

**LIVONIA TOWNSHIP
CITY OF ZIMMERMAN
COUNTY OF SHERBURNE
STATE OF MINNESOTA**

**LIVONIA TOWNSHIP RESOLUTION NO. 08-01
CITY OF ZIMMERMAN RESOLUTION NO. 2008-03-07**

**JOINT RESOLUTION FOR ANNEXATION OF CERTAIN REAL PROPERTY OWNED BY
SHERBURNE COUNTY FROM LIVONIA TOWNSHIP TO THE CITY OF ZIMMERMAN**

WHEREAS, Sherburne County (COUNTY) has presented a petition to Livonia Township (TOWNSHIP) and the City of Zimmerman (CITY) requesting annexation of a certain 31 acre plus parcel (PROPERTY) from the TOWNSHIP into the CITY as described on the attached Exhibit A; and

WHEREAS, there is an existing Orderly Annexation Agreement- City of Zimmerman Resolution No. 06-12-04 executed on December 4, 2006 and Livonia Township Resolution No. 07-01 executed on February 26, 2007 (OAA) between CITY and TOWNSHIP; and

WHEREAS, the PROPERTY is located within the area defined by the OAA; and

WHEREAS, the OAA contains certain conditions under which the property may be annexed by Joint Resolution; and

WHEREAS, the PROPERTY does not meet all of the criteria as set forth in the OAA, specifically the property does not fall into the intended use category as established in the OAA which guides the area for residential use while the petitioned use of the property is partially institutional with future use of the remainder of the property as yet defined; and

WHEREAS, the TOWNSHIP, CITY and COUNTY have entered into a separate Agreement regarding the present and future use of the property and compensation to the TOWNSHIP; and

WHEREAS, the TOWNSHIP has reviewed the proposal, and certifies that it is in compliance with other applicable terms and conditions of the OAA.

NOW THEREFORE, the CITY and TOWNSHIP mutually resolve as follows:

1. The PROPERTY as described in Exhibit A attached hereto shall be immediately annexed to the CITY, pursuant to the terms and conditions of the OAA and with no consideration necessary by the Office of Municipal Boundary Adjustments, Department of Administration. No alteration of the stated boundaries is appropriate.
2. The TOWNSHIP acknowledges that all applicable terms and conditions of the OAA have been satisfied, and agrees to the re-designation of the use of the PROPERTY.
3. The TOWNSHIP, CITY and COUNTY have reached a written Agreement regarding compensation for lost tax revenues. The written Agreement provides for payment of \$3,500.00 to the TOWNSHIP for portions of the annexed land that will be immediately developed, and that further payment will be deferred until actual development of the

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remainder of the parcel. The deferred payments will be consistent with the terms and conditions for payment as stated in the OAA.

CITY OF ZIMMERMAN

ADOPTED this 3rd day of March, 2008 by the City Council of the City of Zimmerman, Sherburne County, Minnesota. Motion for adoption made by Councilmember Kowalski and seconded by Councilmember Wilson.

IN FAVOR: Earenfight, Brisbin, Kowalski, Michels, and Wilson.

OPPOSED:

Dave Earenfight
Dave Earenfight, Mayor

Kary Tillmann
Kary Tillmann, City Clerk

LIVONIA TOWNSHIP

ADOPTED this 25th day of February, 2008 by the Town Board of Supervisors of Livonia Township, Sherburne County, Minnesota. Motion for adoption made by Supervisor Hewitt and seconded by Supervisor Berg.

IN FAVOR: Berg, Hewitt, Sherper, Wallin; Supervisor Doeblar absent

OPPOSED: None

Don Sherper
Don Sherper, Chair

Lila Spencer
Lila Spencer, Town Clerk/Treasurer

REC'D BY
JAM

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EXHIBIT A

The Northeast Quarter of the Northeast Quarter, Section 8, Township 34, Range 26,
Except the East 330 feet of the North 330 feet and Except the North 605 feet of the West
360 feet and Except Parcel 5, Sherburne County Highway Right of Way Plat 24,
Sherburne County, Minnesota.

And, Parcel 5, Sherburne County Right of Way Plat 24, Sherburne County, Minnesota.

EXHIBIT B

MAP OF ANNEXED LANDS

REC'D BY
MMB

APR 15 2008

