

RESOLUTION NO. 2006- 322**ANNEXATION OF CERTAIN PROPERTY PURSUANT TO THE JOINT
RESOLUTION FOR ORDERLY ANNEXATION BY AND BETWEEN
ARTHUR TOWNSHIP AND THE CITY OF MORA**

WHEREAS the City of Mora and Arthur Township have previously adopted a Joint Resolution for orderly annexation of certain areas located within Arthur Township pursuant to Minnesota Statutes, Section 414.0325 (Resolution No. 2000-907) (Attachment A, hereto), and;

WHEREAS that Joint Resolution has been reviewed and approved by the State of Minnesota (A-6170), also as required by law, and;

WHEREAS the Joint Resolution, in particular Section 13, provides for the annexation of land within the designated area upon the satisfaction of certain conditions, including petition of the property owner, and;

WHEREAS as required by Section 13, the City of Mora has received a petition (Attachment B) from the sole owner of property within the designated area comprising approximately 49.63 unplatted acres and having no current population, and;

WHEREAS the owner and Township have been notified as required by law that the annexation of the property will result in a change of electrical service (Attachment C), and;

WHEREAS the purpose of the annexation is to transfer jurisdiction over the property to enable the more efficient extension and delivery of urban services provided by the City including but not limited to refuse collection, street maintenance, police and fire protection in response to the owner's desired development of the property to urban densities, and;

WHEREAS that upon annexation the property will become immediately subject to the exclusive control and jurisdiction of the City for land use and other purposes and the City will become obligated to provide the Township with tax reimbursement in accordance with Section 12 of the Joint Resolution, and;

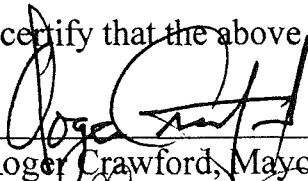
WHEREAS, Minnesota Boundary Adjustments may review and comment , but within thirty (30) days of receipt, order the annexation in accordance with the terms and conditions of this joint resolution, and;

WHEREAS, Resolution Numbers 2006-102 adopted on January 3, 2006 (repealed by Resolution Number 2006-222) and 2006-222 adopted on February 21, 2006 concerning this matter contained inconsistencies and some language was omitted.

NOW, THEREFORE BE IT RESOLVED that the City of Mora, pursuant to Section 14 of the Joint Resolution, hereby adopts this Resolution and requests the State of Minnesota, Municipal Boundary Adjustments, without hearing or modification of the boundaries, to immediately order the annexation of the property described in the petition (Attachment B) and shown on the map(s) attached hereto (Attachment D) to the City of Mora, in accordance with the provisions of the Joint Resolution.

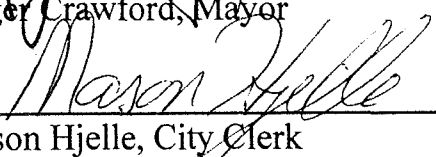
FURTHER, that Resolution Number 2006-222 is hereby repealed.

I certify that the above resolution was adopted by the city council on March 21, 2006.



Roger Crawford, Mayor

3-21-06
Date



Mason Hjelle, City Clerk

3-21-06
Date

Attachment A - Joint Resolution 2000-907 (A-6170) (pages 9 & 10 only)

Attachment B - Petition Containing Legal Description of Property to be Annexed

Attachment C - Utility Notice Letter sent to Owner

Attachment D - Survey of Area to be Annexed

Township also agree that the City shall not make any payment to the Township as contemplated herein, unless and until sanitary sewer service is installed by the City within the Designated Area and is certified substantially complete by the City Engineer.

12. Tax reimbursement. Upon the annexation of Designated Area or any portion thereof, the City shall reimburse the Township for the loss of taxes from the property so annexed in accordance with the following schedule:

- a. In the first year following the year when the City could first levy on the annexed area, the City shall make a cash payment to the Township in an amount equal to ninety (90) percent of the property taxes distributed to the Township in regard to the annexed area in the last year that property taxes from the annexed area were payable to the Township;
- b. In the second year, an amount equal to seventy-five (75) percent;
- c. In the third year, an amount equal to sixty (60) percent;
- d. In the fourth year, an amount equal to forty-five (45) percent;
- e. In the fifth year, an amount equal to thirty (30) percent; and
- f. In the sixth year, an amount equal to fifteen (15) percent.

