

TOWN OF ST. JOSEPH RESOLUTION 2013-01
CITY OF ST. JOSEPH RESOLUTION 2013-

**JOINT RESOLUTION AND AGREEMENT FOR ORDERLY ANNEXATION
BETWEEN THE TOWN OF ST. JOSEPH
AND THE CITY OF ST. JOSEPH, MINNESOTA**

WHEREAS, the Board of Supervisors of the Town of St. Joseph (hereinafter referred to as the "Town") passed a resolution on May 28, 2013, approving the annexation to the City of St. Joseph certain land legally described in the attached Exhibit A (hereinafter the "Property").

WHEREAS, the City Council of the City of St. Joseph (hereinafter referred to as the "City"), agreed to the annexation of the Property at its April 18, 2013 meeting; and

WHEREAS, the Town and the City have determined that the annexation of a portion of the Township with the City is of mutual benefit to both parties and the residents thereof;


NOW, THEREFORE, BE IT RESOLVED, in consideration of the mutual terms and conditions, the City and Town enter into this Joint Resolution and Agreement for Orderly Annexation (the "joint resolution")

1. Designation of Orderly Annexation Area. The Town and City designate the area set forth on the map attached as Exhibit B and legally described in the attached Exhibit A both of which are incorporated herein by reference for immediate 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 "OAA Property".
2. Office of Administrative Hearing, Municipal Boundary Adjustments Unit. Upon approval by the Town Board and the City Council, this Joint Resolution shall confer jurisdiction upon the Office of Administrative Hearings, Municipal Boundary Adjustments Unit (hereinafter referred to as "OAH") to accomplish said orderly annexations in accordance with the terms of this Joint Resolution.
3. No Alterations of Boundaries. The Town and City mutually agree and state that no alterations the boundaries of the OAA Property designated herein is appropriate.
4. No Hearing Required. Pursuant to Minnesota Statute Section 414.0325, the Town and City mutually agree that this Joint Resolution and Agreement sets forth all the conditions for annexation of the areas designated, and that no consideration by the chief administration law judge is necessary. Upon the

execution and filing of this Joint Resolution and Agreement, the chief administrative law judge may review and comment thereon, but shall, within thirty (30) days, order annexation(s) of the OAA Property in accordance with the terms of this Joint Resolution and Agreement.

5. Reimbursement to Town In Lieu of Taxes. The OAA Property consists entirely of road right of way. Accordingly, there will be no reimbursement by the City to the Town for lost tax revenues as a result of this annexation.
6. Character of the Property. The OAA Property abuts the City and is presently urban or suburban in nature or is about to become so.
7. Population. The Town and City state that the population of the annexed area is zero (0) person(s). Therefore, following the annexation, the estimated population of the City will not increase.
8. Initiation of Orderly Annexation. The Town and the City agree that the parties jointly initiated the annexation of the OAA Property.
9. Effect on Prior Agreement. The Town and the City agree that the OAA Property described herein shall not be deemed to satisfy the contiguity requirement for the annexation of any other property which is subject to the Joint Resolution for Orderly Annexation Between the Town of St. Joseph and the City of St. Joseph, Minnesota dated December 15, 2010.
10. Authorization. The Town and City have authorized the appropriate officers to carry this Joint Resolution's terms 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.
12. Effective Date. This Joint Resolution and Agreement shall be effective upon adoption by the governing bodies of the City and Town and approval by the Director of the Office of Administrative Hearings, Municipal Boundary Adjustments Unit.
13. Governing Law. Minnesota law will govern this Agreement.

Approved the 28 day of May, 2013, by the Town Board of the Town of St. Joseph.


Jeff Janssen, Chairman


Anna Reischl, Clerk

REC'D BY
MBA

JUN 03 2013

Approved the 18th day of April, 2013, by the City Council of the
City of St. Joseph.


