

JOINT RESOLUTION

RECD BY
AMB

APR 15 2008

IN THE MATTER OF THE ORDERLY ANNEXATION BETWEEN THE CITY OF
LAKE BENTON AND THE TOWNSHIP OF LAKE BENTON DESIGNATING AN
UNINCORPORATED AREA AS IN NEED OF ORDERLY ANNEXATION PURSUANT TO
MINNESOTA STATUTES §414.0325

WHEREAS, Richard Peterson, Ed Brockhouse, and Janis Brockhouse, the owners of the property described herein, have petitioned the City of Lake Benton and Lake Benton Township for the annexation to the City of Lake Benton of that property located in the Township of Lake Benton, County of Lincoln, State of Minnesota, described as follows:

All that part of the Southeast Quarter of the Northeast Quarter of Section 9, Township 109 North, Range 45 West, Lincoln County, Minnesota, being more particularly described as follows:

Commencing at the Southeast corner of said Northeast Quarter; thence North 00 degrees 01 minutes 35 seconds West, bearing based on Minnesota State Plane Coordinate System Lincoln County Datum, along the East line of said Northeast Quarter, a distance of 495.73 feet, to the point of beginning, said point being on the Northerly right of way line of U.S. Trunk Highway No. 14; thence continuing North 00 degrees 01 minutes 35 seconds West, along said East line, a distance of 273.64 feet; thence South 89 degrees 58 minutes 25 seconds West a distance of 500.00 feet; thence South 00 degrees 01 minutes 35 seconds East a distance of 593.86 feet, to a point on said Northerly right of way line; thence Northeasterly, along said Northerly right of way line, along a non tangential curve concave to the Northwest, having a central angle of 13 degrees 39 minutes 06 seconds, a radius of 2134.56 feet, an arc length of 508.60 feet, and a chord that bears North 66 degrees 57 minutes 23 seconds East; thence North 00 degrees 01 minutes 35 seconds West, not tangent to said curve, along said Northerly right of way line, a distance of 121.82 feet; thence North 89 degrees 58 minutes 25 seconds East, along said Northerly right of way line, a distance of 33.00 feet to the point of beginning.

and,

WHEREAS, The City of Lake Benton ("the City") and the Township of Lake Benton (the "Township") are in agreement as to the orderly annexation of the unincorporated lands described; that both believe it will be to their mutual benefit and to that of their respective residents; and

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

WHEREAS, the City and the Township have agreed to all the terms and conditions for the annexation of the above-described lands within this document and the signatories hereto agree that no consideration by the Office of the Administrative Hearings – Municipal Boundary Adjustments is necessary; that the Office may review and comment, but shall within 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 Lake Benton and the Township Board of the Township of Lake Benton as follows:

1. Richard Peterson, Ed Brockhouse, and Janis Brockhouse, all of the owners of the property described herein, have filed a Petition for the annexation to the City of Lake Benton, that the property in the Township of Lake Benton is subject to orderly annexation pursuant to Minnesota Statutes §414.032, and that the parties hereto designate that area petitioned by Richard Peterson, Ed Brockhouse and Janis Brockhouse and described herein for orderly annexation, to-wit:

All that part of the Southeast Quarter of the Northeast Quarter of Section 9, Township 109 North, Range 45 West, Lincoln County, Minnesota, being more particularly described as follows:

Commencing at the Southeast corner of said Northeast Quarter; thence North 00 degrees 01 minutes 35 seconds West, bearing based on Minnesota State Plane Coordinate System Lincoln County Datum, along the East line of said Northeast Quarter, a distance of 495.73 feet, to the point of beginning, said point being on the Northerly right of way line of U.S. Trunk Highway No. 14; thence continuing North 00 degrees 01 minutes 35 seconds West, along said East line, a distance of 273.64 feet; thence South 89 degrees 58 minutes 25 seconds West a distance of 500.00 feet; thence South 00 degrees 01 minutes 35 seconds East a distance of 593.86 feet, to a point on said Northerly right of way line; thence Northeasterly, along said Northerly right of way line, along a non tangential curve concave to the Northwest, having a central angle of 13 degrees 39 minutes 06 seconds, a radius of 2134.56 feet, an arc length of 508.60 feet, and a chord that bears North 66 degrees 57 minutes 23 seconds East; thence North 00 degrees 01 minutes 35 seconds West, not tangent to said curve, along said Northerly right of way line, a distance of 121.82 feet; thence North 89 degrees 58 minutes 25 seconds East, along said Northerly right of way line, a distance of 33.00 feet to the point of beginning.

