# AMENDMENT TO THE JOINT RESOLUTION FOR ORDERLY ANNEXATION

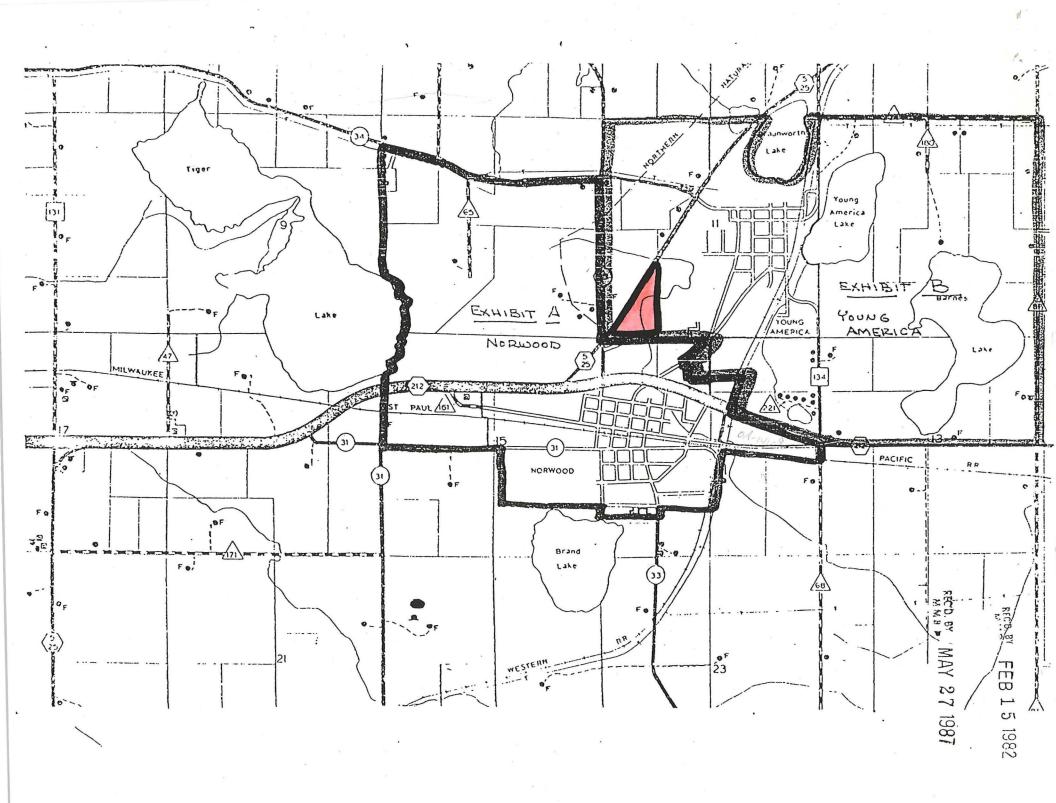
BETWEEN THE THE TOWNSHIP OF YOUNG AMERICA THE CITY OF NORWOOD AND THE CITY OF YOUNG AMERICA

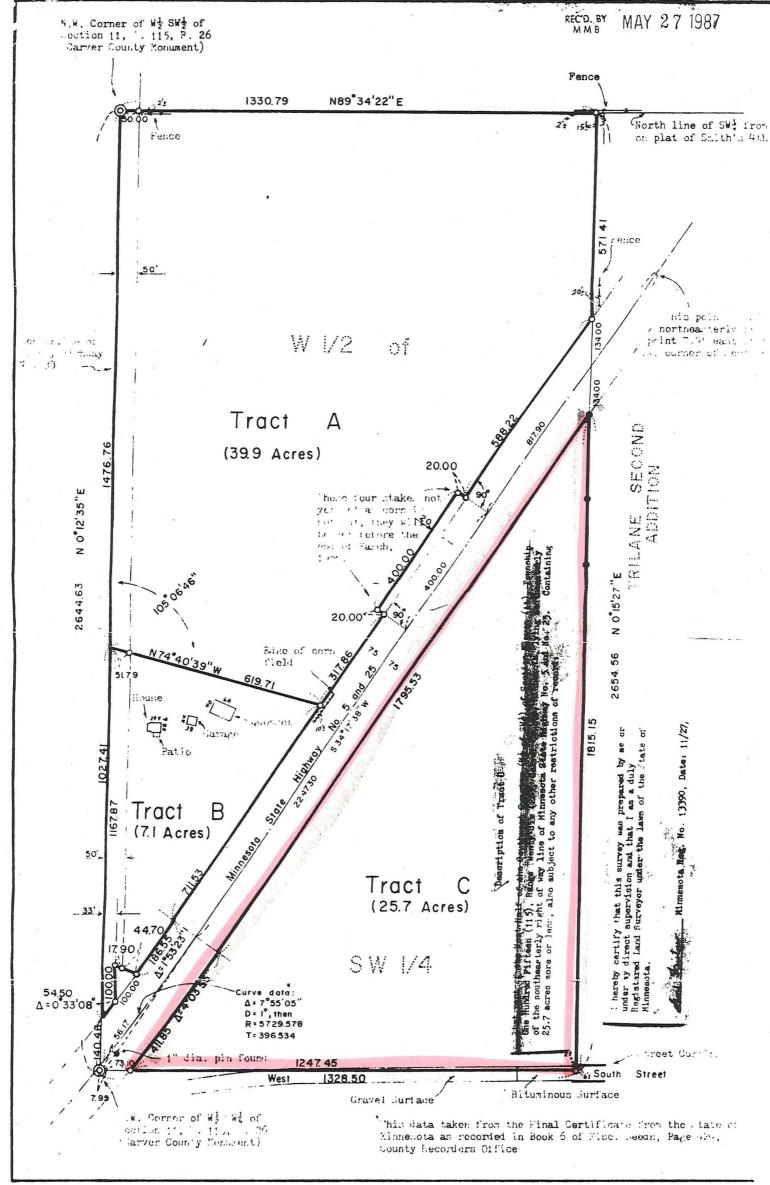
The Township of Young America and the City of Norwood and the City of Young America agree that the area designated for orderly annexation in the Joint Resolution between the township of Young America the city of Norwood and the city of Young America Designating an area for Orderly Annexation to the city of Young America datedFebruary 1982 be amended to include the following:

The S.W. Corner of  $W_{\rm W}$  SW% of Section 11, T. 115, R 26 Also known as the 25.7 acres in Tract C

Both the Township and the two cities agree that no alteration of the stated boundaries of this agreement is appropriate. Furthermore, all parties agree that no consideration by the board is necessary. Upon receipt of this resolution, the Municipal Board may review and comment, but shall, within 30 days, order the annexation to the city of Young America of the above described property in accordance with the terms of the joint resolution.

i	Approved	bу	the	city	of	Young	Amer	ica t	his	$\frac{2}{2}$ day of $\frac{1}{2}$ 1987.
									0	Mayor of Toung America
										Jamell Stagge
								*		City Clerk of Young America
,	Approved	bу	the	city	of	Norwoo	od th	is_ <u>2</u>	<u>O</u> day o	of Mac 1987.
										Mayor of Norwood
									•	City Clerk of Norwood
,	Approved	bу	the	Towns	ship	o board	dof	Young	America	a this 12 th day of 2/12 1987.
										Town Board Chairman
										Lotter is often I
										Town Board Clerk





TOKIN 476-0000

AMENDMENT TO THE JOINT RESOLUTION

BETWEEN THE TOWNSHIP OF YOUNG AMERICA, THE CITY OF NORWOOD,

AND THE CITY OF YOUNG AMERICA DESIGNATING AN AREA FOR ORDERLY ANNEXATION

WHEREAS, the Township of Young America, the City of Norwood, and the City of Young America have previously entered into a joint resolution designating an area for orderly annexation which was approved by the Minnesota Municipal Board on March 12, 1982; and

WHEREAS, the City of Young America annexed certain lands in the orderly annexation agreement in 1985, which the Minnesota Municipal Board approved in 1985; and

WHEREAS, the City of Young America inadvertently left out a legal description out of the annexation that was approved in 1985 by the Minnesota Municipal Board.

NOW, THEREFORE, BE IT RESOLVED by the Township of Young America, the City of Norwood and the City of Young America to hereby jointly agree that the legal description described in Exhibit A to be included in the City of Young America's annexation of 1985 known as File Number OA-141-3. The City of Young America's annexation of 1985 is hereby amended to read as follows, to-wit:

#### See Exhibit A attached

IT IS FURTHER AGREED, by and between each of the parties hereto, that the City of Young America may amend this resolution without a public hearing and upon receipt of this Resolution, the Minnesota Municipal Board may review and comment, but shall, within 30 days, order the annexation in accordance with the terms hereof.

This amendment is to take full force and effect on the date of its adoption by the Township of Young America, the City of Norwood, and the City of Young America, and upon Minnesota Municipal Board's approval.

