

**JOINT RESOLUTION BETWEEN THE TOWN OF BUFFALO
AND THE CITY OF BUFFALO
FOR ORDERLY ANNEXATION**

RECITALS:

1. The Town of Buffalo Board of Supervisors passed a resolution on January 8, 2008, approving the annexation to the City of Buffalo of certain land owned by Marlin and Donna Frank and legally described in the attached Exhibit A. Said property will be developed as a residential development.

2. The City Council of the City of Buffalo agreed to the annexation of the above described parcel of land at its January 7, 2008, meeting; and

3. The Buffalo Township Board and the City Council for the City of Buffalo 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 thereof;

Now, therefore, the Town of Buffalo and the City of Buffalo hereby jointly resolve and agree to the following:

1. **Office of Administrative Hearings – Municipal Boundary Adjustments**, (hereinafter referred to as "OAHMBA"). The Town of Buffalo and the City of Buffalo do, upon adoption of this resolution, and upon acceptance by the OAHMBA, confer jurisdiction upon the OAHMBA over the property so as to accomplish said annexation in accordance with the terms of this Resolution.

2. **Population of Annexation Area.**

- (a) The Town and the City state that the population of the annexed area is approximately 0 persons.
- (b) (b) Following the annexation, the estimated population of the City will increase by 0 persons.
- (c)
- (d) **3. Acreage** The property consists of one acre.
- (e) **4. Roads.** The City of Buffalo maintains and shall continue to maintain 6th Avenue Northeast upon annexation, the street that this property abuts.
- (f) **5. No Alteration of Boundaries.** The Town and City agree and state that no alterations by the OAHMBA of the property's stated boundaries is appropriate.

- (a) 6. **Fire Protection.** Upon annexation to the City of Buffalo, the parties agree that the property shall be dropped from the joint powers agreement for fire services between the parties at its next effective annual payment date. Thereafter, fire protection to the property shall be provided by the City of Buffalo Fire Department at its sole cost and expense.
- (a) 7. **Municipal Reimbursement.** The City and Town mutually agree that, pursuant to Minnesota Statutes 414.036, a reimbursement from the City to the Town shall be based upon the the taxes paid to the City of Buffalo at the following rates: Year One – 100%, Year Two – 100%, Year Three – 50%.
- (b) 8. **Continued Effect of OAA.** The Orderly Annexation Agreement dated January 6, 2004, (OA-1002) and OA-108 shall not be modified by this Resolution and shall remain in full force and effect.
- (c) 9. **Municipal Boundary Adjustments Review and Comment.** The Town and City agree and state that this Joint Resolution sets forth all the conditions for annexation of the property, and no consideration by the OAHMBA is necessary. The OAHMBA may review and comment, but shall order the annexation of the property according to this Joint Resolution's terms within 30 days of the OAHMBA's receipt of this Joint Resolution.

10. **Planning and Land Use Control Authority.** Upon the annexation's effective date, the City's zoning regulations and land use controls shall govern the property.

11. **Effective Date.** This Joint Resolution shall be effective from the date of the OAHMBA's order calling for the property's annexation to the City.

CITY OF BUFFALO

Passed and adopted by the City
Council of the City of Buffalo
this 7th day of January,
2008.

By: *Fred Naaktgeboorn*
Its Mayor

ATTEST: *Robert J. Bege*
City Administrator

TOWN OF BUFFALO

Passed and adopted by the Town Board
of the Town of Buffalo this 8th day of
January, 2008.

By: *Colleen Einasti*
Its Chairman

ATTEST: *Ruth A. Jans*
Town Board Clerk

By: *Judy Weldek*
Supervisor

By: *Donald M. Schmitt*
Supervisor

REC'D BY
MMB

JAN 22 2008

EXHIBIT A

**North ½ of Lot 1 and the South ½ of Lot 2 of Lot F of West ½ of SW ¼ of Section
20, Township 120, Range 25, Wright County, Minnesota.**

EXHIBIT B

(MAP)

REC'D BY
BMB

JAN 22 2008

