

**JOINT RESOLUTION
2004 - 35
BRIDGEWATER TOWNSHIP AND THE CITY OF DUNDAS
APPROVING ANNEXATION OF LAND**

FACTUAL RECITALS

WHEREAS, the CITY OF DUNDAS, MINNESOTA (hereinafter referred to as the "City") and BRIDGEWATER TOWNSHIP (hereinafter referred to as the "Township") entered into an Orderly Annexation Agreement, pursuant to Joint Resolution, on July 12, 2004; and

WHEREAS, pursuant to said Orderly Annexation Agreement, the City and Township designated an "annexation area". Property within said annexation area was declared to be urban or suburban in nature, and suitable for annexation to the City, for residential, commercial and industrial purposes; and

WHEREAS, the City has received a request for annexation from Harold and Norma Paulson. The Paulson's request annexation of 65 acres of land, for residential purposes. Said 65 acres of land lies within the designated annexation area, under the Orderly Annexation Agreement. Said land is legally described on the attached Exhibit 1; and

WHEREAS, paragraph 5 of the Orderly Annexation Agreement requires that property to be annexed must be contiguous to the corporate limits of the City. Therefore, in order to annex the Paulson property as described on Exhibit 1, the City must also annex two additional parcels of land which are owned by Gary Rock. Said additional parcels of land which must be annexed are described on the attached Exhibit 2; and

WHEREAS, paragraph 9 of the Orderly Annexation Agreement prohibits the City's annexation of land within the annexation area until there is a development proposal for the property. Provided however, the City may annex property not included in a development proposal, if the additional parcels proposed for annexation are owned by not more than one property owner and are the only parcels between the 2004 city boundary and the property proposed for development and annexation. Therefore, the Gary Rock parcels, described on Exhibit 2, while not proposed for development, are subject to annexation in order to make the Paulson property contiguous with the existing city boundary; and

WHEREAS, pursuant to paragraph 9 of the Orderly Annexation Agreement, the Gary Rock parcels, as described in Exhibit 2, shall be annexed by the City, then said parcels are exempt from special assessments, and shall be part of the rural service district of the City, until the property owner requests development of said property in the future; and

WHEREAS, pursuant to paragraphs 14 and 15 of the Orderly Annexation Agreement, the City is required to submit annexation applications to the Township, to provide the Township an opportunity to comment on the proposed development concept.

The City and Township acknowledge that the Township has been provided the necessary information with respect to the Paulson property described in Exhibit 1, and that the Township has had an opportunity to review and comment on the proposed development, and has approved the annexation of the above-described Paulson property to the City; and

WHEREAS, pursuant to paragraph 3 of the Orderly Annexation Agreement, the City is subject to limitations on the number of acres it may annex in any one year, or periods of years.

The City of Dundas has requested that the Township waive the acreage limitations with respect to the Gary Rock property, described on Exhibit 2 (which consists of 21.8 acres of land), until such time as the property owner requests the right to develop the property.

RESOLUTION APPROVING ANNEXATION

NOW THEREFORE, be it resolved by the City of Dundas and Bridgewater Township, as follows:

