

RESOLUTION #10-9-90B

IN THE MATTER OF THE JOINT RESOLUTION
OF THE TOWN OF CLITHERALL
AND THE CITY OF BATTLE LAKE
DESIGNATING AN UNINCORPORATED AREA AS
IN NEED OF ORDERLY ANNEXATION AND CONFERRING
JURISDICTION OVER SAID AREA TO
THE MINNESOTA MUNICIPAL BOARD
PURSUANT TO M.S. 414.0325

JOINT RESOLUTION FOR ORDERLY ANNEXATION

The Township of Clitherall and the City of Battle Lake hereby jointly agree to the following:

1. That the following described area in Clitherall Township is subject to orderly annexation pursuant to Minnesota Statutes 414.0325, and the parties hereto designate this area for orderly annexation:

The following tract of land to be annexed from Clitherall Township to the City of Battle Lake is that part of the Southeast One-Quarter of the Northeast One-Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section Four (4), Township One Hundred Thirty-Two (132) North, Range Forty (40) West, and that part of the Southwest One-Quarter of the Northeast One-Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section Four (4), Township One Hundred Thirty-Two (132) North, Range Forty (40) West, lying west of Minnesota State Highway 78 right-of-way, and that part of Clitherall Township road in the Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section Five (5), Township One Hundred Thirty-two (132), Range Forty (40); and that part of Block Three (3), Moen's Addition to Battle Lake, Minnesota, containing 39.85 acres, more or less, described as follows:

Beginning at a point on the south line of the Battle Lake City Limits where it intersects the west right-of-way line of Minnesota Trunk Highway No. 78; thence South along said right-of-way line 1,243.48 feet, more or less, to the North right-of-way line of Minnesota Trunk Highway No. 210; thence West along the North right-of-way line of said Highway 210, 1,395.66 feet, more or less, to the West right-of-way line of the existing

Clitherall Township road, said road being a southerly extension of the platted street, Olaf Street of the plat of Battle Lake, Minnesota; thence North along the Westerly right-of-way line of said Clitherall Township road to the south line of the Battle Lake City Limits; thence easterly 1,506.02, feet more or less, to the point of beginning.

2. That the Township of Clitherall does, upon passage of this resolution and its adoption by the City Council of the City of Battle Lake, Minnesota, and upon acceptance by the Municipal Board, confer jurisdiction upon the Minnesota Municipal Board over the various provisions contained in this agreement.

3. Certain properties abutting the City of Battle Lake are presently urban or suburban in nature or are about to become so. Further, the City of Battle Lake is capable of providing services to this area within a reasonable time, and the annexation would be in the best interests of the area proposed for annexation. Therefore, these properties would be immediately annexed to the City of Battle Lake. This area is described as follows:

The following tract of land to be annexed from Clitherall Township to the City of Battle Lake is that part of the Southeast One-Quarter of the Northeast One-Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section Four (4), Township One Hundred Thirty-Two (132) North, Range Forty (40) West, and that part of the Southwest One-Quarter of the Northeast One-Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section Four (4), Township One Hundred Thirty-Two (132) North, Range Forty (40) West, lying west of Minnesota State Highway 78 right-of-way, and that part of Clitherall Township road in the Southeast Quarter of the Northwest

Quarter (SE¼NW¼) of Section Five (5), Township One Hundred Thirty-two (132), Range Forty (40); and that part of Block Three (3), Moen's Addition to Battle Lake, Minnesota, containing 39.85 acres, more or less, described as follows:

Beginning at a point on the south line of the Battle Lake City Limits where it intersects the west right-of-way line of Minnesota Trunk Highway No. 78; thence South along said right-of-way line 1,243.48 feet, more or less, to the North right-of-way line of Minnesota Trunk Highway No. 210; thence West along the North right-of-way line of said Highway 210, 1,395.66 feet, more or less, to the West right-of-way line of the existing Clitherall Township road, said road being a southerly extension of the platted street, Olaf Street of the plat of Battle Lake, Minnesota; thence North along the Westerly right-of-way line of said Clitherall Township road to the south line of the Battle Lake City Limits; thence easterly 1,506.02, feet more or less, to the point of beginning.