It is therefore agreed that the following property be immediately annexed to the City of Lake Benton, to-wit:

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All that part of the Southeast Quarter of the Northeast Quarter of Section 9, Township 109 North, Range 45 West, Lincoln County, Minnesota, being more particularly described as follows:

Commencing at the Southeast corner of said Northeast Quarter; thence North 00 degrees 01 minutes 35 seconds West, bearing based on Minnesota State Plane Coordinate System Lincoln County Datum, along the East line of said Northeast Quarter, a distance of 495.73 feet, to the point of beginning, said point being on the Northerly right of way line of U.S. Trunk Highway No. 14; thence continuing North 00 degrees 01 minutes 35 seconds West, along said East line, a distance of 273.64 feet; thence South 89 degrees 58 minutes 25 seconds West a distance of 500.00 feet; thence South 00 degrees 01 minutes 35 seconds East a distance of 593.86 feet, to a point on said Northerly right of way line; thence Northeasterly, along said Northerly right of way line, along a non tangential curve concave to the Northwest, having a central angle of 13 degrees 39 minutes 06 seconds, a radius of 2134.56 feet, an arc length of 508.60 feet, and a chord that bears North 66 degrees 57 minutes 23 seconds East; thence North 00 degrees 01 minutes 35 seconds West, not tangent to said curve, along said Northerly right of way line, a distance of 121.82 feet; thence North 89 degrees 58 minutes 25 seconds East, along said Northerly right of way line, a distance of 33.00 feet to the point of beginning.

2. That the designated area consists of approximately 5.628 acres, the population in the subject area is none, and the land type is agricultural to be zoned Industrial.

3. That the Township of Lake Benton does, upon passage of this Resolution, and the City of Lake Benton, does upon adoption by the City Council, upon acceptance by the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, confer jurisdiction upon the Office of Administrative Hearings – Municipal Boundary Adjustments so as to accomplish said orderly annexation in accordance with the terms of this Resolution.

4. That the above-described property is urban or suburban or about to become so, and since the City of Lake Benton is capable of providing services to this area for economic development, the annexation would be in the best interest of the area.

5. The Township of Lake Benton agrees to exclude the area being annexed from its Zoning and Subdivision Ordinances, if any, and the City may extend its Zoning and Subdivision Regulations to the area being annexed. That the City shall obtain the agreement of the County of Lincoln to have the area being annexed excluded from the County's Zoning and Subdivision Ordinances and that the City may extend its Zoning and Subdivision Regulations to the area being annexed.

6. The tax capacity rate applicable to the property after annexation shall be increased to the tax capacity rate of the City of Lake Benton.

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7. There shall be no reimbursement to the Township of Lake Benton for lost taxes.
8. That there are no special assessments attributable to the annexed property.
9. That the City of Lake Benton is entitled to levy on the annexed property in 2008. That the following year the City of Lake Benton shall be paid the property taxes on the annexed property.
10. The City of Lake Benton and the Township of Lake Benton agree that upon receipt of this Resolution, passed and adopted by each party, the Office of Administrative Hearings/Municipal Boundary Adjustments, or its successor, may review and comment, but shall, within thirty (30) days, order the annexation in accordance with the terms of this Resolution.

Adopted by affirmative vote of the City Council of Lake Benton, this 7th day of April, 2008.

CITY OF LAKE BENTON

ATTEST:

