

WOODLAND TOWNSHIP RESOLUTION
NO. 05-04

CITY OF WAVERLY RESOLUTION
NO. 05 - 02

JOINT RESOLUTION AND AGREEMENT FOR
ORDERLY ANNEXATION BETWEEN WOODLAND
TOWNSHIP AND THE CITY OF WAVERLY, MINNESOTA

WHEREAS, the Woodland Township Board passed a resolution on April 11, 2005, approving the annexation to the City of Waverly of certain land owned by Joseph and Catherine Lachermeier and legally described as follows:

See attached Exhibit A

WHEREAS, the City Council of the City of Waverly agreed to the annexation of the above described parcel of land at its April 12, 2005 meeting; and

WHEREAS, the Woodland Township Board and the City Council for the City of Waverly have both determined that the annexation of a portion of the Township with the City is of mutual benefit to both parties and the residents there.

NOW, THEREFORE, BE IT RESOLVED by the Woodland Township Board and the City Council of the City of Waverly as follows:

1. **Designation of Merger Area.** Woodland Township (hereinafter "Township") and the City of Waverly (hereinafter "City") desire to designate, by joint resolution and agreement, the area encompassing the territory of the Township as described herein (the "Annexed Parcel") subject to merger and orderly annexation under and pursuant to Minnesota Statutes Section 414.0325.
2. **Agreement by Property Owner.**
 1. The property owner has submitted a request for annexation to City, has agreed to pay Township ~~\$9,250.00~~ (37 acres x \$250.00/acre) ^{9,472.50} 37.89 simultaneously with the approval of this Joint Resolution, and has agreed to pay any deferred special assessments in full, with interest.
 2. The property owner (developer) shall improve Dempsey Avenue adjacent to the development with blacktop in accordance with

specifications approved by the City Engineer.

3. The City shall take over ownership and maintenance of Dempsey Avenue once construction is complete and the improvements have been accepted by the City Engineer.
4. The property owner (developer) agrees to participate cooperatively with Creative Development (property owner to the south) to provide access to the south property whether it is through reimbursement of costs incurred by Creative Development to improve Dempsey Avenue or whether the costs of improvements are borne by the property owner (developer).

3. **Population of Merger Area.**

- (a) The Township and the City state that the population of the annexed area is approximately 0 persons.
- (b) The 2000 census results of the population of the City of Waverly was 732 persons. Therefore, following the annexation, the estimated population of the City will increase by 0 persons.

4. **State Agency Jurisdiction.** Upon approval by the respective governing bodies of the Township and the City, this Joint Resolution and Agreement confers jurisdiction upon the office of Minnesota Planning to accomplish the orderly annexation in accordance with the terms of this Joint Resolution and Agreement.

5. **No Alterations of Boundaries.** City and Township mutually state that no alterations of the boundaries of the area designated herein for orderly annexation is appropriate.

6. **Property Taxes.** - Commencing in 2006, City shall receive the taxes collected. City shall make no payments to Township for taxes levied on the annexed parcel except as follows: City shall remit all delinquent taxes, charges and assessments collected from any portion of the annexed parcel if such taxes or charges were originally payable while the delinquent property remained in Township. Additionally, if the property no longer qualifies for special tax treatment through Green Acres or other applicable programs such as Ag Preserves, CRP, and This Old House, and taxes that were deferred under one of these programs are paid to City, City shall remit to Township the amount which was deferred during the time the property was in the township.

7. **Authorization**. The appropriate officers of the City and the Township are hereby authorized to carry out the terms of this Joint Resolution and Agreement into effect.
8. **Severability and Repealer**. Should any section of this Joint Resolution and Agreement be held by a court of competent jurisdiction to be unconstitutional or void, the remaining provisions will remain in full force and effect.
9. **Effective Date**. This Joint Resolution and Agreement is effective upon its adoption by the respective governing bodies of the Township and the City, as provided by law.
10. **Review and Comment by State Board**. The Township and the City mutually state that this Joint Resolution and Agreement sets forth all the conditions for the merger of the area designated herein for such merger and orderly annexation, and that no consideration by the office of Minnesota Planning is necessary. The office of Minnesota Planning may review, comment, but must, within thirty (30) days of receipt of this Joint Resolution and Agreement, order merger and orderly annexation in accordance with its terms and conditions.

Adopted by the Woodland Township Board this ²⁷ ~~11th~~ day of April, 2005.

WOODLAND TOWNSHIP

By Kenneth Pawell
Supervisor

Attest:

Gloria Jambula
Town Clerk

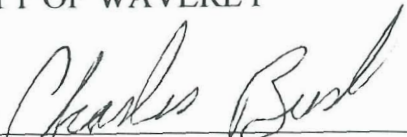
REC'D BY
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MAY 26 2005

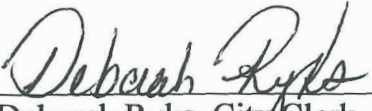
Adopted by the City Council for the City of Waverly this 12th day of April, 2005.

