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2 Well Cert. Rec'd

I hereby certify that the within instrument was filed in this office
for record on 05-27-2005 at 09:00 ~~AM~~ PM

05272005



Sharon J. Budin
DAVID A. SEXE, Deputy
COUNTY RECORDER

REC'D BY
M.M.B

AUG 30 2005

330423

RESOLUTION #05-05-02-01

JOINT RESOLUTION AS TO
AMENDMENT TO
ORDERLY ANNEXATION AGREEMENT
LANESBURGH TOWNSHIP AND CITY OF NEW PRAGUE

WHEREAS, the Township of Lanesburgh (the "Township") and the City of New Prague (the "City") on the 19th day of June 1978 passed and adopted that certain Joint Resolution as to the Orderly Annexation with orderly annexation and joint planning agreement attached (the "Orderly Annexation Agreement"); and

WHEREAS, the Town Board, contrary to the City's position, considers this Orderly Annexation Agreement null and void; and

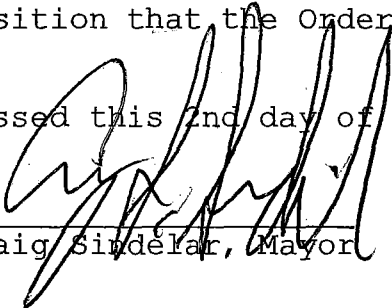
WHEREAS, the City of New Prague wishes to annex certain lands located within the orderly annexation area and described on the following described property: The West Forty (40) acres of the Northeast Quarter (NE ¼) of Section Numbered Two (2) in Township Numbered One Hundred Twelve (112), North of Range Numbered Twenty-three (23) West in LeSueur County, Minnesota, (the "Property") and the Township has no objection to such annexation provided the annexation is accomplished through an annexation by Ordinance under Minnesota Statutes 414.033 Subdivision 5 rather than pursuant to the terms of the Orderly Annexation Agreement;

NOW THEREFORE BE IT RESOLVED that this amendment shall become effective as of the date on which the City's ordinance annexing the Property is approved by the Municipal Boundary Adjustments Office of the Department of Administration.

BE IT FURTHER RESOLVED that the Township of Lanesburgh does hereby waive the property tax allocation payable to the City of New Prague pursuant to Minnesota Statute Section 414.033 Subd. 12 upon payment by Witt Development, LLC to the Township of Lanesburgh in the sum of \$150.00 per acre for the total amount of acreage annexed to the City pursuant to this joint resolution.

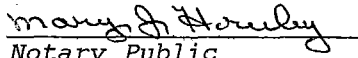
BE IT FURTHER RESOLVED that the Town Board's action on this joint resolution shall be without prejudice to the Township's position that the Orderly Annexation Agreement is null and void.

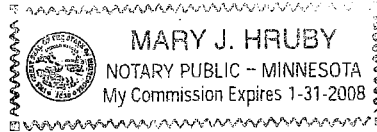
Passed this 2nd day of May, 2005.


Craig Sindelar, Mayor

State of Minnesota)
) ss. (CORPORATE ACKNOWLEDGMENT)

County of Scott & Le Sueur)
Subscribed and sworn before me, a Notary Public this 24th day of
May, 2005.


Notary Public




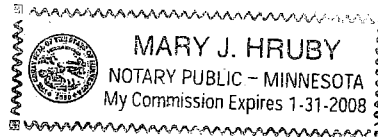
ATTEST:


Jerome Bohnsack, City Administrator

State of Minnesota)
) ss. (CORPORATE ACKNOWLEDGMENT)

County of Scott & Le Sueur)
Subscribed and sworn before me, a Notary Public this 24th day of
May, 2005.


Notary Public



**JOINT RESOLUTION AS TO
AMENDMENT TO
ORDERLY ANNEXATION AGREEMENT
LANESBURGH TOWNSHIP AND CITY OF NEW PRAGUE**

WHEREAS, the Township of Lanesburgh (the "Township") and the City of New Prague (the "City") on the 19th day of June 1978 passed and adopted that certain Joint Resolution as to the Orderly Annexation with orderly annexation and joint planning agreement attached (the "Orderly Annexation Agreement"); and

WHEREAS, the Town Board, contrary to the City's position, considers this Orderly Annexation Agreement null and void; and

WHEREAS, the City of New Prague wishes to annex certain lands located within the orderly annexation area and described on the attached Exhibit "A" (the "Property") and the Township has no objection to such annexation provided the annexation is accomplished through an annexation by Ordinance under Minnesota Statutes 414.033 Subdivision 5 rather than pursuant to the terms of the Orderly Annexation Agreement;

NOW THEREFORE, BE IT RESOLVED that this amendment shall become effective as of the date on which the City's ordinance annexing the Property is approved by the Municipal Boundary Adjustments Office of the Department of Administration.

BE IT FURTHER RESOLVED that the Township of Lanesburgh does hereby waive the property tax allocation payable to the City of New Prague pursuant to Minnesota Statute Section 414.033 Subd. 12 upon payment by Witt Development, LLC to the Township of Lanesburgh in the sum of \$150.00 per acre for the total amount of acreage annexed to the City pursuant to this joint resolution.

BE IT FURTHER RESOLVED that the Town Board's action on this joint resolution shall be without prejudice to the Township's position that the Orderly Annexation Agreement is null and void.

City of New Prague

Passed and adopted by the City Council of the City of New Prague on this _____ day of _____, 2005.

Attest:

Jerome Bohnsack, Administrator

Craig Sindelar, Mayor

Lanesburgh Township

Passed and adopted by the Town Board of Lanesburgh Township on this 26th day of April, 2005.

Attest:

Lea Korbel
Town Clerk

Amy J. [Signature]
Chairman

Exhibit "A"

The West Forty (40) acres of the Northeast Quarter (NE ¼) of Section Numbered Two (2) in Township Numbered One Hundred Twelve (112), North of Range Numbered Twenty-three (23) West in LeSueur County, Minnesota.