

REC'D BY
MMB

JUN 10 2005

CITY OF PARKERS PRAIRIE
RESOLUTION NO. 05-17

PARKERS PRAIRIE TOWNSHIP
RESOLUTION 05-03

A JOINT RESOLUTION FOR ORDERLY ANNEXATION

WHEREAS, The City of Parkers Prairie, hereinafter referred to as "City" and the Town of Parkers Prairie, hereinafter referred to as "Town" have agreed to the orderly annexation of Town lands described herein for the purpose of orderly, planned growth: and

WHEREAS, orderly annexation will be of mutual benefit to the Town and the City and the respective residents thereof; and

WHEREAS, the Town and City agree that orderly annexation and the potential extension of municipal services to the areas designated herein for orderly annexation would benefit the public health, safety and welfare of the entire community;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY PARKERS PRAIRIE AND THE TOWN BOARD OF PARKERS PRAIRIE AS FOLLOWS:

1. Areas Designated for Orderly Annexation: See attachment A.
2. State Agency Jurisdiction: Upon approval by the Town Board and the City Council, this Joint Resolution for Orderly Annexation confers jurisdiction upon the Office of Administrative Hearings or its successor so as to accomplish the orderly annexation of the areas designated in Paragraph No. 1 in accordance with the terms of this Joint Resolution for Orderly Annexation.
3. Actions for Office of Administrative Hearings: For all annexations provided for in this Joint Resolution for Orderly Annexation, The Town and the City agree that no alteration

of the stated boundaries of the orderly annexation areas designated in the Joint Resolution for Orderly Annexation is appropriate, that no consideration by Office of Administrative Hearings or its successor is necessary and that all terms and conditions for annexation of said areas designated herein are provided for in this Joint Resolution for Orderly Annexation. Office of Administrative Hearings or its successors may review and comment but shall within thirty (30) days of receipt of the Petition order the annexation of the area disputed in accordance with the terms and conditions of the Joint Resolution.

4. Zoning, Subdivision and Land Use: Areas annexed to the City of Parkers Prairie pursuant to this Joint Resolution for Orderly Annexation shall become subject to City of Parkers Prairie ordinances as such ordinances exist at the time of annexation or as such ordinances may from time to time be amended by the City Council.
5. Differential Taxation: Office of Administrative Hearings or its successor shall, subject to the provisions of Minnesota Statutes Sec. 414.035, and subject to Paragraph No. 13 of this Joint Resolution for Orderly Annexation, in its order annexing an area designated for orderly annexation as provided in Paragraph No. 1, provide that the tax rate on an amended area shall be increased in substantially equal portions over a period years to equalize the tax rate on the property already within the City of Parkers Prairie. Land to be annexed is Non-taxable Township roadway and a 17-ft x 750-ft +/- strip of commercial land. Annexed area will become non-taxable City Street, therefore no Differential Taxation is required.
6. Severability and Repealer: All prior resolutions and ordinances of the Town and the City, or portions of resolutions and ordinances in conflict herewith, are hereby repealed. Should any section of this Joint Resolution for Orderly Annexation be held by a court of competent jurisdiction to be unconstitutional or void, the remaining provisions will remain in effect.
7. Effective Date: This Joint Resolution for Orderly Annexation is effective upon its adoption by the respective governing bodies of the Town and the City.
8. Governing Law: This Joint Resolution for Orderly Annexation shall be governed by the laws of the State of Minnesota.
9. Entire Agreement: The terms, covenants, conditions and provisions of this Joint Resolution for Orderly Annexation. Including the present and all future exhibits, shall constitute the entire agreement between the parties hereto, superseding all prior agreements and negotiations. This Joint Resolution for Orderly Annexation shall be binding upon and inure to the benefit of the respective successors and assigns of the City and Township.
10. Exhibits and Maps: All attachments, exhibits and maps referred to in the Joint Resolution for Orderly Annexation are made a part hereof and incorporated herein by reference as fully and completely as if set forth herein verbatim.

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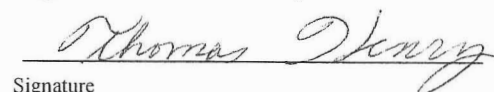
Adopted by the Town Board of Supervisors for the Town of Parkers Prairie this 1 day of June 2005.

Signed: Eugene Payne


Signature

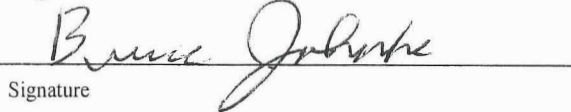
Town Chair

Signed: Thomas Henry


Signature

Supervisor

Signed: Bruce Jahnke


Signature

Town Clerk

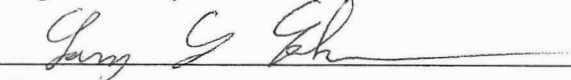
Signed: Charles Jahnke


Signature

Supervisor

Adopted by the City Council of Parkers Prairie this 1 day of June 2005.

