

**RESOLUTION NO. 2020-\_\_**

IN THE MATTER OF THE JOINT RESOLUTION  
OF THE CITY OF ELROSA AND TOWNSHIP OF  
LAKE GEORGE DESIGNATING AND  
UNINCORPORATED AREA AS IN NEED OF  
ORDERLY ANNEXATION AND CONFERRING  
JURISDICTION OVER SAID AREA TO THE  
MINNESOTA PLANNING OFFICE OF  
STRATEGIC AND LONG-RANGE PLANNING  
PURSUANT TO MINNESOTA  
STATUTE 414.0325

**JOINT RESOLUTION  
FOR  
ORDERLY ANNEXATION**

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This joint resolution is adopted by the City of Elrosa, a municipal corporation, hereinafter referred to as "City," and the Township of Lake George, hereinafter referred to as "Township."

WHEREAS, Minnesota Statute 414.0325 provides a procedure whereby a cities and townships may by joint resolution designate an unincorporated area in need of orderly annexation; and

WHEREAS, the City and Township have received from Sarah Kane Holdings, LLC, KLS, Inc., and CHS, Inc., petitions requesting that there property be included in a joint orderly annexation resolution; and

WHEREAS, Sarah Kane Holdings, LLC, KLS, Inc., and CHS, Inc. are the sole owners of record of the subject property; and

WHEREAS, the City and Township have reviewed the petition and the real estate described therein, which real estate is located in the Township of Lake George, County of Stearns and described as follows:

See Exhibit A attached hereto and made a part hereof; and

WHEREAS, the City and Township agree that the above-described real estate is in need of orderly annexation; and

WHEREAS, the parties to this joint resolution wish to establish conditions and a process for the orderly annexation of said real estate; and

WHEREAS, the City and Township believe that the annexation of the above-described real estate will be in the best interest of the City, Township and the affected property owners.

NOW, THEREFORE, the City Council of the City of Elrosa and the Board of Supervisors of the Township of Lake George, having duly considered the terms and conditions of this joint resolution after regular meetings, do hereby agree as follows:

1. The lands above designated shall be annexed to the City of Elrosa pursuant to the terms and conditions outlined in this joint resolution, and said real estate shall constitute the “orderly annexation area” otherwise described in this joint resolution.
2. The parties agree that the reasons for this designation are as follows:
  - a. The above-described area is urban or suburban in character.
  - b. The land abuts the corporate limits of the City of Elrosa.
  - c. The City of Elrosa is capable of providing needed services to the area which will protect the public health, safety and welfare of the area.
  - d. Both parties to the resolution believe that the annexation will be in the best interest of the subject area and that the Township will not suffer any undue hardship as a result of this annexation.
3. Pursuant to Minnesota Statutes, Section 414.0325, the City and Township agree that no alteration of the boundaries stated herein is appropriate, that all conditions for annexation of the area legally described herein are contained in this Joint Resolution, and that no consideration by Minnesota Planning is necessary. Upon the execution and filing of this Joint Resolution, Minnesota Planning may review and comment thereon, but shall, within 30 days of receipt of this Joint Resolution, order the annexation of the area legally described herein in accordance with the terms and conditions contained in this Joint Resolution.
4. The City of Elrosa shall compensate Lake George Township the amount of \$5,1648.45 which amount shall be spread out of a period of five (5) annual payments. The first payment shall be made within thirty (30) days after the City receives its 2021 property tax payment from Stearns County. A schedule of the annual payments are as follows:


2021	\$1,329.03
2022	\$1,181.36
2023	\$1,033.69
2024	\$886.02
2025	\$738.35

TOTAL	\$5,168.45
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5. That a copy of this Joint Resolution as well as the Order of the Minnesota Planning Office of Strategic and Long-Range Planning, shall be filed with the Township, the City, the Stearns County Auditor, the Minnesota Secretary of State, and shall be effective when approved by the Minnesota Planning Office of Strategic and Long-Range Planning pursuant to Minnesota Statute 414.0325.
6. That following the adoption of this resolution and upon securing an approval order from the Minnesota Planning Office and Strategic and Long-Range Planning, the subdivision regulations and zoning ordinances of the City of Elrosa shall extend to and cover the annexed area. Further, the City of Elrosa does hereby direct that the zoning map of the City of Elrosa described in its zoning and subdivision ordinance be amended to include the property herein described.
7. The parties to this agreement have not published notice of intent of orderly annexation pursuant to Subdivision 1b of Minnesota Statute 414.0325, since the record owners said property have petitioned for immediate annexation.
8. This Joint Resolution shall be effective upon execution of both parties, and a copy of this Joint Resolution shall be filed with the Minnesota Planning Municipal Boundary Adjustments Office by the Elrosa City Clerk.

Passed and adopted by the City Council of Elrosa this 20<sup>th</sup> day of July, 2020.

