

RESOLUTION 2006-120A

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. 06-U)

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. The only change anticipated is the addition of a monthly City franchise fee, 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:

See 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:

See 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(s) due and payable in the last year that the Township collected taxes, (i.e. 2006 property taxes \$938.53) for a total of \$1,407.80; and

BE IT FURTHER RESOLVED, that the current population in said property is zero (0), with a total area of 1.62 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 Industrial (Heavy), "I-2", on August 18, 2003; and

Resolution 2006-120A
page two

REC'D BY
MMB

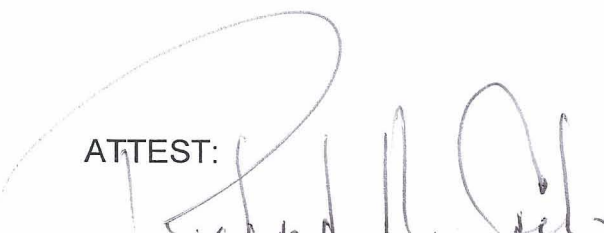
AUG 18 2006

BE IT FURTHER RESOLVED, that the City Administrator is directed to forward copies of this Resolution to the Minnesota Department of Administration, 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 Department of Administration, 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 Department of Administration 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 14th day of August, 2006.

ATTEST:


Richard N. Carlson
City Administrator


Michael C. Doucette
Council President

Approved this 14th day of August, 2006.


Brian D. Mackinac
Mayor of Said City

(SEAL)

ATTACHMENT A

REC'D BY
MMS

AUG 18 2006

Little Falls Radio (Parcel A)

That part of the South Half of the Southwest Quarter of Section 26, Township 41, Range 32, Morrison County, Minnesota, described as follows: commencing at the southeast corner of said South Half of the Southwest Quarter (S1/2 SW1/4); thence South 89 degrees 27 minutes 14 seconds West, assumed bearing, a distance of 1082.73 feet along the south line of said South Half of the Southwest Quarter (S1/2 SW1/4) to a point on the westerly line of County Road No. 76 (formerly Highway 371) according to State Highway Right-of-Way Plat No. 1 of 6, State Project No. 4902 (10-37) 901, and recorded in Document No. 240999, said point being the position of Monument B-18 on said Right-of-Way Plat; thence North 13 degrees 52 minutes 21 seconds East, a distance of 391.06 feet along said westerly line of County Road No. 76 to position B-13 according to said Right-of-Way Plat, the point of beginning; thence continuing North 13 degrees 52 minutes 21 seconds East, a distance of 225.00 along said westerly line of County Road No. 76 to the southeast corner of Tract A described in Document No. 424644; thence North 76 degrees 07 minutes 39 seconds West, a distance of 226.00 feet along the southerly line of said Tract A described in Document No. 424644; thence South 13 degrees 52 minutes 21 seconds West, a distance of 164.73 feet to a line, said line being a line determined by end points B-12 and said B-13 on said Right-of-Way Plat; thence South 61 degrees 11 minutes 40 seconds East, a distance of 233.90 feet, along said southerly line to the point of beginning. All in accordance with said Right-of-Way Plat and a survey by Kevin Festler, Minnesota License No. 22702;

AND

Old Daycare (Parcel B)

That part of the South Half of the Southwest Quarter (S1/2 SW1/4) of Section 26, Township 41, Range 32, Morrison County, Minnesota, described as follows: commencing at the southeast corner of said South Half of the Southwest Quarter (S1/2 SW1/4); thence South 89 degrees 27 minutes 14 seconds West, assumed bearing, a distance of 1082.73 feet along the south line of said South Half of the Southwest Quarter (S1/2 SW1/4) to a point on the westerly line of County Road 76, (formerly Highway 371) according to Highway Right of Way Plat No. 1 of 6, State Project No. 4902 (10-37) 901, and recorded under Document No. 240999, said point being the position of Monument B-18 on said Right of Way Plat; thence North 13 degrees 52 minutes 21 seconds East, a distance of 391.06 feet along said westerly line of County Road 76 to position B-13 according to said Right of Way Plat; thence continuing North 13 degrees 52 minutes 21 seconds East, a distance of 225.00 feet along said westerly line of County Road 76 to the southeast corner of Tract A described in Document No. 424644; thence North 76 degrees 07 minutes 39 seconds West, a distance of 226.00 feet, along the southerly line of said Tract A described in Document No. 424644, to the point of beginning; thence continuing North 76 degrees 07 minutes 39 seconds West, a distance of 195.70 feet along said southerly line of Tract A described in Document No. 424644 to its intersection with a line, a distance of 466.70 feet northwesterly of as measured at right angles to the old Highway 371 right-of-way line, said old Highway right-of-way line being 66.0 feet northwesterly of as measured at right angles to the westerly line of the Burlington Northern Railroad; thence South 13 degrees 52 minutes 21 seconds West, a distance of 112.53 feet to a line, said line being determined by end points B-12 and said B-13 on said Right-of-Way Plat; thence South 61 degrees 11 minutes 40 seconds East, a distance of 202.54 feet along said line being determined by end points B-12 and B-13 to its intersection with a line bearing South 13 degrees 52 minutes 21 seconds West from the point of beginning; thence North 13 degrees 52 minutes 21 seconds East, a distance of 164.73 feet to the point of beginning. All in accordance with said Right-of-Way Plat and a survey by Kevin Festler, Minnesota License No. 22702; all being 1.62 acres more or less.

