

**JOINT RESOLUTION BETWEEN THE TOWN OF SIX MILE GROVE AND THE CITY
OF BENSON DESIGNATING AN AREA FOR ORDERLY
ANNEXATION PURSUANT TO MINNESOTA STATUTE 414.0325**

Part of Section 1, Six Mile Grove Township, Swift County, Minnesota:

BE IT RESOLVED by the Town of Six Mile Grove, hereinafter referred to as "the Town", by and through its Board of Supervisors; and the City of Benson, hereinafter referred to as "the City", by and through its City Council, that the Town and City do hereby jointly agree to the following:

I. Definitions

For the purposes of this Joint Resolution the following definitions will mean:

1. **City.** Will mean the City of Benson, Minnesota, a municipal corporation duly organized and existing under the laws of the State of Minnesota.
2. **County.** Will mean the County of Swift, Minnesota, a body corporate and politic duly organized and existing under the laws of the State of Minnesota.
3. **Effective Date of Annexation.** Will mean the date Minnesota Department of Administration – Municipal Boundary Adjustment issues its order approving the annexation contemplated in the initiating Resolution.
4. **Effective Date of this Joint Resolution.** Will mean the date Minnesota Department of Administration – Municipal Boundary Adjustment accepts this Joint Resolution for filing.
5. **Initiating Resolution.** Will mean this Joint Resolution adopted by the City and filed with Minnesota Department of Administration – Municipal Boundary Adjustment.
6. **Joint Resolution.** Will mean the Joint Resolution between the Town and the City designating an area for orderly annexation pursuant to Minnesota Statute Section 414.0325.
7. **Minnesota Department of Administration – Municipal Boundary Adjustment.** Will mean Minnesota Department of Administration – Municipal Boundary Adjustment, which is created by Minnesota Statute Section 414.01.
8. **Orderly Annexation Area.** Will mean that area of the Town of Six Mile Grove, Swift County, Minnesota, legally described as:

That part of Section One (1), Township One Hundred Twenty-one (121), Range Forty (40), more particularly described as follows: Commencing at the northwest corner of the Northeast Quarter (NE¼) of Section One (1); thence Easterly on the north line of Section One (1), bearing North 90° 00' East for 360 feet and thence South for 300 feet to a point which will be the point of beginning; thence

continuing South for 241.7 feet; thence West bearing South 86° 45' West for 360.4 feet to the West line of said Northeast Quarter (NE¼) of Section One (1); thence Northerly on the West line of said Northeast Quarter (NE¼) of Section One (1) for 262.1 feet; thence Easterly on a line parallel to the North line of said Northeast Quarter (NE¼) of Section One (1) for 360 feet to the point of beginning.

and a map of which is attached as Exhibit A.

9. **Town of Six Mile Grove.** Will mean the Town of Six Mile Grove, a body corporate and politic, duly organized under the laws of the State of Minnesota.

II. **Population**

The population of the Orderly Annexation Area is zero and the population of the City of Benson will not increase as a result of annexation.

III. **Reason for Annexation**

It is specifically found that:

1. **Certain Properties Urban or Suburban.** Certain areas within the Town abutting upon the City are presently or are about to become urban or suburban in nature.
2. **City Capable of Providing Services.** City is capable of providing wastewater collection services and is capable of providing additional municipal service to this property to adequately protect the public health, safety, and general welfare of the property.
3. **Best Interest of City and Township.** It is in the best interest of the respective residents of the parties to agree to orderly annexation in furtherance of orderly growth.

IV. **Annexation Date**

All property within the Orderly Annexation Area will be annexed to the City upon the date that Minnesota Department of Administration – Municipal Boundary Adjustment issues its order approving annexation following Minnesota Department of Administration – Municipal Boundary Adjustment acceptance of this Joint Resolution.

V. **Zoning/Subdivision/Land Use Control Regulations**

Upon the effective date of annexation, the Orderly Annexation Area will be zoned "I-3" Special Industrial District so that the entire Orderly Annexation Area will be governed by the City's comprehensive land use plan and subdivision regulations as such plan and regulations may be amended, modified or replaced from time to time.

VI. No Referendum

As all of the conditions for annexation are contained within and have been mutually agreed upon by the Town and City, at the time of annexation of the Orderly Annexation Area no referendum will be conducted.

VII. Modifying/Amending Joint Resolution

The parties to this agreement concur that this agreement will not be modified or amended, nor will the stated boundaries be altered unless mutually agreed to through resolution of each party and acceptance by Minnesota Department of Administration – Municipal Boundary Adjustment.

VIII. Ordering in of Annexation

Upon receipt of an Initiating Resolution under this Joint Resolution, Minnesota Department of Administration – Municipal Boundary Adjustment may review and comment, but will, within 30 days, orders the annexation in accordance with the terms of this Joint Resolution.

