

**JOINT RESOLUTION**  
  
**CITY OF MONTGOMERY**  
**RESOLUTION NO. 128-2004**  
  
**TOWNSHIP OF LANESBURGH**  
**RESOLUTION**

A JOINT RESOLUTION OF THE CITY OF MONTGOMERY AND THE TOWNSHIP OF LANESBURGH DESIGNATING AN UNINCORPORATED AREA AS IN NEED OF ORDERLY ANNEXATION AND CONFERRING JURISDICTION OVER THE AREA TO THE CITY OF MONTGOMERY, LE SUEUR COUNTY, MINNESOTA, PURSUANT TO MINNESOTA STATUTES SECTION 414.0325.

WHEREAS, the City of Montgomery and the Township of Lanesburgh have met, conferred, considered and reached agreement relating to the annexation of an area located in the Township of Lanesburgh, Le Sueur County, Minnesota; and,

WHEREAS, the owner of the property described in Exhibit A is as follows: George L. Fierst, a single person; and,

WHEREAS, the City of Montgomery and the Township of Lanesburgh desire to designate a certain unincorporated area as in need of orderly annexation pursuant to Minnesota Statutes Section 414.0325 and have agreed upon certain terms and conditions relating to the annexation of said property; and,

WHEREAS, the owner of the property to be annexed has submitted a petition for annexation to the City of Montgomery, Le Sueur County, Minnesota, in which said owner requests the annexation of the subject property into the City of Montgomery, Le Sueur County, Minnesota.

NOW, THEREFORE, BE IT RESOLVED AND AGREED between the City of Montgomery and the Township of Lanesburgh as follows:

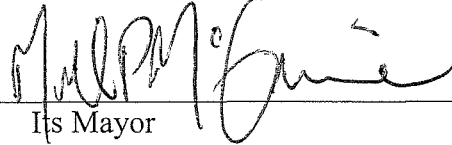
1. That the City of Montgomery (hereinafter "City") is a city pursuant to the laws of the State of Minnesota and that the Township of Lanesburgh (hereinafter "Township") is a township pursuant to the laws of the State of Minnesota, and that both parties are fully authorized and empowered to enter into this resolution.
2. That the following unincorporated area is in need of orderly annexation, lies wholly within Lanesburgh Township, Le Sueur County, Minnesota, and is described as follows: see Exhibit A attached hereto and incorporated herein (hereinafter "the Property") and no alteration of its stated boundaries is appropriate.


3. That jurisdiction over annexation within the Property and over the various provisions contained in this Resolution is hereby conferred upon the Minnesota Department of Administration (hereinafter "Department").
4. That the property does abut the City and is, or is about to become, urban or suburban in character.
5. That the Property will be immediately annexed to the City upon the adoption of this Resolution and the Order of the Department.
6. No consideration by the Department is necessary, the Department may review and comment, but shall within 30 days order the annexation in accordance with the terms of this Resolution.
7. That the real estate taxes collected from the Property due and payable in 2004 will be paid and delivered to the Township. That the real estate taxes due and payable in 2005 and for all years thereafter will be paid and delivered to the City.
8. The Township waives its rights under Minnesota Statutes Section 414.036 to collect from the City lost tax revenues for the period from calendar year 2004 through calendar year 2007. Douglas Pint, on behalf of George L. Fierst, has agreed to reimburse the Township \$7,139.00, based upon a rate of \$100.00 per acre times 71.39 acres annexed, in lieu of tax loss reimbursement. The \$7,139.00 due the Township from Douglas Pint under this paragraph shall be paid to the Township within fourteen (14) days of Mr. Pint's receipt of notice that the subject property has been annexed into the City.
9. That connection to the sewer system will be the responsibility of the Owner and will be conducted in accordance with the ordinances of the City as well as any State or Federal agency laws, rules or regulations.
10. That the Owner of the Property has waived the provisions of Minnesota Statutes Section 414.0325(1a), relative to notice of the costs of electric utility service.
11. That every provision of this Resolution will be and hereby is declared severable, and if any part or portion is held invalid, it will not affect or invalidate the remaining parts or portions of the Resolution.
12. That the Property annexed is not currently zoned and hereby City jurisdiction with a zoning of Residential Agricultural (RA) status.