The above described area is in need of orderly annexation and no alteration of its stated boundaries is appropriate.

4. The Township of Clitherall and the County of Otter Tail agree to exclude the area from their zoning and subdivision ordinances, and the City of Battle Lake will extend its zoning and subdivision regulations to include the annexed area.

5. Tax monies as determined by the County Auditor, that would be lost by the township as a result of this annexation, shall be reimbursed by the City of Battle Lake in the following proportions over a period of three years: On or before May 15, 1992, 75%; on or before May 15, 1993, 50%; and on or before May 15, 1994, 25%.

6. The City of Battle Lake will not initiate any further annexation proceedings in Clitherall Township for a period of 15 years from and after the passage of this resolution.

7. Notwithstanding any other provision of this agreement, any lands annexed to the city which may be identified as "rural" under M.S. 272.67 shall be classified by the city as rural and shall be taxed only at the rural rate until such time as the land is no longer rural as defined in M.S. 272.67.

8. No consideration by the board is necessary.

CITY OF BATTLE LAKE

Passed and adopted by the City Council of the City of Battle Lake this 9th day of OCTOBER, 1990.

ATTEST:

Hermey T. Borg
(Clerk)

By R. R. Stabur
(Mayor)

TOWNSHIP OF CLITHERALL

Passed and adopted by the Town Board of the Town of Clitherall, this 18th day of Sept., 1990.

ATTEST:

Alyn Hustat
(Town Clerk)

By Carl Silbert
(Its Chairman)

RECEIVED BY
NOV 01 1990

County Board

- 2 -

April 18, 1990

CITY OF BATTLE LAKE
ANNEXATION

Upon motion made by Andy Lindquist, seconded by Hub Nordgren and unanimously carried, the following resolution was adopted:

RESOLVED by the Board of County Commissioners of Otter Tail County Minnesota, that

WHEREAS, the City of Battle Lake has requested annexation of certain lands located in the Township of Clitherall, lying between the current corporate limits of the City of Battle Lake and State Trunk Highway #210, and

WHEREAS, such annexation would not hinder the county's orderly annexation process, and

WHEREAS, such lands being annexed do not fall within the county's shoreland management ordinance of 1,000 feet of lakeshore, and

WHEREAS, such land annexation would not be contrary to the county's subdivision controls ordinance,

NOW, THEREFORE, BE IT RESOLVED, the Otter Tail County Board does hereby approve such annexation to the City of Battle Lake.

