

R47-05

**TOWN OF CASTLE ROCK
CITY OF FARMINGTON**

**IN THE MATTER OF THE JOINT
RESOLUTION OF THE TOWN OF
CASTLE ROCK AND THE CITY
OF FARMINGTON, DESIGNATING
AN UNINCORPORATED AREA AS
IN NEED OF ORDERLY ANNEXATION
AND CONFERRING JURISDICTION
OVER SAID AREA TO THE DEPARTMENT
OF ADMINISTRATION, BOUNDARY
ADJUSTMENT OFFICE, PURSUANT TO
M.S. §414.0325**

JOINT RESOLUTION

WHEREAS, Canton Court is currently a Town road located in the Township , and serves properties located both in the Township and the City, and;

WHEREAS, continued urban development in the area will result in additional trip generation from the properties located in the City, and;

WHEREAS, the City and Township have agreed that it is in the best interests of both political subdivisions and their residents that ownership and responsibility for Canton Court should be transferred from the Township to the City and that the political boundaries of the City and Township should be adjusted to reflect the transfer of the road, and;

WHEREAS, the Township has by deed transferred Canton Court to the City;

NOW, THEREFORE, the Township of Castle Rock and the City of Farmington jointly agree to the following:

1. The Township and City hereby establish an Orderly Annexation Area ("OAA") as authorized by Minnesota Statute §414.0325, Subdivision 1, as shown on the attached Exhibit B and legally described on Exhibit A, and have determined that the area of the property involved in this annexation is approximately 1.5 acres and the population of the area is currently zero.
2. That the purpose of the annexation of the property involved in this annexation is to transfer jurisdiction over Canton Court from Castle Rock Township to the City of Farmington in order to facilitate the development of properties served by Canton Court to urban densities and to provide urban services, including road maintenance and snow removal for Canton Court by the City.
3. That in order to accomplish this purpose, all of Canton Court should be immediately annexed to and made part of the City of Farmington.

4. Upon approval by the respective governing bodies of the City and the Township, this joint resolution and agreement shall confer jurisdiction upon the Director of the Office of Strategic and Long-range Planning (or his or her successor designee responsible for administering Minnesota Statutes Chapter 414) so as to immediately annex the lands described in the attached Exhibit A in accordance with the terms of this joint resolution and agreement without need for any subsequent resolution(s) of the parties.

5. The City and Township agree that upon annexation all planning, official controls, and governmental services for the annexed area shall become the responsibility of the City, and that the provisions of Minn. Stat. §§414.035 and 414.036 authorizing differential taxation and municipal reimbursement for the annexed property will not be applied in this proceeding.

6. The City and the Township mutually state that no alteration by the director to the OAA boundaries, as illustrated on Exhibit B and described in Exhibit A, is appropriate or permitted.

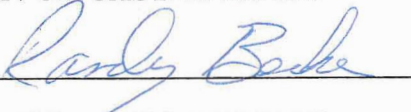
7. That the annexation of the property will not result in any change of electrical service and will not require joint planning since upon final approval of this joint resolution and issuance of the annexation order by the Director the property will immediately be fully subject to the official controls and other ordinances of the City of Farmington, including all land use controls. Further, that differential taxation under M.S. §414.035, or reimbursement under M.S. §414.036 is not required.


8. Having designated the area illustrated on Exhibit B and described in Exhibit A as in need of orderly annexation, and having provided for all of the conditions of its annexation within this document, the parties to this agreement agree that no consideration by the director is necessary. The director may review and comment but shall within thirty (30) days order the annexation in accordance with the terms of this Resolution.

Approved and Adopted
this 12 day of April, 2005.

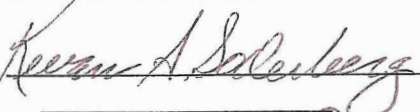
Approved and Adopted
this 2nd day of May, 2005.

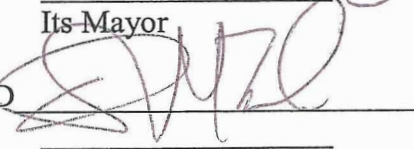
TOWN OF CASTLE ROCK

BY: 
Its Town Board Chair

AND 
Its Town Board Clerk

CITY OF FARMINGTON

BY: 
Its Mayor

AND 
Its City Administrator

REC'D BY
M M B

JUN 01 2005

EXHIBIT A

Legal description of property subject to immediate annexation:

30 feet on either side of a line described as follows:

Commencing at the northeast corner of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 5, Township 113, Range 19, Dakota County, Minnesota; thence west along the north line thereof 400.01 feet to the point of the beginning of the line to be described; thence South 00 degrees 11 minutes 16 seconds East 858.03 feet and thence terminating; subject to the roadway easement over the north 33 feet thereof;

