

**JOINT RESOLUTION BETWEEN THE TOWN OF BUFFALO
AND THE CITY OF BUFFALO
AMENDING AN ORDERLY ANNEXATION AGREEMENT**

RECITALS:

1. The Town of Buffalo and the City of Buffalo signed a joint resolution establishing terms and conditions for an orderly annexation area on January 4, 2004 (hereinafter "OAA");
2. The Town of Buffalo and the City of Buffalo mutually desire to amend the OAA to include additional properties.

Now, therefore, the Town of Buffalo and the City of Buffalo hereby jointly agree to the following:

1. Orderly Annexation Area

The parties agree that the OAA shall be amended to include the additional properties, (the "Boyd Property"), legally described in the Exhibit A attached hereto and incorporated herein by reference, and identified on OAA Map as Boyd Property attached hereto and incorporated by reference herein, which is in need of orderly annexation pursuant to Minnesota Statutes Chapter 414.0325. The parties hereto designate this tract as suitable for annexation. The tracts shall be annexed to the City of Buffalo in the means and manner as described within the OAA and this Amendment.

2. State Planning Agency (Municipal Board)

The Town of Buffalo and the City of Buffalo do, upon adoption of this resolution, and upon acceptance by the State Planning Agency, confer jurisdiction upon the State Planning Agency over the Boyd Property so as to accomplish said annexation in accordance with the terms of this Resolution.

The Agency shall retain jurisdiction over the Boyd Property so as to order annexation upon receipt of a petition by property owner(s) to the City of Buffalo and resolution from the City of Buffalo to the State Planning Agency at any time within five (5) years from the date of execution of this Agreement.

At the time the City determines to pass such resolution(s) and forward the same to the State Planning Agency, the City of Buffalo shall provide a copy of the resolution(s) to the Town of Buffalo. The City retains the discretion to deny the petition.

The Town of Buffalo may, at its discretion, join in the resolution(s) to the Municipal Board. No consideration or hearing by the State Planning Agency shall be necessary, nor shall the boundaries of the Boyd Property be altered or modified. The State Planning Agency may review and comment but shall, within thirty (30) days after receipt of the resolution(s), order the immediate annexation of any parcel(s) contained within the Boyd Property as appropriate, to the City of Buffalo in accordance with the terms of the OAA and this Amendment.

The Town of Buffalo agrees that it shall not by act or omission object to, hinder or delay annexation of any parcel(s) contained within the Boyd Property to the City of Buffalo in accordance with the terms of this Agreement. Failure by the Town of Buffalo to join in the resolution(s) of City shall not constitute a basis upon which to deny, delay or prevent annexation of any parcel(s) contained within the Boyd Property to the City of Buffalo.

3. Character of Property

The Boyd Property abuts the City of Buffalo and is presently urban or suburban in nature or are about to become so. Further, the City of Buffalo is now or within a reasonable time will be capable of providing municipal water and sanitary sewer to each property.

4. Roads

a. After annexation to the City of Buffalo, any Township roadways included in the Boyd Property shall be maintained by the City and that any other public roadways shall continue to be maintained by the same governmental entities.

5. Use and Development of Annexation Area

The parties hereto agree that City of Buffalo shall have the same rights and authority to regarding the use and development of land within the geographic area of the Boyd Property as contained in the OAA.

6. Police and Fire Protection.

The parties hereto agree that the Boyd Property shall be subject to the same provisions regarding the provision of police and fire protection as contained in the OAA.

7. Tax Compensation

Upon annexation of any of the parcel(s) in the Boyd Property and in order to compensate the Town of Buffalo for loss of tax revenues, the City of Buffalo agrees to compensate the Town of Buffalo over a three year period commencing from and after the formal date of annexation of any of the parcel(s) in the Boyd Property. Said compensation shall be made from the City of Buffalo to the Town of Buffalo based on the ad valorem taxes collected by the City of Buffalo for the properties and shall be paid to the Town of Buffalo in the following manner.

