

TO THE MINNESOTA MUNICIPAL BOUNDARY ADJUSTMENTS
300 Centennial Office Building
658 Cedar St.
St. Paul, MN 55155

REC'D BY
MMB

MAY 05 2004

IN THE MATTER OF THE JOINT
RESOLUTION OF THE TOWNSHIP OF
MADISON AND THE CITY OF MADISON
DESIGNATING AN UNINCORPORATED
AREA AS IN NEED OF ORDERLY
ANNEXATION AND CONFERENCING
JURISDICTION OVER SAID AREA TO
THE MINNESOTA MUNICIPAL
BOUNDARY ADJUSTMENTS
PURSUANT TO M.S. 414.0325.

**JOINT RESOLUTION FOR
ORDERLY ANNEXATION**

The Township of Madison ("Township") and the City of Madison ("City") hereby jointly agree to the following:

1. That the following described area in Madison Township is subject to orderly annexation pursuant to Minn. Stat. §414.0325, and the parties hereto designate this area for orderly annexation:

A tract or parcel of land lying and being in the Northeast Quarter (NE $\frac{1}{4}$) of Section Twenty-eight (28), Township One Hundred Eighteen (118) North, Range Forty-four (44), County of Lac qui Parle, State of Minnesota, described by metes and bounds as follows, to-wit: Beginning at the northwest corner of the NE $\frac{1}{4}$ of said Section 28, running thence east on and along the north line of said Section 28 a distance of 18 rods; running thence south on and along a line parallel to the quarter line of said Section 28 a distance of 46 rods; running thence west on and along a line parallel to the north line of said Section 28 a distance of 18 rods; running thence north on and along the quarter line of said Section 28 a distance of 46 rods to the point of beginning; said tract containing 5.18 acres, more or less; AND

A tract or parcel of land lying and being in the Northeast Quarter (NE $\frac{1}{4}$) of Section Twenty-eight (28), Township One Hundred Eighteen (118) North, Range Forty-four (44) West of the 5th P.M., described by metes and bounds as follows: to-wit: Beginning at the northwest corner of the NE $\frac{1}{4}$ of said Section 28, running thence east on and along the north line of said Section 28 a distance of 807 feet to the point of beginning; thence running east on and along the north line of said Section 28 a distance of 330 feet; running thence south on and along a line parallel to the east line of said Section 28 a distance of 700 feet; running thence west on and along a line parallel to the north line of said Section 28 a distance of

330 feet; running thence north on and along a line parallel to the east line of said Section 28 a distance of 700 feet to the point of beginning; AND

That part of the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section Twenty-eight (28), Township One Hundred Eighteen (118) North, Range Forty-four (44) West, described as follows:

Commencing at the north quarter corner of said Section 28; thence South 89 degrees 04 minutes 46 seconds East, assumed bearing along the north line of said Section 28, a distance of 807 feet; thence South 00 degrees 49 minutes 32 seconds West a distance of 76.71 feet to a point on the south right of way line of Trunk Highway No. 40, said point being the point of beginning of the tract to be described; thence North 89 degrees 03 minutes 01 seconds West, along the said south right of way line of said Trunk Highway No. 40, a distance of 509.92 feet; thence South 00 degrees 46 minutes 04 seconds West a distance of 40.00 feet; thence South 89 degrees 03 minutes 01 seconds East a distance of 40.00 feet to the point of beginning.

2. That the Township does, upon passage of this resolution and its adoption by the City Council of Madison, Minnesota, and upon acceptance by the Municipal Boundary Adjustments, confer jurisdiction upon the Minnesota Municipal Boundary Adjustments over the various provisions contained in this agreement.

3. Certain properties abutting the City are presently urban or suburban in nature or about to become so. Further, the City is capable of providing services to this area within a reasonable time, or the existing township form of government is not adequate to protect the public health, safety or welfare, or the annexation would be in the best interests of the area proposed for annexation. Therefore, these properties would be immediately annexed to the City. This area is described as follows:

A tract or parcel of land lying and being in the Northeast Quarter (NE $\frac{1}{4}$) of Section Twenty-eight (28), Township One Hundred Eighteen (118) North, Range Forty-four (44), County of Lac qui Parle, State of Minnesota, described by metes and bounds as follows, to-wit: Beginning at the northwest corner of the NE $\frac{1}{4}$ of said Section 28, running thence east on and along the north line of said Section 28 a distance of 18 rods; running thence south on and along a line parallel to the quarter line of said Section 28 a distance of 46 rods; running thence west on and along a line parallel to the north line of said Section 28 a distance of 18 rods; running thence north on and along the quarter line of said Section 28 a distance of 46 rods to the point of beginning; said tract containing 5.18 acres, more or less; AND