Thereafter, the City will no longer reimburse the Township. The City shall make payment as contemplated herein no later than December 31 of the first year following the year when the City could first levy on the annexed area and for any subsequent years.

13. Early annexation under limited circumstances. Notwithstanding the timeline for annexation of the Designated Area contained in this Joint Resolution, the Designated Area or portions thereof may be annexed by the City prior thereto upon adoption of a resolution following the procedures provided in Paragraph 14 and under the following limited circumstances:

- a. Petition of property owners. A super majority (66 %) of all the property owners within the Designated Area submit a petition to the City for annexation;
- b. Property owner petition for annexation. An individual property owner with property located within the Designated Area and abutting the City petitions the City for annexation; or
- c. City owned property or property which is completely surrounded. Land is owned by the City or is completely surrounded by land within City limits.

The City agrees that it shall provide notice to the Township in the event any of the above circumstances exist.

14. No hearing required. Pursuant to Minnesota Statutes, section 414.0325, the City and Township agree that upon the occurrence of any event triggering annexation provided in Paragraph 13 of this Joint Resolution, the City may initiate annexation of such land by filing a resolution so providing with Minnesota Planning, or its successor agency, and the Township. The resolution shall contain the boundary description of the area to be annexed. The City and Township agree that no alteration of the stated boundaries as described in the resolution for annexation is appropriate, that no consideration by Minnesota Planning is necessary, and that all terms and conditions for annexation are provided for in this Joint Resolution. Upon receipt of a resolution of the City so providing, Minnesota Planning may review and comment, but shall within thirty (30) days of receipt, order the annexation in accordance with the terms and conditions of this Joint Resolution. The Township agrees not object to or oppose any annexation undertaken pursuant to the terms and conditions contained in this Joint Resolution.
15. Provision of water service. After execution of this Joint Resolution, the City shall present, at a public meeting held for property owners located within the Designated Area, its cost estimates for immediate extension of water service to the Designated Area at the same time that sanitary sewer service is installed within the Designated Area. The City shall also present any information that the City has regarding future installation of water service at the time of annexation of the Designated Area. If a majority of property owners within the Designated Area determine that water service should be installed at the same time as installation of sewer service within the Designated Area, the City shall install water service within the Designated Area without annexation for the same period as sanitary sewer service as provided in Paragraph 2 of this Joint Resolution.

Notwithstanding the forgoing, the City may install water service within the Designated Area at any time during the term of this Agreement if it receives a petition requesting water services from a majority of property owners within the Designated Area. If substantial grant funding is received for a water project within the Designated Area and the majority of property owners agree, the City may install water service. The City may also, with notice to the Township, install water service at any time on its own initiative, cost, and in its discretion, but agrees not to force connection or seek reimbursement from individual property owners for the water system until after annexation occurs, unless an individual property owner within the Designated Area seeks to connect to the water system. In such event, individual property owners within the Designated Area may request connection and thereby receive water service contingent upon execution of a water connection agreement and payment of applicable installation costs, availability charges and user charges and fees.

The City shall have exclusive control over the nature and extent of the installation of municipal water service within the Designated Area. This includes the design,



RECEIVED

3-16-16 BT

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MAY 3

2016

ATTACHMENT B

PETITION FOR ANNEXATION

IN THE MATTER OF THE PETITION OF CERTAIN PERSONS, FOR ANNEXATION PURSUANT TO
MINNESOTA STATUTES, SECTION 414.033, SUBDIVISION 2, (3).

TO THE COUNCIL OF THE CITY OF MORA, KANABEC COUNTY, MINNESOTA;

We the undersigned, all of the property owners of the territory proposed for annexation described below, hereby request the council to annex this territory to the City of Mora and to extend the city boundaries to include the same pursuant to Minnesota Statutes 414.033, Subdivision 1, (3) and for that purpose respectively state:

1. The territory to be annexed is 60 acres or less and is not presently served or capable of being served by available public sewer facilities.
2. The area of the territory to be annexed consists of 49.63 acres of platted and unplatted land and all of these lands lie entirely within Arthur Township, Kanabec County, Minnesota and the description of such lands is as follows:

That part of the North Half of the Northwest Quarter of Section 23, Township 39, Range 24, Kanabec County, Minnesota described as follows:

Commencing at the northeast corner of said North Half of the Northwest Quarter, thence on an assumed bearing of North 89° 56' 32" East along the north line of the Northeast Quarter of said Section 23 a distance of 46.6 feet to the center line of State Highway No. 65; thence south 0° 00' 49" East along the center line of State Highway No. 65 a distance of 535.0 feet; thence South 89° 59' 11" West 90.0 feet to the west right of way line of said State Highway No. 65, per the recorded Department of Transportation Right of Way Plat No. 33-2; thence continuing South 89° 59' 11" West 300.0 feet to the point of beginning of the property to be described; thence South 0° 00' 49" East 72.0 feet; thence South 89° 59' 11" West 343.0 feet to Point "A"; thence South 0° 00' 49" East 713.22 feet to the south line of said North Half of the Northwest Quarter; thence North 89° 54' 52" West along said south line 1911.59 feet to the southwest corner of said North Half of the Northwest Quarter; thence North 1° 30' 26" West along the west line of said North Half of the Northwest Quarter a distance of 1329.62 feet to the northwest corner of said North Half of the Northwest Quarter; thence South 89° 44' 46" East along said north line 912.27 feet to Point "B", thence southerly deflecting to the right 96° 40' bearing South 6° 55' 14" West 332.25 feet to the south line of the north 330 feet of said North Half of the Northwest Quarter, this point is Point "C"; thence South 89° 44' 46" East along the south line of said North 330 feet a distance of 1417.33 feet to the intersection with a line that bears North 0° 00' 49" West from the point of beginning, this point is Point "D", thence South 0° 00' 49" East 206.56 feet to the point of beginning.

EXCEPT that part of the North Half of the Northwest Quarter of Section 23, Township 39, Range 24, described as follows:

Commencing at the northeast corner of said North Half of the Northwest Quarter; thence on an assumed bearing of North 89° 56' 32" East along the north line of the Northeast Quarter of said Section 23 a distance of 46.6 feet to the centerline of State Highway No. 65; thence continuing South 00° 00' 49" East along the centerline of State Highway No. 65 a distance of 535.0 feet; thence South 89° 59' 11" West 90.0 feet to the west right-of-way line of said State Highway No. 65 per the recorded DOT Right-of-Way plat no. 33-2; thence continuing South 89° 59' 11" West 300.0 feet; thence South 00° 00' 49" East 72.0 feet to the point of beginning of the property to be described; thence South 89°

59' 11" West 270 feet, more or less, to the intersection with the southerly extension of the west line of Block 1 of the recorded plat of LITTLE RANCHES FIRST ADDITION; thence northerly along said west line extended, 280 feet, more or less, to the southwest corner of Block 1; thence easterly, along south line of said Block 1, a distance of 270 feet to the southeast corner of said Block 1; thence South 00° 00' 49" East 278.56 feet, more or less, to the point of beginning.

and

EXCEPT that part of the south 280.00 feet of the north 610.00 feet of the Northwest Quarter of Section 23, Township 39, Range 24, lying between the southerly extension of the east line of Block 2, LITTLE RANCHES FIRST ADDITION according to the recorded plat thereof and the southerly extension of the west line of the east 180.00 feet of said Block 2

and

EXCEPT that portion of the above described property which lies within the road as Commercial Place as now laid out and traveled.

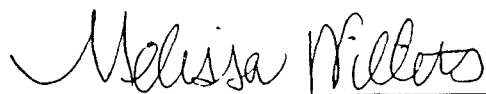
3. The territory described above abuts upon the city limits at the south boundary thereof and none of it is presently included within the corporate limits of any incorporated city.
4. The territory proposed for annexation is not included in any area that has already been designated for orderly annexation pursuant to Minnesota Statutes 414.0325.
5. There is one (1) property owner in the area proposed for annexation.
6. All property owners have signed this petition
7. The reason for the requested annexation is to provide municipal services to an area about to become developed.
8. All of this territory is or is about to become urban or suburban in character.
9. The population of the area is zero (0) persons.

Dated this 15th day of March, 2006.

