

REC'D. BY MMB AUG 31 1998

RESOLUTION #98-241

**TO THE MINNESOTA MUNICIPAL BOARD
AN AMENDMENT TO A JOINT RESOLUTION (OA-131)
OF THE CITY OF NORTHFIELD AND THE TOWNSHIP OF NORTHFIELD
DESIGNATING AN UNINCORPORATED AREA AS IN NEED OF ORDERLY
ANNEXATION AND CONFERRING JURISDICTION OVER
SAID AREA ON THE MINNESOTA BOARD PURSUANT TO MINN. STAT. 414.0325**

WHEREAS, the City of Northfield and the Township of Northfield desire to accommodate growth in the most orderly fashion; and

WHEREAS, the City of Northfield and the Township of Northfield did adopt a joint resolution for orderly annexation on October 10, 1978 (OA-131); and

WHEREAS, the City of Northfield and the Township of Northfield desire to amend the joint resolution for orderly annexation between the City of Northfield and the Township or Northfield on October 10, 1978 (OA-131) to include the following described property:

That part of the west 33 feet of the Northwest Quarter (NW 1/4) of Section 8, Township 111 North, Range 19 West, of the fifth principal meridian, Rice County, Minnesota.

TOGETHER WITH:

That part of the west 33 feet of the Southwest Quarter (SW 1/4) of Section 5, Township 111 North, Range 19 West, of the fifth principal meridian, Rice County, Minnesota, which lies south of County State Aid Highway #28.

Containing approximately 3.37 acres.

WHEREAS, it is proposed that the Property described in Exhibit A be annexed to the City of Northfield; and

WHEREAS, the this amended joint orderly annexation agreement is beneficial to both parties from the standpoint of orderly planning and orderly transition of government within the area proposed to be annexed, and provides the guidelines under which such annexation shall take place; and

WHEREAS, the conditions of the orderly annexation agreement contained herein have been discussed with the sole owner of the designated area.

NOW THEREFORE BE IT RESOLVED by the City of Northfield (sometimes hereinafter referred to as "the City") and the Township of Northfield (sometimes hereinafter referred to as "the Township") that the property described herein is designated for orderly annexation by the City of Northfield and shall be annexed subject to the following terms and conditions:

- I. The Property which is proposed for annexation by this resolution is 125.17 acres in size and is legally described as follows:

SEE EXHIBIT A

(hereinafter referred to as "the Property")

- II. The parties hereby confer jurisdiction on the Municipal Board over annexation of the Property and over the various provisions of this agreement. The Property is adjacent to the City of Northfield.

- III. The City of Northfield will construct and provide water, sanitary sewer, storm sewer and street improvements to the property as requested by the owner, pursuant to state and local law, in the discretion of the City and based on the policies of the City then in effect. The Property proposed for annexation by this resolution is planned to be developed for single family and multi-family housing.

- IV. The electric utility service notice, as required per Minnesota Statute 414.0325, Subd. 1 (a) has been satisfied.

- V. The parties agree to the following division of tax revenues from the Property and payment of special assessments for local improvements to the Property:

(A) Property Taxes: The Township of Northfield shall receive property taxes payable on the property through December 31, 2004, to the extent of the Township's 1997 tax capacity rate times the valuation of the Property in each year. The City of Northfield shall receive the property taxes payable through December 31, 2004, to the extent that they exceed the amount payable to the Township of Northfield hereunder, and all property taxes payable from and after January 1, 2005. The tax capacity rate applicable to the property after annexation shall be increased in substantially equal proportions each year of a six year period until it equals the tax capacity rate of the City of Northfield.

(B) Utility and Street Assessments: The property will be assessed for utility and street improvements when said improvements have been determined by the City to benefit the Property as required by Minnesota Statutes Chapter 429.

- VI. The Property shall be zoned according to normal zoning procedure established in the Northfield Zoning Ordinance. The City of Northfield Comprehensive Plan shall guide the City in arriving at the appropriate zoning of the property. When the Property is annexed to the City it will be zoned Agricultural. The Agricultural Zoning District is a transitional

zoning district utilized by the City at the initial zoning for most property when it is annexed until such time as the Property is suited for a more urban zoning district.