A tract or parcel of land lying and being in the Northeast Quarter (NE $\frac{1}{4}$) of Section Twenty-eight (28), Township One Hundred Eighteen (118) North, Range Forty-four (44) West of the 5th P.M., described by metes and bounds as follows:

to-wit: Beginning at the northwest corner of the NE ¼ of said Section 28, running thence east on and along the north line of said Section 28 a distance of 807 feet to the point of beginning; thence running east on and along the north line of said Section 28 a distance of 330 feet; running thence south on and along a line parallel to the east line of said Section 28 a distance of 700 feet; running thence west on and along a line parallel to the north line of said Section 28 a distance of 330 feet; running thence north on and along a line parallel to the east line of said Section 28 a distance of 700 feet to the point of beginning; AND

That part of the Northwest Quarter of the Northeast Quarter (NW¼ NE¼) of Section Twenty-eight (28), Township One Hundred Eighteen (118) North, Range Forty-four (44) West, described as follows:

Commencing at the north quarter corner of said Section 28; thence South 89 degrees 04 minutes 46 seconds East, assumed bearing along the north line of said Section 28, a distance of 807 feet; thence South 00 degrees 49 minutes 32 seconds West a distance of 76.71 feet to a point on the south right of way line of Trunk Highway No. 40, said point being the point of beginning of the tract to be described; thence North 89 degrees 03 minutes 01 seconds West, along the said south right of way line of said Trunk Highway No. 40, a distance of 509.92 feet; thence South 00 degrees 46 minutes 04 seconds West a distance of 40.00 feet; thence South 89 degrees 03 minutes 01 seconds East a distance of 40.00 feet to the point of beginning.

4. That the City agrees to investigate the possibility of sharing facilities, equipment, and personnel with the township to forestall the duplication of facilities and to reduce the overall costs of government in the area.

5. That the effect of annexation on population shall be resolved whenever possible by agreement of parties. If there is failure to reach such agreement, the question shall be resolved by the Minnesota Municipal Boundary Adjustments.

6. That planning throughout the orderly annexation area shall be pursuant to Minn. Stat. §414.0325.

7. In all annexations within the orderly annexation area, the parties agree to the following division of financial assets and obligations:

8. That any person owning lands annexed to the City pursuant to this agreement shall have the following rights with regard to the payment of assessments and hook-up charges on projects previously completed by the city which may be assessable against said annexed property:

A tract or parcel of land lying and being in the Northeast Quarter (NE¼) of Section Twenty-eight (28), Township One Hundred Eighteen (118) North, Range

Forty-four (44), County of Lac qui Parle, State of Minnesota, described by metes and bounds as follows, to-wit: Beginning at the northwest corner of the NE $\frac{1}{4}$ of said Section 28, running thence east on and along the north line of said Section 28 a distance of 18 rods; running thence south on and along a line parallel to the quarter line of said Section 28 a distance of 46 rods; running thence west on and along a line parallel to the north line of said Section 28 a distance of 18 rods; running thence north on and along the quarter line of said Section 28 a distance of 46 rods to the point of beginning; said tract containing 5.18 acres, more or less; AND

A tract or parcel of land lying and being in the Northeast Quarter (NE $\frac{1}{4}$) of Section Twenty-eight (28), Township One Hundred Eighteen (118) North, Range Forty-four (44) West of the 5th P.M., described by metes and bounds as follows: to-wit: Beginning at the northwest corner of the NE $\frac{1}{4}$ of said Section 28, running thence east on and along the north line of said Section 28 a distance of 807 feet to the point of beginning; thence running east on and along the north line of said Section 28 a distance of 330 feet; running thence south on and along a line parallel to the east line of said Section 28 a distance of 700 feet; running thence west on and along a line parallel to the north line of said Section 28 a distance of 330 feet; running thence north on and along a line parallel to the east line of said Section 28 a distance of 700 feet to the point of beginning; AND

That part of the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section Twenty-eight (28), Township One Hundred Eighteen (118) North, Range Forty-four (44) West, described as follows:

Commencing at the north quarter corner of said Section 28; thence South 89 degrees 04 minutes 46 seconds East, assumed bearing along the north line of said Section 28, a distance of 807 feet; thence South 00 degrees 49 minutes 32 seconds West a distance of 76.71 feet to a point on the south right of way line of Trunk Highway No. 40, said point being the point of beginning of the tract to be described; thence North 89 degrees 03 minutes 01 seconds West, along the said south right of way line of said Trunk Highway No. 40, a distance of 509.92 feet; thence South 00 degrees 46 minutes 04 seconds West a distance of 40.00 feet; thence South 89 degrees 03 minutes 01 seconds East a distance of 40.00 feet to the point of beginning.

9. No consideration by the board is necessary, and the board shall, after review and comment, order the annexation with thirty (30) days in accordance with the terms of this resolution.