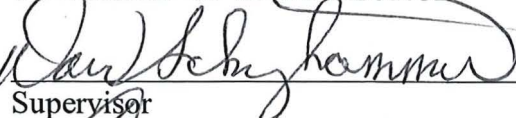
CITY OF ELROSA

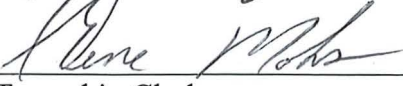
  
John Wander, Its Mayor

  
Brenda Deters, Its City Clerk

Passed and adopted by the Board of Supervisors of the Township of Lake George this 13<sup>th</sup> day of July, 2020.

TOWNSHIP OF LAKE GEORGE

  
Supervisor

  
Township Clerk

INSTRUMENT DRAFTED BY:

Thomas J. Mayer, #69139  
Attorney at Law  
421 Sinclair Lewis Avenue  
PO Box 226  
Sauk Centre, MN 56378  
Phone: 320/352-6503

That part of the Northwest Quarter of Section 10, Township 124 North, Range 34 West, Stearns County, Minnesota, described as follows:

Commencing at the west quarter corner of said Section 10;

thence North 00 degrees 00 minutes 00 seconds East, assuming the west line of said Northwest Quarter bears North 00 degrees 09 minutes 32 seconds East, along the center line of Trunk Highway No. 71, a distance of 383.18 feet to the intersection with the southwesterly extension of the northwesterly right-of-way line of Lake Wobegon Trail (formerly the Soo Line Railroad);

thence North 55 degrees 35 minutes 25 seconds East, along said southwesterly extension, 90.91 feet to a point on the easterly right-of-way line of said Trunk Highway No. 71, said point being the point of beginning of the land to be described;

thence North 00 degrees 00 minutes 00 seconds East, along said easterly right-of-way line, 1247.00 feet;

thence North 90 degrees 00 minutes 00 seconds East 635.00 feet;

thence South 00 degrees 00 minutes 00 seconds West 812.05 feet to aforesaid northwesterly right-of-way line of Lake Wobegon Trail;

thence South 55 degrees 35 minutes 25 seconds West, along said northwesterly right-of-way line of Lake Wobegon Trail, 769.68 feet to the point of beginning.

AND

Lot 1, Block One, CENEX ADDITION, according to the recorded plat thereof.

AND

That part of the Northwest Quarter of Section 10, Township 124 North, Range 34 West, Stearns County, Minnesota, described as follows:

Beginning at the southeast corner of CENEX ADDITION, according to the recorded plat thereof;

thence North 00 degrees 06 minutes 57 seconds East, assumed bearing along the east line of said CENEX ADDITION, 430.00 feet to the northeast corner of said CENEX ADDITION;

thence North 89 degrees 53 minutes 03 seconds West, along the north line of said CENEX ADDITION, 705.10 feet to the northwest corner of said CENEX ADDITION;

thence North 00 degrees 09 minutes 32 seconds East, along the west line of said Northwest Quarter, a distance of 489.06 feet to the northwest corner of said Section 10;

