

**JOINT RESOLUTION FOR ORDERLY ANNEXATION BETWEEN
AVON TOWNSHIP AND THE CITY OF AVON
(Meyer Annexation)**

RECITALS

- A. The Town of Avon ("Town") and the City of Avon ("City"), both of Stearns County, Minnesota, agree on the orderly annexation of certain real property described in this resolution for orderly and planned services to the community.
- B. The property proposed to be annexed is not already part of another city, and it adjoins and is contiguous to the City (see attached map).
- C. All owners of the property proposed to be annexed have petitioned the City for annexation.
- D. An orderly annexation of the proposed property is in the best interest of the area proposed for annexation.

RESOLUTION

In consideration of this resolution's mutual terms and conditions, the Town and City jointly resolve and enter into this Joint Resolution for Orderly Annexation ("Joint Resolution") as follows:

1. **Designation of Orderly Annexation Area.** The Town and City designate the area set forth on the map attached as Exhibit 1 and the legal description of the properties attached as Exhibit 2 (designated property) as subject to orderly annexation pursuant to Minnesota Statutes 414.0325.
2. **Minnesota Office of Strategic and Long Range Planning Jurisdiction.** Upon approval by the Town Board and City Council, this Joint Resolution shall confer jurisdiction upon the Minnesota Office of Strategic and Long Range Planning to approve annexation of the designated property pursuant to Minnesota Statutes 414.0325.

3. **No Alteration of Boundaries.** The Town and City agree and state that no alterations by the Office of Strategic and Long Range Planning of the designated property's stated boundaries is appropriate.

4. **Office of Strategic and Long Range Planning Review and Comment.** The Town and City agree and state that this Joint Resolution sets forth all the conditions for annexation of the designated property, and no consideration by the Office of Strategic and Long Range Planning is necessary. The Office of Strategic and Long Range Planning may review and comment, but shall order the annexation of the designated property according to this Joint Resolution's terms within 30 days of the Office of Strategic and Long Range Planning's receipt of this Joint Resolution.

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

6. **Acreage and Population.** The designated property consists of approximately 4.21 acres and has a current population of zero (0).

7. **Authorization.** The Town and City have authorized the appropriate officers to carry this Joint Resolution's terms into effect.

8. **Modification.** The Town and City may modify, amend or terminate this Joint Resolution only by a mutually signed, written agreement.

9. **Severability.** A determination by any court of competent jurisdiction that any provision of this Joint Resolution is invalid, illegal or unenforceable shall not affect the validity of this Joint Resolution's other provisions. If any of this Joint Resolution's provisions is inapplicable to any person or circumstance, it shall still remain applicable to all other persons or circumstances.

10. **Effective Date.** This Joint Resolution shall be effective from the date of the Office of Strategic and Long Range Planning's order calling for the designated property's annexation to the City.


11. **Governing Law.** Minnesota law will govern this Agreement.

The Town of Avon Board of Supervisors adopts this Joint Resolution on

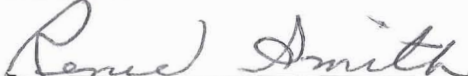
November 3rd, 2004.

TOWN OF AVON

By

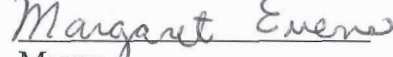

Board of Supervisors Chairperson

ATTEST:

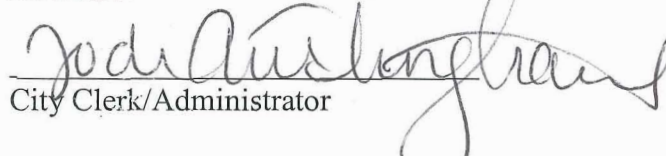

Town Clerk

The Avon City Council adopts this Joint Resolution on April 5th, 2004.