1. That the application of Harold and Norma Paulson to annex 65 acres of land for residential purposes, as described on the attached Exhibit 1, is hereby approved. Additional property, owned by Gary Rock, as described on the attached Exhibit 2, shall also be annexed to the City of Dundas. Said property consists of 21.8 acres of land, and is not presently proposed for development.
2. That the City shall amend its city ordinances to add the Gary Rock property, described in Exhibit 2, to the city's rural service district. Said property shall be taxed at the rate annually in effect for other agricultural properties located in Bridgewater Township, until such time as the property owner requests development of any part of said property.
3. That the City and Township acknowledge that all provisions and requirements of the Orderly Annexation Agreement have been complied with by the City. The City and Township hereby approve the submission of this Joint Resolution to the Department of Administration, Municipal Boundary Adjustments Office, for the purpose of obtaining an annexation order for the property described on the attached Exhibits 1 and 2.
4. That the City and Township agree to waive any and all acreage limitations, until development is proposed, in connection with the Gary Rock property, described in Exhibit 2. Said 21.8 acres of land shall not be counted toward any limitations on the number of acres which may be annexed by the City, until such time as the property owner requests development of any part of the property. Such waiving of the acreage must be accounted for within the 30 year time period of the current annexation agreement.
5. That all of the property to be annexed, as described on the attached Exhibits 1 and 2, shall be zoned R-1 residential, upon annexation to the City, pursuant to the City's comprehensive plan and zoning Ordinance. In addition, the City will approve the Gary Rock property, as described on the attached Exhibit 2, for an overlay zoning classification as a rural service district.

6. That the City shall be entitled to receive all property tax revenue with respect to the land to be annexed, as described in Exhibits 1 and 2, commencing with taxes payable in the year 2005, until such time as the property is improved and fully assessed. At the time of completion of any improvement to the property, or any part thereof, Bridgewater Township shall receive tax revenue rebates for a period of ten years, pursuant to paragraph 16 of the Orderly Annexation Agreement.

The Township shall receive all taxes payable for the year 2004, with respect to the properties described in Exhibits 1 and 2.

7. That the City may submit this joint resolution to the Minnesota Boundary Adjustment Board for the issuance of an order of annexation. The Director of the Minnesota Boundary Adjustments Office may review and comment, but may not alter the boundaries of the proposed annexation area.

ADOPTED BY THE BRIDGEWATER TOWNSHIP BOARD OF SUPERVISORS
ON THE 20th DAY OF OCTOBER, 2004.

ATTESTED TO:

By: Gary Ebling
Gary Ebling, Board Chair

By: Mike Piper
Mike Piper, Town Clerk

ADOPTED BY THE DUNDAS CITY COUNCIL ON THE 29th DAY OF
November, 2004.

ATTESTED TO:

By: Myron Malecha
Myron Malecha, Mayor

By: Susan E Kylo
Susan Kylo, City Administrator/Clerk

EXHIBIT 1**Legal Description of Harold & Norma Paulson Land**

That part of the Northwest Quarter of the Northwest Quarter and the South Half of the Northwest Quarter both in Section 13, Township 111, Range 20 and that part of the South Half of the Northeast Quarter of Section 14, Township 111, Range 20, all in Rice County, Minnesota, described as follows:

Beginning at an intersection of the southerly right of way line of County State Aid Highway No. 1 and the west line of said Northwest Quarter of the northwest Quarter; thence South 69 degrees 31 minutes 18 seconds East, assumed bearing along said southerly right of way line of County State Aid Highway No. 1, a distance of 187.14 feet; thence easterly along a tangential curve and along said southerly right of way line, concave to the north having a central angle of 37 degrees 05 minutes 48 seconds, a radius of 1054.93 feet and an arc distance of 683.02 feet; thence South 13 degrees 34 minutes 59 seconds East, not tangent to said curve a distance of 181.40 feet; thence southwesterly along a tangential curve concave to the northwest having a central angle of 90 degrees 46 minutes 33 seconds, a radius of 540.00 feet and an arc distance of 855.54 feet; thence South 77 degrees 11 minutes 33 seconds West, tangent to said curve, a distance of 209.66 feet; thence southwesterly along a tangential curve, concave to the southeast having a central angle of 57 degrees 33 minutes 11 seconds, a radius of 360.00 feet and an arc distance of 361.62 feet; thence South 19 degrees 38 minutes 22 seconds West, tangent to said curve, a distance of 550.27 feet; thence southerly along a tangential curve, concave to the east, having a central angle of 18 degrees 51 minutes 33 seconds, a radius of 960.00 feet and an arc distance of 315.99 feet; thence South 00 degrees 46 minutes 49 seconds West, tangent to said curve, a distance of 289.69 feet to the southerly line of said South Half of the Northeast Quarter; thence North 89 degrees 15 minutes 37 seconds West, along said southerly line a distance of 1271.27 feet to the east line of the West 480.00 feet of said South Half of the Northeast Quarter; thence North 00 degrees 01 minutes 24 seconds West, along said east line of the West 480.00 feet, a distance of 610.05 feet to the north line of the South 610.00 feet of said South Half of the Northeast Quarter; thence North 89 degrees 15 minutes 37 seconds West, along said north line of the South 610.00 feet of the South Half of the Northeast Quarter, a distance of 420.04 feet to the east line of the West 60.00 feet of said South Half of the Northeast Quarter; thence North 00 degrees 01 minutes 24 seconds West, along said east line of the West 60.00 feet, a distance of 710.38 feet to the north line of said South Half of the Northeast Quarter; thence South 89 degrees 21 minutes 33 seconds East, along said north line, a distance of 1917.07 feet to said west line of the Northwest Quarter of the Northwest Quarter; thence North 00 degrees 01 minute 24 seconds West, along said west line, a distance of 990.86 feet to the point of beginning.

