

**CITY OF FOLEY
COUNTY OF BENTON
STATE OF MINNESOTA**

RESOLUTION #2021-26

**A RESOLUTION APPROVING ANNEXATION OF LAND LOCATED IN GILMANTON
TOWNSHIP, BENTON COUNTY PER ORDERLY ANNEXATION AGREEMENT**

WHEREAS, Minnesota Statutes § 414.0325 provides a procedure for Gilmanton Township and the City of Foley to agree on a process of orderly annexation of a designated area;

WHEREAS, Gilmanton Township and the City of Foley jointly have an orderly annexation agreement which was adopted on March 19, 2021 and filed with the state;

WHEREAS, the property owners of the legally described property in **Exhibit A** and shown in map of **Exhibit B** submitted a request for annexation along with a plat application on July 16, 2021;

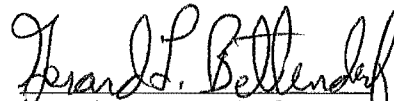
WHEREAS, the City of Foley served written notice to Gilmanton Township of the requested annexation on July 28, 2021 and no comments were received back from Gilmanton Township;

WHEREAS, the annexation request meets the terms identified in the orderly annexation agreement;

NOW, THEREFORE BE IT RESOLVED, the City of Foley hereby approves this annexation and directs staff to file the change with the state;

BE IT FURTHER RESOLVED, the City of Foley will issue the tax reimbursement to Gilmanton Township per the conditions of the orderly annexation agreement.

Adopted by City Council for the City of Foley this 7th day of December, 2021.


Gerard L. Bettendorf, Mayor

ATTEST:


Sarah A. Brunn, City Administrator

EXHIBIT A

(Legal Description of Property to be Annexed)

Lots 1 and 2, Block 1, Triple E Secure Storage, Benton County, Minnesota

Areas:
 Plat=7.48%- Ac.
 Lot 1=4.37%- Ac.
 Lot 2=2.23%- Ac.
 ROW=0.88%- Ac.

That part of the Southeast Quarter of the Northwest Quarter of Section 35, Township 37, Range 29, Benton County, Minnesota, described as follows:
Commencing at the Northeast Corner of said Southeast Quarter of the Northwest Quarter of said Section 35; thence South 00 degrees 39 minutes 46 seconds West, assumed bearing, along the East line of said Southeast Quarter of the Northwest Quarter for 33.00 feet; thence South 89 degrees 59 minutes 47 seconds East for 39.00 feet to the Northeast Corner of said Southeast Quarter of the Northwest Quarter; thence South 89 degrees 59 minutes 47 seconds East, along the East line of said Southeast Quarter of the Northwest Quarter for 701.94 feet to a point distant 4719 feet east of the west line of said Southeast Quarter of the Northwest Quarter; thence South 45 degrees 00 minutes 00 seconds West for 32.00 feet; thence South 00 degrees 45 minutes 00 seconds East for 450.00 feet; thence North 90 degrees 00 minutes 00 seconds East for 403.21 feet; thence North 80 degrees 41 minutes 50 seconds East for 326.76 feet to a point on the southwesterly right of way line of Trunk Highway No. 25 according to State Project No. 0507, File No. 13-64; thence North 27 degrees 11 minutes 47 seconds West along said southwesterly right of way line for 193.74 feet to the point of intersection with a line drawn parallel with the North line of the Northwest Quarter from a point on said East line of said Southeast Quarter of the Northwest Quarter to the Northeast corner of the Southeast Quarter of the Northwest Quarter; thence North 89 degrees 59 minutes 47 seconds East parallel with said North line of the Southeast Quarter of the Northwest Quarter for 90.45 feet to a point distant 34 rods west of said east line of the Southeast Quarter of the Northwest Quarter; thence North 00 degrees 39 minutes 46 seconds East parallel with said east line of the Southeast Quarter of the Northwest Quarter for 247.50 feet to the point of Beginning.

In witness whereof said Triple E Secure Storage LLC, a Minnesota limited liability company, has caused these presents to be signed by its proper officer this 6 day of December, 2021.

Brett Ogg, Chief Manager

COUNTY OF Benton

(Signature) _____

Notary Public, Benton County, Minnesota

Monica I. Shari
(Printed Name)

My Commission Expires 1/31/2022

I, Craig A. Wenzmann do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Craig A. Wernmann
Craig A. Wernmann, Licensed Land Surveyor
Minnesota License No. 47466

COUNTY OF Sherburne

This instrument was acknowledged before me this 30 day of November, 2021 by Craig A. Wensmann

Notary Public, Sherburne County, Minnesota

Missie T.
(Printed Name)

My Commission Expires Jan 31, 2023

We do hereby certify that on the 2nd day of November, 2021, the Gilman Township/City of Foley Joint Planning Board, Benton County, Minnesota approved this plat.

Larry Green
Chairperson

Sarah Bunn
Attest:

I hereby certify that in accordance with Minnesota Statutes, Section 505.021, Subd. 11, this plat has been reviewed and approved this 24th day of December 2021.

Jerome C Wittstock
Jerome C. Wittstock, Benton County Surveyor

Pursuant to Minnesota Statutes, Section 505.021, Subd. 9, taxes payable in the year 2021 on the land hereinbefore described have been paid. Also, pursuant to Minnesota Statutes, Section 272.12, there are no delinquent taxes and transfer entered this fourth day of December, 2021.

Nadean Inm
Benton County Auditor/Treasurer

By _____
Deputy

I hereby certify that this plat of TRIPLE E SECURE STORAGE was filed in the office of the Benton County Recorder for public record on this 16th day of December 2021 at 2:23 o'clock P.M. and was duly recorded as Document No. 457454.

Cheryl Kanto
Benton County Recorder

VICINITY MAP
Sec. 35, Twp. 37, Rng. 2
Benton County, MN

- Denotes found cast iron monument
- Denotes ½ inch iron pipe LS 47466, unless otherwise noted
- Denotes found masonry nail
- Denotes ½ inch x 14 inch iron pipe monument with a plastic plug stamped R.L.S. 47466 to be set within one year of platting date
- 10918 Denotes Sidney P. Williamson, LS
- 47466 Denotes Craig A. Wensmann, LS
- 42621 Denotes Daniel M. Kron, LS
- — — — — Denotes easement
- — — — — Denotes right of way
- — — — — Denotes existing adjoiners
- — — — — Denotes easement of record
- o — — — — — Denotes controlled access
- xx D. Denotes dimension per deed
- & M. Denotes measured dimension matching deed dimension

Drainage and Utility Easements are shown thus: —||—5

Being 10 feet in width and adjoining right of way line, and 5 feet in width and adjoining lot lines, unless otherwise indicated, as shown on the plat.

BOGART, PEDERSON & ASSOCIATES, INC.