IX. Town/City Cooperation

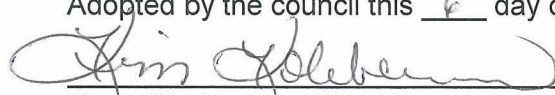
The Town and City resolve to fully cooperate with Minnesota Department of Administration – Municipal Boundary Adjustment in connection with this Joint Resolution and its agreements.

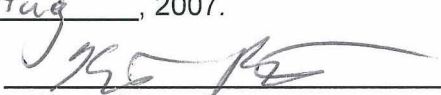
Adopted by the council this 13th day of August, 2007.


City Clerk


Mayor

Adopted by the council this 6 day of Aug, 2007.


Town Clerk


Town Supervisor

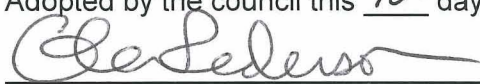
**ADDENDUM TO JOINT RESOLUTION BETWEEN THE TOWN OF SIX MILE GROVE
AND THE CITY OF BENSON DESIGNATING AN AREA FOR ORDERLY
ANNEXATION PURSUANT TO MINNESOTA STATUTE 414.0325**

Part of Section 1, Township 121, Range 40, Six Mile Grove Township, Swift County,
Minnesota:

BE IT RESOLVED by the Town of Six Mile Grove, hereinafter referred to as "the Town",
by and through its Board of Supervisors; and the City of Benson, hereinafter referred to
as "the City", by and through its City Council, that the Town and City do hereby jointly
agree additionally as follows:

The City of Benson shall pay to the Town the amount of \$400.00 (\$50.00 X 8 years) for
reimbursement for special assessments assigned to the Town from 2007 until 2015.
The City and the Town agree that the City of Benson shall issue a check for a lump sum
payment of \$400.00 to the Town instead of providing the Town equal payment of \$50.00
per year for eight years as set forth in Minn. Stat. § 414.036.

Adopted by the council this 10th day of September, 2007.



City Clerk

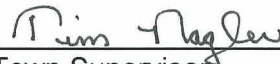


Mayor

Adopted by the council this 5 day of Nov., 2007.