(65 Acres)

EXHIBIT 2

REC'D BY
MMB

DEC 03 2004

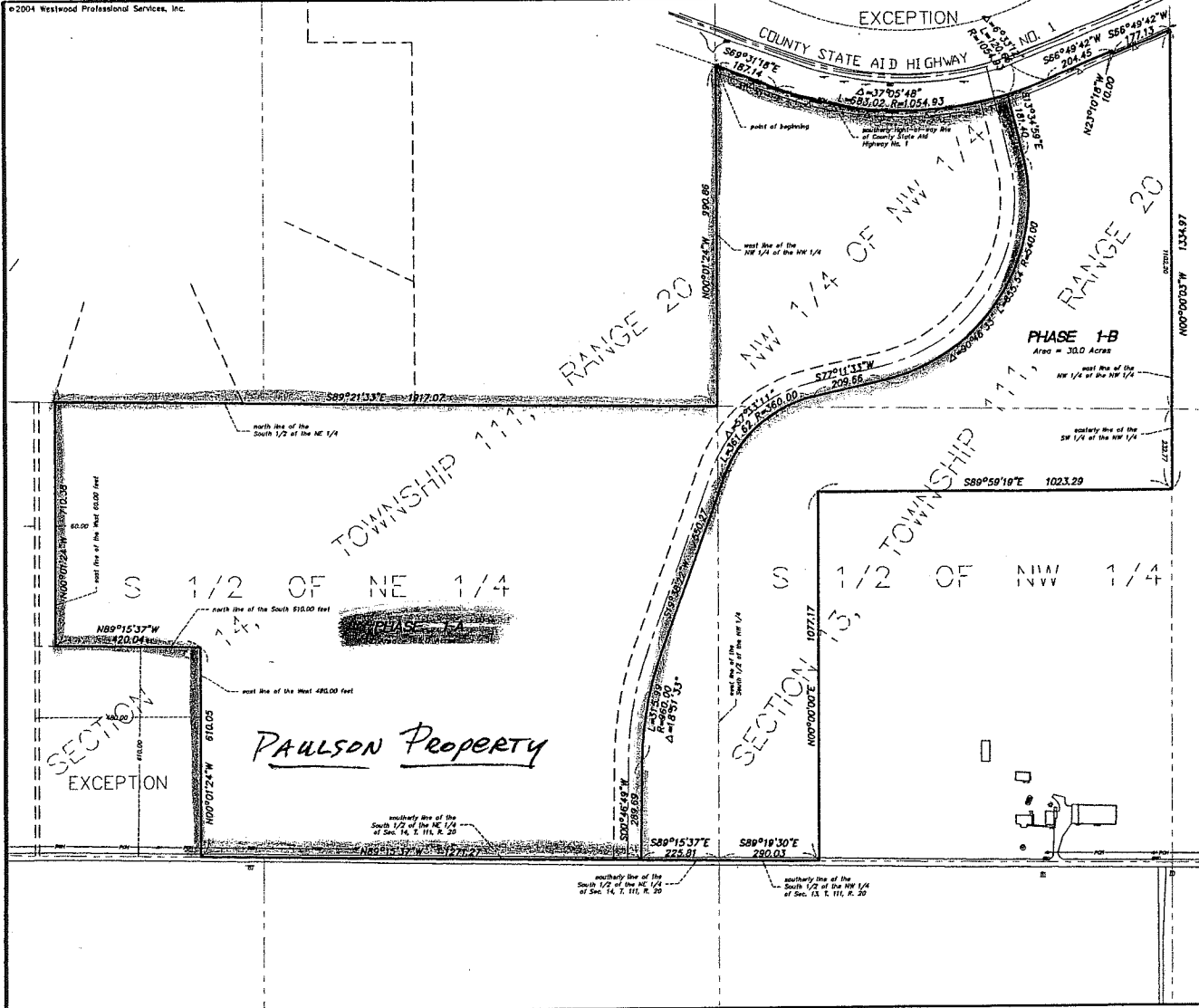
Legal description of properties owned by Gary Rock

