

RESOLUTION 13-20

IN THE MATTER OF THE ORDERLY ANNEXATION BETWEEN THE CITY OF LESTER PRAIRIE AND BERGEN TOWNSHIP PURSUANT TO MINNESOTA STATUTES § 414.0325

WHEREAS, a request from all of the property owners of the area proposed for designation and immediate annexation was received; and

WHEREAS, the City of Lester Prairie and Township jointly agree to designate and request the immediate annexation of the following described land located within Bergen Township to the City of Lester Prairie, County of McLeod, Minnesota;

Beginning at a point on the West line of the Northwest Quarter of the Southwest Quarter of Section 1, Township 116 North, Range 27 West, McLeod County, Minnesota, 83 feet South of the northwest corner thereof, and running thence South, along said West line, 295.2 feet to a point; thence East, perpendicular to said West line, 295.2 feet; thence North parallel to the said West line of said Northwest Quarter of the Southwest Quarter, 295.2 feet; thence West 295.2 feet to the point of beginning.

and

WHEREAS, the City of Lester Prairie and Bergen 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 Lester Prairie and Bergen Township may agree on a process of orderly annexation of a designated area; and

WHEREAS, the City of Lester Prairie and Bergen 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 Lester Prairie and the Township Board of Bergen 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:

2. **Acreage/Population/Usage.** That the orderly annexation area consists of approximately 1.98 acres, the population in the area is zero (0), and the land use type is Commercial.

3. **Jurisdiction.** That Bergen Township and the City of Lester Prairie, 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.**

There is no reimbursement to Bergen Township since the property is tax exempt and does not generate taxes.

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 no special assessments.

5. **Review and Comment.** The City of Lester Prairie and Bergen 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.

6. **Other Terms of Resolution**

Adopted by affirmative vote of all the members of the Bergen Township Board of Supervisors this 13 day of February 2020

BERGEN TOWNSHIP

ATTEST:

By: Ryan V. He 2-13-2020
Chairperson
Board of Supervisor

By: Tiffany Eggen
Township Clerk

Adopted by affirmative vote of the City Council of Lester Prairie this 13 day of February, 2020.