TOGETHER WITH

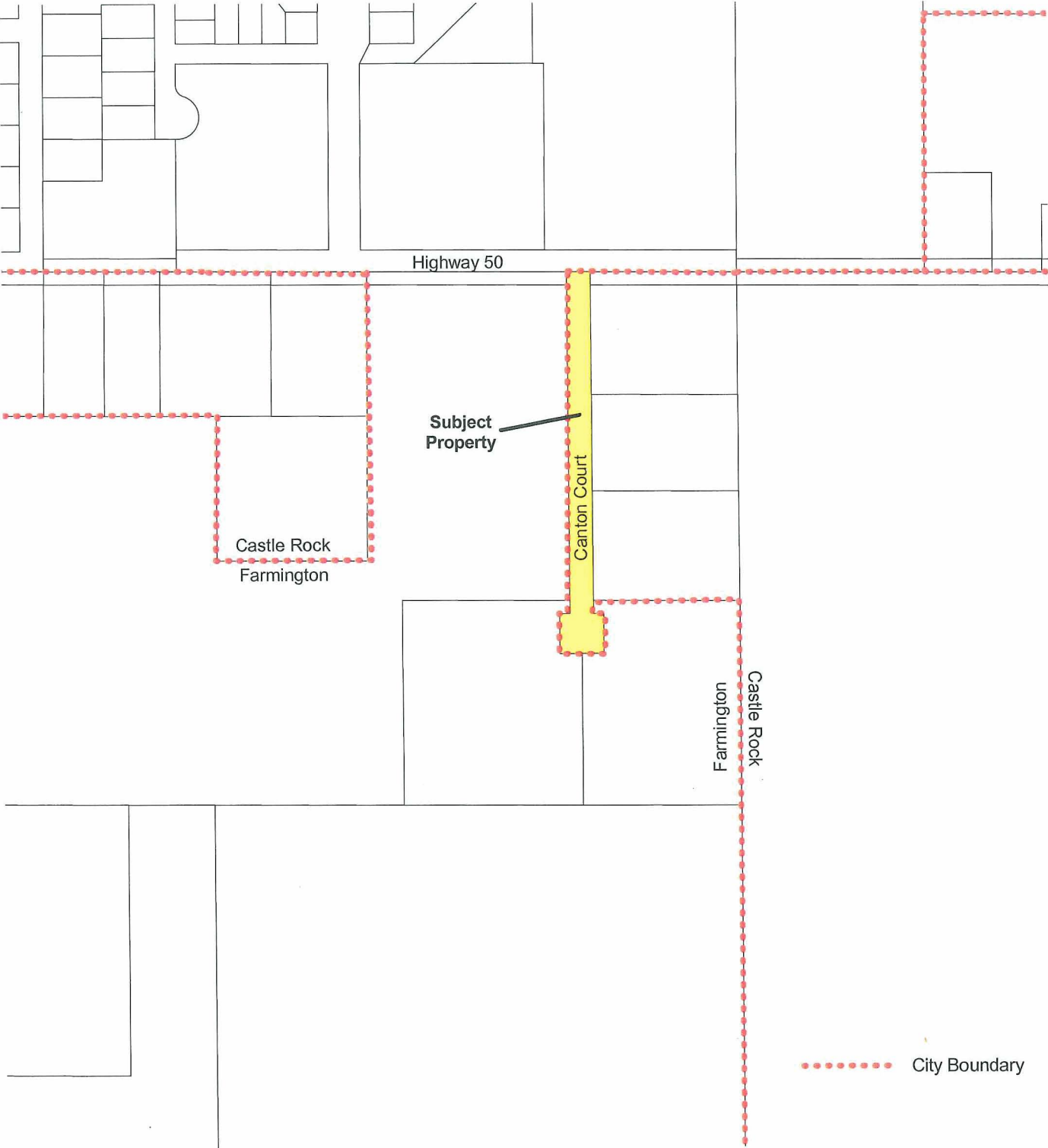
55 feet on either side of a line described as follows;

Commencing at the northeast corner of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 5, Township 113, Range 19, Dakota County, Minnesota; thence west along the north line thereof 400.01 feet; thence South 00 degrees 11 minutes 16 seconds East 858.03 feet (the point of beginning), thence South 00 degrees 11 minutes 16 seconds East a distance of 100 feet and thence terminating.

Exhibit "B"

REC'D BY
MMB

JUN 01 2005



Subject
Property

Canton Court

Castle Rock
Farmington

Castle Rock
Farmington

City Boundary

200 0 200 400 Feet

