

Township Resolution No. 02-14City Resolution No. 29-314

**JOINT RESOLUTION FOR ANNEXATION OF TRACT
PREVIOUSLY DESIGNATED FOR ORDERLY ANNEXATION**

WHEREAS, the Board of Supervisors of the Township of Des Moines, Jackson County, Minnesota (the "Township"), the City Council of the City of Jackson, Minnesota (the "City"), and the Board of Directors of Jackson Economic Development Corporation ("JEDC") find:

A. On March 11, 2008, the Township – and on April 1, 2008, the City – adopted and subsequently filed with Municipal Boundary Adjustments Division of the Minnesota Office of Administrative Hearings (hereinafter "MBAD") joint resolution 023-408 (the "Joint Resolution") designating tracts in the Township as being in need of orderly annexation (the "Annexation Area").

B. In a proceeding identified by MBAD as "OA-1406 Jackson/Des Moines Township", the Chief Administrative Law Judge accepted, considered, and approved of the Joint Resolution and entered an ORDER dated July 23, 2008, and an AMENDED ORDER dated July 30, 2008, for the orderly annexation of the Annexation Area (hereinafter together the "Orders").

C. One of the tracts in the Annexation Area is called the "Torgerson Farm", which is more particularly described as follows:

All that part of the Southwest Quarter (SW¼) of Section 13 in Township 102, North of Range 35, West of the Fifth Principal Meridian, not already within the corporate limits of the City of Jackson.

D. The Torgerson Farm comprises approximately 98.44 acres, more or less.

E. JEDC has purchased and owns the fee simple interest in and to all of the Torgerson Farm.

F. The Torgerson Farm is currently used for agricultural purposes but is urban or suburban in character or about to become so and is in the process of being developed for intensive use for residential, commercial, industrial, institutional, and governmental purposes, including a 48-unit, multi-family residential development scheduled for construction during 2014.

G. There are no households in the Torgerson Farm, and its population is "zero".

H. The Torgerson Farm is part of the City's assigned territory for electric utility service, and there will be no change in electric utility service (including rate changes and assessments) resulting from this annexation.

I. The Township is unable to provide utility and municipal services to the Annexation Area.

J. The City intends to extend streets and municipal water and sanitary sewer services to and through the Torgerson Farm, and the Torgerson Farm will benefit from the extension to it of such improvements and services.

K. The Torgerson Farm is in need of immediate annexation.

L. Annexation of the Torgerson Farm is in the best interests of JEDC, the City, and the Torgerson Farm.

NOW, THEREFORE, IT IS JOINTLY RESOLVED AND AGREED by the Township, the City, and JEDC as follows:

1. Immediate annexation without hearing: JEDC, the City, and the Township hereby request that an order be entered directing that the Torgerson Farm be annexed to and become a part of the City immediately, without further notice or hearing pursuant to Minn. Stat. § 414.09, which is hereby waived.

2. Jurisdiction. MBAD has jurisdiction over annexation of the Annexation Area, including the Torgerson Farm, as is evident from the Orders.

3. No alteration of boundaries, conditions, or consideration. No alteration of the stated boundaries of the Torgerson Farm is appropriate, no conditions for the annexation are required, and no consideration by MBAD is necessary.

4. Map. A copy of the City's corporate boundary map delineating the Torgerson Farm is attached hereto as "EXHIBIT A". The City shall file with MBAD a separate copy of said map.

5. Collection of property taxes. Property taxes on the Torgerson Farm due and payable in 2014 shall be paid to the Township; property taxes payable thereafter shall be paid to the City; and the City shall not be required to make any reimbursement to the Township after the City can first levy on the Annexation Area.

6. Tax rates.

6.1. Subject to the provisions of "6.2." following, the tax rate of the City on the Torgerson Farm shall be the same tax rate as that of the Township from time to time.

6.2. The tax rate on any part of the Torgerson Farm that is sold, transferred, or conveyed by JEDC to any third party shall be increased to equality with the City tax rate effective as of the date of such sale, transfer or conveyance.

7. **Review and comment.** MBAD may review and comment but within 30 days should order the annexation in accordance with the terms of this agreement and the Statute.

8. **Initial land use/zoning.** Upon annexation to the City, part of the Torgerson Farm shall be classified as a "General Industrial District - GI", part shall be classified as "Service Business - SB", part shall be designated as "Multi-Family Residential - R3", and part shall be designated as "Single and Two-Family Residential - R2", as indicated on the map attached hereto and made a part hereof as "EXHIBIT B", under the City's zoning ordinance, and on the City's zoning map, subject to amendment as provided by the ordinance.

Duly adopted at meetings of [i] the Board of Supervisors of Des Moines Township, Jackson County, Minnesota, held on February 11, 2014, [ii] the City Council of the City of Jackson, Minnesota, held on March 4, 2014, and [iii] the Board of Directors of Jackson Economic Development Corporation held on February 25, 2014.

