

ORDERLY ANNEXATION AGREEMENT

A Joint Resolution and Agreement between the Town of New Haven, Olmsted County, and the City of Pine Island as to the Orderly Annexation of Territory described below.

City of Pine Island Resolution 03-21

And

New Haven Township Resolution 04-01

WHEREAS: the Town of New Haven (Township), and the City of Pine Island (City) hereby agree to enter into this Joint Resolution and Agreement for the orderly annexation of certain territory in accordance with MN Statutes 414.0325, Subdivision 1 legally described as:

(Tract A) Willow Circle (See attached)

WHEREAS: the Township, and the City are in agreement as to the orderly annexation of the territory for the purpose of providing municipal services to property currently located with the Township.

WHEREAS: Minnesota Planning may review and comment, but shall within 30 days order the agreed upon annexation in accordance with the terms of this agreement.

WHEREAS: the parties hereto desire to set forth the terms and conditions of such orderly annexation by means of this Joint Resolution and Agreement.

NOW THEREFORE BE IT RESOLVED by the Township, and City as follows:

1. That the Township, and the City upon passage and adoption of this resolution, and upon acceptance by Minnesota Planning, confer jurisdiction upon Minnesota Planning over various provisions contained in this agreement.
2. Upon annexation, properties shall be classified in an appropriate City zoning district, agreed to by both parties.
3. This Joint Resolution and Agreement shall be effective on the day this agreement is approved by Municipal Planning.
4. The City shall reimburse the Township on overall City taxes collected starting the first year following annexation based on the following schedule:

Year 1 90%
Year 2 70%
Year 3 50%
Year 4 50%
Year 5 50%
Year 6 50%

5. Sewer and Water shall be extended to the development when either

a) If an individual septic system, or well fails: After sewer and water is extended, individual property owners will be required to connect to sewer, and /or water when either their septic system, or well fails. Property owners shall have the option of paying the entire assessment cost at the time of connection, or for up to 15 years at an interest rate as set at 1% above the current tax-exempt bonding rates. If the assessments are paid in full no interest shall be charged. If the assessments are paid over the 15 year period, interest shall be charged beginning the first year of assessment until the assessment amount is paid in full. No interest shall be charged until property owners connect to either sewer, or water. If sewer and water is extended within 3 years from the date of annexation approval, the City will pay 25% of the cost of extension. If sewer and water is extended after 3 years from the time of approval, the City will pay a maximum of 25% of the extension cost. Said amount to be determined by the City at that time. Assessments shall be made on a parcel basis evenly among all properties.

or

b) If 51% or more of the property owners request extension of sewer and/or water: Within 3 years of completion of sewer and water extension, property owners shall have the option of paying the entire assessment cost at the time of connection, or for up to 15 years at an interest rate as set at 1% above the current tax-exempt bonding rates. If the assessments are paid in full no interest shall be charged. If the assessments are paid over the 15 year period, interest shall be charged beginning the first year of assessment. The City will pay 25% of the cost of extension if sewer and water is extended within 3 years of the date of annexation approval by the State of Minnesota. If sewer and water is extended after 3 years from the time of state approval, the City will pay a maximum of 25% of the extension cost. Said amount to be determined by the City at that time. (After assessment payments begin, actual connection will not be required until septic or well fails, but owners may connect sooner at their discretion.) Assessments shall be made on a parcel basis evenly among all properties.

6. If no septic system, or well fails within 10 years from the date of annexation, the City reserves the right to extend sewer and/or water to the affected area. Property owners would not be required to begin paying assessments at the time of extension, but deferred interest would accrue at 1% above current bonding interest rates beginning one year after the utility extension


7. The City will pay all over sizing costs for sewer, or water line installation. The City will restore any areas disrupted during water, and sewer installation
8. Any previously approved township building variances where construction has not been started, or completed will be honored by the City until such variance expires.
9. The City will not prohibit the use of wells, after property owners are connected to City water as long as there are no cross connections between private wells, and the city water supply. Said use of wells must meet any applicable County, or State regulations. Property owner shall be responsible to obtain any applicable permits, and any costs associated thereof. .

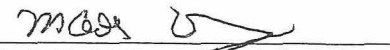
Adopted by the New Haven Township Board this 4th day of May, 2004

BY: 
Town Board Chair

BY: 
Town Board Clerk

Adopted by the City Council of the City of Pine Island this 5th day of May, 2004.

BY: 
Ken Markham, Mayor

BY: 
Mark Vahlsing, City Administrator

NORTHEAST QUARTER (1/4) OF SECTION 5, TOWNSHIP 108, NORTH OF RANGE 15 WEST IN OLMSTED COUNTY, MINNESOTA DESCRIBED AS FOLLOWS; COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHEAST ¼ AND RUNNING THENCE DUE EAST ALONG THE NORTH LINE THEREOF A DISTANCE OF 385.75 FEET, THENCE SOUTH 17' 30" EAST A DISTANCE OF 458 FEET, THENCE DUE WEST A DISTANCE OF 385.75 FEET TO A POINT IN THE WEST LINE OF SAID NORTHEAST ¼. THENCE NORTH 0° 17' 30" WEST A DISTANCE OF 458 FEET TO THE PLACE OF BEGINNING.