CITY OF AVON

By 
Mayor

ATTEST:


City Clerk/Administrator

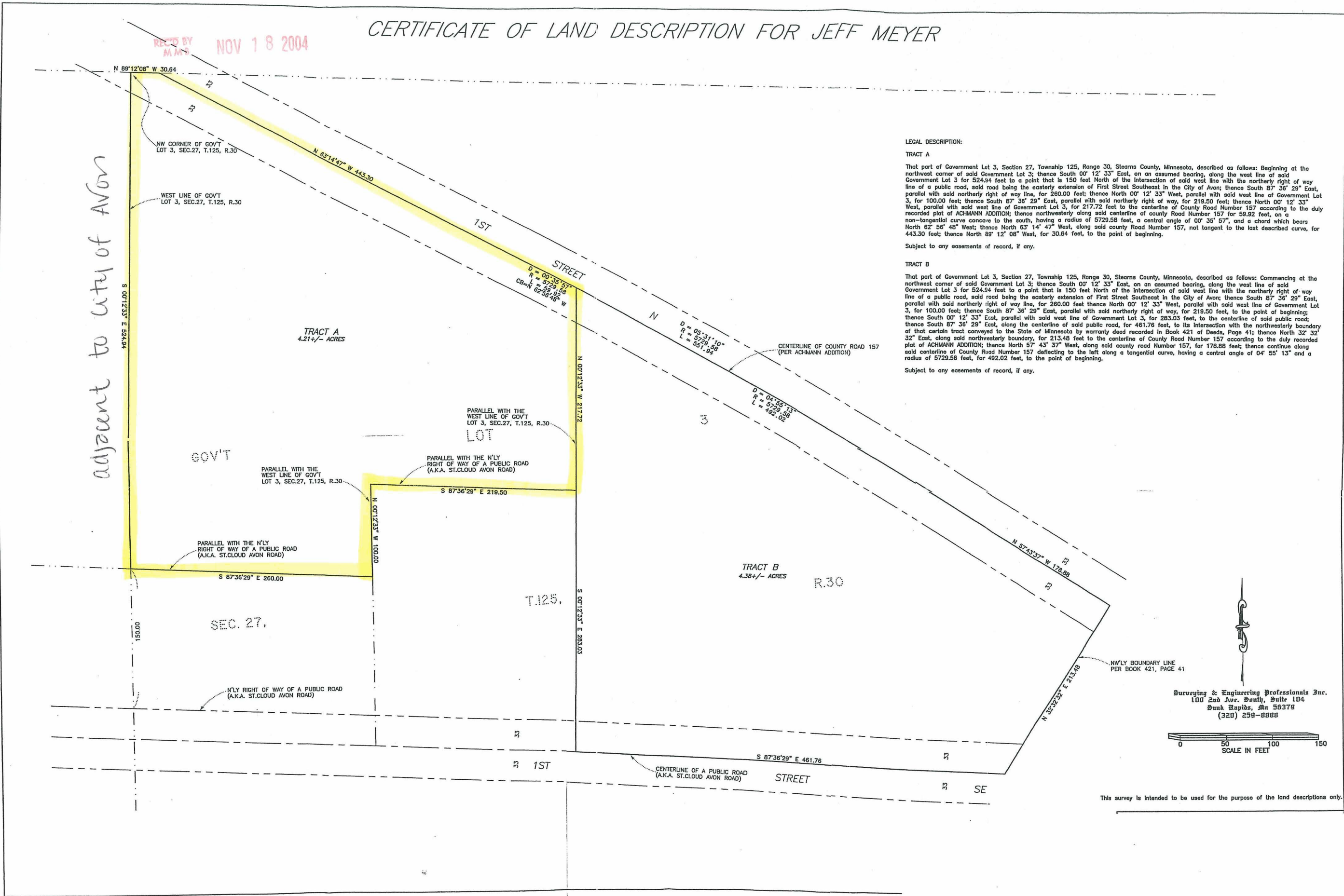
TRACT A

That part of Government Lot 3, Section 27, Township 125, Range 30, Stearns County, Minnesota, described as follows: Beginning at the northwest corner of said Government Lot 3; thence South $00^{\circ} 12' 33''$ East, on an assumed bearing, along the west line of said Government Lot 3 for 524.94 feet to a point that is 150 feet North of the intersection of said west line with the northerly right of way line of a public road, said road being the easterly extension of First Street Southeast in the City of Avon; thence South $87^{\circ} 36' 29''$ East, parallel with said northerly right of way line, for 260.00 feet; thence North $00^{\circ} 12' 33''$ West, parallel with said west line of Government Lot 3, for 100.00 feet; thence South $87^{\circ} 36' 29''$ East, parallel with said northerly right of way for 219.50 feet; thence North $00^{\circ} 12' 33''$ West, parallel with said west line of Government Lot 3, for 217.72 feet to the centerline of County Road Number 157 according to the duly recorded plat of ACHMANN ADDITION; thence northwesterly along said centerline of County Road Number 157 for 59.92 feet, on a non-tangential curve concave to the south, having a radius of 5729.58 feet, a central angle of $00^{\circ} 35' 57''$, and a chord which bears North $62^{\circ} 56' 48''$ West; thence North $63^{\circ} 14' 47''$ West, along said County Road Number 157, not tangent to the last described curve, for 443.30 feet; thence North $89^{\circ} 12' 08''$ West, for 30.64 feet, to the point of beginning.

Subject to an easement of record, if any.

CERTIFICATE OF LAND DESCRIPTION FOR JEFF MEYER

REC'D BY
M.A.M. NOV 18 2004



LEGAL DESCRIPTION:

TRACT A

That part of Government Lot 3, Section 27, Township 125, Range 30, Stearns County, Minnesota, described as follows: Beginning at the northwest corner of said Government Lot 3; thence South 00° 12' 33" East, on an assumed bearing, along the west line of said Government Lot 3 for 524.94 feet to a point that is 150 feet North of the intersection of said west line with the northerly right of way line of a public road, said road being the easterly extension of First Street Southeast in the City of Avon; thence South 87° 36' 29" East, parallel with said northerly right of way line, for 260.00 feet; thence North 00° 12' 33" West, parallel with said west line of Government Lot 3, for 100.00 feet; thence South 87° 36' 29" East, parallel with said northerly right of way, for 219.50 feet; thence North 00° 12' 33" West, parallel