

STATE OF MINNESOTA

DEPARTMENT OF ADMINISTRATION

IN THE MATTER OF THE JOINT RESOLUTION
OF THE CITY OF HINCKLEY AND HINCKLEY
TOWNSHIP DESIGNATING CERTAIN AREAS
AS IN NEED OF ORDERLY ANNEXATION
PURSUANT TO MINNESOTA STATUTES § 414.0325

**JOINT RESOLUTION FOR
ORDERLY ANNEXATION**

WHEREAS, the City of Hinckley (City) and Hinckley Township (Township) agree that the property legally described herein is urban or suburban or about to become so and that orderly annexation of the described areas would in the best interest of the property owners and would benefit the public health, safety, and welfare of the community; and

WHEREAS, the City is able to provide necessary municipal services to the right-of-way (ROW) areas described herein; and

WHEREAS, the ROW properties are currently adjacent to the boundaries of the City; and

WHEREAS, annexation of these ROW properties would create contiguous City boundaries across Interstate Highway 35 and allow improvement of Carriage Hill Drive to serve existing and future residents in the area; and

WHEREAS, the Township and the City have agreed to work cooperatively to accomplish the orderly annexation of the areas legally described herein; and

WHEREAS, the City has available capacity to provide services to the above-mentioned areas; and

WHEREAS, the City and Township agree that the areas legally described herein are designated as in need of immediate orderly annexation; and

WHEREAS, the City and Township desire to accomplish the immediate orderly annexation of the areas legally described herein without the need for a hearing.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of Supervisors of Hinckley Township and the City Council of the City of Hinckley, as follows:

1. Designation of Orderly Annexation Areas – City of Hinckley and Hinckley Township. The Township and the City hereby designate the areas legally described in Exhibit A, attached hereto and incorporated herein by reference, for immediate orderly annexation pursuant to Minnesota Statutes, Section 414.0325.

2. Acreage. The Township and City agree that the areas legally described in Exhibit A and designated as in need of immediate orderly annexation are approximately 33.65 acres.
3. Population. The Township and City agree that the population of the areas legally described in Exhibit A and designated as in need of immediate orderly annexation is zero.
4. Map of Area. A boundary map showing the areas legally described in Exhibit A is attached hereto as Exhibit B and incorporated herein by reference.
5. No Hearing Required. Pursuant to Minnesota Statutes, Section 414.0325, the Township and City agree that no alteration of the boundaries stated herein is appropriate, that all conditions for annexation of the areas legally described in Exhibit A are contained in this Joint Resolution, and that no consideration by the Department of Administration is necessary. Upon the execution and filing of this Joint Resolution, the Department of Administration may review and comment thereon, but shall, within 30 days of receipt of this Joint Resolution, order the annexation of the areas legally described in Exhibit A in accordance with the terms and conditions contained in this Joint Resolution.
6. Tax Reimbursement. The City and Township agree that the areas proposed for annexation are untaxed public ROW, and, therefore, tax reimbursement does not apply.
7. Filing. The Township and City agree that upon adoption and execution of this Joint Resolution, the City shall file the same with the Department of Administration Municipal Boundary Adjustments Office and pay the required filing fee.
8. Governing Law. The Township and City agree that this Joint Resolution is made pursuant to, and shall be construed in accordance with the laws of the State of Minnesota.
9. Headings and Captions. The Township and City agree that the headings and captions contained in this Joint Resolution are for convenience only and are not intended to alter any of the provisions of this Joint Resolution.
10. Entire Agreement. With respect to the areas legally described in Exhibit A and shown on Exhibit B, which are attached hereto and incorporated herein by reference, the terms, covenants, conditions, and provisions of this Joint Resolution shall constitute the entire agreement between the parties hereto superseding all prior agreements and negotiations between the parties.
11. Legal Description and Mapping. The Township and City agree that in the event there are errors, omissions or any other problems with the legal description provided in Exhibit A or mapping provided in Exhibit B, in the judgment of the Department of Administration, the City and Township agree to make such corrections and file any additional documentation, including a new Exhibit A or Exhibit B making the corrections requested or required by the Department of Administration as necessary to make effective the annexation of said area in accordance with the terms of this Joint Resolution.

Passed, adopted, and approved by the Town Board of Supervisors of Hinckley Township, Pine County, Minnesota, this 27 day of Dec, 2004.

HINCKLEY TOWNSHIP

By: 

Gary Kirchmeier, Chairman

ATTEST:



Paul Marudas, Town Clerk

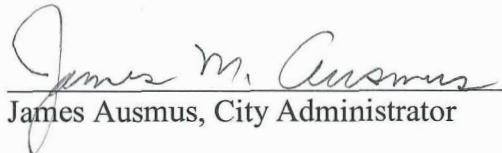
Passed, adopted, and approved by the City Council of the City of Hinckley, Pine County, Minnesota, this 9th day of Feb, 2005.

CITY OF HINCKLEY

By: 

Tom Lymburner, Mayor

ATTEST:



James Ausmus, City Administrator

EXHIBIT A

The areas proposed to be annexed in the attached Joint Resolution are legally described as follows:

That part of the Interstate Highway 35 right-of-way south of State Highway 48 to the north line of the south half of the southwest quarter of the southeast quarter of Section 25, Township 41 North, Range 21 West; and,

that part of the highway easement for Carriage Hill Drive across the north 33 feet of Lot 1, Auditor's Subdivision, Section, 25, Township 41 North, Range 21 West, Pine County Minnesota.

EXHIBIT B

The municipal boundary map referenced in the attached Joint Resolution, showing the current City of Hinckley and its relation to the area proposed to be annexed legally described in Exhibit A, is attached hereto.

CITY OF HINCKLEY

Municipal Boundary
