

**RESOLUTION 2005-135**

**RESOLUTION APPROVING ANNEXATION OF CERTAIN "NON-DESIGNATED NEIGHBORHOODS" IN BELLE PRAIRIE TOWNSHIP IN ACCORDANCE WITH THE TERMS OF THAT ORDERLY ANNEXATION AGREEMENT, NO. OA-916, (NO. 05-R)**

WHEREAS, in accordance with Minnesota Statutes 414.0325, the City of Little Falls ("City") and the Township of Belle Prairie ("Township") have signed an Orderly Annexation Agreement, No. OA-916, ("Agreement") on February 10, 2003, and February 3, 2003, respectively; and

WHEREAS, Paragraph 1.b, of said Agreement designates certain properties as the Belle Prairie Suburban Orderly Annexation Area ("Designated Area") for annexation; and

WHEREAS, Paragraph 3.e of said Agreement indicates the City has notified Minnesota Power Company on January 13, 2003, of our intent to annex said territory and requested notification if there is a change in the cost of electric utility service as a result of the annexation of the properties within the Designated Area. With the exception of the City's franchise fee of \$1.00/month per meter for residential and \$5.00/month per meter for commercial, no change is anticipated, since the following described properties are and will remain within the Minnesota Public Utilities Commission's Service Area of Minnesota Power; and

WHEREAS, Paragraph 4.c of said Agreement outlines provisions for annexation of "Non-Designated Neighborhoods" in said Designated Area, by City Council resolution, if a petition is received by the City from an individual property owner(s) requesting annexation; and

WHEREAS, Paragraph 4.g of said Agreement outlines provisions for annexation of the following properties by resolution of the City Council:

Attachment "A".

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Little Falls, in accordance with the provisions of said Agreement, that the following described properties are designated for immediate annexation to the City of Little Falls:

Attachment "A"; and

BE IT FURTHER RESOLVED, that in accordance with Paragraph 3.d of said Agreement, the City shall share a one-time payment at 150% of the property taxes for said parcel due and payable in the last year that the Township collected taxes, (i.e. 2005 property taxes \$87.62) for a total of \$131.43; and

BE IT FURTHER RESOLVED, that the current population in said property is zero, with a total area of 4.29 acres more or less; and

BE IT FURTHER RESOLVED, that in accordance with Chapter 11.03, Subd. 6 of the City Code, a public hearing was held on the proposed zoning of said territory on June 30, 2003, and on August 18, 2003, and said property was zoned "One- and Two-Family Residential, Country Homes, 'R-1.C'" on August 18, 2003; and

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BE IT FURTHER RESOLVED, that the City Administrator is directed to forward copies of this Resolution to the Minnesota Office of Administrative Hearings, Minnesota Secretary of State, Belle Prairie Town Clerk, and the Morrison County Auditor, Assessor and Recorder; and

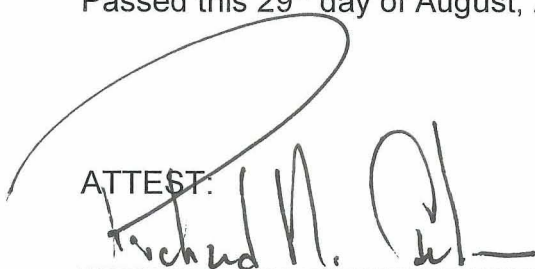
BE IT FURTHER RESOLVED, that in accordance with Paragraph 4.g, of said Agreement, the City of Little Falls agrees that no alteration of the stated boundaries as described herein is appropriate, that no consideration by the Minnesota Office of Administrative Hearings, is necessary, and that all terms and conditions for annexation of the aforementioned properties are provided in that Orderly Annexation Agreement, OA-916. Pursuant to Minnesota Statutes, Section 414.0325, upon receipt of this Resolution, the Minnesota Office of Administrative Hearings may review and comment, but shall within thirty (30) days order the annexation of the aforementioned properties in accordance with the terms and conditions contained in said Agreement.

Passed this 29<sup>th</sup> day of August, 2005.



Michael C. Doucette  
Council President

ATTEST:



Richard N. Carlson  
City Administrator

Approved this 29<sup>th</sup> day of August, 2005.



Brian D. Mackinac  
Mayor of Said City

(SEAL)

## EXHIBIT A

That part of the Northwest Quarter of the Northwest Quarter, Section 26, Township 41, Range 32, Morrison County, Minnesota, described as follows:

Beginning at the northwest corner of Lot 1, Block 1, Third Addition to N.B. Norwood Lots, according to the recorded plat thereof, on file in the Office of the Morrison County Recorder, in said Morrison County; thence North 89 degrees 57 minutes 44 seconds West, assumed bearing, a distance of 705.65 feet along the north line of said Northwest Quarter of the Northwest Quarter to the northeast corner of the tract of land described in Document No. 399512; thence South 22 degrees 17 minutes 13 seconds West a distance of 124.84 feet; thence North 89 degrees 54 minutes 01 seconds East a distance of 103.70 feet; thence South 12 degrees 37 minutes 15 seconds West a distance of 260.20 feet; thence South 00 degrees 45 minutes 23 seconds West a distance of 11.35 feet to the northeast corner of the tract of land described in Document No. 402729; thence South 00 degrees 18 minutes 40 seconds West a distance of 98.52 feet along the east line of said tract of land described in Document No. 402729 to the northerly line of Ryan Street, in accordance with N.B. Norwood Lots, on file in said Office of the Morrison County Recorder; thence easterly and northeasterly along said northerly line of Ryan Street to the southwest corner of the tract of land described in Document No. 445802; thence northerly, northeasterly and easterly along said tract of land described in Document No. 445802 to the southwest corner of said Lot 1, Third Addition to N.B. Norwood Lots; thence North 00 degrees 02 minutes 16 seconds East 170.00 feet to the point of beginning; being approximately 4.29 acres in size.



CITY OF  
LITTLE FALLS

GENERAL MAP  
AUGUST 30, 2005



SCALE 1 INCH = 400 FEET

— CURRENT CITY LIMITS 8/30/05  
■ PROPOSED ANNEXATION

REC'D BY  
MMB

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MISSISSIPPI RIVER