with said west line of Government Lot 3, for 217.72 feet to the centerline of County Road Number 157 according to the duly recorded plat of ACHMANN ADDITION; thence northwesterly along said centerline of county Road Number 157 for 59.92 feet, on a non-tangential curve concave to the south, having a radius of 5729.58 feet, a central angle of 00° 35' 57", and a chord which bears North 62° 56' 48" West; thence North 63° 14' 47" West, along said county Road Number 157, not tangent to the last described curve, for 443.30 feet; thence North 89° 12' 08" West, for 30.64 feet, to the point of beginning.

Subject to any easements of record, if any.

TRACT B

That part of Government Lot 3, Section 27, Township 125, Range 30, Stearns County, Minnesota, described as follows: Commencing at the northwest corner of said Government Lot 3; thence South 00° 12' 33" East, on an assumed bearing, along the west line of said Government Lot 3 for 524.94 feet to a point that is 150 feet North of the intersection of said west line with the northerly right of way line of a public road, said road being the easterly extension of First Street Southeast in the City of Avon; thence South 87° 36' 29" East, parallel with said northerly right of way line, for 260.00 feet thence North 00° 12' 33" West, parallel with said west line of Government Lot 3, for 100.00 feet; thence South 87° 36' 29" East, parallel with said northerly right of way, for 219.50 feet, to the point of beginning; thence South 87° 36' 29" East, parallel with said west line of Government Lot 3, for 283.03 feet, to the centerline of said public road; thence South 00° 12' 33" East, parallel with said centerline of said public road, for 461.76 feet, to its intersection with the northwesterly boundary of that certain tract conveyed to the State of Minnesota by warranty deed recorded in Book 421 of Deeds, Page 41; thence North 32° 32' 32" East, along said northwesterly boundary, for 213.48 feet to the centerline of County Road Number 157 according to the duly recorded plat of ACHMANN ADDITION; thence North 57° 43' 37" West, along said county road Number 157, for 178.88 feet; thence continue along said centerline of County Road Number 157 deflecting to the left along a tangential curve, having a central angle of 04° 55' 13" and a radius of 5729.58 feet, for 492.02 feet, to the point of beginning.

Subject to any easements of record, if any.

Surveying & Engineering Professionals Inc.
100 2nd Ave. South, Suite 104
Bauk Rapids, MN 56379
(320) 259-8888



This survey is intended to be used for the purpose of the land descriptions only.