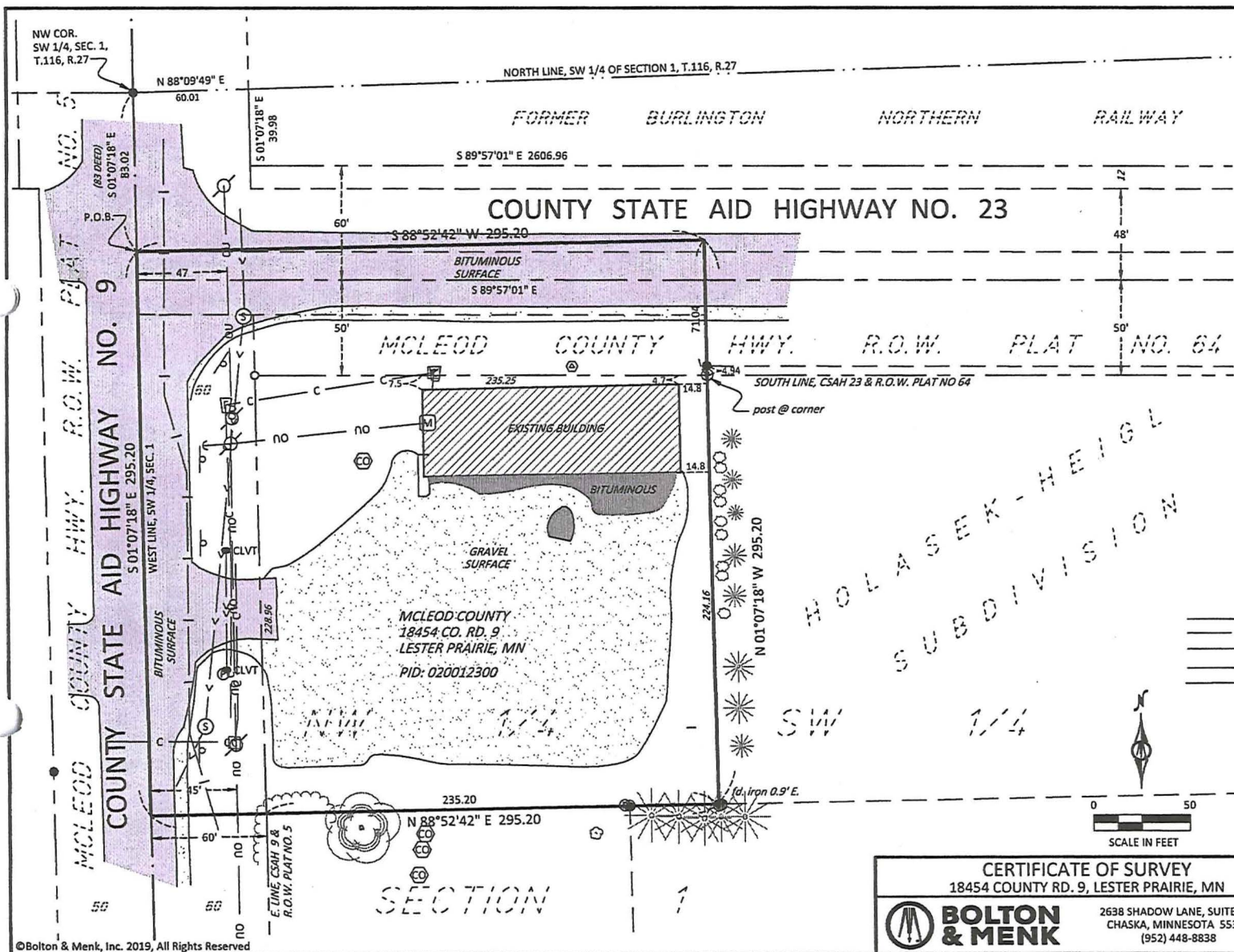
CITY OF LESTER PRAIRIE

ATTEST:

By: [Signature]
Mayor

By: Marilyn A. Powell
City Clerk-Treasurer

Approved this 10th day of March 2020



PROPERTY DESCRIPTION:

Beginning at a point 83 feet South of the Northwest Corner of the Southwest Quarter of Section 1, Township 116 North, Range 27 West, and running thence South 295.2 feet; thence East 295.2 feet; thence North 295.2 feet; thence West 295.2 feet to the point of beginning, containing approximately 2 acres more or less according to the U.S. Government survey thereof.

NOTES:

1. This Survey was performed based on information provided in Ownership & Encumbrance report (#A19423) by McLeod County Abstract & Title Services, LLC, Hutchinson, MN, dated October 10, 2019.
2. An easement for electrical transmission in favor of Northern States Power Co. (subsequently assigned to Xcel Energy) exists over the westerly portion of the subject property per Document No. 78555. The location & width of said easement is undefined.
3. The subject property description is per Warranty Deed Doc. No. 116063, dated October 13, 1954, McLeod County records.
4. The property is subject to the rights of the public over the northerly & westerly portions thereof as occupied by C.S.A.H. NO. 23 and C.S.A.H. 9, respectively.
5. Utilities are shown in an approximate way based on markings by Gopher State One Call ticket No. 192873778 and record information.

LEGEND

- 1/2" IRON PIPE MONUMENT SET MARKED BY LIC. NO. 43810
- MONUMENT FOUND
- CLEAN OUT
- TRAFFIC SIGN
- UTILITY POLE
- WATER VALVE
- POST
- SANITARY MANHOLE
- C — COMMUNICATION UNDERGROUND
- OU — OVERHEAD UTILITY
- I — WATER SYSTEM
- >> — STORM SEWER
- > — SANITARY SEWER

SURVEYOR'S CERTIFICATION

I hereby certify that this survey, plan, 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.

Edward J. Rocchi III
License Number 43810

10/25/2019
Date