Signed: Larry Lahman


Signature

Mayor

Witnessed: David Campbell


Signature

City Administrator

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Attachment A

The legally described area in Parkers Prairie Township is in need of annexation:

That part of the North 33.00 feet of the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 22, Township 131 North, Range 37 West, Otter Tail County, Minnesota, lying easterly of the easterly right-of-way line of Trunk Highway No. 29.

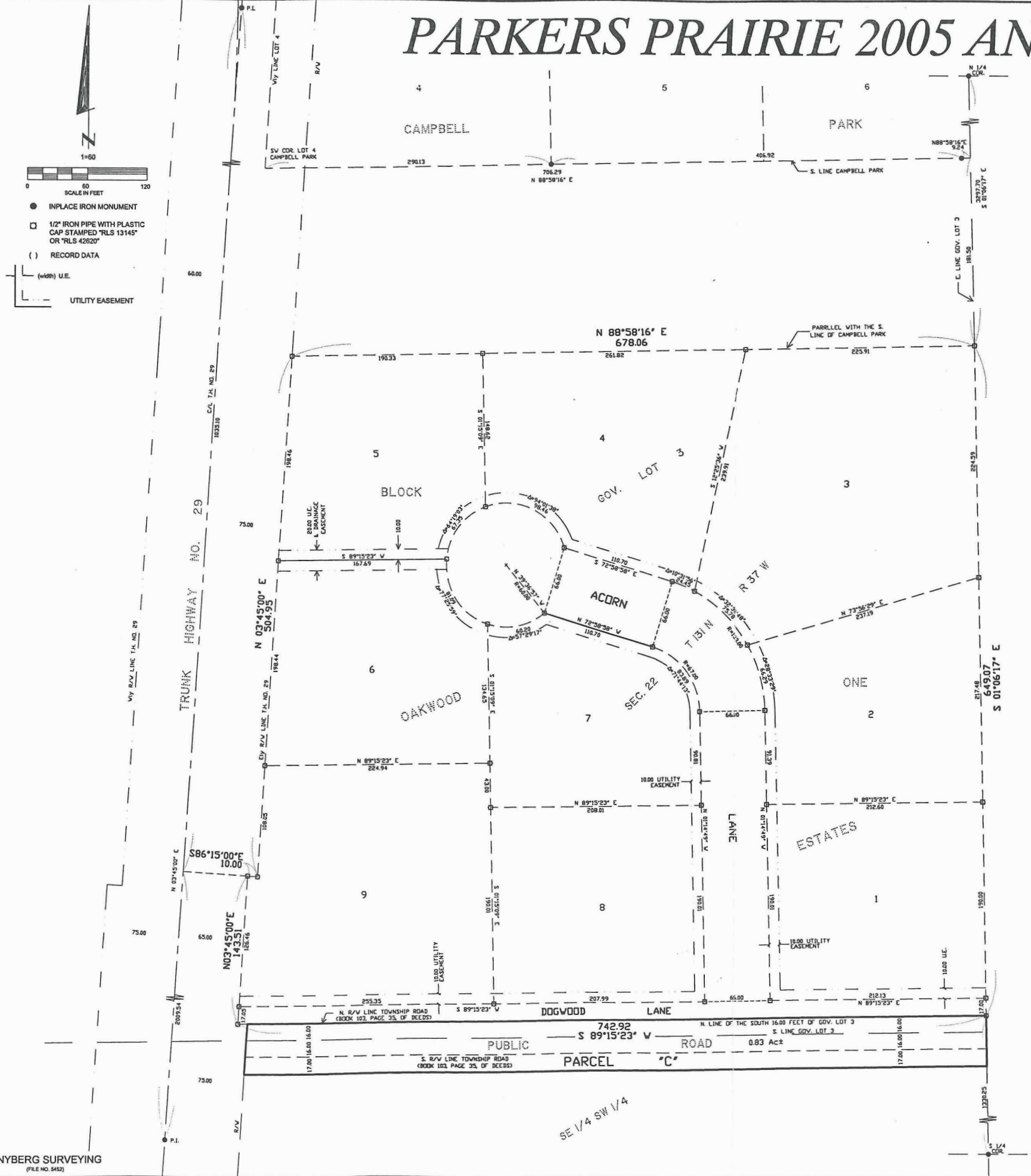
AND

That part of the South 16.00 feet of Government Lot 3, Section 22, Township 131 North, Range 37 West, Otter Tail County, Minnesota, lying easterly of the easterly right-of-way line of Trunk Highway No. 29.

The tract contains .83 acres more or less

PARKERS PRAIRIE 2005 ANNEXATION

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NYBERG SURVEYING
(FILE NO. 5452)

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

Michael H. Nyberg
Date _____ License No. 13145

DATE: 05-31-05
DRAWN BY: BDT
CHECKED: MHN
JOB NO. 5592-C

REQUESTED BY:
CITY OF PARKERS PRAIRIE
NYBERG SURVEYING, INC.
509 22ND AVE. EAST
ALEXANDRIA, MINNESOTA 56308
PH. (320) 762-4111 * FAX (320) 762-4112
www.ny-survey.com

SEC. 22 T 131 N R 37 W