

AUG 24 2005

**TOWN OF EMPIRE
CITY OF FARMINGTON**

**IN THE MATTER OF THE JOINT
RESOLUTION OF THE TOWN OF
EMPIRE AND THE CITY
OF FARMINGTON, DESIGNATING
AN UNINCORPORATED AREA AS
IN NEED OF ORDERLY ANNEXATION
AND CONFERRING JURISDICTION
OVER SAID AREA TO THE DEPARTMENT
OF ADMINISTRATION, BOUNDARY
ADJUSTMENT OFFICE, PURSUANT TO
M.S. §414.0325**

JOINT RESOLUTION

WHEREAS, Winkler Land Co., LLC is the sole owner of unplatted property currently located in Empire Township described in Exhibit "A" and depicted in Exhibit "B"; and

WHEREAS, the property abuts land within the City limits, is generally located south of 210th Street east of the current municipal boundary, is approximately 13.514 acres in size, and has zero households with a population of zero people; and

WHEREAS, Winkler Land Co., LLC has petitioned the City for annexation of its property for the purpose of connecting to City-provided sanitary sewer and water services; and

WHEREAS, the City of Farmington can provide the requested urban services to the property; and

NOW, THEREFORE, the Township of Empire and the City of Farmington jointly agree to the following:

1. The Township and City hereby establish an Orderly Annexation Area ("OAA") as authorized by Minnesota Statute §414.0325, Subdivision 1, for the property described above and shown on the attached Exhibit "B" and legally described on Exhibit "A".
2. That the purpose of the annexation of the property involved in this annexation is to transfer jurisdiction over the property in order to provide urban services including but not limited to sewer, water, refuse collection, police and fire protection from the City of Farmington.
3. That in order to accomplish this purpose, the property owned by Winkler Land Co., LLC described herein should be immediately annexed to and made part of the City of Farmington.

4. Upon approval by the respective governing bodies of the City and the Township, this joint resolution and agreement shall confer jurisdiction upon the Director of the Office of Administrative Hearings, Municipal Boundary Adjustment Unit (or his or her successor designee responsible for administering Minnesota Statutes Chapter 414) so as to immediately annex the lands described in the attached Exhibit "A" in accordance with the terms of this joint resolution and agreement without need for any subsequent resolution(s) of the parties.
5. The City and Township mutually state that no alteration by the director to the OAA boundaries, as illustrated on Exhibit "B" and described in Exhibit "A", is appropriate or permitted.
6. The City and Township agree that upon annexation all planning, official controls, and governmental services for the annexed area shall become the responsibility of the City, and that the provisions of Minn. Stat. §§414.035 and 414.036 authorizing differential taxation and municipal reimbursement for the annexed property will not be applied in this proceeding.
7. The City and the Township mutually state that the annexation of the property will not result in any change of electrical service and will not require joint planning since upon final approval of this joint resolution and issuance of the annexation order by the Director the property will immediately be fully subject to the official controls and other ordinances of the City of Farmington, including all land use controls. Further, that differential taxation under M.S. §414.035, or reimbursement under M.S. §414.036 is not required.
8. Having designated the area illustrated on Exhibit "B" and described in Exhibit "A" as in need of orderly annexation, and having provided for all of the conditions of its annexation within this document, the parties to this agreement agree that no consideration by the director is necessary. The director may review and comment but shall within thirty (30) days order the annexation in accordance with the terms of this Resolutions.

Approved and Adopted
this 28 day of June, 2005.

Approved and Adopted
this 18th day of July, 2005.

