

**TOWN OF ROCKFORD RESOLUTION
CITY OF ROCKFORD RESOLUTION**

City of Rockford Resolution #05- 45 Rockford Township Resolution #05-23-05

**JOINT RESOLUTION FOR ORDERLY ANNEXATION BETWEEN
THE TOWN OF ROCKFORD AND THE CITY OF ROCKFORD, MINNESOTA.**

WHEREAS, the Town of Rockford (hereinafter referred to as the 'Town') and the City of Rockford (hereinafter referred to as the "City"), the township located entirely within Wright County and the City located in Wright and Hennepin Counties in the State of Minnesota, have agreed that there is a clear need for a cooperative future planning effort for the land governed by the two jurisdictions; and,

WHEREAS, to this end Town and City have met in discussion and study of future planning issues regarding the orderly annexation of portions of Rockford Township and,

WHEREAS, the Town Board and City Council have expressed their desire to plan to accommodate future development of land near the City so as to avail such development of municipal services including sewer and water;

NOW, THEREFORE, BE IT RESOLVED, in consideration of the mutual terms and conditions that follow, that the **City and Town** enter into this Joint Resolution of Orderly Annexation (the "Joint Resolution"):

1. Designation of Orderly Annexation Area. The Town and City desire to designate the area set forth on the map attached (Exhibit 1) and the legal descriptions attached (Exhibit 2) as subject to orderly annexation under and pursuant to Minnesota Statutes Section 414.0325. For purposes of this Joint Resolution, this area shall be referred to as the "Property".

2. Director of Minnesota Office of Strategic and Long Range Planning Jurisdiction. Upon approval by the Town Board and the City Council, this Joint Resolution shall confer jurisdiction upon the Director of the Minnesota Office of Strategic and Long Range Planning (hereinafter referred to as "Director of Minnesota Planning") to accomplish said orderly annexations in accordance with the terms of this Joint Resolution. In the event that the Office of Strategic and Long Range Planning is abolished, the authority will be transferred to the department or person(s) assigned that duty.

3. No Alterations of Boundaries. The Town and City mutually agree and state that there shall be no alterations by the Director of Minnesota Planning of the stated boundaries of the area designated for orderly annexation.

4. Review and Comment by the Director of Minnesota Planning. The Town and City mutually agree and state that this Joint Resolution and Agreement sets forth all the conditions for annexation of the areas designated, and that no consideration by the Director of Minnesota Planning is necessary. The Director of Minnesota Planning, or department assigned, may review and comment, but shall, within thirty (30) days, order annexation(s) in accordance with the terms of this Joint Resolution.

5. Character of the Property. The Property abuts the City of Rockford and is presently urban or suburban in

nature or is about to become so. Further, the City is now or within a reasonable amount of time (less than 2 years) will be capable of providing municipal water and sanitary sewer to the Property.

6. Municipal Reimbursement The City and Town mutually agree and state that, pursuant to Minnesota Statutes 414.036, a reimbursement from the City to the Town shall occur for the land annexed into the City, according to the following conditions:

A. The City will pay the Town \$500.00 per acre in a lump sum upon annexation, for land that is unimproved. (See Exhibit I for a map describing the annexation area).

B. Or the city will pay the sum of 5 years of the current year taxes paid to the town in a lump sum, for the improved property whichever is greater.

C. Upon annexation of the Property, the City of Rockford shall be entitled to the immediate receipt of all ad valorem property tax revenue generated by the Property from the date of annexation and thereafter into the future.

7. Conditions for Orderly Annexation. Annexation Petition Requirements. All property owners have petitioned for the annexation. The Director is authorized and directed to immediately annex the property into the city.

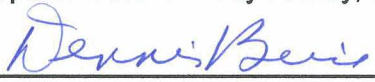
8. Fire Control. The parties agree that the Property is provided fire protection pursuant to a joint powers agreement for fire services between the parties. Upon annexation of portions of the Property to the City of Rockford, the fire contract cost calculations shall be readjusted to reflect the new boundaries.

9. Authorization. The appropriate officers of the City and Town are hereby authorized to carry the terms of the Joint Resolution into effect.

10. Severability and Repealer. A determination that a provision of this Joint Resolution is unlawful or unenforceable shall not affect the validity or enforceability of the other provisions herein. Any prior agreement or joint resolution existing between the parties and affecting the Property described in the attached Exhibits, or any other agreements which may exist between the City and the Township which might contradict the terms of this Joint Resolution shall be considered repealed upon the effective date of this Joint Resolution.

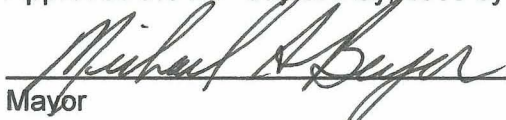
11. Effective Date. This Joint Resolution shall be effective upon adoption by the governing bodies of the City and Township and approval by the Director of the Minnesota Office of Strategic and Long Range Planning.