<u>Year</u>	<u>Percentage of Taxes Paid to the Town of Buffalo</u>
1	100%
2	100%
3	50%

After said three year period(s) all property tax revenue for the Boyd Property shall be retained by the City of Buffalo.

8. Continued Effect of OAA.

All other terms and conditions contained in the OAA and not expressly modified by this Amendment shall remain in full force and effect.

9. Effective Date

The effective date of this Amendment shall be upon issuance of an Order by the Minnesota Municipal Board approving this Agreement, and its terms and conditions. All annexation of property to the City of Buffalo shall be effective upon issuance of an Order by the Minnesota Municipal Board approving the annexation in accordance with this resolution. The OAA and this Amendment shall remain in effect until _____, 2008.

CITY OF BUFFALO

Passed and adopted by the City Council of the City of Buffalo
This 20th day of June, 2005.

By: Fred Naaksgaard
Its Mayor

TOWN OF BUFFALO

Passed and adopted by the Town Board of the Town of Buffalo this 9th day of August, 2005.

By: Ralph V. Oedoff
Its Chairman

ATTEST: Walter T. Heugan
City Administrator

ATTEST: Gordon Jane
Town Board Clerk

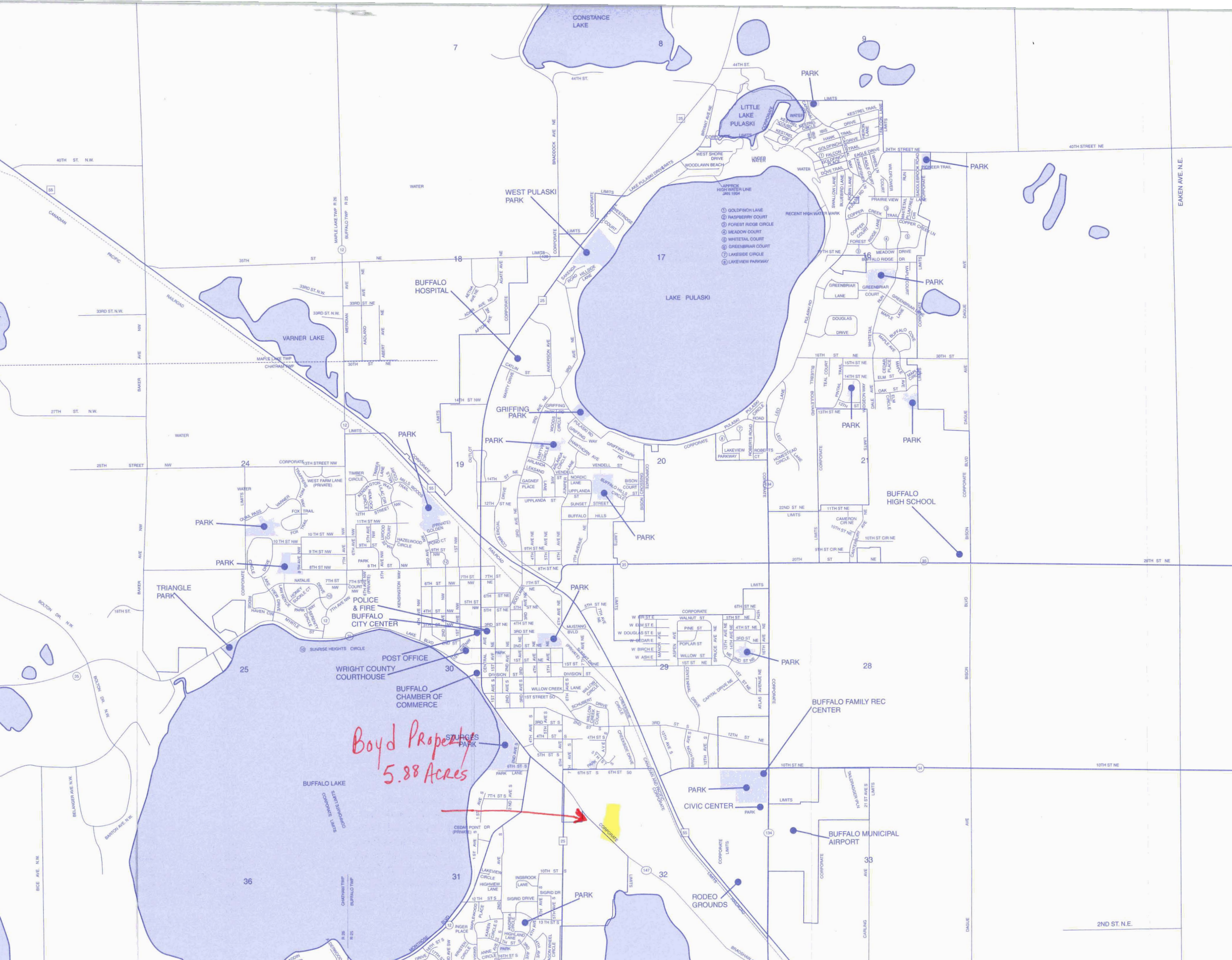
By: Ralph N. Odoiff
Supervisor

By: Donald W. Schenck
Supervisor

Colleen M. Ernesti

LEGAL DESCRIPTION:

That part of the Northwest Quarter of Section 32, Township 120, Range 25, Wright County, Minnesota, described as follows: Commencing at the Northwest corner of said Northwest Quarter; thence North 89 degrees 21 minutes 54 seconds East, assumed bearing along the North line of said Northwest Quarter, a distance of 890.50 feet; thence continue North 89 degrees 21 minutes 54 seconds East along said North line, a distance of 970.36 feet; thence South 1 degree 49 minutes 02 seconds West, a distance of 1683.09 feet; thence North 88 