TOWN OF EMPIREBY: Tony J. HinesIts Town Board ChairAND Kathleen B. KappinIts Town Board Clerk**CITY OF FARMINGTON**BY: Kevin A. SchulerIts MayorAND Steve HarknessIts City Administrator

REC'D BY
MMA

AUG 24 2005

EXHIBIT A

PIN of parcel subject to this joint resolution: 12-03200-012-03

Legal description of property subject to immediate annexation:

The South Half of the Northeast Quarter of Section 32, Township 114, Range 19, Dakota County, Minnesota, except the West 2200 feet thereof. Containing 13.514 acres

SKETCH AND DESCRIPTION

For: Winkler Land Company, LLC

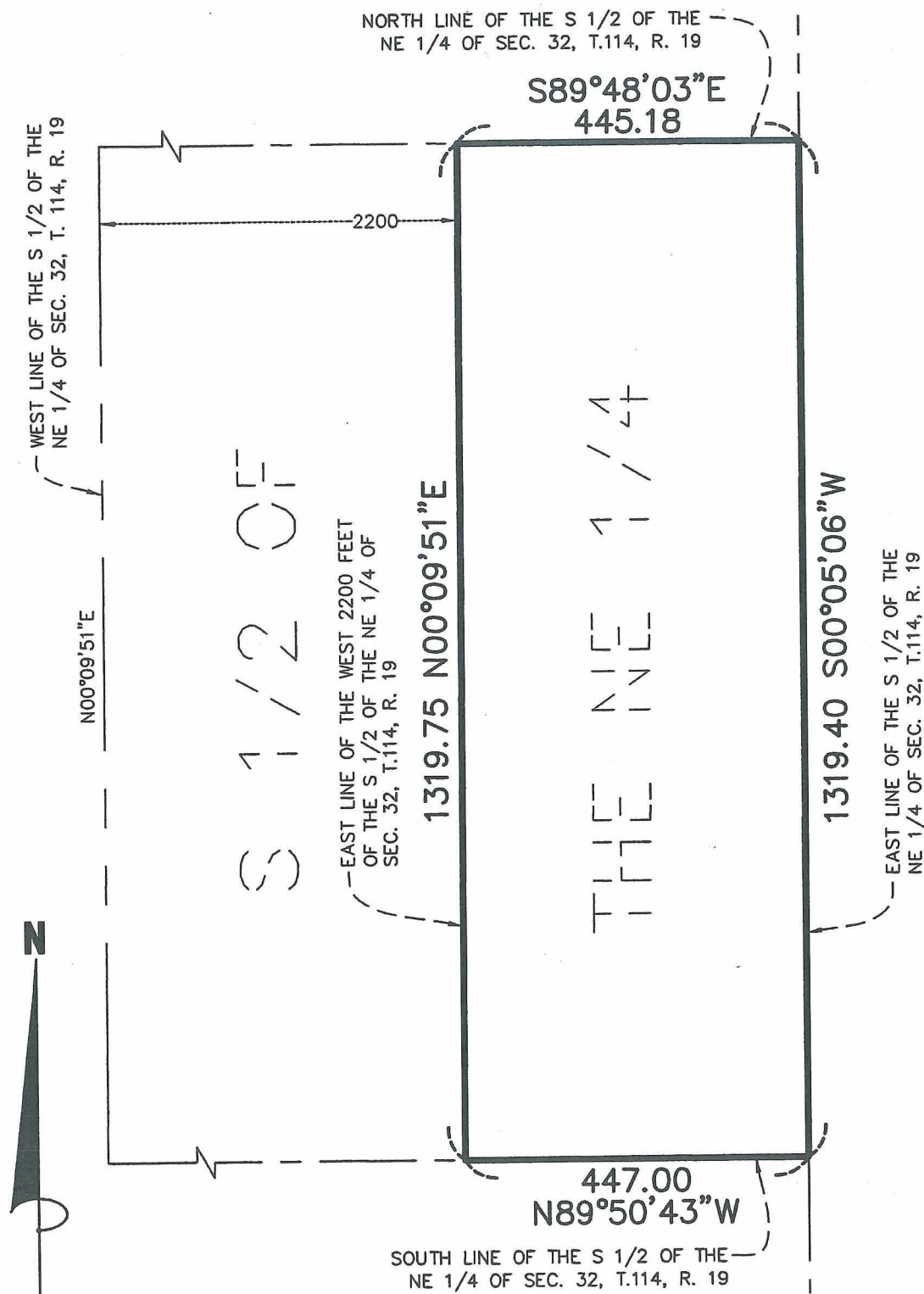
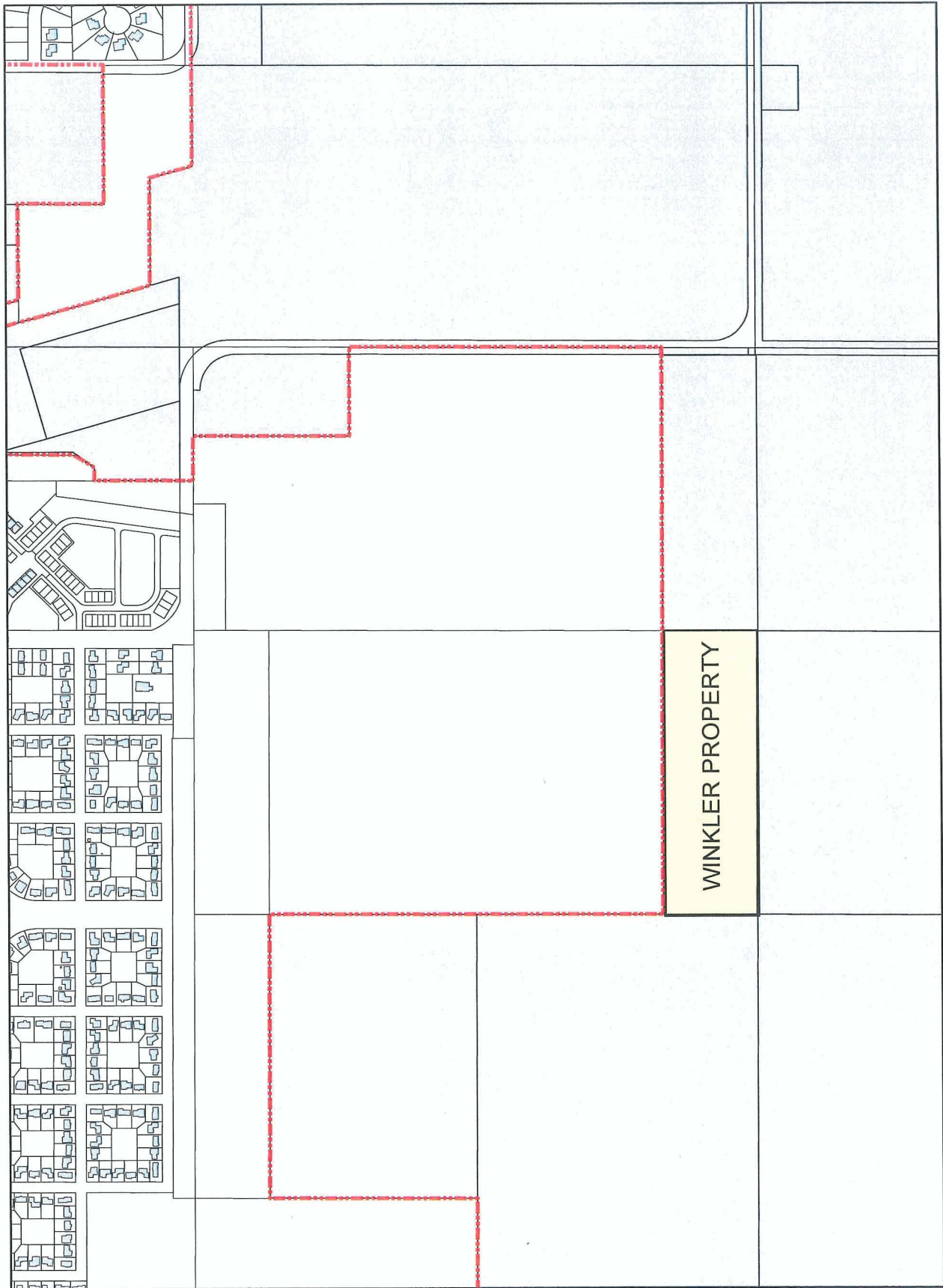


EXHIBIT B

REC'D BY
M M B

AUG 24 2005



- City Boundary
- City Property
- Township Property

1,500 Feet