Approved the 23rd day of May, 2005 by the Town board of the Town of Rockford.


Chair


Town Clerk

Approved the 23rd day of May, 2005 by the City Council of the City of Rockford.


Mayor


City Administrator/Clerk

EXHIBIT "2"

SKOOG PROPERTY

Legally described as Lot 1, Block 1, Section 20, Township 119,
Range 024, Splittstoesser Estates.

MACINTYRE PROPERTY

Legally described as Lot 2, Block 1, Section 20, Township 119,
Range 024, Splittstoesser Estates.

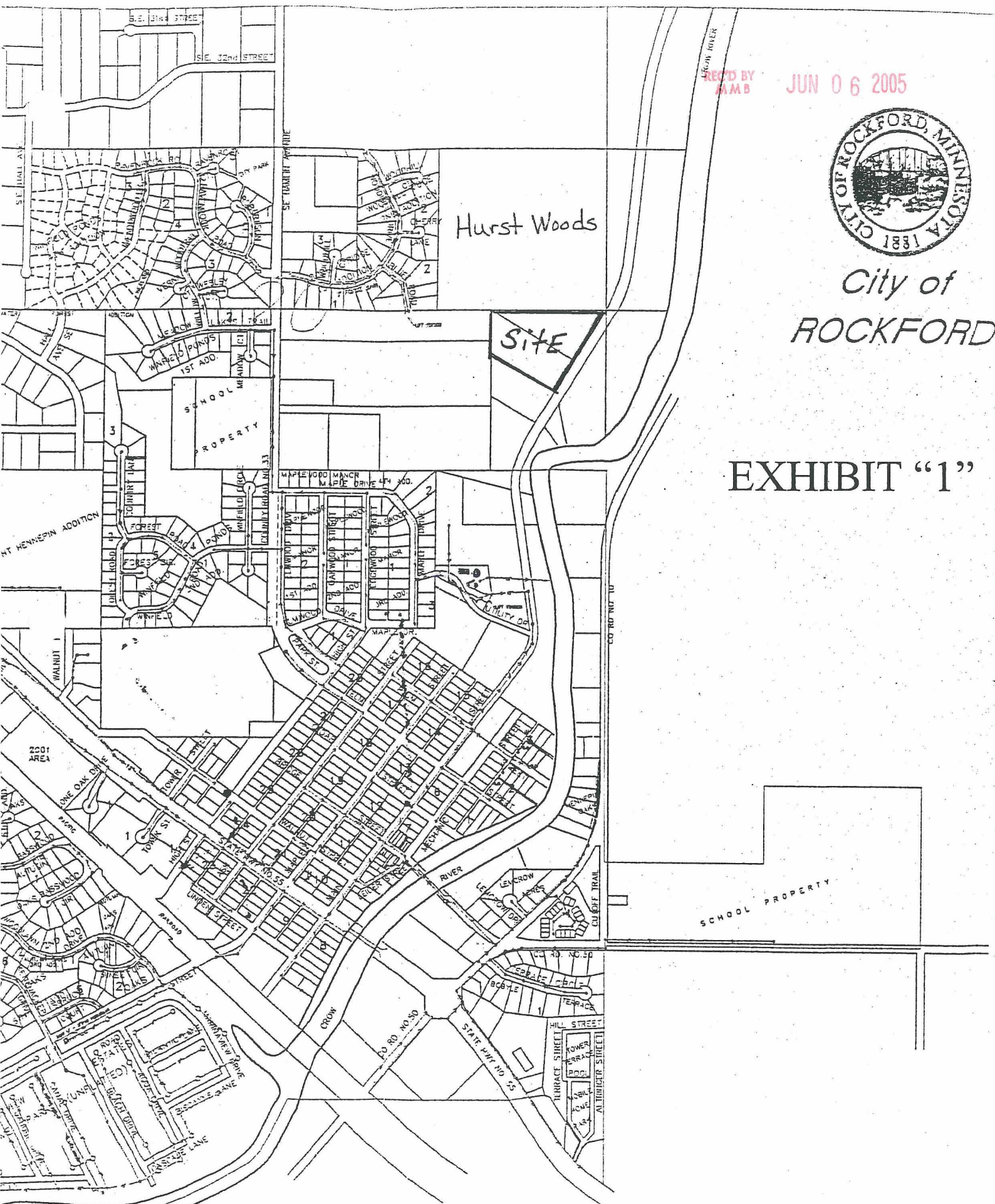
RECORDED BY
JAMB

JUN 06 2005



City of
ROCKFORD

EXHIBIT "1"



Res. 05-45