

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

**City of Rockford Resolution #05-46  
Rockford Township Resolution #05-23-05-B**

**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 "Department of Administration") to accomplish said orderly annexations in accordance with the terms of this Joint Resolution. In the event that the Department of Administration 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 Department of Administration of the stated boundaries of the area designated for orderly annexation.

**4. Review and Comment by the Department of Administration.** 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 Department of Administration is necessary. The Department of Administration, 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 one lump sump payment of the property annexed for the unimproved property. (See Exhibit I for a map describing the annexation area).

B. The City will pay a fee of \$500.00 per parcel, or the sum of 5 years of the current year taxes paid to the town in one lump sump payment, whichever is greater, for portions of the Property annexed which are, at the time of annexation, improved.

C. Upon annexation of the Property, the City of Rockford shall be entitled to the immediate receipt of all ad valorem 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. Roads.** At such time as the City has issued 32 building permits for lots within the Property, the City shall cause improvement to Township standards or State aid standards whichever is greater as determined by the City Engineer for the total portion of Gabler Avenue S.E. that continues from the north line of the property south to State Highway 55 S.E. and including that portion of the road that is not in the area of this agreement, at no cost to the township or township residents by assessment, *provided however that the City may recoup an abutting property's share of the cost of the road for such property if and when such property is annexed into the City.* The Town may review the design plans for the intersection of Gabler Avenue SE and Highway 55 and has 15 days from receipt of the plans to submit their written comments. After annexation, the City and township shall establish a long term maintenance agreement for that segment of Gabler Avenue SE extending from the north line of the property to State Highway 55.

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

**11. 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.



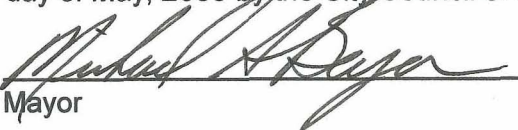
**12. Effective Date.** This Joint Resolution shall be effective upon adoption by the governing bodies of the City and Township and approval by the Department of Administration.

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

  
Chair

  
Clerk/Treasurer

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

  
Mayor

  
Administrator

Exhibit 2

LEGAL DESCRIPTION:

Miske

That part of the Northwest Quarter of Section 19, Township 119, Range 24, Wright  
County,

Minnesota, which lies Southerly of the following described line:

Commencing at the Northwest corner of said Northwest Quarter; thence on an assumed  
bearing of South along the West line of said Northwest Quarter, a distance of 492.96

feet

to the point of beginning of the line to be described; thence South 89 degrees 48

minutes

47 seconds East, a distance of 1184.94 feet; thence on a bearing of South, a distance of  
763.48 feet; thence North 88 degrees 45 minutes 11 seconds East, a distance of 896.30

feet to the East line of said Northwest Quarter and said line there terminating; except  
there from the South 610.00 feet of the West 713.99 feet of said Northwest Quarter.

and

Walters

South 610 ft of West 713.99 feet of said Northwest Quarter.

# Exhibit 1












REC'D BY  
MMB

JUN 06 2005

Exhibit A

Site →

## ZONING MAP

-  R-1 Single Family Residential
-  R-2 Medium Density Residential
-  R-3 Multi-Family Residential
-  M Manufactured Housing Park
-  C-1 Commercial Service
-  C-2 Commercial Shopping Center
-  C-3 Commercial Highway
-  C-O Downtown Commercial
-  I-1 Industrial
-  POC Public, Open Space, Conservation
-  PUD Planned Unit Development

ZONING MAP DATE: 9/10/01  
BASE MAP DATE:



BASE MAP:  
Bonestroo Anderlik  
Rosen And Assoc.



NOTE:  
THIS MAP IS FOR PLANNING PURPOSES ONLY  
AND SHOULD NOT BE USED FOR EXACT  
MEASUREMENT. FURTHER, IT IS RECOMMENDED  
THAT IN ADDITION TO THIS ZONING MAP, CITY  
FILES BE CONSULTED TO VERIFY DISTRICT  
CLASSIFICATION OF SPECIFIC PROPERTIES.

# Rockford, Minnesota

Res 05-46

