

**20-06-04**

IN THE MATTER OF THE JOINT RESOLUTION  
OF THE CITY OF CHISAGO CITY AND CHISAGO  
TOWNSHIP DESIGNATING CERTAIN AREAS  
AS IN NEED OF ORDERLY ANNEXATION  
PURSUANT TO MINNESOTA STATUTES § 414.0325

**JOINT RESOLUTION FOR  
ORDERLY ANNEXATION**

WHEREAS, for the property owned by Tyler & Laura Chester located within Chisago Lakes Township (the "Township") and legally described herein has approached and petitioned the City of Chisago City (the "City") requesting annexation to the City; and

WHEREAS, the property owner's property legally described herein maybe in need of municipal sewer services only available from the City; and

WHEREAS, the Township and City have agreed to work cooperatively to accomplish the orderly annexation of the areas legally described herein; and

WHEREAS, the City has available capacity to provide services to the above-mentioned property following annexation; and

WHEREAS, the City and Township agree that the property legally described herein is urban or suburban or about to become so and that orderly annexation of the described property would in the best interest of the property owners and would benefit the public health, safety, and welfare of the community; and

WHEREAS, the City and Township agree that the property legally described herein is designated as in need of immediate orderly annexation; and

WHEREAS, the City and Township desire to accomplish the immediate orderly annexation of the property legally described herein without the need for a hearing.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of Supervisors of Chisago Township and the City Council of the City of Chisago City, as follows:

1. Designation of Orderly Annexation Area – City of Chisago City and Chisago Township. The Township and the City hereby designate the area legally described in Exhibit A, attached hereto and incorporated herein by reference, for immediate orderly annexation pursuant to Minnesota Statutes, Section 414.0325.
2. Acreage. The Township and City agree that the Subject Area described in Exhibit A and designated as in need of immediate orderly annexation is approximately 1.73 acres. Upon annexation the land will be zoned to R-2, single family residential.
3. Map of Area. A boundary map showing the Subject Area legally described in Exhibit A is attached hereto as Exhibit B and incorporated herein by reference.

4. No Hearing Required. Pursuant to Minnesota Statutes, Section 414.0325, the Township and City agree that no alteration of the boundaries stated herein is appropriate, that all conditions for annexation of the Subject Area legally described in Exhibit A are contained in this Joint Resolution, and that no consideration by the Minnesota Office of Administrative Hearings is necessary. Upon the execution and filing of this Joint Resolution, the Minnesota Office of Administrative Hearings may review and comment thereon, but shall, within 30 days of receipt of this Joint Resolution, order the annexation of the Subject Area legally described in Exhibit A in accordance with the terms and conditions contained in this Joint Resolution.
5. Tax Reimbursement. The City and Township agree that upon annexation of the Subject Area legally described in Exhibit A. That the annexation of the Property will not result in any change of electrical service and that differential taxation under Minnesota Statute 414.035 is not required, and that reimbursement under Minnesota Statute 414.036 will be provide as specified in the table attached hereto as Exhibit C.
6. Filing. The Township and City agree that upon adoption and execution of this Joint Resolution, the City shall file the same with the Minnesota Office of Administrative Hearings Municipal Boundary Adjustments Office and petitioner pay the required filing fee.
7. Governing Law. The Township and City agree that this Joint Resolution is made pursuant to and shall be construed in accordance with the laws of the State of Minnesota.
8. Headings and Captions. The Township and City agree that the headings and captions contained in this Joint Resolution are for convenience only and are not intended to alter any of the provisions of this Joint Resolution.
9. Entire Agreement. The Township and City agree that the terms, covenants, conditions and provisions of this Joint Resolution shall constitute the entire agreement between the parties hereto, superseding all prior agreements and negotiations.
10. Legal Description and Mapping. The Township and City agree that in the event there are errors, omissions or any other problems with the legal description provided in Exhibit A or mapping provided in Exhibit B, in the judgment of the Minnesota Office of Administrative Hearings, the City and Township agree to make such corrections and file any additional documentation, including a new Exhibit A or Exhibit B making the corrections requested or required by the Minnesota Office of Administrative Hearings as necessary to make effective the annexation of said area in accordance with the terms of this Joint Resolution.

Passed, adopted, and approved by the Town Board of Supervisors of Chisago Township, Chisago County, Minnesota, this 21<sup>st</sup> day of July, 2020.

CHISAGO TOWNSHIP

By: Sherry Stirling  
Sherry Stirling, Chair

ATTEST:

Jeanette Peterson  
Jeanette Peterson, Town Clerk

Passed, adopted, and approved by the City Council of the City of Chisago City, Chisago County, Minnesota, this 23 day of June, 2020.

CITY OF CHISAGO

By: Bob Gustafson  
Bob Gustafson, Mayor

ATTEST:

John Pechman  
John Pechman, City Administrator

**EXHIBIT A**

The Subject Area to be annexed in the attached Joint Resolution is legally described as follows:

PID #02.01174.00

SECTION 18, TOWNSHIP 033 RANGE 020

PART OF LOT SIXTY-SEVEN (67) OF CHISAGO VILLAS, ACCORDING TO THE PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE COUNTY RECORDER IN AND FOR CHISAGO COUNTY, MINNESOTA, DESCRIBED AS FOLLOWS, TO-WIT; THAT PART OF THE EAST 710 FEET OF SAID LOT 67 LYING SOUTH OF A LINE DESCRIBED AS BEING 159 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF SAID LOT 67.

TOGETHER WITH AN EXCLUSIVE PERPETUAL PEDESTRAIN WALKWAY EASEMENT TO PROVIDE ACCESS TO GREEN LAKE, OVER AND ACROSS THE SOUTH 6 FEET OF THE NORTH 165 FEET OF SAID LOT 67 EXCEPT THE EAST 710 FEET THEREOF. SAID EASEMENT SHALL INCLUDE THE RIGHT TO CONSTRUCT A STAIRWAY TO THE LAKE UPON THE BLUFF ON THE WESTERLY PORTION OF THE EASEMENT PROPERTY AND THE RIGHT TO MAINTAIN A DOCK UPON SAID 6-FOOT WALKWAY EASEMENT.

SUBJECT TO AN EXCLUSIVE ROADWAY AND UTILITY EASEMENT OVER, ACROSS AND UNDER THE SOUTH 33 FOOT THEREOF.

Subject to and together with any valid easements, restrictions, and reservations.

## **EXHIBIT B**

The municipal boundary map referenced in the attached Joint Resolution, showing the current City of Chisago City and its relation to the Subject Area to be annexed legally described in Exhibit A, is attached hereto.

02.01174.00





27520 KIRBY AVENUE

0 45 90 180 ft

Date: 6/22/2020  
Time: 2:58:12 PM

These data are provided on as "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

Green Lake

13.00475.13

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## **EXHIBIT C**

### **Tax Reimbursement pursuant to M.S. 414.036**

Pursuant to the requirement of Minnesota Statute 414.036, the City shall provide a reimbursement to the township to compensate the township for the loss of four years of taxable property, as follows:

\$ 345.30 x 4 years, for a total of \$1,381.12

Payment will be made annually in accordance with following schedule:

- (1) On December 1, 2021, an amount equal to \$ 345.30
- (2) On December 1, 2022, an amount equal to \$ 345.30
- (3) On December 1, 2023, an amount equal to \$ 345.30
- (4) On December 1, 2024, an amount equal to \$ 345.30