- VII. The City shall acquire the right-of-way and assume the responsibility for maintenance of the annexed portion of Hall Avenue, which will become Spring Creek Road upon annexation, on January 1, 2005 or as soon thereafter as is practical, or at the time that Jefferson Parkway is extended and constructed to Spring Creek Road, whichever occurs first. This roadway is designated as a collector in the transportation section of the City's Comprehensive Plan, which will have a 10 ton road design, and as such will include its use by agricultural traffic within this limit.
- VIII. This Agreement will go into effect on the date that the orderly annexation is approved by the Minnesota Municipal Board.
- IX. The City of Northfield and the Township of Northfield agree that no alteration of the stated boundaries of the Property is appropriate. Furthermore, the parties agree that no consideration by the Municipal Board is necessary. Upon receipt of this resolution, passed and adopted by each party, the Municipal Board may review and comment, but shall, within thirty (30) days, order the annexation in accordance with the terms of the joint resolution.

Approved by the Township of Northfield this 11th day of August, 1998.

TOWNSHIP OF NORTHFIELD

By: Willard Estrom
Town Board Chair

By: Majmi Pardehl
Town Board Clerk

Approved by the City of Northfield this 17th day of August, 1998.

CITY OF NORTHFIELD

By: [Signature]
Mayor

By: Peggy Rowe
Council Member

By: [Signature]
Council Member

ATTEST:

[Signature]
Finance Director/City Clerk

EXHIBIT A

The Northeast Quarter (NE 1/4) of Section 7 Township 111 North Range 19 West of the fifth principal meridian, Rice County, Minnesota excepting therefrom the following four parcels:

PARCEL 1: That part of the Northeast Quarter (NE 1/4) of Section 7 Township 111 North Range 19 West of the fifth principal meridian, Rice County, Minnesota, described as follows: beginning at the Northwest corner of said northeast quarter (NE 1/4); thence South 0°04'24" West. Along the West line of said Northeast Quarter (NE 1/4), a distance of 550.00 Feet; thence North 89°35'00" East, parallel with the North line of said Northeast quarter (NE 1/4), a distance of 604.00 feet; thence South 0°04'24" West, parallel with the West line of said Northeast quarter (NE 1/4), a distance of 250.00 feet; thence North 89°35'00" East, parallel with the North line of said Northeast quarter (NE 1/4), a distance of 1180 feet, more or less, to the centerline of creek; thence Northerly along the centerline of the creek to the North line of said Northeast quarter (NE 1/4); thence South 89°35'00" West, along the North line of said Northeast quarter (NE 1/4), a distance of 2077 feet, more or less, to the point of beginning.

PARCEL 2: The South 270.88 feet of the North 1004.61 feet of the West 329.48 feet of the Northeast quarter (NE 1/4) of Section 7 Township 111 North Range 19 West of the fifth principal meridian, Rice County, Minnesota.

PARCEL 3: The North 390 feet of the East 225 feet of the Northeast quarter (NE 1/4) of the Northeast quarter (NE 1/4) of Section 7, Township 111 North Range 19 West of the fifth principal meridian, Rice County, Minnesota.

PARCEL 4: That part of the Northeast quarter (NE 1/4) of Section 7 Township 111 North Range 19 West of the fifth principal meridian, Rice County, Minnesota, described as follows: commencing at the Northwest corner of said Northeast (NE 1/4); thence South 0°04'24" West, along the West line of said Northeast quarter (NE 1/4), a distance of 550.00 feet thence North 89°35'00" East, parallel with the North line of said Northeast quarter (NE 1/4), a distance of 640.00 feet thence South 0°04'24" West, parallel with the West line of said Northeast quarter (NE 1/4), a distance of 250.00 feet to the point of beginning of the land to be described; thence South 0°04'24" West, parallel with said West line, a distance of 198.20 feet to the Northerly right of way line of proposed Jefferson Parkway; thence North 82°20'42" East, along said right of way line, a distance of 604.49 feet; thence Northeasterly along said right of way line, along a tangential curve, concave to the Northwest, having a radius of 752.08 feet to its intersection with a line that bears North 89°35'00" East, parallel with the North line of said Northeast quarter (NE 1/4), from the point of beginning, thence South 89°35'00" West, a distance of 922.96 feet to the point of beginning.

TOGETHER WITH:

That part of the west 33 feet of the Northwest Quarter (NW 1/4) of Section 8, Township 111 North, Range 19 West, of the fifth principal meridian, Rice County, Minnesota.