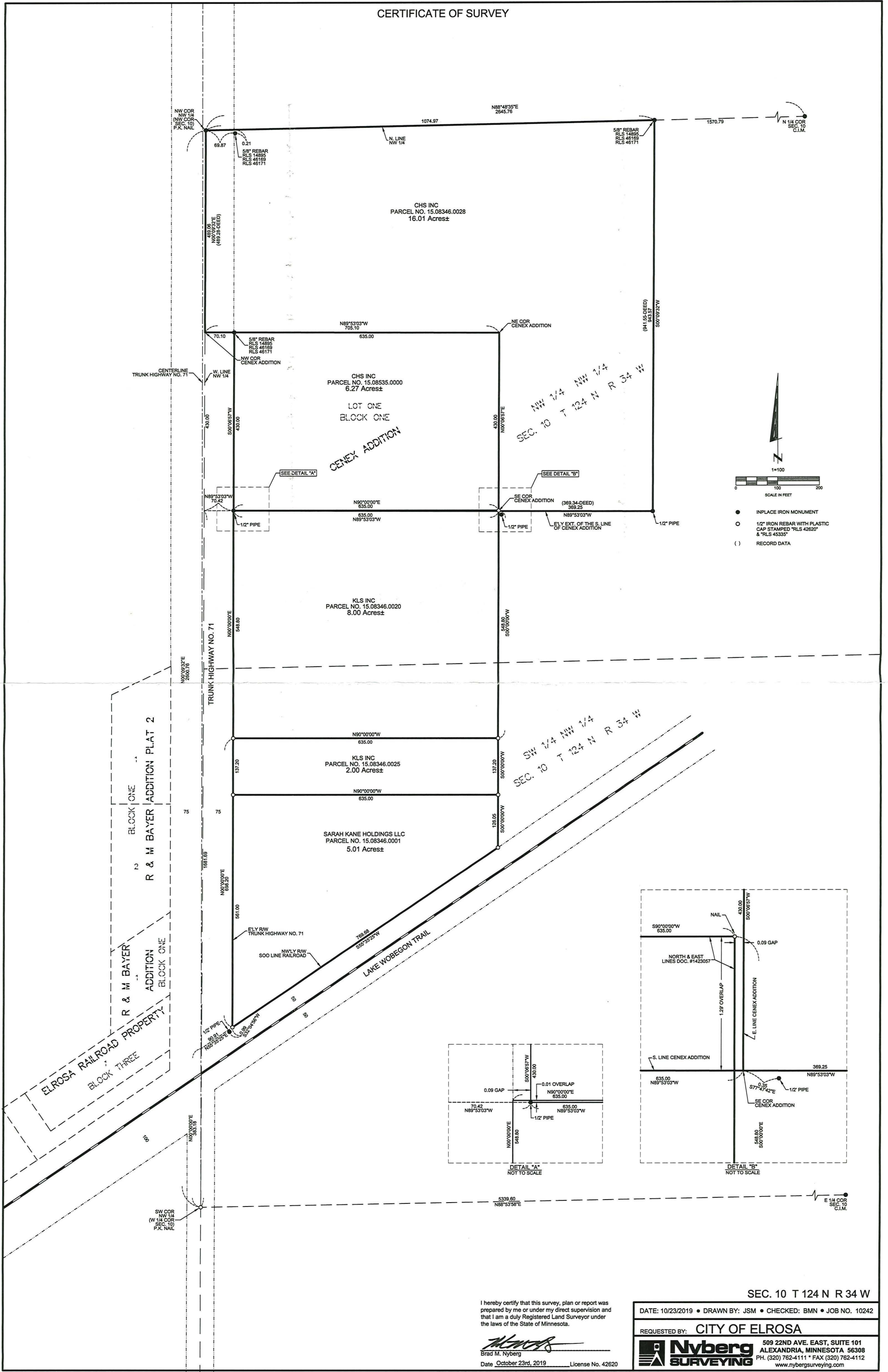
thence North 88 degrees 48 minutes 35 seconds East, along the north line of said Northwest Quarter, a distance of 1074.97 feet;

thence South 00 degrees 09 minutes 32 seconds West, parallel with aforesaid west line of the Northwest Quarter, a distance of 943.57 feet to the easterly extension of the south line of said CENEX ADDITION;

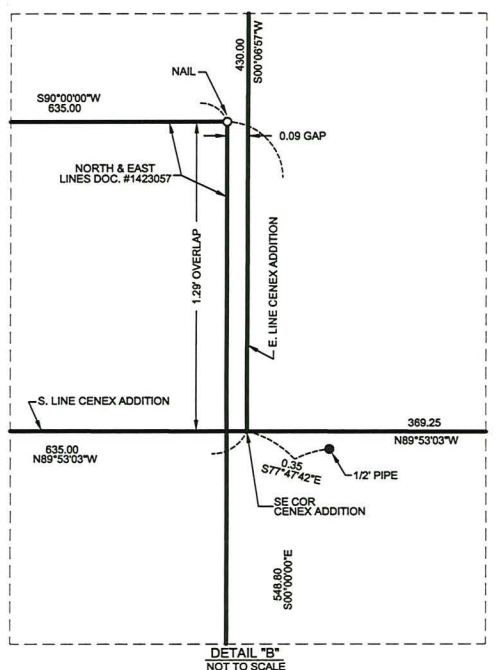
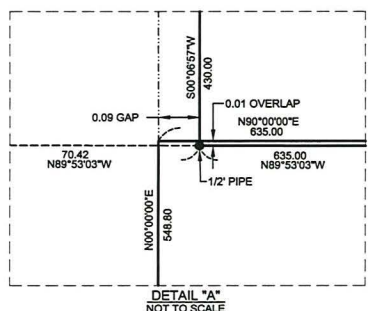
thence North 89 degrees 53 minutes 03 seconds West, along said easterly extension, 369.26 feet to the point of beginning.

The tract contains 16.01 acres more or less, subject to an existing public roadway easement over the westerly portion thereof (Trunk Highway No. 71).

CERTIFICATE OF SURVEY



- INPLACE IRON MONUMENT
- 1/2\" IRON REBAR WITH PLASTIC CAP STAMPED \"RLS 42620\" & \"RLS 45335\"
- ( ) RECORD DATA



I hereby certify that this survey, plan or report 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.

*Brad M. Nyberg*  
Brad M. Nyberg  
Date October 23rd, 2019 License No. 42620

SEC. 10 T 124 N R 34 W

DATE: 10/23/2019 • DRAWN BY: JSM • CHECKED: BMN • JOB NO. 10242

REQUESTED BY: **CITY OF ELROSA**

**Nyberg SURVEYING** 509 22ND AVE. EAST, SUITE 101  
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www.nybergsurveying.com