

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

WHEREAS, the Board of Supervisors of the Town of Buffalo (hereinafter referred to as the "Town") passed a resolution on August 13, 2012, approving the annexation to the City of Buffalo of certain land in the Town legally described in the attached Exhibit A.

WHEREAS, the City Council of the City of Buffalo (hereinafter referred to as the "City"), agreed to the annexation of the above described parcel of land at its September 6, 2011, meeting; and

WHEREAS, the Town and the City have 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, BE IT RESOLVED**, in consideration of the mutual terms and conditions, the City and Town enter into this Joint Resolution of Orderly Annexation (the "Joint Resolution")

1. **Designation of Orderly Annexation Area.** The Town and the City hereby designate the area set forth on the map attached as Exhibit B, which is legally described on the Exhibit A attached, both of which attachments are incorporated herein by reference, for immediate orderly annexation under and pursuant to Minnesota Statutes Section 414.0325. For purposes of this Joint Resolution, this area shall be referred to as the "OAA Property."
2. **Office of Administrative Hearings, Municipal Boundary Adjustments Unit.** Upon approval by the Town Board and the City Council, this Joint Resolution shall confer jurisdiction upon the Office of Administrative Hearings, Municipal Boundary Adjustments Unit (hereinafter referred to as "OAH") to accomplish said orderly annexations in accordance with the terms of this Joint Resolution. In the event that the OAH is abolished, the authority will be transferred to the department or person(s) assigned that duty.
3. **No Alterations of Boundaries.** The Town and City mutually agree and state no alterations of the stated boundaries of the OAA Property is appropriate.
4. **No Hearing Required.** Pursuant to Minnesota Statutes Section 414.0325, the Town and City mutually agree that this Joint Resolution and Agreement sets forth all the conditions for annexation of the areas designated, and that no consideration by the chief administrative law judge OAH is necessary. Upon the execution and filing of this Joint Resolution, the chief administrative law judge of the OAH may review and comment, but shall, within thirty (30) days of receipt of this Joint Resolution, order annexation of the OAA Property in accordance with the terms of this Joint Resolution.

5. **Tax Compensation to Buffalo.** Upon annexation of the Property, in order to compensate the Town of Buffalo for loss of tax revenues, the City of Buffalo agrees to compensate the Town of Buffalo over a three year period for the Property not located within the Right-of-Way. Said compensation shall be made from the City of Buffalo to the Town of Buffalo based on the ad valorem taxes collected by the City of Buffalo for the Property as set out in the following schedule:

<u>Year</u>	<u>Percentage of Taxes Paid to the Town of Buffalo</u>
2013	100%
2014	100%
2015	50%

Payments are to be made annually after receipt of the tax revenues for the property from the Wright County Treasurer's Office. Taxes paid in 2013 shall be at the mill rate of the Town of Buffalo and taxes paid in 2014 and thereafter shall be at the mill rate of the City of Buffalo.

6. **Planning and Land Use Control Authority.** The Town and City mutually agree that upon annexation, the property shall be zoned R-1, single family residential, and shall be subject to the land use control authority of the City.
7. **Character of the Property.** The OAA Property abuts the City of Buffalo and is presently urban or suburban in nature or is about to become so. Further, the City is now or within a reasonable amount of time will be capable of providing municipal water and sanitary sewer to the OAA Property.
8. **Acreage.** The designated property consists of 50 +/- acres.
9. **Population.** The Township and the City state that the population of the annexed area is approximately 0 persons. Therefore, following the annexation, the estimated population of the City will increase by 0 persons.
10. **Authorization.** The Town and City have authorized the appropriate officers to carry this Joint Resolution's terms into effect.
11. **Roads.** No Township roads shall be affected by this annexation.
12. **Severability and Repealer.** A determination that a provision of this Joint Resolution is unlawful or unenforceable shall not affect the validity or enforceability of the other provisions herein.
13. **Effective Date.** This Joint Resolution shall be effective upon adoption by the governing bodies of the City and Township and approval by the Director of Office of Administrative Hearings, Municipal Boundary Adjustments Unit.
14. **Governing Law.** Minnesota law will govern this Agreement.

Approved the 13<sup>th</sup> day of August, 2012, by the Town Board of the Town of Buffalo.

Donald M. Schmitt  
Chair

A. G. Fleish  
Clerk/Treasurer

Approved the 6th day of September, 2011, by the City Council of the City of Buffalo.

Paul D. ...  
Mayor

Walter T. ...  
Clerk/Administrator



**EXHIBIT "A"**  
**Legal Description of Annexation Area**

Lot 4 of the plat of the Northwest Quarter of Section 32, Township 32, Range 25, Wright County, Minnesota, by P.R. Fletcher as revised by E.B. McCord, on file and of record in Book No. 1 of Section Plats, page 392, in the office of the County Recorder for said Wright County.

AND

That part of Government Lot 2, Section 32, Township 120, Range 25, Wright County, Minnesota, which lies northeasterly of the northeast right of way line of County Road 147 (also known as Bradshaw Avenue NE).

AND

All that part of Lot 3, of the plat of the Northwest Quarter of Section 32, Township 120, Range 25, Wright County, Minnesota, by P.R. Fletcher as revised by E.B. McCord, on file and of record in Book No. 1 of Section Plats, page 392, in the office of the County Recorder for said Wright County, lying Easterly and Northerly of the following described line:

Commencing at the northwest corner of said Northwest Quarter; thence North 89 degrees 21 minutes 54 seconds East, assumed bearing, along the North line of said Northwest Quarter, a distance of 1860.86 feet, to the point of beginning of the line to be described; thence South 1 degree 49 minutes 02 seconds West, a distance of 1683.09 feet; thence South 88 degrees 06 minutes 43 seconds East, to the east line of said Lot 3 and there terminating.



Overview



Legend

IAP MWR

- ★ AP1; AP10; AP11; AP12; AP13; AP14; AP15; AP16; AP17; AP18; AP19; AP2; AP20; AP21; AP22; AP23; AP24; AP25; AP27; AP28; AP29; AP3; AP4; AP5; AP6; AP7; AP8; AP9
- WR001; WR002; WR003; WR004; WR005; WR006; WR007; WR008; WR009; WR010; WR011; WR012; WR013; WR014; WR015; WR016; WR017; WR018; WR019; WR020; WR021; WR022; WR023; WR024; WR025; WR026; WR027; WR028; WR029; WR030; WR031; WR032; WR033; WR034; WR035; WR036; WR037; WR038; WR039; WR040; WR041; WR042; WR043; WR044; WR045; WR046; WR047; WR048; WR049; WR050; WR051; WR052; WR053; WR054; WR055; WR056; WR057; WR058; WR060; WR061; WR062; WR063; WR064; WR065; WR066; WR067; WR068; WR069; WR070; WR071; WR072; WR073; WR074; WR075; WR076; WR077; WR078; WR079; WR080; WR081;