1. Parcel ID No. 07.2360.000 (20 acres)

THE W1/2 OF THE SW1/4 OF THE NE1/4 OF SECTION 14-111-20

2. Parcel ID No. 07.2363.001 (1.8 acres)

THE W 60 FEET OF THE E 60 ACRES OF THE S1/2 OF THE NE1/4 OF
SECTION 14-111-20



Legal Description: Phase 1-A

That part of the Northwest Quarter of the Northwest Quarter and the South Half of the Northwest Quarter both in Section 13, Township 111, Range 20 and that part of the South Half of the Northwest Quarter of Section 14, Township 111, Range 20, all in Rice County, Minnesota, described as follows:

Beginning at an intersection of the southerly right of way line of County State Aid Highway No. 1 and the west line of said Northwest Quarter of the Northwest Quarter; thence South 69 degrees 31 minutes 18 seconds East, assumed bearing along said southerly right of way line of County State Aid Highway No. 1, a distance of 187.14 feet; thence westerly along a tangential curve and along said southerly right of way line, concave to the north having a central angle of 37 degrees 05 minutes 48 seconds, a radius of 1054.83 feet and an arc distance of 683.02 feet; thence South 13 degrees 34 minutes 50 seconds East, not tangent to said curve a distance of 181.40 feet; thence southerly along a tangential curve concave to the northwest having a central angle of 80 degrees 46 minutes 33 seconds, a radius of 540.00 feet and an arc distance of 855.54 feet; thence South 77 degrees 11 minutes 33 seconds West, tangent to said curve, a distance of 208.66 feet; thence southerly along a tangential curve, concave to the southeast having a central angle of 57 degrees 33 minutes 11 seconds, a radius of 360.00 feet and an arc distance of 351.62 feet; thence South 19 degrees 38 minutes 22 seconds West, tangent to said curve, a distance of 550.27 feet; thence southerly along a tangential curve, concave to the east, having a central angle of 18 degrees 51 minutes 33 seconds, a radius of 260.00 feet and an arc distance of 315.99 feet; thence South 00 degrees 46 minutes 48 seconds East, tangent to said curve, a distance of 292.69 feet to the southerly line of said South Half of the Northwest Quarter; thence North 00 degrees 01 minutes 24 seconds West, along said east line of the West 480.00 feet, a distance of 610.05 feet to the north line of the South 610.00 feet of said South Half of the Northwest Quarter; thence North 89 degrees 15 minutes 37 seconds West, along said north line of the South 610.00 feet of the South Half of the Northwest Quarter, a distance of 420.04 feet to the east line of the West 60.00 feet of said South Half of the Northwest Quarter; thence North 00 degrees 01 minutes 24 seconds West, along said east line of the West 60.00 feet, a distance of 710.38 feet to the north line of said South Half of the Northwest Quarter; thence South 89 degrees 21 minutes 33 seconds East, along said north line, a distance of 1817.07 feet to said west line of the Northwest Quarter of the Northwest Quarter; thence North 00 degrees 01 minute 24 seconds West, along said west line, a distance of 990.86 feet to the point of beginning.

