



AUG 08 2008

JOINT RESOLUTION 2008-10

IN THE MATTER OF THE ORDERLY ANNEXATION BETWEEN THE CITY OF MAHNOMEN AND THE TOWN OF PEMBINA PURSUANT TO MINNESOTA STATUTES § 414.0325

WHEREAS, the City of Mahanomen received a petition for annexation of land, into the City of Mahanomen, for the purpose of receiving public water and sewer; and

WHEREAS, the City of Mahanomen and the Town of Pembina agree to designate for orderly annexation, the following described lands located within the Town of Pembina, County of Mahanomen Minnesota:

Commencing at a point 241 ½ feet North of the point of intersection of the North line of Park Avenue with the West line of Main Street in the Village of Mahanomen, Minnesota, said point of beginning being on the West line of said Main Street, as extended, and being also the Northeast corner of a parcel owned by Hartvig and Hilda Kvidt, his wife, thence from said point of beginning running due West along and upon the North line of said parcel owned by said Hartvig and Hilda Kvidt 250 feet; thence due North 125 feet; thence due East and parallel with the North line of said parcel owned by Hartvig and Hilda Kvidt 250 feet to the point of intersection with the West line of said Main Street, as extended; and thence due South along and upon West line of Main Street, as extended, 125 feet to the point of beginning, said parcel being a part of Lot (3), Section (2), Township One Hundred Forty Four (144) North, Range Forty Two (42) West of Fifth Principal Meridian in Minnesota.

and,

Beginning at a point 161 feet North of the point of intersection of the North line of Park Avenue with the West line of Main Street in the Village of Mahanomen, Minnesota, thence running West 493 ½ feet, thence running North 80 ½ feet, thence running East 493 ½ feet, thence running South 80 ½ feet to the place of beginning, said tract containing one acre, more or less.

Being part of Government Lot 3, Section 2-Township 144 North, Range 42 West of the 5th Principal Meridian.

WHEREAS, the City of Mahanomen (the "City") and the Town of Pembina (the "Town") are in agreement as to the orderly annexation of the unincorporated land 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 of Mahanomen and the Town of Pembina may agree on a process of orderly annexation of a designated area; and

WHEREAS, the City of Mahanomen and the Town of Pembina 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 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 Mahanomen and the Town Board of the Town of Pembina as follows:

1. **(Property.)** That the following described lands in the Town of Pembina are subject to orderly annexation pursuant to Minnesota Statutes § 414.0325, and that the parties hereto designate those areas for orderly annexation, to wit:

Commencing at a point 241 ½ feet North of the point of intersection of the North line of Park Avenue with the West line of Main Street in the Village of Mahanomen, Minnesota, said point of beginning being on the West line of said Main Street, as extended, and being also the Northeast corner of a parcel owned by Hartvig and Hilda Kvidt, his wife, thence from said point of beginning running due West along and upon the North line of said parcel owned by said Hartvig and Hilda Kvidt 250 feet; thence due North 125 feet; thence due East and parallel with the North line of said parcel owned by Hartvig and Hilda Kvidt 250 feet to the point of intersection with the West line of said Main Street, as extended; and thence due South along and upon West line of Main Street, as extended, 125 feet to the point of beginning, said parcel being a part of Lot (3), Section (2), Township One Hundred Forty Four (144) North, Range Forty Two (42) West of Fifth Principal Meridian in Minnesota.

and,

Beginning at a point 161 feet North of the point of intersection of the North line of Park Avenue with the West line of Main Street in the Village of Mahanomen, Minnesota, thence running West 493 ½ feet, thence running North 80 ½ feet, thence running East 493 ½ feet, thence running South 80 ½ feet to the place of beginning, said tract containing one acre, more or less.

Being part of Government Lot 3, Section 2-Township 144 North, Range 42 West of the 5th Principal Meridian.

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

Commencing at a point 241 ½ feet North of the point of intersection of the North line of Park Avenue with the West line of Main Street in the Village of Mahanomen, Minnesota, said point of beginning being on the West line of said Main Street, as extended, and being also the Northeast corner of a parcel owned by Hartvig and Hilda Kvidt, his wife, thence from said point of beginning running

due West along and upon the North line of said parcel owned by said Hartvig and Hilda Kvidt 250 feet; thence due North 125 feet; thence due East and parallel with the North line of said parcel owned by Hartvig and Hilda Kvidt 250 feet to the point of intersection with the West line of said Main Street, as extended; and thence due South along and upon West line of Main Street, as extended, 125 feet to the point of beginning, said parcel being a part of Lot (3), Section (2), Township One Hundred Forty Four (144) North, Range Forty Two (42) West of Fifth Principal Meridian in Minnesota.

and,

Beginning at a point 161 feet North of the point of intersection of the North line of Park Avenue with the West line of Main Street in the Village of Mahnomen, Minnesota, thence running West 493 ½ feet, thence running North 80 ½ feet, thence running East 493 ½ feet, thence running South 80 ½ feet to the place of beginning, said tract containing one acre, more or less.

Being part of Government Lot 3, Section 2-Township 144 North, Range 42 West of the 5th Principal Meridian.

2. **(Acreage/Population/Usage.)** That the designated area consists of approximately 1.64 acres, the population in the subject area is 1, and the land type is residential.

3. **(Jurisdiction.)** That the Township of Pembina does, upon passage of this resolution, and the City of Mahnomen, 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. **(Need).** That the above-described property is urban or suburban or about to become so, and since the City of Mahnomen is capable of providing services to this area within a reasonable time, the annexation would be in the best interest of the area.

5. **(Planning.).** Minnesota Statutes § 414.0325 Subd. 5:
The zoning shall remain as residential "R" until such time as the city amends its Land-use and Zoning Code.

6. **(Tax Rate Step Up).** Minnesota Statutes 414.035 (1-6 years)
The tax capacity rate applicable to the property after annexation shall be increased in substantially equal proportions each year of a six year period until it equals the tax capacity rate of the city of Mahnomen

7. **(Municipal Reimbursement).** Minnesota Statutes 414.036.
The Town of Pembina agrees to a five year municipal reimbursement equal to:

RECEIVED BY
MAH

AUG 08 2008

2007 for taxes payable 2008	100% of the local tax
2008 for taxes payable 2009	80% of the local tax
2009 for taxes payable 2010	60% of the local tax
2010 for taxes payable 2011	40% of the local tax
2012 for taxes payable 2012	20% of the local tax

8. **(Review and Comment).** The City of Mahanomen and the Town of Pembina 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 all the members of the PembinaTown Board of Supervisors this 3rd day of June, 2008.

TOWN OF PEMBINA

By: Richard Bunkelt
Chairperson
Board of Supervisors

By: Robert C. Jank
Township Clerk

Adopted by affirmative vote of the City Council of Mahanomen, this 14th day of July, 2008.

CITY OF MAHNOMEN

By: Joseph Ballard
Mayor

ATTEST:

By: [Signature]
City Administrator

Approved this 14th day of July, 2008.

RECD BY
AUG 08 2008
MME

CORPORATE LIMITS

MINNESOTA STATE HIGHWAY 200

MINNESOTA STATE HIGHWAY 200

U.S. HIGHWAY 59

CORPORATE LIMITS

CORPORATE LIMITS

CORPORATE LIMITS

CORPORATE LIMITS

U.S. HIGHWAY 59

Wild Rice River

Wild Rice River

Wild Rice River

RECD BY
AUG 08 2008
MME