NOV 29 2004

AGREED TO AND APPROVED BY THE CITY COUNCIL OF THE CITY OF  
MONTGOMERY THIS 15<sup>TH</sup> DAY OF November, 2004.

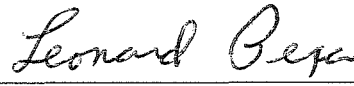
CITY OF MONTGOMERY

BY   
Its Mayor

BY   
Its City Administrator

AGREED TO AND APPROVED BY THE TOWN BOARD OF THE TOWNSHIP OF  
LANESBURGH THIS 15 DAY OF Nov, 2004.

TOWNSHIP OF LANESBURGH

BY   
Its Chairman

BY   
Its Clerk



RECT'D BY  
MMB

NOV 29 2004

DESCRIPTION  
PARCEL 1

That part of the Northeast Quarter of the Northwest Quarter of Section 34; that part of the Southeast Quarter of the Northwest Quarter of Section 34; and that part of Government Lots 1 & 2, all in Township 112 North Range 23 West, LeSueur County, Minnesota, described as:

Beginning at an iron pipe monument designating the West Quarter corner of Section 34; (the west line of the Northwest Quarter of Section 34 to have a bearing of North 00 degrees 09 minutes 53 seconds East - Minnesota County Coordinate System of 1983, LeSueur County Zone); thence South 89 degrees 38 minutes 54 seconds East, along the East - West center line of Section 34, a distance of 1322.33 feet to the southeast corner of said Government Lot 1; thence North 00 degrees 15 minutes 59 seconds East, along the east line of said Government Lot 1 a distance of 330.08 feet to the southwest corner of the North 3/4 of the Southeast Quarter of the Northwest Quarter of Section 34; thence South 89 degrees 40 minutes 04 seconds East, along the south line of the North 3/4 of the Southeast Quarter of the Northwest Quarter of Section 34 a distance of 1322.37 feet to the southeast corner of the North 3/4 of the Southeast Quarter of the Northwest Quarter of Section 34; thence North 00 degrees 16 minutes 20 seconds East, along the North - South center line of Section 34 a distance of 1061.48 feet to the northeast corner of the South 69.90 feet of the Northeast Quarter of the Northwest Quarter of Section 34; thence North 89 degrees 43 minutes 34 seconds West, along the north line of the South 69.90 feet of the Northeast Quarter of the Northwest Quarter of Section 34 and along the north line of the south 69.90 feet of Government Lot 2 in Section 34, a distance of 2262.53 feet to the point of intersection with the easterly right of way line of the Chicago and Northwestern Transportation Company; thence South 15 degrees 40 minutes 10 seconds West, along said easterly line, 1439.27 feet to the point of intersection with the west line of said Government Lot 1; thence South 00 degrees 09 minutes 53 seconds West, along said west line, 0.79 feet to the point of beginning.

Said Parcel 1 contains 68.29 acres, subject to any and all easements of record.

DESCRIPTION  
PARCEL 2

That part of Government Lots 1 & 2 in Section 34, Township 112 North Range 23 West, LeSueur County, Minnesota, described as:

Commencing at an iron pipe monument designating the West Quarter corner of Section 34; thence North 00 degrees 09 minutes 53 seconds East, (Minnesota County Coordinate System of 1983, LeSueur County Zone), along the west line of the Northwest Quarter of Section 34, the same being the west line of said government Lot 1, a distance of 374.89 to the point of intersection with the westerly right of way line of the Chicago and Northwestern Transportation Company, the same being the easterly right of way line of Trunk Highway No. 13; said point being the point of beginning; thence North 15 degrees 40 minutes 10 seconds East, along said right of way lines, 1051.25 feet to the point of intersection with the north line of the south 69.90 feet of Government Lot 2 in Section 34; thence North 89 degrees 43 minutes 34 seconds West, along said north line, 190 feet, more or less, to a point on the southeasterly water's edge of Lake Pepin; thence southwesterly, along said water's edge, 140 feet, more or less, to the point of intersection with the west line of said Government Lot 1; thence South 00 degrees 09 minutes 53 seconds West, along said west line, 900 feet, more or less to the point of beginning. Said Parcel 2 contains 3.1 acres, more or less, subject to any and all easements of record.