By: Michael W. Carpenter
Michael W. Carpenter
Mayor

By: Rosemary DeZeeuw
Rosemary DeZeeuw
City Clerk

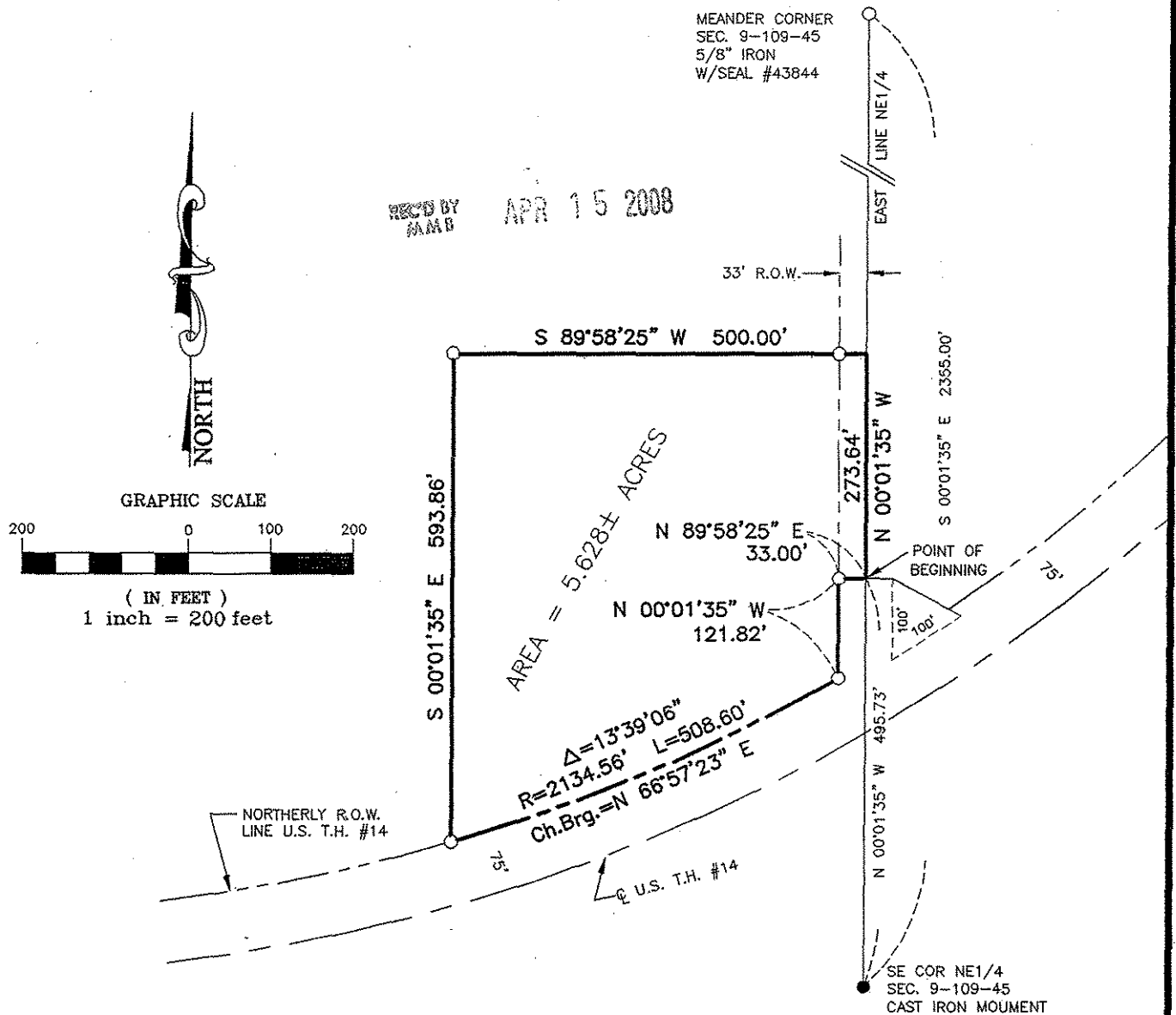
Adopted by affirmative vote of all the members of the Lake Benton Township Board of Supervisors this 8th day of April, 2008.

TOWNSHIP OF LAKE BENTON

By: Bruce Nielsen
Bruce Nielsen
Chairperson
Board of Supervisors

By: Gail Hoyland
Gail Hoyland
Township Clerk

Approved this 8th day of April, 2008.



LAND DESCRIPTION

All that part of the Southeast Quarter of the Northeast Quarter of Section 9, Township 109 North, Range 45 West, Lincoln County, Minnesota, being more particularly described as follows:

Commencing at the southeast corner of said Northeast Quarter; thence North 00 degrees 01 minutes 35 seconds West, bearing based on Minnesota State Plane Coordinate System Lincoln County Datum, along the east line of said Northeast Quarter, a distance of 495.73 feet, to the point of beginning, said point being on the northerly right of way line of U.S. Trunk Highway No. 14; thence continuing North 00 degrees 01 minutes 35 seconds West, along said east line, a distance of 273.64 feet; thence South 89 degrees 58 minutes 25 seconds West a distance of 500.00 feet; thence South 00 degrees 01 minutes 35 seconds East a distance of 593.86 feet, to a point on said northerly right of way line; thence northeasterly, along said northerly right of way line, along a non tangential curve concave to the northwest, having a central angle of 13 degrees 39 minutes 06 seconds, a radius of 2134.56 feet, an arc length of 508.60 feet, and a chord that bears North 66 degrees 57 minutes 23 seconds East; thence North 00 degrees 01 minutes 35 seconds West, not tangent to said curve, along said northerly right of way line, a distance of 121.82 feet; thence North 89 degrees 58 minutes 25 seconds East, along said northerly right of way line, a distance of 33.00 feet, to the point of beginning.

Said tract is subject to any existing Highways, roadways, or easements.

