

RESOLUTION 18-71

**IN THE MATTER OF THE ORDERLY ANNEXATION BETWEEN THE CITY OF BECKER
AND BECKER TOWNSHIP PURSUANT TO MINNESOTA STATUTES § 414.0325**

WHEREAS, Northern States Power Company owns property in the township abutting the jurisdictional limits of the City of Becker; and

WHEREAS, Northern States Power Company has submitted a petition (Exhibit A) for designation and immediate annexation of parcels totaling 643.3 acres +/-; and

WHEREAS, the City of Becker and Becker Township jointly agree to designate and request the immediate annexation of the following described land (Exhibit B) located within Becker Township to the City of Becker, County of Sherburne, Minnesota;

Tract A:

The Northwest Quarter of Section 35, Township 34 North, Range 29 West, Sherburne County, Minnesota; and

The Southwest Quarter of Section 35, Township 34 North, Range 29 West, including Government Lot 1, Sherburne County, Minnesota, except that part lying Southerly of the centerline of the traveled County Highway No. 53, Sherburne County, Minnesota; and

That part of Government Lot 2, Section 2, Township 33 North, Range 29 West, Sherburne County, Minnesota, lying North of the centerline of the traveled County Road No. 53, also known as 115th Avenue Southeast, now vacated. Sherburne County, Minnesota.

Tract B:

The Southeast Quarter of Section 35, Township 34 North, Range 29 West, Sherburne County, Minnesota.

Tract C:

The Northeast Quarter of Section 35, Township 34 North, Range 29 West, Sherburne County, Minnesota, except the north 440 feet of the West Half

Tract D:

Beginning at the northwest corner of the Northeast Quarter of Section 35, Township 34 North, Range 29 West; thence North 89 degrees 07 minutes 33 seconds East along the north line of said Northeast Quarter of Section 35 (assumed bearing) a distance of 495.01 feet; thence. South 00 degrees 10 minutes 53 seconds West a distance of 440.07 feet to the south line of the north 440 feet of the Northwest Quarter of the Northeast Quarter; thence South 89 degrees 07 minutes 33 seconds West a distance of 495.02 feet to the west line of the Northeast Quarter of Section 35; thence North 00 degrees 10 minutes 53 seconds East along said west line to the point of beginning, and there terminating

Tract E:

Commencing at the northwest corner of the Northeast Quarter of Section 35, Township 34 North, Range 29 West; thence North 89 degrees 07 minutes 33 seconds East along the north line of said Northeast Quarter of Section 35 (assumed bearing) a distance of 819.97 feet to the point of beginning of the land to be described; thence continuing North 89 degrees 07 minutes 33 seconds East a distance of 497.96 feet to the east line of the Northwest Quarter of the Northeast Quarter of. said Section 35; thence South 00 degrees 11 minutes 30 seconds West along the east line of said Northwest Quarter of the Northeast Quarter a distance of 440.07 feet to the south line of the north 440 feet thereof;

thence South 89 degrees 07 minutes 33 seconds West a distance of 495.00 feet; thence North 00 degrees 11 minutes 31 seconds East a distance of 440.07 feet to the point of beginning and there terminating.

Tract F:

That part of Government Lot 1, Section 35, Township 34 North, Range 29 West, Sherburne County, Minnesota, lying South of the centerline of the traveled County Road No. 53, except a portion previously annexed into City Of Becker; and

WHEREAS, the City of Becker and Becker Township are in agreement as to the orderly annexation of the unincorporated land described; and

WHEREAS, Minnesota Statutes § 414.0325 provides a procedure whereby the City of Becker and Becker Township may agree on a process of orderly annexation of a designated area; and

WHEREAS, the City of Becker and Becker Township have agreed to all the terms and conditions for the annexation of the above-described lands; and the signatories hereto agree that no alteration of the designated area is appropriate and no consideration by the Chief Administrative Law Judge is necessary. The Chief Administrative Law Judge may review and comment, but shall within thirty (30) days, order the annexation in accordance with the terms of the resolution.

NOW, THEREFORE, BE IT RESOLVED, jointly by the City Council of the City of Becker and the Township Board of Becker Township as follows:

1. That the following described land is subject to orderly annexation pursuant to Minnesota Statutes § 414.0325, and that the parties hereto designate the area for orderly annexation; and agree that the land be immediately annexed:

Tract A:

The Northwest Quarter of Section 35, Township 34 North, Range 29 West, Sherburne County, Minnesota; and

The Southwest Quarter of Section 35, Township 34 North, Range 29 West, including Government Lot 1, Sherburne County, Minnesota, except that part lying Southerly of the centerline of the traveled County Highway No. 53, Sherburne County, Minnesota; and

That part of Government Lot 2, Section 2, Township 33 North, Range 29 West, Sherburne County, Minnesota, lying North of the centerline of the traveled County Road No. 53, also known as 115th Avenue Southeast, now vacated. Sherburne County, Minnesota.