CITY OF WAVERLY

By


Charles Bush, Mayor

Attest:


Deborah Ryks, City Clerk

MAY 26 2005

Lots 2 and 3, Section 3, Township 118, Range 26, Wright County, Minnesota.

EXCEPTING THEREFROM the following:

The North 467 feet of the East 466 feet of the Northeast Quarter of the Northwest Quarter of Section 3, Township 118, Range 26, Wright County, Minnesota.

That part of the Northwest Quarter of Section 3, Township 118, Range 26, Wright County, Minnesota, described as follows: Commencing at the northwest corner of said Northwest Quarter; thence East, assumed bearing, along the north line of said Northwest Quarter, a distance of 322.78 feet to the actual point of beginning; thence continue East, along said north line, a distance of 255.62 feet; thence South, a distance of 340.81 feet; thence West, a distance of 255.62 feet; thence North, a distance of 340.81 feet to the actual point of beginning.

That part of the Northwest Quarter of Section 3, Township 118, Range 26, Wright County, Minnesota, described as follows: Commencing at the southeast corner of said Northwest Quarter; thence North 89 degrees 25 minutes 17 seconds West, assumed bearing, along the south line of said Northwest Quarter, a distance of 55.62 feet; thence North 00 degrees 03 minutes 25 seconds West, a distance of 1318.15 feet; thence South 89 degrees 06 minutes 17 seconds East, 21.51 feet to the east line of said Northwest Quarter; thence South 01 degrees 32 minutes 21 seconds East, along the east line of said Northwest Quarter, a distance of 1318.85 feet to the southeast corner of said Northwest Quarter and the point of beginning.

That part of the Northwest Quarter of Section 3, Township 118, Range 26, Wright County, Minnesota, described as follows: Beginning at the northeast corner of said Northeast Quarter of Section 4, Township 118, Range 26; thence on an assumed bearing of South 88 degrees 41 minutes 31 seconds East, along the north line of the Northwest Quarter of said Section 3, a distance of 33.03 feet; thence South 01 degrees 05 minutes 49 seconds East, parallel with the west line of said Northwest Quarter, a distance of 1069.10 feet; thence southwesterly, a distance of 58.27 feet along a tangential curve, concave to west, having a radius of 233.00 feet and a central angle of 16 degrees 47 minutes 20 seconds; thence South 15 degrees 41 minutes 31 seconds West, tangent to said curve, a distance of 79.87 feet to said west line; thence North 01 degrees 05 minutes 49 seconds West, along said west line, a distance of 1214.25 feet to the point of beginning.

Commencing at the northwest corner of said Government Lot 3; thence South 88 degrees 41 minutes 31 seconds East, assumed bearing along the north line of said Government Lot 3, a distance of 322.78 to the actual point of beginning; thence South 01 degrees 18 minutes 29 seconds West, a distance of 340.81 feet; thence South 88 degrees 41 minutes 31 seconds East, a distance of 255.62 feet; thence North 01 degrees 18 minutes 29 seconds East, a distance of 340.81 feet to said north line of Government Lot 3; thence South 88 degrees 41 minutes 31 seconds East, along said north line of Government Lot 3, a distance of 110.98 feet; thence South 01 degrees 05 minutes 50 seconds East, a distance of 792.82 feet; thence South 35 degrees 17 minutes 40 seconds East, a distance of 998.29 feet; thence South 01 degrees 05 minutes 50 seconds East, a distance of 1,122.02 feet to the south line of said Government Lot 3; thence North 89 degrees 25 minutes 17 seconds West, along said south line of Government Lot 3, a distance of 1,250.38 feet to the west line of said Government Lot 3; thence North 01 degrees 05 minutes 50 seconds West, along said west line of Government Lot 3, a distance of 1,518.65 feet to the easterly right of way line of Dempsey Avenue Southwest, as dedicated on CARRIGAN SHORES, according to the recorded plat thereof, said Wright County; thence North 15 degrees 41 minutes 30 seconds East, along said easterly right of way, a distance of 79.86 feet; thence northerly, along a tangential curve, and along said easterly right of way, concave to the west, having a radius of 233.00 feet and a central angle of 16 degrees 47 minutes 20 seconds, having an arc distance of 68.27 feet; thence North 01 degrees 05 minutes 50 seconds West, tangent to said curve and along said easterly right of way and its northerly extension, a distance of 1069.10 feet to said north line of Government Lot 3; thence South 88 degrees 41 minutes 31 seconds East, along said north line of Government Lot 3, a distance of 289.75 feet to the point of beginning.

So If You're Having Trouble Reading
Our Maps Check Our Page On **"HOW TO READ YOUR PLAT & DIRECTORY"**
Which Is Located Near The Front Of The Book
We Want You To Take Full Advantage Of Our Service!

Subject Property
Previously annexed

R-26-W

West of 59 acres
previously annexed