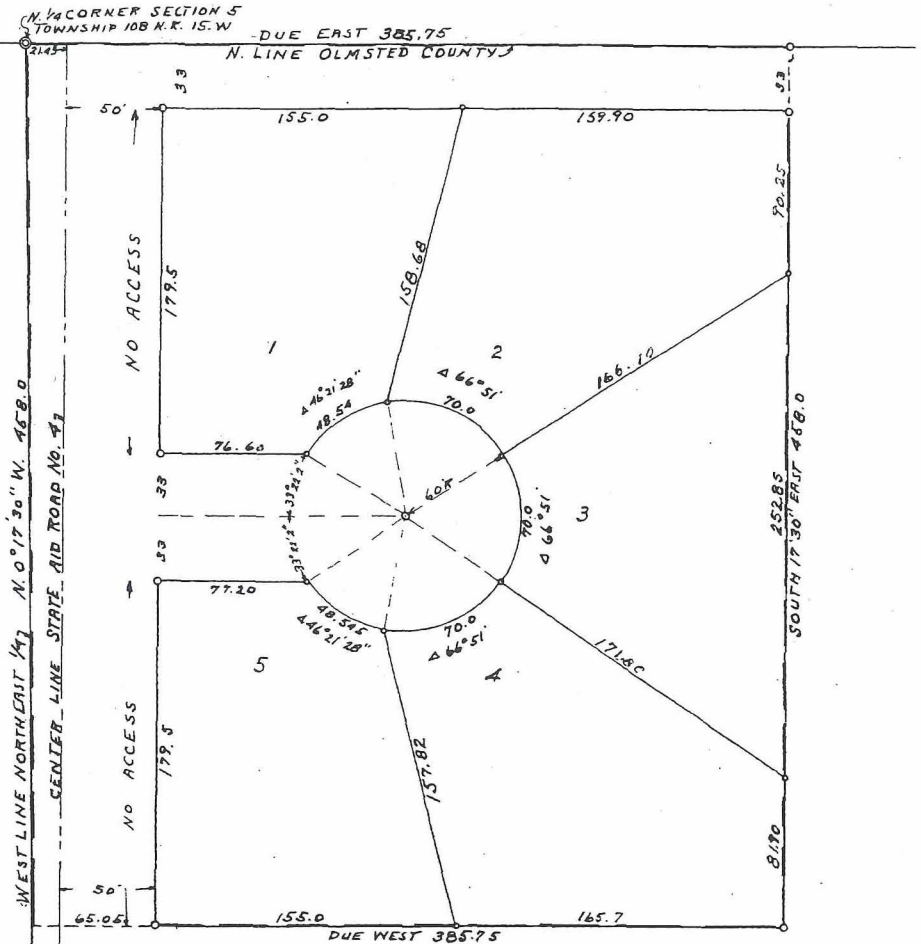
REC'D BY
M M B
MAY 24 2004

DON-MAR SUBDIVISION. OLMSTED COUNTY, MINNESOTA.

Monuments shown thus \circ \odot
Boundaries shown thus _____
Measurements in feet and decimals
Scale 1 inch equals 50 feet.

John J. Kerr...County Surveyor.
Registered Land Surveyor No. 238.

ORIGINAL.



Approved as to water supply and sewage disposal
By William C. Foster Engineer.

Approved by Olmsted County Zoning Commission.
By Ed. J. B. ... Chairman.

Approved by the planning advisory commission of
Olmsted County.
By Arthur H. Badger Chairman.

Approved by the County Engineer.
By ...

DEDICATION
Know all men by these presents That Donald Theodore Pearson and Marie E. Pearson (his wife) Owners and proprietors of lands situate in the northeast quarter (1/4) of section 5, Township 108, north of range 15 west in Olmsted County, Minnesota described as follows: Commencing at the northwest corner of said northeast 1/4 and running thence due east along the north line thereof a distance of 385.75 feet; Thence south 17° 30' EAST a distance of 458 feet; Thence due west a distance of 385.75 feet to a point in the west line of said northeast 1/4; Thence north 0° 17' 30" west a distance of 458 feet to the place of beginning. That they have caused the same to be surveyed, Staked and platted into lots, Roads and Streets such subdivision to be known and designated as "DON-MAR SUBDIVISION" and they do hereby donate and dedicate the roads and streets as shown on the annexed plat to the public for the public use as such forever. In witness whereof we have here-un-to set our hands and seals. In the presence of.

Witness: Robert Harper
Witness: Marie E. Pearson

ACKNOWLEDGEMENT.

State of Minnesota
County of Olmsted, S. S.
On this 12th day of August, 1966 before me a notary public personally appeared Donald Theodore Pearson and Marie E. Pearson (his wife) To me known to be the persons described in and who executed the foregoing instrument and they acknowledged that they executed the same as their free act and deed.

Notary Public, Olmsted County, Minnesota.
My commission expires 13 August 1972.

SURVEYORS CERTIFICATE.

State of Minnesota,
County of Olmsted, S. S.
I, John J. Kerr County Surveyor in and for said county do hereby certify that I have surveyed and Staked and platted the property described on this plat as "DON-MAR SUBDIVISION" That the plat is a correct representation of said survey as made. That all distances are correctly shown on said plat in feet and decimals of a foot. That monuments for the guidance of future surveys on said plat have been placed in the ground as shown on said plat. That the outside boundaries are correctly shown and designated. That there are no wet lands thereon. That all roads or public highways are correctly designated on said plat.
Dated this day of August 31st 1966.

John J. Kerr...County Surveyor.
Registered Land Surveyor No. 238.

State of Minnesota,
County of Olmsted, S. S.
I, Ross Browning County Auditor in and for said county do hereby certify that the attached plat was duly approved by the Board of County Commissioners at a meeting held on this 14th day of April, 1967. In testimony whereof I have signed my name and affixed the seal of said County.

Ross Browning...County Auditor.

Taxes for the year of 1967. Paid.

County Treasurer.

Taxes paid and transfer entered this 5th day of July, 1967 A.D. 1966.

County Auditor.

State of Minnesota,
County of Olmsted, S. S.
Filed for record this 5th day of August, 1967 at 10:00-Clock P.M.
and recorded in Book of Plats Page

Register of Deeds.