CITY OF JACKSON, MINNESOTA

TOWNSHIP OF DES MOINES

By: Wayne Walter
Wayne Walter, Mayor

By: Leland Karnuch
Chairman

Attest: Jennifer J. Bromeland
Jennifer J. Bromeland, City Administrator

Attest: Mark Eggmann
Mark Eggmann, Clerk

JACKSON ECONOMIC DEVELOPMENT CORPORATION

By: Sandra R. Phillips
Sandra R. Phillips, President

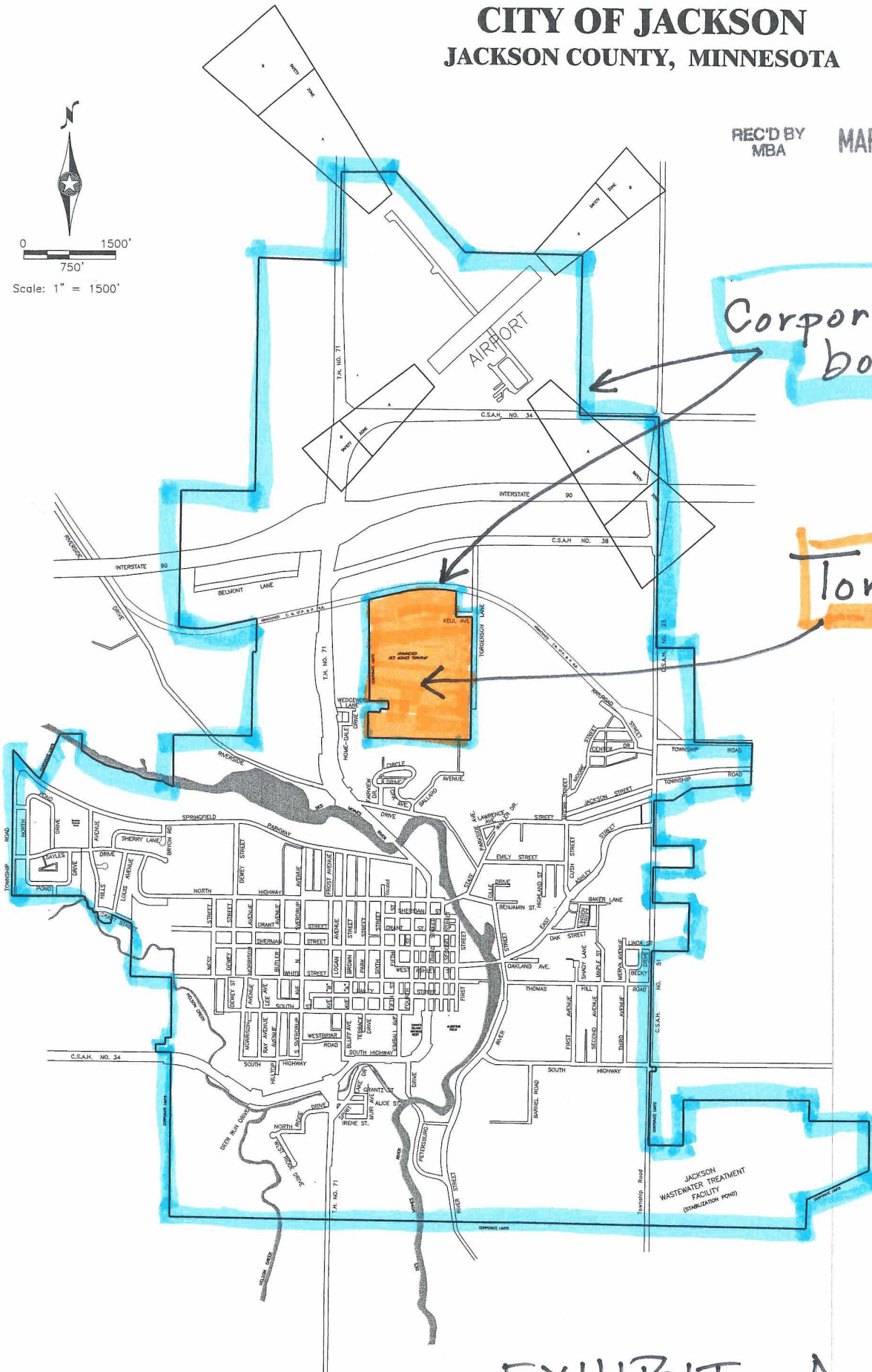
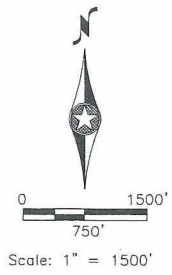
and

By: Don Kuehl
Don Kuehl, Treasurer

CITY OF JACKSON JACKSON COUNTY, MINNESOTA

REC'D BY
MBA

MAR 10 2014



Corporate boundary

Torgerson Farm

EXHIBIT A



INDUSTRIAL PARKWAY

0.91 ACRES

SB
INDUSTRIAL/
RETAIL OFFICE
0.82 ACRES

GI

INDUSTRIAL

RETAIL
11.02 ACRES

POND
2.00 ACRES

parking shown = 537

SB

SB
INDUSTRIAL

STREET B

1.92 ACRES

3.35 ACRES

2.50 ACRES

INDUSTRIAL/
RETAIL OFFICE

SB

1.45 ACRES

1.74 ACRES

3.04 ACRES

2.65 ACRES

INDUSTRIAL

RETAIL
1.46 ACRES

(BUFFER)

PARK

SMALLER LOTS

R2
SINGLE-FAMILY RESIDENTIAL

PARK

STREET D

SMALLER LOTS

R2
SINGLE-FAMILY RESIDENTIAL

POND

3.59 ACRES

3.33 ACRES

3.31 ACRES

3.41 ACRES

MULTI-FAMILY

STREET E

POND

POND

POND

LARGER LOTS

LARGER LOTS

R2
SINGLE-FAMILY RESIDENTIAL

R2

(BUFFER)

DEVELOPMENT PARK 4

JACKSON, MINNESOTA



Scale

EXHIBIT B

REC'D BY
MBA

MAR 10 2014