

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

REC'D BY
MBA

OCT 29 2012

WHEREAS, the Board of Supervisors of the Town of Buffalo (hereinafter referred to as the "Town") passed a resolution on 8 OCTOBER, 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 October 1, 2012, meeting; and

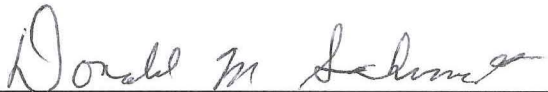
WHEREAS, the Town and the City have determined that the annexation of a portion of the Township with the City is of mutual benefit to both parties and the residents thereof;


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.

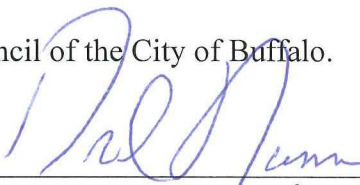
5. **Planning and Land Use Control Authority.** The Town and City mutually agree that upon annexation, the property shall be zoned R-1, single family residential, and shall be subject to the land use control authority of the City.
6. **Character of the Property.** The OAA Property abuts the City of Buffalo 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.
7. **Acreage.** The designated property consists of 6.91 acres.
8. **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.
9. **Authorization.** The Town and City have authorized the appropriate officers to carry this Joint Resolution's terms into effect.
10. **Roads.** No Township roads shall be affected by this annexation.
11. **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.
12. **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.
13. **Governing Law.** Minnesota law will govern this Agreement.

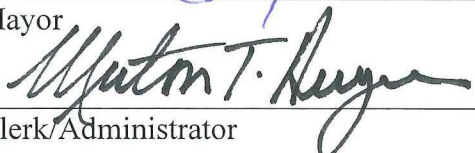
Approved the 29th day of OCTOBER, 2012, by the Town Board of the Town of Buffalo.


Chair


Clerk/Treasurer

Approved the 1st day of October, 2012, by the City Council of the City of Buffalo.


Mayor


Clerk/Administrator

TRACT 1:

That part of State Trunk Highway 25 which lies within the Northwest Quarter of the Northwest Quarter of Section 32, Township 120, Range 25, Wright County, Minnesota. Contains 2.50 Acres

TRACT 2:

The west 265 feet of the south 320 feet of the most westerly 16 acres of the north half of the Northwest Quarter of Section 32 and the south 86 feet except for the west 265 feet of the most westerly 16 acres of the north half of the Northwest Quarter of Section 32, all in Township 120, Range 25, Wright County, Minnesota, which lies easterly of the east right of way line of State Trunk Highway 25. Contains 1.60 Acres

TRACT 3:

That part of the Northwest Quarter of the Northwest Quarter and the Southwest Quarter of the Northwest Quarter of Section 32, Township 120, Range 25, Wright County, Minnesota, which lies northerly of the centerline of County Road 147 (also known as Bradshaw Avenue NE), and which lies westerly of the west line of SETTLERS POINTE 1ST ADDITION, according to the recorded plat thereof, and which lies southerly of the following described line: beginning at the southwest corner of Lot 1, Block 5, SETTLERS POINTE 2ND ADDITION, according to the recorded plat thereof, thence North 02 degrees 09 minutes 00 seconds East along the west line of said SETTLERS POINTE 2ND, a distance of 6.73 feet to the point of beginning of the line to be described; thence 190.92 feet southwesterly along a non-tangential curve to the southwest having a radius of 594.00 feet, a central angle of 18 degrees 24 minutes 57 seconds and a 190.13 foot chord that bears South 74 degrees 16 minutes 32 seconds West to the north Right of Way Line of County Road 147 (also known as Bradshaw Avenue NE) and there terminating. Contains 0.48 Acres

TRACT 5:

All railroad right of way lying within the Northeast Quarter of the Northwest Quarter of Section 32, Township 120, Range 25, Wright County, Minnesota. Contains 2.33 Acres

REC'D BY
MBA

OCT 29 2012

EXHIBIT "B"

Map of Annexation Area Parcels 1, 2, 3, and 5



| REV. | BY | DATE |
|------|----|------|
| | | |
| | | |
| | | |