Rick Schultz, Mayor


Judy Weyrens, Administrator

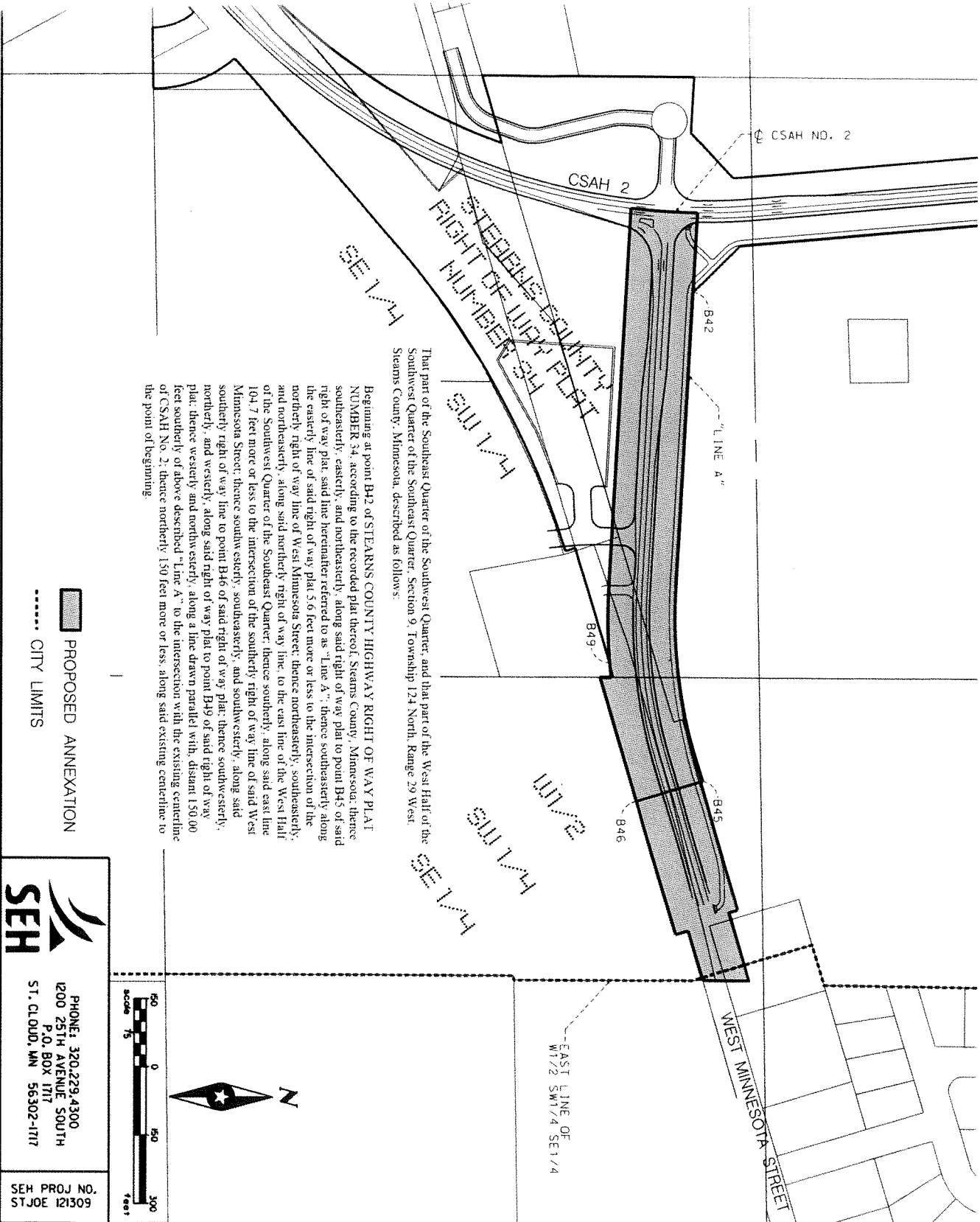
EXHIBIT A
ORDERLY ANNEXATION AREA

That part of the Southeast Quarter of the Southwest Quarter, and that part of the West Half of the Southwest Quarter of the Southeast Quarter, Section 9, Township 124 North, Range 29 West, Stearns County, Minnesota, described as follows:

Beginning at point B42 of STEARNS COUNTY HIGHWAY RIGHT OF WAY PLAT NUMBER 34, according to the recorded plat thereof, Stearns County, Minnesota; thence southeasterly, easterly, and northeasterly, along said right of way plat to point B45 of said right of way plat, said line hereinafter referred to as "Line A"; thence southeasterly along the easterly line of said right of way plat 5.6 feet more or less to the intersection of the northerly right of way line of West Minnesota Street; thence northeasterly, southeasterly, and northeasterly, along said northerly right of way line, to the east line of the West Half of the Southwest Quarter of the Southeast Quarter; thence southerly, along said east line 104.7 feet more or less to the intersection of the southerly right of way line of said West Minnesota Street; thence southwesterly, southeasterly, and southwesterly, along said southerly right of way line to point B46 of said right of way plat; thence southwesterly, northerly, and westerly, along said right of way plat to point B49 of said right of way plat; thence westerly and northwesterly, along a line drawn parallel with, distant 150.00 feet southerly of above described "Line A" to the intersection with the existing centerline of CSAH No. 2; thence northerly 150 feet more or less, along said existing centerline to the point of beginning.

EXHIBIT B
MAP OF ORDERLY ANNEXATION AREA

ANNEXATION EXHIBIT
PART OF SECTION 9, TOWNSHIP 124, RANGE 29, STEARNS COUNTY, MINNESOTA



That part of the Southeast Quarter of the Southwest Quarter, and that part of the West Half of the Southwest Quarter of the Southeast Quarter, Section 9, Township 124 North, Range 29 West, Stearns County, Minnesota, described as follows:

Beginning at point B42 of STEARNS COUNTY HIGHWAY RIGHT OF WAY PLAT NUMBER 34, according to the recorded plat thereof, Stearns County, Minnesota; thence southeasterly, easterly, and northeasterly, along said right of way plat to point B45 of said right of way plat, said line hereinafter referred to as "Line A"; thence southeasterly along the easterly line of said right of way plat 5.6 feet more or less to the intersection of the northerly right of way line of West Minnesota Street; thence northeasterly, southeasterly, and northerly, along said northerly right of way line, to the east line of the West Half of the Southwest Quarter of the Southeast Quarter; thence southerly, along said east line 104.7 feet more or less to the intersection of the southerly right of way line of said West Minnesota Street; thence south easterly, southeasterly, and southwesterly, along said southerly right of way line to point B46 of said right of way plat; thence southwesterly, northerly, and westerly, along said right of way plat to point B49 of said right of way plat; thence westerly and northwesterly, along a line drawn parallel with, distant 150.00 feet southerly of above described "Line A" to the intersection with the existing centerline of CSAH No. 2; thence northerly 150 feet more or less, along said existing centerline to the point of beginning.

PROPOSED ANNEXATION
CITY LIMITS

PHONE: 320.229.4300
1200 25TH AVENUE SOUTH
P.O. BOX 1177
ST. CLOUD, MN 56302-1177

SEH

SEH PROJ NO. STJOE 121309