Paul Belkholm, Inc. dba Ivory Street Development



Paul Belkholm, President



Melissa Willits, Operations Manager



CITY OF MORA

117 Railroad Avenue Southeast • MORA, MINNESOTA 55051
320-679-1511 • Fax 320-679-3862

ATTACHMENT C



REC'D BY
MMU

MAR 23 2006

November 16, 2005

Mr. Paul Belkholm, President
Paul Belkholm, Inc.
dba/Ivory Street Development
1331 Ivory Street
Mora, MN 55051

Dear Paul:

On October 28, 2005 you had notified the city of the intent by Ivory Street Development to ask the city to annex the 55 acres of land recently purchased by Ivory Street Development on the southwest side of Mora. The property is described as follows:

That part of the North Half of the Northwest Quarter of Section 23, Township 39, Range 24, Kanabec County, Minnesota described as follows:

Commencing at the northeast corner of said North Half of the Northwest Quarter, thence on an assumed bearing of North 89° 56' 32" East along the north line of the Northeast Quarter of said Section 23 a distance of 46.6 feet to the center line of State Highway No. 65; thence south 0° 00' 49" East along the center line of State Highway No. 65 a distance of 535.0 feet; thence South 89° 59' 11" West 90.0 feet to the west right of way line of said State Highway No. 65, per the recorded Department of Transportation Right of Way Plat No. 33-2; thence continuing South 89° 59' 11" West 300.0 feet to the point of beginning of the property to be described; thence South 0° 00' 49" East 72.0 feet; thence South 89° 59' 11" West 343.0 feet to Point "A"; thence South 0° 00' 49" East 713.22 feet to the south line of said North Half of the Northwest Quarter; thence North 89° 54' 52" West along said south line 1911.59 feet to the southwest corner of said North Half of the Northwest Quarter; thence North 1° 30' 26" West along the west line of said North Half of the Northwest Quarter a distance of 1329.62 feet to the northeast corner of said North Half of the Northwest Quarter; thence South 89° 44' 46" East along said north line 912.27 feet to Point "B", thence southerly deflecting to the right 96° 40' bearing South 6° 55' 14" West 332.25 feet to the

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MMB

MAR 23 2006

south line of the north 330 feet of said North Half of the Northwest Quarter, this point is Point "C"; thence South 89° 44' 46" East along the south line of said North 330 feet a distance of 1417.33 feet to the intersection with a line that bears North 0° 00' 49" West from the point of beginning, this point is Point "D", thence South 0° 00' 49" East 206.56 feet to the point of beginning.

Subject to a 20 foot utility easement which lies within a distance of 20 feet to the west of a line that begins at Point "D" described above; thence South 0° 00' 49" East 315 feet and said line there terminating.

Subject to and together with a 66 foot roadway and utility easement being 33 feet on each side of the line from Point "B" to Point "C" described above.


Together with a 78 foot roadway and utility easement which lies within a distance of 78 feet to the south of a line that begins at Point "A" described above; thence North 89° 59' 11" East 643.0 feet to said west right of way line of State Highway No. 65 and said line there terminating.

Accordingly, I am providing to you notice required by Minnesota Statute 414.033, Subd. 13 which requires that we notify petitioners for annexation to the city that the cost of electric utility service to the petitioner may change if the land is annexed to the municipality. In our estimation there will be no cost impact in electric utility services resulting from the annexation.

If you have any questions regarding this notice please let me know.