Town Clerk



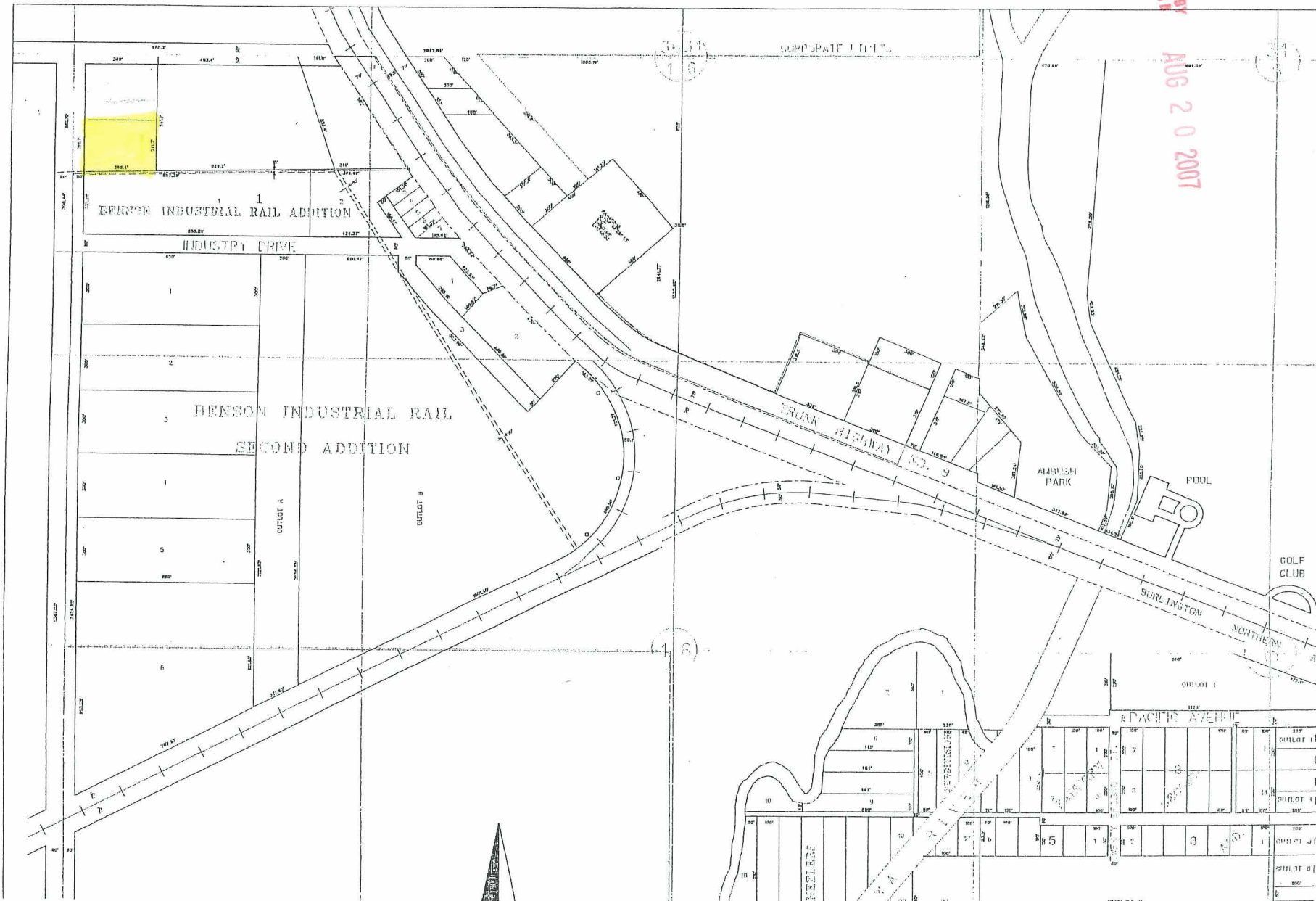
Town Supervisor



Property for Annexation

RECD BY
M.M.H.

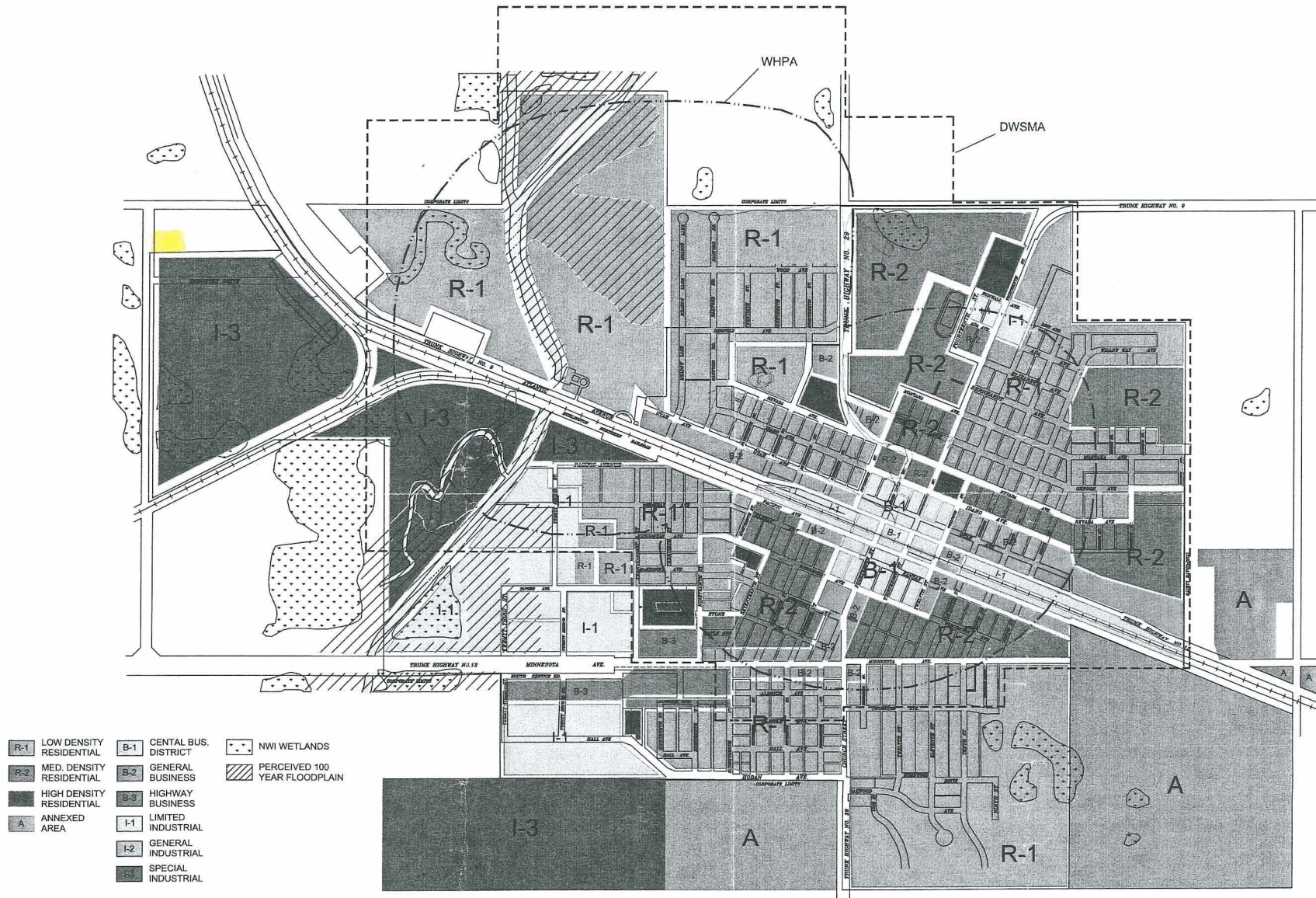
AUG 20 2007





Property for Annexation

RECD BY
M.M.B.
AUG 20 2007



Proposed Zoning Map - City of Benson