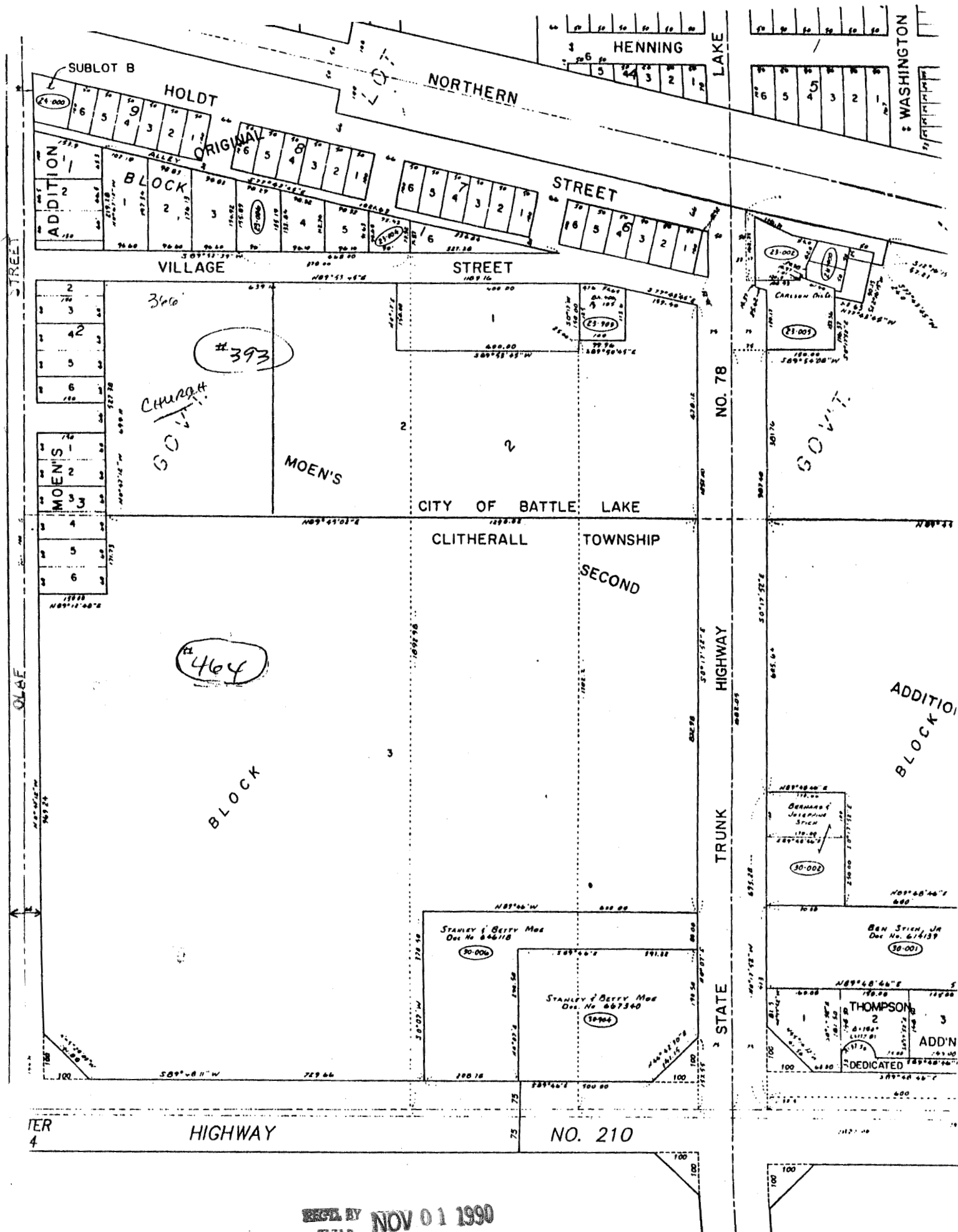
Adopted at Fergus Falls, MN this 18th day of April, 1990.