Sincerely,

CITY OF MORA



Joel Dhein
City Administrator

CERTIFICATE OF SURVEY

FOR: IVORY STREET DEVELOPMENT

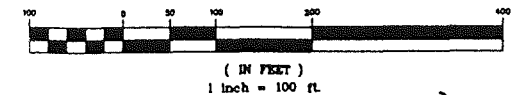
1331 IVORY STREET

MORA, MN 55051

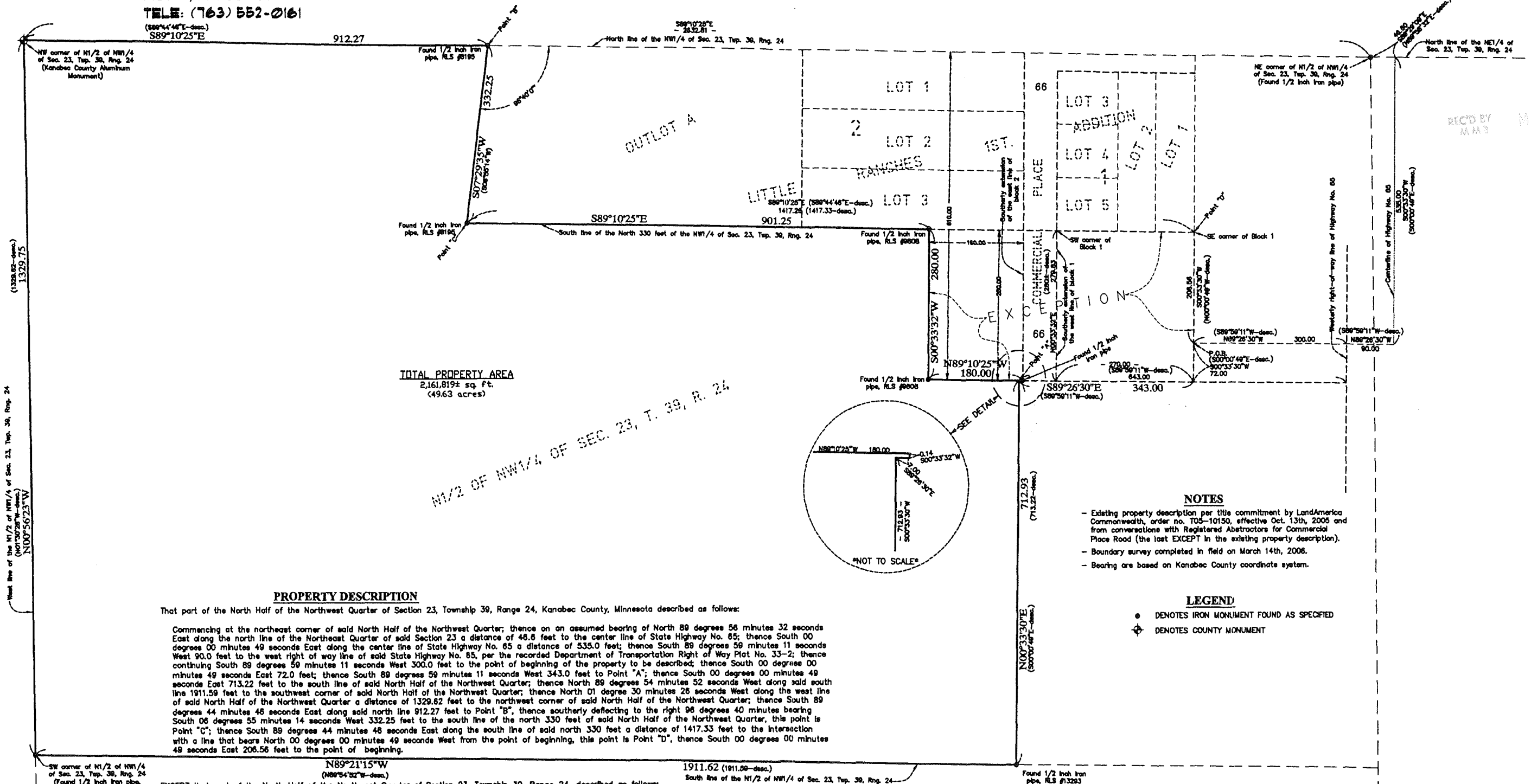
TELE: (763) 552-0161

(S89°44'46"E—desc.)
S89°10'25"E

GRAPHIC SCALE



NORTH



TOTAL PROPERTY AREA
2,161,819± sq. ft.
(49.63 acres)

NW 1/2 OF NW 1/4 OF SEC. 23, T. 39, R. 24

NOT TO SCALE

NOTES

- Existing property description per title commitment by LandAmerica Commonwealth, order no. 105-10150, effective Oct. 13th, 2005 and from conversations with Registered Abstractors for Commercial Place Road (the last EXCEPT in the existing property description).
- Boundary survey completed in field on March 14th, 2008.
- Bearing are based on Kanabec County coordinate system.

LEGEND

- DENOTES IRON MONUMENT FOUND AS SPECIFIED
- ⊕ DENOTES COUNTY MONUMENT

PROPERTY DESCRIPTION

That part of the North Half of the Northwest Quarter of Section 23, Township 39, Range 24, Kanabec County, Minnesota described as follows:

Commencing at the northeast corner of said North Half of the Northwest Quarter; thence on an assumed bearing of North 89 degrees 56 minutes 32 seconds East along the north line of the Northeast Quarter of said Section 23 a distance of 46.6 feet to the center line of State Highway No. 65; thence South 00 degrees 00 minutes 49 seconds East along the center line of State Highway No. 65 a distance of 535.0 feet; thence South 89 degrees 59 minutes 11 seconds West 90.0 feet to the west right-of-way line of said State Highway No. 65, per the recorded Department of Transportation Right of Way Plat No. 33-2; thence continuing South 89 degrees 59 minutes 11 seconds West 300.0 feet to the point of beginning of the property to be described; thence South 00 degrees 00 minutes 49 seconds East 72.0 feet; thence South 89 degrees 59 minutes 11 seconds West 343.0 feet to Point "A"; thence South 00 degrees 00 minutes 49 seconds East 713.22 feet to the south line of said North Half of the Northwest Quarter; thence North 89 degrees 54 minutes 52 seconds West along said south line 1911.59 feet to the southwest corner of said North Half of the Northwest Quarter; thence North 01 degree 30 minutes 26 seconds West along the west line of said North Half of the Northwest Quarter a distance of 1329.82 feet to the northwest corner of said North Half of the Northwest Quarter; thence South 89 degrees 44 minutes 48 seconds East along said north line 912.27 feet to Point "B"; thence southerly deflecting to the right 96 degrees 40 minutes bearing South 08 degrees 55 minutes 14 seconds West 332.25 feet to the south line of the north 330 feet of said North Half of the Northwest Quarter, this point is Point "C"; thence South 89 degrees 44 minutes 48 seconds East along the south line of said north 330 feet a distance of 1417.33 feet to the intersection with a line that bears North 00 degrees 00 minutes 49 seconds West from the point of beginning, this point is Point "D"; thence South 00 degrees 00 minutes 49 seconds East 206.56 feet to the point of beginning.

N89°21'15"W
(N89°54'32"W—desc.)

EXCEPT that part of the North Half of the Northwest Quarter of Section 23, Township 39, Range 24, described as follows:

Commencing at the northeast corner of said North Half of the Northwest Quarter; thence on an assumed bearing of North 89 degrees 56 minutes 32 seconds East along the north line of the Northeast Quarter of said Section 23 a distance of 46.6 feet to the centerline of State Highway No. 65; thence South 00 degrees 00 minutes 49 seconds East along the centerline of State Highway No. 65 a distance of 535.0 feet; thence South 89 degrees 59 minutes 11 seconds West 90.0 feet to the west right-of-way line of said State Highway No. 65 per the recorded DOT Right-of-Way Plat No. 33-2; thence continuing South 89 degrees 59 minutes 11 seconds West 300.0 feet; thence South 00 degrees 00 minutes 49 seconds East 72.0 feet to the point of beginning of the property to be described; thence South 89 degrees 59 minutes 11 seconds West 270 feet, more or less, to the intersection with the southerly extension of the west line of Block 1 of the recorded plat of LITTLE RANCHES 1ST ADDITION; thence northerly along said west line extended, 280 feet, more or less, to the southwest corner of said Block 1; thence easterly, along the south line of said Block 1, a distance of 270 feet to the southeast corner of said Block 1; thence South 00 degrees 00 minutes 49 seconds East 278.56 feet, more or less, to the point of beginning.

and

EXCEPT that part of the south 280.00 feet of the north 810.00 feet of the Northwest Quarter of Section 23, Township 39, Range 24, lying between the southerly extension of the east line of Block 2, LITTLE RANCHES 1ST ADDITION according to the recorded plat thereof and the southerly extension of the west line of the east 180.00 feet of said Block 2. Reserving an easement for drainage purposes to the grantor and public over the north 60.00 feet thereof.

and

EXCEPT that portion of the above described property which lies within the road known as Commercial Place as now laid out and traveled.

DRAWN BY: ERY	JOB NO: 08053PP	DATE: 01/29/08
CHECK BY: ERY	SCANNED	
1		
2		
3		

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.

ERIC R. WICKARYOUS

Date: 4/15/08 Reg. No. 44125

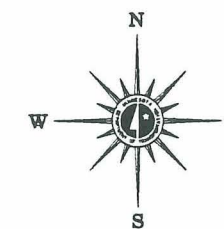


E.R. & SONS, INC.
LAND SURVEYORS
9180 LINDSTROM AVE NE
CIRCLE PINE, MN 55014

PREPARED BY THE
MINNESOTA DEPARTMENT OF TRANSPORTATION
OFFICE OF TRANSPORTATION DATA & ANALYSIS
IN COOPERATION WITH
U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

