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By: OAH on November 20, 2020

20- 11-07

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 Steven & Christine Bratrud 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 4.7 acres and 5.2 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 17th day of November, 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 18 day of November, 2020.

CITY OF CHISAGO

By: Bob Gustafson
Bob Gustafson, Mayor

ATTEST:

John Pechman
John Pechman, City Administrator

EXHIBIT A

Parcel B

That part of Government Lot 1, Section 30, Township 34 North, Range 20 West, Chisago County, Minnesota, lying southwesterly of the center line of Stacy Trail (also known as County State Aid Highway No. 19) and lying northwesterly of the following described line:

Commencing at the south quarter corner of Section 30; thence North 0 degrees 30 minutes 27 seconds East, assumed bearing along the north-south quarter line of Section 30, a distance of 1015.16 feet to the point of beginning of the line to be described; thence South 60 degrees 33 minutes 34 seconds West, to the shore line of Mattson Lake and said line there terminating.

Parcel C

That part of Government Lot 1 of Section 30, Township 34 North, Range 20 West, Chisago County, Minnesota, lying southwesterly of the center line of Stacy Trail (also known as County State Aid Highway No. 19) and lying southeasterly of the following described line:

Commencing at the south quarter corner of Section 30; thence North 0 degrees 30 minutes 27 seconds East, assumed bearing along the north-south quarter line of Section 30, a distance of 1015.16 feet to the point of beginning of the line to be described; thence South 60 degrees 33 minutes 34 seconds West, to the shore line of Mattson Lake and said line there terminating.

AND

That part of the Southwest Quarter of the Southeast Quarter of Section 30, Township 34 North, Range 20 West, Chisago County, Minnesota, lying southwesterly of the center line of Stacy Trail (also known as County State Aid Highway No. 19).

EXHIBIT B

Subject Area to be annexed legally described in Exhibit A, is attached hereto.



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:

$\$791.09 \times 4 \text{ years}$, for a total of 3,164.36

Payment will be made annually in accordance with following schedule:

- (1) On December 1, 2021, an amount equal to 791.09
- (2) On December 1, 2022, an amount equal to 791.09
- (3) On December 1, 2023, an amount equal to 791.09
- (4) On December 1, 2024, an amount equal to 791.09

DESCRIPTION SKETCH FOR STEVEN BRATRUD

PART OF SECTION 30, TOWNSHIP 34, RANGE 20, CHISAGO COUNTY, MINNESOTA

Existing Description of Parcel B (PID #02.00831.10):

That part of Government Lot 1, Section 30, Township 34 North, Range 20 West, Chisago County, Minnesota, lying southwesterly of the center line of Stacy Trail (also known as County State Aid Highway No. 19) and lying northwesterly of the following described line:

Commencing at the south quarter corner of Section 30; thence North 0 degrees 30 minutes 27 seconds East, assumed bearing along the north-south quarter line of Section 30, a distance of 1015.16 feet to the point of beginning of the line to be described; thence South 60 degrees 33 minutes 34 seconds West, to the shore line of Mattson Lake and said line there terminating.

Description for Parcel C:

That part of Government Lot 1 of Section 30, Township 34 North, Range 20 West, Chisago County, Minnesota, lying southwesterly of the center line of Stacy Trail (also known as County State Aid Highway No. 19) and lying southeasterly of the following described line:

Commencing at the south quarter corner of Section 30; thence North 0 degrees 30 minutes 27 seconds East, assumed bearing along the north-south quarter line of Section 30, a distance of 1015.16 feet to the point of beginning of the line to be described; thence South 60 degrees 33 minutes 34 seconds West, to the shore line of Mattson Lake and said line there terminating.

AND

That part of the Southwest Quarter of the Southeast Quarter of Section 30, Township 34 North, Range 20 West, Chisago County, Minnesota, lying southwesterly of the center line of Stacy Trail (also known as County State Aid Highway No. 19).

Combined Description of Parcels B and C:

That part of Government Lot 1 of Section 30, Township 34 North, Range 20 West, Chisago County, Minnesota, lying southwesterly of the center line of Stacy Trail (also known as County State Aid Highway No. 19).

AND

That part of the Southwest Quarter of the Southeast Quarter of Section 30, Township 34 North, Range 20 West, Chisago County, Minnesota, lying southwesterly of the center line of Stacy Trail (also known as County State Aid Highway No. 19).

Proposed Remainder Description:

That part of Government Lot 1 of Section 30, Township 34, Range 20, Chisago County, Minnesota, lying northeasterly of the center line of Stacy Trail (also known as County State Aid Highway No. 19).

AND

That part of the Southwest Quarter of the Southeast Quarter of Section 30, Township 34, Range 20, Chisago County, Minnesota, lying westerly of the following described "Line A".

Description of "Line A"

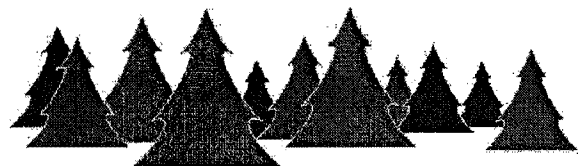
Commencing at the South Quarter corner of said Section 30; thence North 87 degrees 42 minutes 09 seconds East, assumed bearing (and basis of bearing for this description) along the south line of said Southwest Quarter of the Southeast Quarter, a distance of 440 feet; thence South 12 degrees 45 minutes 22 seconds West 81.07 feet, more or less, to the northerly right-of-way line of Stacy Trail (also known as County State Aid Highway No. 19) and the point of beginning of "Line A" to be described; thence North 12 degrees 45 minutes 22 seconds East a distance of 730.00 feet; thence north parallel with the east line of said Southwest Quarter of the Southeast Quarter a distance of 745.63 feet to the north line of said Southwest Quarter of the Southeast Quarter, and said "Line A" there terminating.

EXCEPT That part of said Southwest Quarter of the Southeast Quarter described as follows:

Commencing at the south quarter corner of said Section 30; thence North 87 degrees 42 minutes 09 seconds East, assumed bearing (and basis of bearing for this description) along the south line of said Southwest Quarter of the Southeast Quarter, a distance of 440.00 feet to the point of beginning of the property to be described; thence returning South 87 degrees 42 minutes 09 seconds West, along said south line 350.00 feet; thence North 14 degrees 35 minutes 39 seconds East a distance of 690.00 feet; thence South 75 degrees 24 minutes 21 seconds East, to a line that bears North 12 degrees 45 minutes 22 seconds East from the point of beginning; thence South 12 degrees 45 minutes 22 seconds West, along said line, to the point of beginning.

Notes to Sketch:

1. For the purposes of this sketch, existing easements of record were not researched.
2. This sketch is for description purposes only. It is understood and agreed that no property corners have been marked in the field in connection with this sketch. Acreages shown along the lakeshore are taken from an aerial photo and are approximate only.




Kroschel Land Surveyors, Inc.

1639 Main Street North, Suite 6, Pine City, MN 55063
Phone: 320-629-3267 tyler@kroschelsurvey.com

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.

Dated this 29TH day of SEPTEMBER, 2020

By: 
Tyler J. Kroschel, Land Surveyor
Minnesota License No. 44490

DESCRIPTION SKETCH FOR STEVEN BRATRUD

⊙ DENOTES RECORDED CHISAGO COUNTY MONUMENT

[illegible]

1639 Main Street North, Suite 6, Pine City, MN 55063
Phone: 320-629-3267 tyler@kroschelsurvey.com

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.

Dated this 29TH day of SEPTEMBER, 2020

By: Tyler J. Kroschel, Land Surveyor
Minnesota License No. 44490