Tract B:

The Southeast Quarter of Section 35, Township 34 North, Range 29 West, Sherburne County, Minnesota.

Tract C:

The Northeast Quarter of Section 35, Township 34 North, Range 29 West, Sherburne County, Minnesota, except the north 440 feet of the West Half

Tract D:

Beginning at the northwest corner of the Northeast Quarter of Section 35, Township 34 North, Range 29 West; thence North 89 degrees 07 minutes 33 seconds East along the north line of said Northeast Quarter of Section 35 (assumed bearing) a distance of 495.01 feet; thence. South 00 degrees 10 minutes 53 seconds West a distance of 440.07 feet to the south line of the north 440

feet of the Northwest Quarter of the Northeast Quarter; thence South 89 degrees 07 minutes 33 seconds West a distance of 495.02 feet to the west line of the Northeast Quarter of Section 35; thence North 00 degrees 10 minutes 53 seconds East along said west line to the point of beginning, and there terminating

Tract E:

Commencing at the northwest corner of the Northeast Quarter of Section 35, Township 34 North, Range 29 West; thence North 89 degrees 07 minutes 33 seconds East along the north line of said Northeast Quarter of Section 35 (assumed bearing) a distance of 819.97 feet to the point of beginning of the land to be described; thence continuing North 89 degrees 07 minutes 33 seconds East a distance of 497.96 feet to the east line of the Northwest Quarter of the Northeast Quarter of said Section 35; thence South 00 degrees 11 minutes 30 seconds West along the east line of said Northwest Quarter of the Northeast Quarter a distance of 440.07 feet to the south line of the north 440 feet thereof; thence South 89 degrees 07 minutes 33 seconds West a distance of 495.00 feet; thence North 00 degrees 11 minutes 31 seconds East a distance of 440.07 feet to the point of beginning and there terminating.

Tract F:

That part of Government Lot 1, Section 35, Township 34 North, Range 29 West, Sherburne County, Minnesota, lying South of the centerline of the traveled County Road No. 53, except a portion previously annexed into City Of Becker; and

2. That the orderly annexation area consists of approximately 643.3+/- acres, the population in the area is 0, and the land use type is Public Utility Non-Preferred/Agricultural.
3. That Becker Township and the City of Becker, by submission of this joint resolution to the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, confers jurisdiction upon the Chief Administrative Law Judge so as to accomplish said orderly annexation in accordance with the terms of this resolution. In the event that there are errors, omissions or any other problems with the legal description, mapping, or tax reimbursement provided in the attached Exhibits, the parties agree to make such corrections and file any additional documentation, including a new Exhibit(s) making the corrections requested or required by the Office of Administrative Hearings, Boundary Adjustments as necessary to make effective the annexation of said area in accordance with the terms of this Joint Resolution, without the necessity of re-adopting this Joint Resolution.
4. **Municipal Reimbursement.** Minnesota Statutes § 414.036.
 - a. Revenue Sharing. Within the orderly annexation area, the parties agree to a rebate of property taxes formerly paid to the Township on any taxable parcel which is annexed. For each of the five years following annexation, the City shall rebate to the Town portion of the amount equal to the ad valorem taxes paid to the Town by the parcel owners in the year preceding annexation as follows:

Year	Amount
One	90 percent
Two	70 percent
Three	50 percent
Four	30 percent
Five	10 percent
Six (and thereafter)	0 percent

b. Assessments and Debt. That pursuant to Minnesota Statutes § 414.036 with respect to any special assessment assigned by the Township to the annexed property and any portion of debt incurred by the Township prior to the annexation and attributable to the property to be annexed, but for which no special assessments are outstanding, for the area legally described (herein or attached exhibit) there are no special assessments or debt.

5. The City of Becker and Becker Township agree that upon receipt of this resolution, passed and adopted by each party, the Chief Administrative Law Judge may review and comment, but shall within thirty (30) days, order the annexation in accordance with the terms of the resolution.

Adopted by affirmative vote of all the members of the Becker Township Board of Supervisors this 17th day of December 2018.

BECKER TOWNSHIP

By: [Signature]
Chairperson, Board of Supervisor

ATTEST:

By: [Signature]
Township Clerk

Adopted by affirmative vote of the City Council of The city of Becker this 20th day of November 2018.