DANIEL L. BUELTE

LEGEND

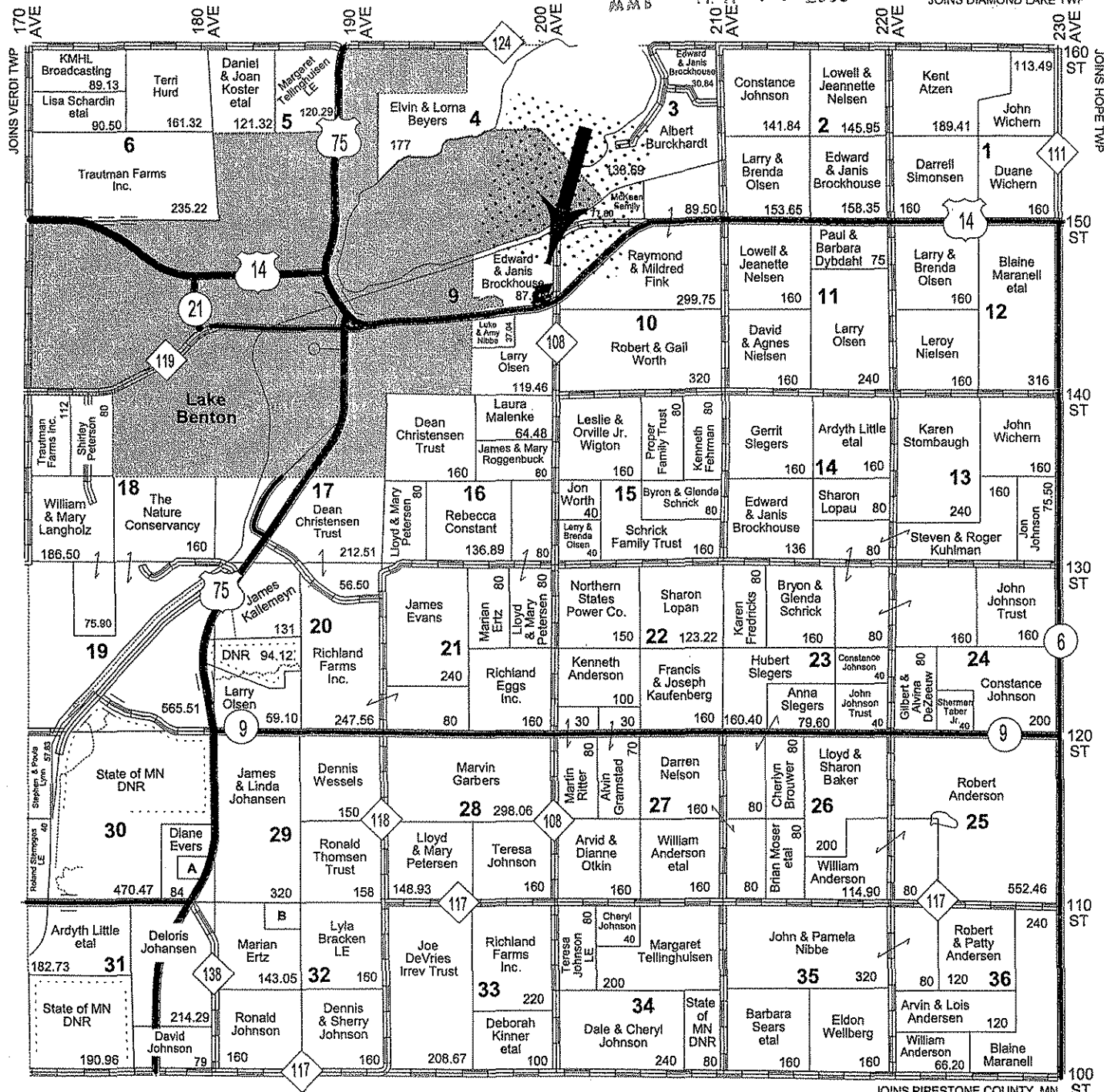
LAKE BENTON TWP

T 109 N

R 45 W

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JOINS DIAMOND LAKE TWP



LAND OWNER MAPS

Section 30 A Anthony & Michelle Dunn - 17.47
Section 32 B Darwin Haken - 16.95

SECTION	DANFORTHVILLE	MARBLE	ALTA VISTA
TOWNSHIP	HENDRICKS	ROYAL	LIMESTONE
TOWNSHIP	SHADKATON	AEN LAKE	LAKE STAY
TOWNSHIP	DRAMMEN	DIAMOND LAKE	MARSHFIELD
TOWNSHIP	VERDI	LAKE BENTON	HOPE

Lake Benton Township 34118

Hole in the Mountain Co Park

MCD*

Lake Benton 34100

Lake Benton Township 34118

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