

RESOLUTION 2004-23

A JOINT RESOLUTION OF THE CITY OF PIPESTONE AND THE TOWNSHIP OF GRAY DESIGNATING AN UNINCORPORATED AREA AS IN NEED OF ORDERLY ANNEXATION AND CONFERRING JURISDICTION OVER SAID AREA ON THE MINNESOTA MUNICIPAL BOARD PURSUANT TO MINNESOTA STATUTE 414.0325.

WHEREAS, the City of Pipestone and the Township of Gray desire to accommodate growth in the most orderly fashion; and

WHEREAS, a joint orderly annexation agreement between the parties hereto is beneficial to both parties from the standpoint of orderly planning and orderly transition of government within the area proposed to be annexed, and provides the guidelines under which such annexation shall take place.

NOW, THEREFORE, BE IT RESOLVED, by the City of Pipestone and the Township of Gray that the property described herein is designated for orderly annexation by the City of Pipestone and shall be annexed subject to the following terms and conditions:

1. The property which is the subject of this orderly annexation is legally described on the attached Exhibit A which is made a part of this Resolution.
2. The above-described real estate contains 42.5 acres and is described on the attached Exhibit B which is made a part of this Resolution.
3. The tract described in Paragraph 1 is adjacent to the City of Pipestone.
4. The parties hereby confer jurisdiction on the Municipal Board over the annexation of said property and the provisions of this Resolution.
5. The property shall be zoned residential upon annexation.
6. The parties waive the electric utility service notice required by MSA 414.0325 subd. 1.a.
7. The parties hereto agree that no alteration of the stated boundaries of the property described in Paragraph 1 is appropriate. Furthermore, the parties agree that no consideration by the Municipal Board is necessary. Upon receipt of this Resolution passed and adopted by each party, the Municipal Board may review and comment, but shall, within 30 days, order the annexation in accordance with the terms of the joint resolution.

Approved by Gray Township this 25 day of May 2004.

TOWNSHIP OF GRAY

By: Darrell Leneveu
Chair

By: David Z. Moulbroeck
Clerk

Approved by the City of Pipestone this 21st day of June 2004.

CITY OF PIPESTONE

By: Daniel Lusk
Mayor

By: [Signature]
City Administrator

ATTEST:

Debbie J. Johnson

REC'D BY
MMB

JUN 28 2004

The West Two (2) acres of the Northwest Quarter (NW $\frac{1}{4}$) of Section Twenty (20), Township One Hundred Six (106) North, Range Forty-five (45) West of the fifth P.M., and all that part of the Northeast Quarter (NE $\frac{1}{4}$) of Section Nineteen (19), Township One Hundred Six (106) North, Range forty-five (45) West of the Fifth P.M., lying east of the east right of way line of Highway No. 75, LESS the former railway right of way, but including all that portion of the former railway right of way described as all that portion of Burlington Northern Railroad Company's (formerly Great Northern Railway Company) 100.0 foot wide Branch Line right of way, now discontinued, being 50.0 feet wide on each side of said Railroad Company's Main Track centerline, as originally located and constructed upon, over and across the E $\frac{1}{2}$ NE $\frac{1}{4}$ and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 19, Township 106 North, Range 45 West, 5th Principal Meridian, Pipestone County, Minnesota; bounded between the North lines of said E $\frac{1}{2}$ NE $\frac{1}{4}$ and said NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ and a line drawn parallel with the South line of said E $\frac{1}{2}$ NE $\frac{1}{4}$ distant 657.0 feet Northwesterly of the South line of said E $\frac{1}{2}$ NE $\frac{1}{4}$, as measured along said Main Track Centerline, all in the County of Pipestone, State of Minnesota, EXCEPT the following described tract of land:

Commencing at a point 33 feet east of the Southeast corner of the Northeast Quarter (NE $\frac{1}{4}$) of Section Nineteen (19), Township One Hundred Six (106) North, Range forty-five (45) West of the Fifth P.M., running thence north 582 feet, thence west 299 feet, more or less, to the east right of way line of the former railway right of way; thence southeasterly along said east right of way line for 657 feet, more or less, to the south line of the Northwest Quarter (NW $\frac{1}{4}$) of Section Twenty (20), Township One Hundred Six (106) North, Range forty-five (45) West of the Fifth P.M., thence east along said south line for 13 feet, more or less, to the point of beginning. Said tract containing two (2) acres, more or less, and being in the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section Nineteen (19), Township One Hundred Six (106) North, Range Forty-five (45) West of the Fifth P.M., and the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section Twenty (20), Township One Hundred Six (106) North, Range Forty-five (45) West of the Fifth P.M.

Exhibit A

PROPERTY MAP JULY 28 2004



CITY LIMITS

to be annexed

Highway 45

Exhibit B