNESOTA DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY PLAT NO. 07-46

STATE PROJECT NO. 070204-7904

IN THE SOUTHWEST QUARTER OF SECTION 7, T. 108 N., R. 25 W.,
IN THE SOUTHWEST QUARTER OF SECTION 8, T. 108 N., R. 25 W.,
IN THE SOUTHWEST QUARTER OF SECTION 17, T. 108 N., R. 25 W.,
IN THE NORTHEAST QUARTER OF SECTION 18, T. 108 N., R. 25 W.,
BLUE EARTH COUNTY, MINNESOTA

THE COMMISSIONER OF TRANSPORTATION IS HEREBY DESIGNATING THE DEFINITE
LOCATION OF TRUNK HIGHWAY NO. 14 FROM 2 MILES EAST OF THE
JUNCTION OF TRUNK HIGHWAY NO. 22 TO THE EAST CITY LIMITS
OF EAGLE LAKE

as shown on this plat prepared by the State of Minnesota Department of Transportation is hereby certified as
the official plat of first portion of said highway, as within the designated portion of sections 7, 8, 17 & 18
and the Commissioner's Order No. 80526, pursuant to Minnesota Statutes, section 160.065, section
160.14 subd. 1, section 161.16 subd. 2, and section 161.17.

Commissioner's Order No. 80526 Location Nature of Interest
PLATS 07-44
THRU 07-46

Certified by
James N. Dunn
Commissioner of Transportation
K. F. Rooman
Director, Office of Right of Way and Surveys

I hereby certify that this plat was prepared by me or under my direct supervision and that I am a duly
Registered Land Surveyor under the laws of the State of Minnesota. This plat meets the requirements of
section 161.16 subd. 2, and section 161.17, that all monuments are correctly shown and delineated on the plat and that the proposed right-of-way
boundary line is properly designated on the plat.

Certified by
J. E. Dunn
Registered Land Surveyor
Office of Right of Way and Surveys

I hereby certify that this plat was surveyed by me or under my direct supervision and that I am a duly
Registered Land Surveyor under the laws of the State of Minnesota. This plat meets the requirements of
section 161.16 subd. 2, and section 161.17, that all monuments are correctly shown and delineated on the plat and that the proposed right-of-way
boundary line is properly designated on the plat.

Certified by
K. F. Rooman
Registered Land Surveyor
MNDOT District Office

SCALE 1" = 200 Feet

AZIMUTH ORIENTATION AND GRID CONVERSION

Plat azimuths are oriented to Minnesota State Plane Coordinate System with 0 degrees
0 minutes 0 seconds being "GRID NORTH".
Plat distances are ground lengths and can be converted to Minnesota State Plane Grid
lengths by multiplying Plat distances by 0.999978.

SURVEY STANDARDS

1. The plat values, azimuths, and distances are based on the project control survey system.
2. The boundary monuments shown on this plat have been field checked for location. The standard
deviation for the monument position is 0.10 feet.
3. The state plane coordinates shown on one monument are based on ties to national control monuments.
4. Certificates of Location have been filed at the County Recorder's Office and/or the County Surveyor's
Office for the section corner monuments shown on this plat.
5. For details of this survey contact the Surveying and Mapping Section of the Minnesota Department of
Transportation.

MANKATO

Name of District

RIGHT OF WAY IN SECTION 7						
PARCEL	OWNER	LOCATION	OWNER'S CERTIFICATE NO.	NEW T.W. R/W FEET	TEMPORARY EASEMENT FEET	PERMANENT R/W INTEREST
20	CHARLES H. DALIK	SW 1/2 SE 1/4		9.48	4.12	12-1-99 FEE
20A	JAMES H. DALIK	SW 1/4 SE 1/4		1.56	0.11	12-1-99 FEE
RIGHT OF WAY IN SECTION 8						
21	JEROME WESTPHAL	SW 1/4 SW 1/4		0.53	0.03	12-1-99 FEE
RIGHT OF WAY IN FIRST REARRANGEMENT OF LOTS 1 AND 4, BLOCK ONE, LOHR AND SAIKI SUBDIVISION						
23	MICRO-TRAK SYSTEMS, INC.	LOT 1, BLK. ONE	17840		1400	12-1-99
24	CONNORS & LOHR CO. EMPLOYEES RETIREMENT PROFIT SHARING TRUST	LOTS 1&2, BLK. TWO LOT 6, BLK. FOUR LOT 1, BLK. FIVE OUTLOTS A & B	13275	816562	16942	12-1-99 FEE
RIGHT OF WAY IN SECTION 18						
25	ROBERT W. WINKLER	NW 1/4 NE 1/4		8.43	1.05	12-1-99 FEE
200	DAKOTA, MINNESOTA & EASTERN RAILROAD CORP.	SW 1/2 NE 1/4 SE 1/4 NE 1/4		0.33	0.09	12-1-99 EASE.
RIGHT OF WAY IN SECTION 17						
26	WENDELL J. FUCHS	W 1/2 NW 1/4		13.08	2.69	12-1-99 FEE

NOTE: TEMPORARY EASEMENTS IN PUBLIC ROADS WILL EXPIRE ON 12-01-1999.

CONVENTIONAL SYMBOLS

Section Line _____ Building Removal Easement _____ R/W Parcel Number _____
Quarter Line _____ Access Control _____
Sixteenth Line _____ Access Opening _____
Property Line _____ Cost Iron Monument or 2"x2" D.O.T. Iron Pin with _____
R/W Boundary _____ Aluminum Cap _____
Existing D.O.T. _____ 3/4" D.O.T. Iron Pin _____
And Other Road R/W _____ Other Iron Monument _____
Private Easement _____ Concrete or Stone Monument _____
Temporary Easement _____ R/W Boundary Corner _____

DISTANCES SHOWN TO FEET 1/64, 0 ETC. 1 ARE EXTRINSIC VALUES.

PLAT NO. 07-46
S.P. 070211471904

DOC. NO. 349CR307

OFFICE OF COUNTY RECORDER

BLUE EARTH COUNTY, MINN.

I HEREBY CERTIFY THAT THIS PLAT

HAS BEEN FILED IN THIS OFFICE

BOOK _____ PAGE _____

COUNTY RECORDER