degrees 06 minutes 43 seconds West, a distance of 250.30 feet; thence South 2 degrees 29 minutes 59 seconds West, a distance of 443.35 feet to the centerline of County Road No. 147; thence North 45 degrees 43 minutes 36 seconds West along said centerline, a distance of 25.20 feet to the point of beginning; thence North 2 degrees 29 minutes 59 seconds East, a distance of 994.00 feet; thence South 89 degrees 21 minutes 54 seconds West, a distance of 273.82 feet; thence South 2 degrees 17 minutes 42 seconds West, a distance of 409.70 feet; thence South 32 degrees 47 minutes 42 seconds West, a distance of 248.39 feet to the centerline of said County Road No. 147; thence South 45 degrees 43 minutes 36 seconds East along said centerline to the point of beginning. Containing 5.88 acres and subject to the right of way of County Road No. 147.



Parks and

Sturges Park
Hwy 25 & 2nd Ave S on Buffa

West Pulaski Park
West side of Lake Pulaski along

Griffing Park
SW side of Lake Pulaski along

Lions Park
2nd St NE 8.6 acres

Bentfield Mills Buffalo Famil
Co 34 & 134 50 acres

Tennis Courts
Discovery Elem-4 lighted, Mid

School

Preschool/ Kindergarden
ECFE Family School
Kid's Haven Child Care & Pre
Little Buffalo Preschool
Noah's Ark Preschool
Wright County Head Start Pro

Elementary & Secondary
Independent District #877: Bu
Hanover & Montrose
District Office
www.buffalo.k12.mn.us
School Board meetings 3rd M
Call for location - 763-682-52

Community Education
Buffalo High School
Buffalo Middle School
Tatanka Elementary
Parkside Elementary
Discovery Elementary
Hanover Elementary
Montrose Elementary
Adult Basic Education
(ECFE) Early Childho

Family Education
Special Education
District Transportation
Early Childhood Intervention
School Age Child Care.
Opening Doors.
Head Start

Vocational
Wright Technical Center. . .

Colleges & Universities