

RESOLUTION NO. 2007- 3

REC'D BY
MAM B

DEC 20 2007

IN THE MATTER OF THE JOINT RESOLUTION
OF THE CITY OF ELROSA AND TOWN OF
LAKE GEORGE DESIGNATING AND
UNINCORPORATED AREA AS IN NEED OR
ORDERLY ANNEXATION AND CONFERRING
JURISDICTION OVER SAID AREA TO THE
MINNESOTA PLANNING OFFICE OF
STRATEGIC AND LONG-RANGE PLANNING
PURSUANT TO MINNESOTA
STATUTE 414.0325

**JOINT RESOLUTION
FOR
ORDERLY ANNEXATION**

This joint resolution is adopted by the City of Elrosa, a municipal corporation, hereinafter referred to as "City," and the Township of Lake George, hereinafter referred to as "Township."

WHEREAS, Minnesota Statute 414.0325 provides a procedure whereby a city and township may by joint resolution designate an unincorporated area as in need of orderly annexation; and

WHEREAS, the City and Township have received from Mark S. Bayer and Constance Bayer, a partition requesting that there property be included in a joint orderly annexation resolution; and

WHEREAS, Mark. S. Bayer and Constance Bayer are the sole owners of record of the subject property; and

WHEREAS, the City and Township have reviewed the petition and the real estate described therein, which real estate is located in the Township of Lake George, County of Stearns and described as follows:

That part of the Southeast Quarter of the Southeast Quarter of Section 9, Township 124 North, Range 34 West, described as follows: Commence at the Northeast corner of the said Southeast Quarter of the Southeast Quarter; thence South along the East line a distance of 600 feet; thence West on a line parallel to the North line of the said Southeast Quarter of the Southeast Quarter a distance of 580 feet; thence North on a line parallel to the East line of the said Southeast Quarter of the Southeast Quarter a distance of 600 feet to the North line of the Southeast Quarter of the Southeast Quarter; thence East along the said North line a distance of 580 feet to the point of beginning, containing 7.988 acres, more or less, subject to Trunk Highway No. 71 road easements over the Easterly 75 feet thereof ; and

WHEREAS, the City and Township agree that the above-described real estate is in need of orderly annexation; and

WHEREAS, the parties to this joint resolution wish to establish conditions and a process for the orderly annexation of said real estate; and

WHEREAS, the City and Township believe that the annexation of the above-described real estate will be in the best interest of the City, Township and the affected property owners.

NOW, THEREFORE, the City Council of the City of Elrosa and the Board of Supervisors of the Township of Lake George, having duly considered the terms and conditions of this joint resolution after regular meetings, do hereby agree as follows:

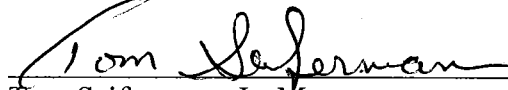
1. The lands above designated shall be annexed to the City of Elrosa pursuant to the terms and conditions outlined in this joint resolution, and said real estate shall constitute the "orderly annexation area" otherwise described in this joint resolution.
2. The parties agree that the reasons for this designation are as follows:
 - a. The above-described area is urban or suburban in character.
 - b. The area abuts the corporate limits of the City of Elrosa.
 - c. The City of Elrosa is capable of providing needed services to the area which will protect the public health, safety and welfare of the area.
 - d. Both parties to the resolution believe that the annexation will be in the best interest of the subject area and that the Township will not suffer any undue hardship as a result of this annexation.
3. Pursuant to Minnesota Statutes, Section 414.0325, the City and Township agree that no alteration of the boundaries stated herein is appropriate, that all conditions for annexation of the area legally described herein are contained in this Joint Resolution, and that no consideration by Minnesota Planning is necessary. Upon the execution and filing of this Joint Resolution, Minnesota Planning may review and comment thereon, but shall, within 30 days of receipt of this Joint Resolution, order the annexation of the area legally described herein in accordance with the terms and conditions contained in this Joint Resolution.
4. The City of Elrosa shall compensate Lake George Township the amount of \$ 209.76 per year for a period of five years commencing after the City's receives property taxes payable in 2008. This amount is based on an average of the following percentages of the projected net property tax share as determined in 2007. (\$ 299.66) paid at the following ratios: 90% for the first year; 80% for the second year; 70% for the third year; 60% for the fourth year; and 50% for the fifth year.
5. That a copy of this Joint Resolution as well as the Order of the Minnesota Planning Office of Strategic and Long-Range Planning, shall be filed with the Township, the City, the Stearns County Auditor, the Minnesota Secretary of State,

and shall be effective when approved by the Minnesota Planning Office of Strategic and Long-Range Planning pursuant to Minnesota Statute 414.0325.

6. That following the adoption of this resolution and upon securing an approval order from the Minnesota Planning Office and Strategic and Long-Range Planning, the subdivision regulations and zoning ordinances of the City of Elrosa shall extend to and cover the annexed area. Further, the City of Elrosa does hereby direct that the zoning map of the City of Elrosa described in its zoning and subdivision ordinance be amended to include the property herein described.
7. The parties to this agreement have not published notice of intent of orderly annexation pursuant to Subdivision 1b of Minnesota Statute 414.0325. Since the record owners said property have petitioned for immediate annexation.
8. This Joint Resolution shall be effective upon execution of both parties, and a copy of this Joint Resolution shall be filed with the Minnesota Planning Municipal Boundary Adjustments Office by the Elrosa City Clerk.

Passed and adopted by the City Council of Elrosa this 11 day of Dec, 2007.

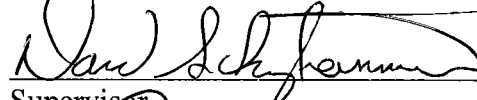
CITY OF ELROSA

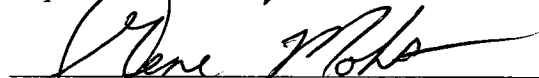

Tom Seifermann, Its Mayor


Brenda Deters, Its City Clerk

Passed and adopted by the Board of Supervisors of the Township of Lake George this 10 day of Dec, 2007.

TOWNSHIP OF LAKE GEORGE


Supervisor


Township Clerk

INSTRUMENT DRAFTED BY:

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