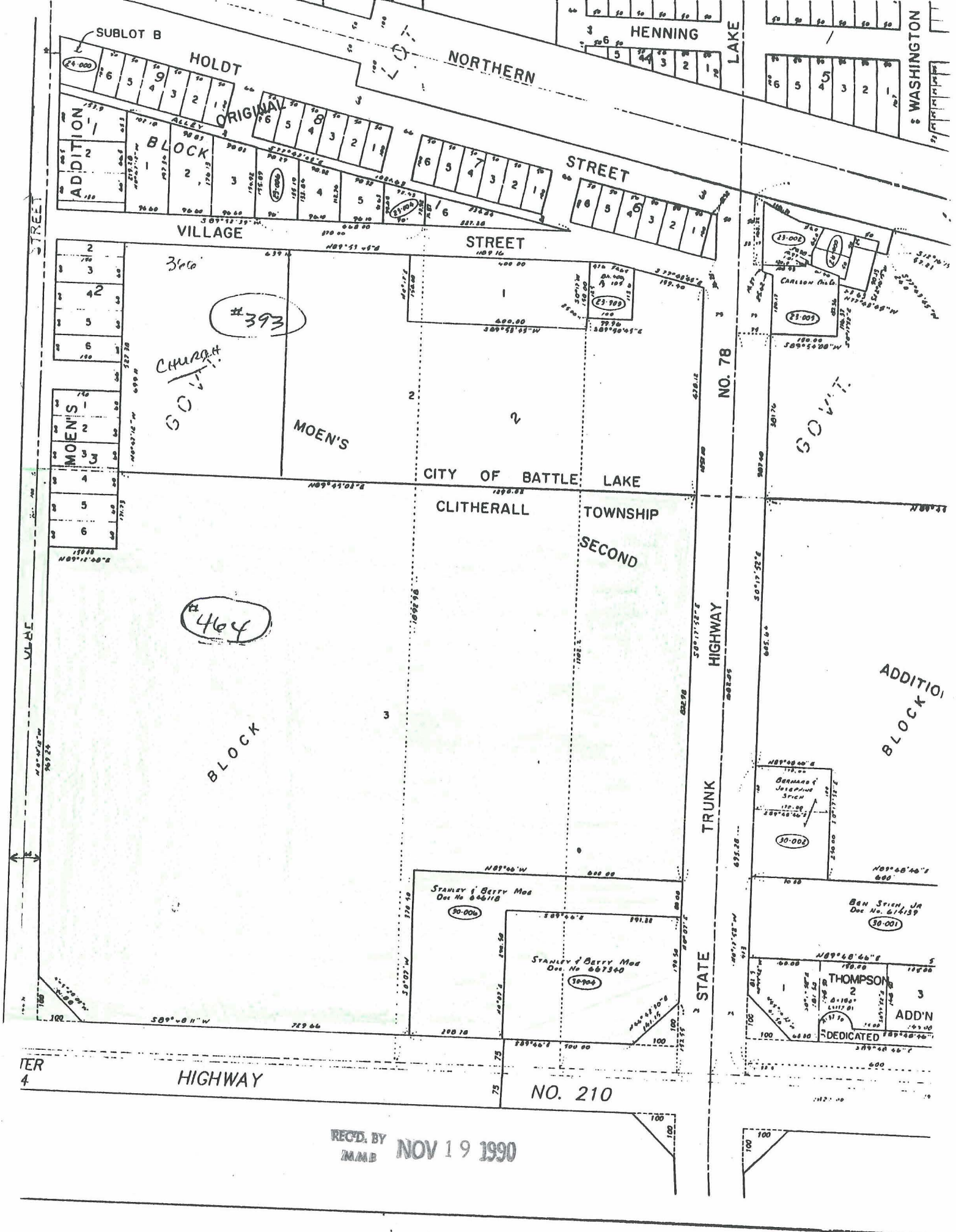
RECYCLING BUILDING
HAMMERS CONSTRUCTION

Tom Hammer of Hammers Construction appeared before the Board together with Amy Beske and Mike Hanan regarding construction of the recycling building in the City of Fergus Falls and the warrantee requirements. Hammers was requested to meet with Moen Architects, & Associates, Amy Beske, Mike Hanan and County Attorney Waldemar Senyk.

BEER LICENSE APPROVED
THOMAS WEINHANDL

Motion was made by Hub Nordgren, seconded by Sydney Nelson and unanimously carried to approve the application of Tom Weinhandl for license





REC'D. BY
MAM NOV 19 1990

REC'D BY
HMB NOV 19 1990

SILVER
LAKE

56-302

56-305 P

WEST

56-239

BATTLE

LAKE

R

S1

S2

60 feet back from shoreline

R

C

C

I

CLITHERALL
TOWNSHIP

CLITHERALL
TOWNSHIP

CLITHERALL
TOWNSHIP

ZONING MAP

BATTLE LAKE
OTTERTAIL COUNTY, MINNESOTA



S1

S2

I

C

R

Shoreland
Management

SPECIAL USE AREA

SPECIAL USE AREA

INDUSTRIAL

COMMERCIAL

RESIDENTIAL