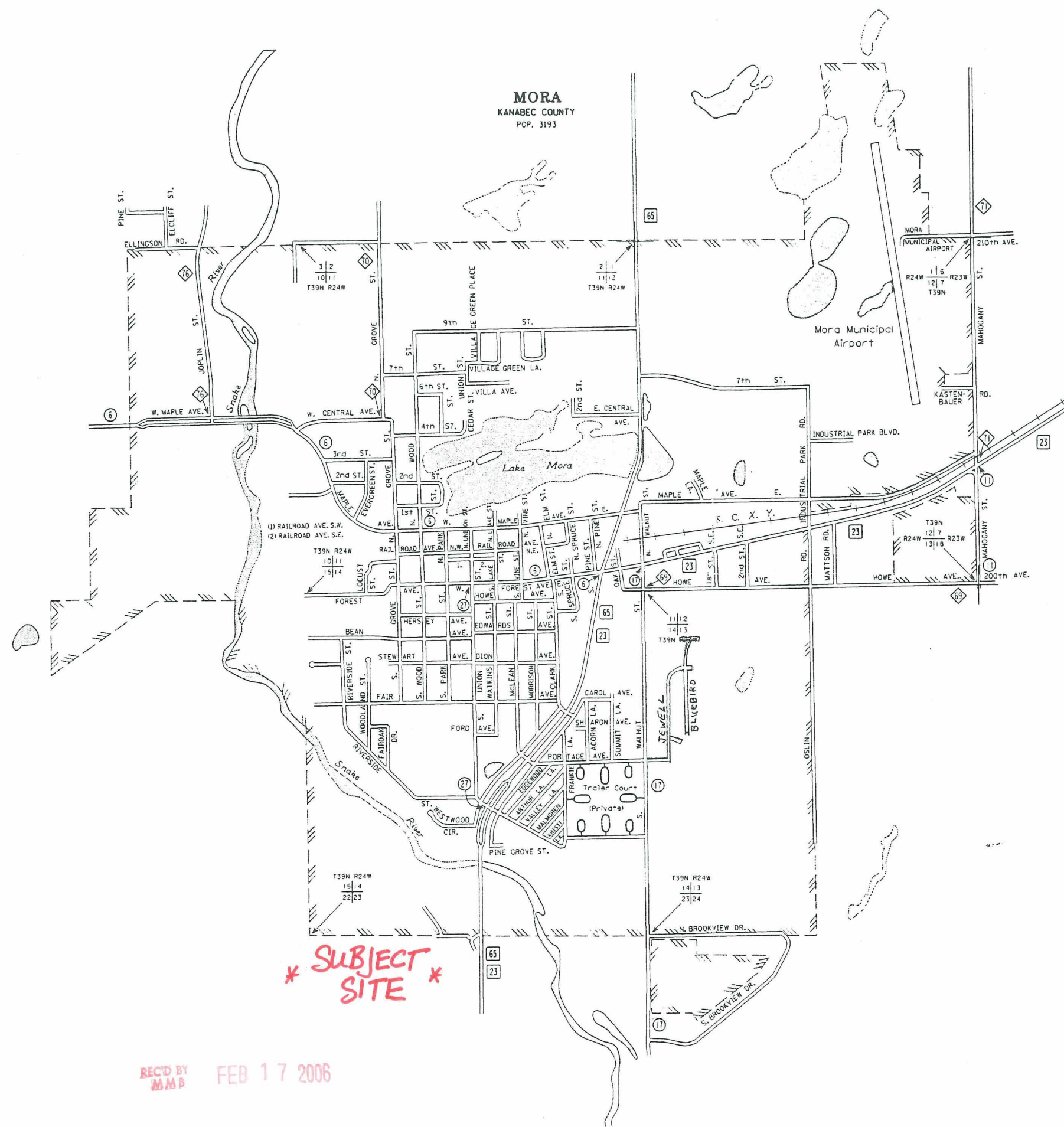
2004

BASIC DATA - 1977



LEGEND

INTERSTATE TRUNK HIGHWAY.....	(7)
U.S. TRUNK HIGHWAY.....	(18)
STATE TRUNK HIGHWAY.....	(9)
COUNTY STATE AID HIGHWAY.....	(23)
COUNTY ROAD.....	(4)
PUBLIC ROAD.....	=====
PRIVATE ROAD.....	=====
CORPORATE LIMITS.....	== -



REC'D BY
M M B

FEB 17 2006

MUNICIPALITIES SHOWN
ON THIS SHEET
MORA

NOTE: 2000 U.S. CENSUS FIGURES SHOWN FOR ALL MUNICIPALITIES UNLESS OTHERWISE STATED