

**WOODLAND TOWNSHIP RESOLUTION
NO. 07-05-2**

**CITY OF WAVERLY RESOLUTION
NO. 07 -04-1**

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

WHEREAS, the Town Board of Woodland Township passed a resolution on May 14, 2007, approving the annexation to the City of Waverly of certain lands owned by Daniel L. Kelleher and Susan K. Kelleher, husband and wife, (Property Owner) and legally described as follows:

The North 220.00 feet of the South 1474.00 feet of the East 400 feet of the Southeast Quarter of Section 5, Township 118, Range 26, Wright County, Minnesota. (Unimproved Parcel)

And

The North 590.38 feet of the East 300.00 feet of the East 40 rods of the south 76 rods of the Southeast Quarter of Section 5, Township 118, Range 26, Wright County, Minnesota. (Improved Parcel)

WHEREAS, the City Council of the City of Waverly agreed to the annexation of the above-described parcels of land at its February 13, 2007, meeting;

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

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

1. **Designation of Merger Area.** Woodland Township (Township) and the City of Waverly (City) do hereby designate, by joint resolution and agreement, the area encompassing the territory of the Township as described hereinabove (Annexed Parcel) for merger and orderly annexation under and pursuant to Minnesota Statutes Section 414.0325.

2. **Agreement by Property Owner.** Property Owner has submitted a request for annexation to the City, has agreed to pay the Township \$3,245.00 (2.02 unimproved acres x \$250.00/acre = \$505.00, plus improved land with yearly Township taxes of \$548.00 x 5 years = \$2,740.00, for a total of \$3,245.00) simultaneously with the approval of this Joint Resolution, and has agreed to pay any deferred special assessments in full, with interest.

3. **Population of Merger Area.**

a. The Township and the City state that the population of the annexed area is approximately 2 persons.

b. The 2000 census of the population of the City of Waverly was 639 persons. Following the annexation, the estimated population of the City will increase by 2 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.** The City and the Township declare that no alterations of the boundaries of the area designated herein for orderly annexation is appropriate.

6. **Property Taxes.** Commencing in 2009, the City shall receive the taxes collected. The City shall make no payments to the Township for taxes levied on the annexed parcels except as follows: the City shall remit all delinquent taxes, charges, and assessments collected from any portion of the annexed parcels if such taxes or charges were originally payable while the delinquent property remained in the 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 the City, the City shall remit to the 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 take all actions necessary and expedient to effect the terms of this Joint Resolution and Agreement.

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 shall 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 declare that this Joint Resolution and Agreement sets forth all the conditions for the lands 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 and comment, but must, within 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 Town Board of Woodland Township this 14 day of May, 2007.

WOODLAND TOWNSHIP

By Kenneth J. Jewell
Supervisor

Attest:

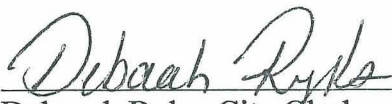
Gloria Jombula
Town Clerk

Adopted by the City Council for the City of Waverly this 10th day of April, 2007.

CITY OF WAVERLY

By 
Kenneth Hausladen, Mayor

Attest:


Deborah Ryks, City Clerk

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