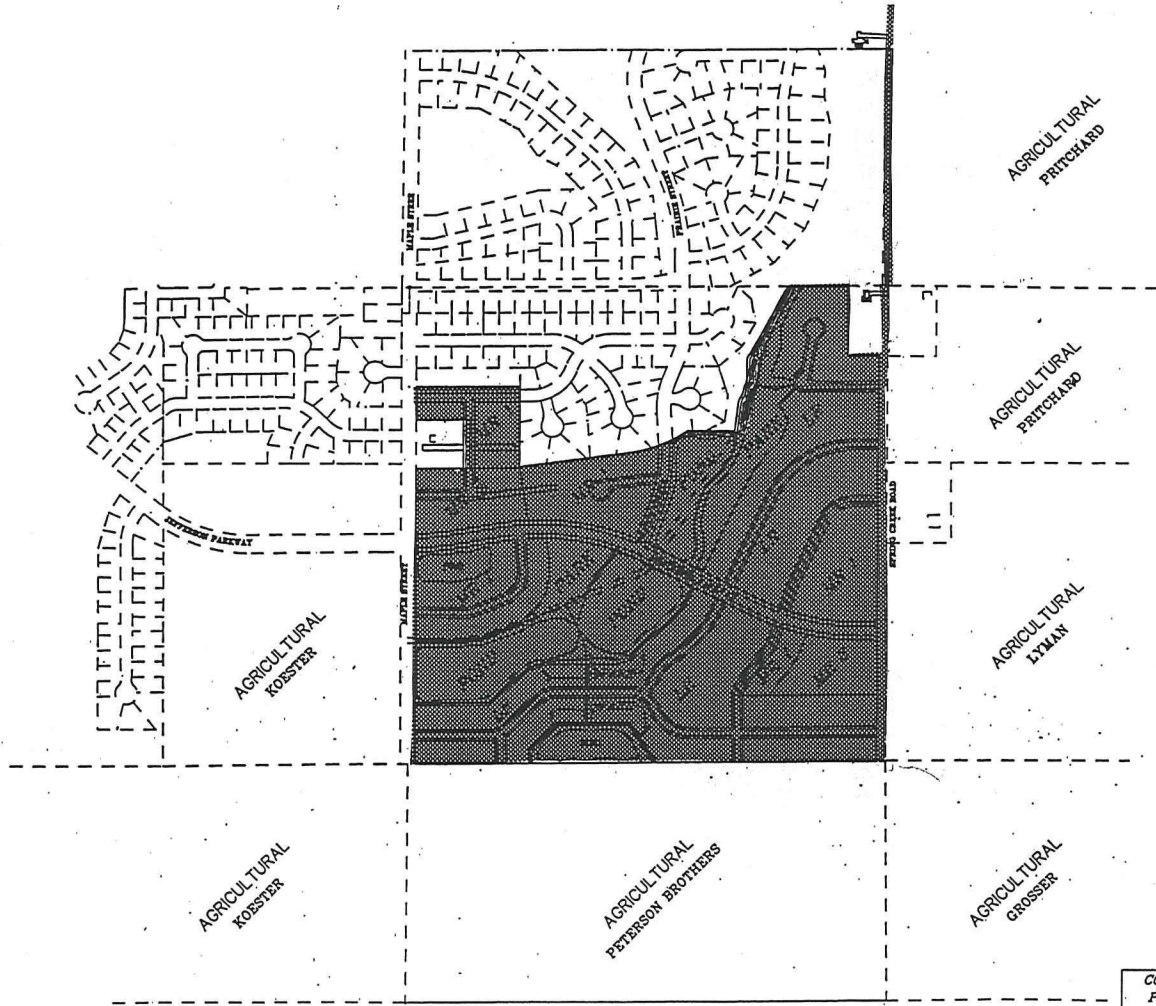
TOGETHER WITH:

That part of the west 33 feet of the Southwest Quarter (SW 1/4) of Section 5, Township 111 North, Range 19 West, of the fifth principal meridian, Rice County, Minnesota, which lies south of County State Aid Highway #28.

SUBJECT TO roads, easements, and restrictions of record.

Said tract contains 125.17 acres more or less.

CONCEPTUAL DEVELOPMENT PLAN LAYOUT FOR HILLS OF SPRING CREEK



PEDESTRIAN PATHWAY

LEGEND

LR:	63.65 GROSS ACRES 2.0 UNITS/ACRE
MR 1:	32.03 GROSS ACRES 3.5 UNITS/ACRE
MR 2:	10.47 GROSS ACRES 8.0 UNITS/ACRE
PEDESTRIAN PATHWAY:	2.11 ACRES
PARK:	8.90 ACRES
POND:	13.06 ACRES

COMMUNITY PARTNERS, DESIGNS, INC. 108 CENTRAL AVENUE FARIBAULT, MN 55021 (507) 334-4120	I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.	SUMAC PROPERTIES, LLC NORTHFIELD, MN	
		DATE: 5/98 REVISIONS:	SCALE: 5/98 SHEET 1 OF 1

AREA TO BE ANNEXED (SHADED)

REC'D. BY
M/M/B AUG 31 1998