Legal Description: Phase 1-B

That part of the Northwest Quarter of the Northwest Quarter and the South Half of the Northwest Quarter both in Section 13, Township 111, Range 20 and that part of the South Half of the Northwest Quarter of Section 14, Township 111, Range 20, all in Rice County, Minnesota, described as follows:

Commencing at an intersection of the southerly right of way line of County State Aid Highway No. 1 and the west line of said Northwest Quarter of the Northwest Quarter; thence South 69 degrees 31 minutes 18 seconds East, assumed bearing along said southerly right of way line of County State Aid Highway No. 1, a distance of 187.14 feet; thence easterly along a tangential curve and along said southerly right of way line, concave to the north having a central angle of 37 degrees 05 minutes 48 seconds, a radius of 1054.83 feet and an arc distance of 683.02 feet to the point of beginning; thence South 13 degrees 34 minutes 50 seconds East, not tangent to said curve a distance of 181.40 feet; thence southerly along a tangential curve concave to the northwest having a central angle of 80 degrees 46 minutes 33 seconds, a radius of 540.00 feet and an arc distance of 855.54 feet; thence South 77 degrees 11 minutes 33 seconds West, tangent to said curve, a distance of 208.66 feet; thence southerly along a tangential curve, concave to the southeast having a central angle of 57 degrees 33 minutes 11 seconds, a radius of 360.00 feet and an arc distance of 351.62 feet; thence South 19 degrees 38 minutes 22 seconds West, tangent to said curve, a distance of 550.27 feet; thence southerly along a tangential curve, concave to the east, having a central angle of 18 degrees 51 minutes 33 seconds, a radius of 260.00 feet and an arc distance of 315.99 feet; thence South 00 degrees 46 minutes 48 seconds East, along said southerly line, a distance of 225.81 feet to the southerly line of said South Half of the Northwest Quarter; thence North 00 degrees 01 minutes 24 seconds West, along said east line of the West 480.00 feet, a distance of 610.05 feet to the north line of the South 610.00 feet of said South Half of the Northwest Quarter; thence North 89 degrees 15 minutes 37 seconds West, along said north line of the South 610.00 feet of the South Half of the Northwest Quarter, a distance of 420.04 feet to the east line of the West 60.00 feet of said South Half of the Northwest Quarter; thence North 00 degrees 01 minutes 24 seconds West, along said east line of the West 60.00 feet, a distance of 710.38 feet to the north line of said South Half of the Northwest Quarter; thence South 89 degrees 21 minutes 33 seconds East, along said north line, a distance of 1817.07 feet to said west line of the Northwest Quarter of the Northwest Quarter; thence North 00 degrees 01 minute 24 seconds West, along said west line, a distance of 990.86 feet to the point of beginning.

Geiger Properties

Dundas, Minnesota

Date: 09/28/04 Sheet: 1 OF 1

Annexation Sketch

Westwood Professional Services, Inc.
7500 Anderson Drive
Eden Prairie, MN 55344
Phone: 952.887.9799 Fax: 952.887.8922