Tracy Bertram	<u>Yes</u>	Rick Hendrickson	<u>Yes</u>
Lori Keller	<u>Yes</u>	Todd Hanrahan	<u>Yes</u>
Mike Doering	<u>Yes</u>		

Whereupon said resolution was declared duly adopted by the Becker City Council on the 20th day of November 2018.

CITY OF BECKER

By: [Signature]
Mayor

ATTEST:

By: [Signature]
City Administrator

Approved this 17th day of December 2018

STATE OF MINNESOTA
COUNTY OF SHERBURNE

BEFORE THE CITY COUNCIL
CITY OF BECKER

PETITION FOR ANNEXATION

The undersigned landowner respectfully petitions the City of Becker for annexation of land pursuant to paragraph 5 of that certain Orderly Annexation Agreement between the Town of Becker and the City of Becker, Minnesota and the applicable provisions of Minn. Stat. Chapter 414. In support thereof the petitioner states the following:

1. That the real estate for which annexation is requested is legally described on the Exhibit A and generally depicted in Exhibit B attached hereto and incorporated by reference herein (hereafter "Subject Land").
2. The undersigned is the owner of the Subject Land.
3. The Subject Land abuts and is contiguous to the municipal city limits of the City of Becker.
4. The Subject Land is approximately 643.3 acres +/-.
5. The undersigned hereby waives electric utility service notice to which it may be entitled pursuant to Minn. Stat. § 414.033, Subd. 13.

WHEREFORE, the undersigned respectfully petitions and requests the Council of the City of Becker to annex the Subject Land pursuant to the provisions of the Orderly Annexation Agreement and applicable law.

Dated: November 6, 2018

NORTHERN STATES POWER COMPANY
a Minnesota corporation

By: 
Its Senior Manager, Siting & Land Rights

EXHIBIT A

Legal Descriptions

Tract A:

The Northwest Quarter of Section 35, Township 34 North, Range 29 West, Sherburne County, Minnesota; and

The Southwest Quarter of Section 35, Township 34 North, Range 29 West, including Government Lot 1, Sherburne County, Minnesota, except that part lying Southerly of the centerline of the traveled County Highway No. 53, Sherburne County, Minnesota; and

That part of Government Lot 2, Section 2, Township 33 North, Range 29 West, Sherburne County, Minnesota, lying North of the centerline of the traveled County Road No. 53, also known as 115th Avenue Southeast, now vacated. Sherburne County, Minnesota.

Tract B:

The Southeast Quarter of Section 35, Township 34 North, Range 29 West, Sherburne County, Minnesota.

Tract C:

The Northeast Quarter of Section 35, Township 34 North, Range 29 West, Sherburne County, Minnesota, except the north 440 feet of the West Half

Tract D:

Beginning at the northwest corner of the Northeast Quarter of Section 35, Township 34 North, Range 29 West; thence North 89 degrees 07 minutes 33 seconds East along the north line of said Northeast Quarter of Section 35 (assumed bearing) a distance of 495.01 feet; thence South 00 degrees 10 minutes 53 seconds West a distance of 440.07 feet to the south line of the north 440 feet of the Northwest Quarter of the Northeast Quarter; thence South 89 degrees 07 minutes 33 seconds West a distance of 495.02 feet to the west line of the Northeast Quarter of Section 35; thence North 00 degrees 10 minutes 53 seconds East along said west line to the point of beginning, and there terminating

Tract E:

Commencing at the northwest corner of the Northeast Quarter of Section 35, Township 34 North, Range 29 West; thence North 89 degrees 07 minutes 33 seconds East along the north line of said Northeast Quarter of Section 35 (assumed bearing) a distance of 819.97 feet to the point of beginning of the land to be described; thence continuing North 89 degrees 07 minutes 33 seconds East a distance of 497.96 feet to the east line of the Northwest Quarter of the Northeast Quarter of said Section 35; thence South 00 degrees 11 minutes 30 seconds West along the east line of said Northwest Quarter of the Northeast Quarter a distance of 440.07 feet to the south line of the north 440 feet thereof; thence South 89 degrees 07 minutes 33 seconds West a distance of 495.00 feet; thence North 00 degrees 11 minutes 31 seconds East a distance of 440.07 feet to the point of beginning and there terminating.

Tract F:

That part of Government Lot 1, Section 35, Township 34 North, Range 29 West, Sherburne County, Minnesota, lying South of the centerline of the traveled County Road No. 53, except a portion previously annexed into City Of Becker

EXHIBIT B