Surveyor: _____
Checked: _____
Drawn: _____
Revised: _____

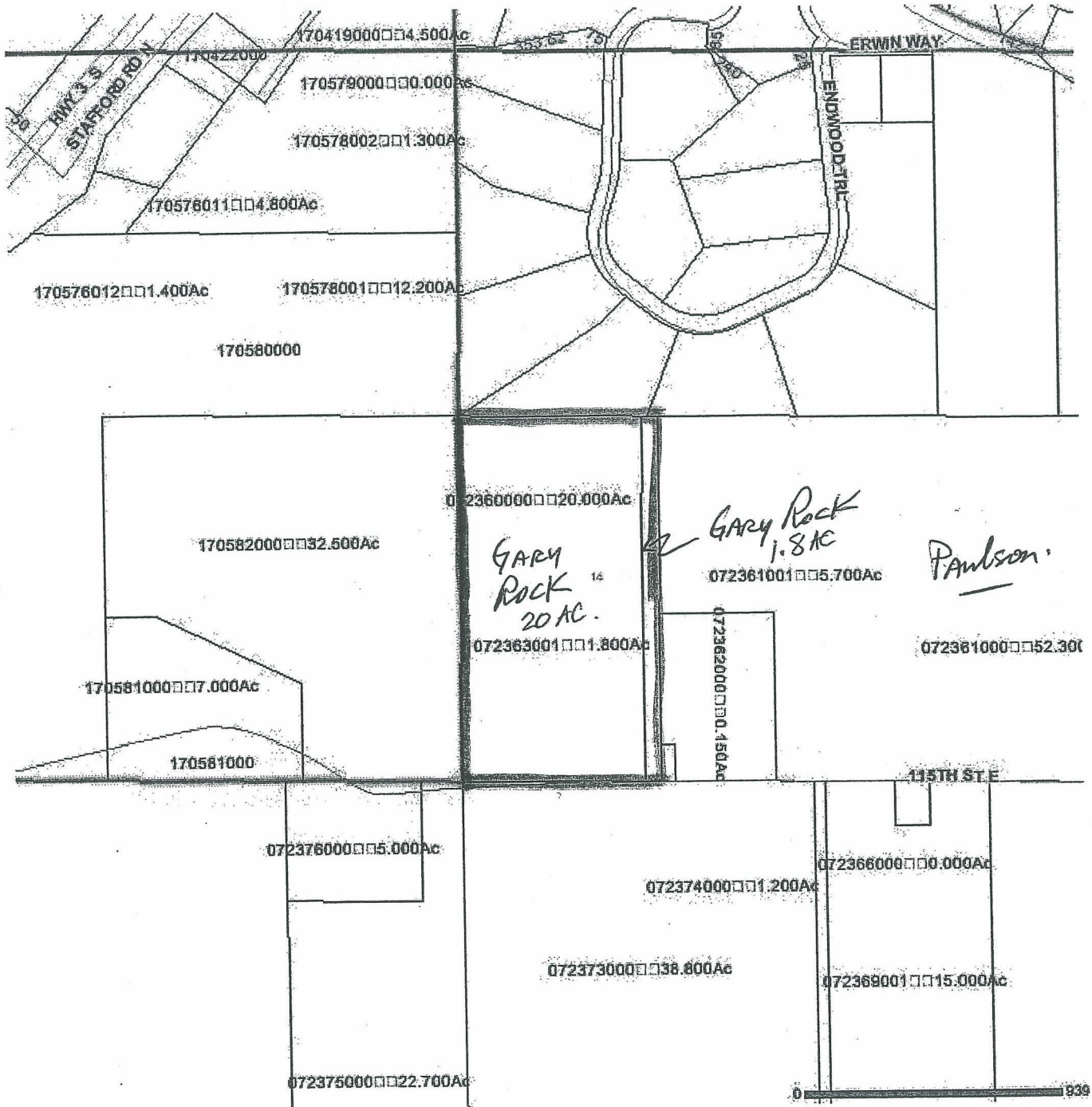
Prepared by:
Geiger Land Development, Inc.

Exh. 3-A

RECD BY
MMB
DEC 03 2004

REC'D BY
MMB

DEC 03 2004



Exh. 3-B