Approved by Young America Township this 11 day of Click

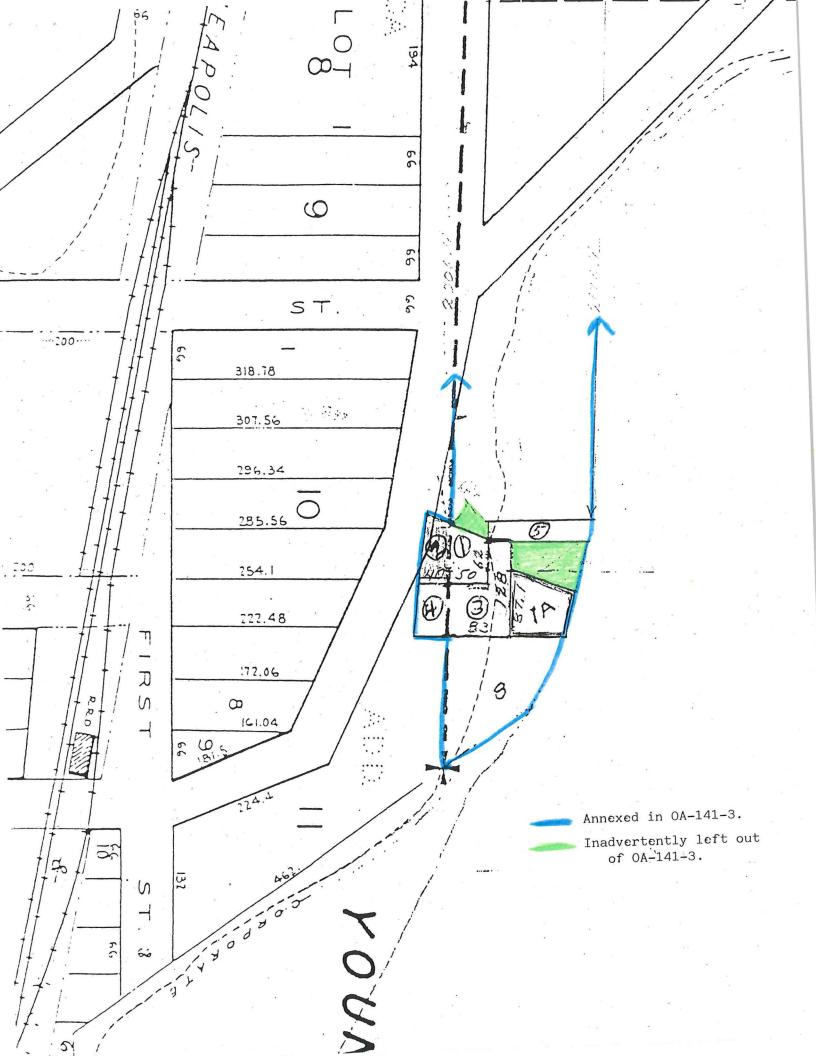
1986

Town Board Chairman

Town Board Clerk

e	
	Approved by the City of Norwood this // th day of, 1986.
	Mayor & Pachag
	Cilty Clerk
	Approved by the City of Young America this 5th day of Avgust, 1986.
	Jamell Slagge

All that part of Government Lot 1, Section 12, Township 115 North, Range 26 West lying south of the north line of Jerome Hedtke property; or south of the north 1,875° of said Government Lot 1.



# AMENDMENT TO THE JOINT RESOLUTION BETWEEN THE TOWNSHIP OF YOUNG AMERICA, THE CITY OF NORWOOD AND THE CITY OF YOUNG AMERICA DESIGNATING AN AREA FOR ORDERLY ANNEXATION

WHEREAS, the Township of Young America, the City of Norwood, and the City of Young America have previously entered into a joint resolution designating an area for orderly annexation which was approved by the Minnesota Municipal Board on March 12, 1982, and

WHEREAS, the legal description designating an area for orderly annexation to the City of Norwood, which was attached to the original joint resolution as "Exhibit A", requires modification to correct and clarify the area's stated boundaries, and

WHEREAS, the City of Norwood originally intended in 1981 to annex by ordinance two separate parcels, legally described in Exhibits "A-3801" and "A-3802" which are attached hereto, but which were encompassed within the City of Norwood's designated orderly annexation area when established in 1982; and the Township of Young America and the City of Young America have no objection to said parcels being annexed by the City of Norwood without a hearing,

NOW THEREFORE, the Township of Young America, the City of Norwood and the City of Young America hereby jointly agree that Exhibit "A" of their original joint resolution, which legally describes the City of Norwood's designated orderly annexation area, may be and hereby is amended to read as follows, to-wit:

See Exhibit "A-1", attached.

The Township and Cities understand and acknowledge that the legal description contained in Exhibit A-1 excludes the Norwood sewer plant property and that upon passage of this amendment, the City of Norwood may proceed to annex its sewer plant property by ordinance, without a hearing.

IT IS FURTHER AGREED, by and between each of the parties hereto, that their joint resolution be amended to include the following:

Notwithstanding the other provisions of this agreement, the parties agree that the City of Norwood may annex without hearing two parcels of property, legally described as follows:

See Exhibits "A-3801" and "A-3802", attached

by submitting to the Minnesota Municipal Board a resolution so requesting. Upon receipt of an initiating resolution, the Minnesota Municipal Board may review and comment, but shall, within 30 days, order the annexation in accordance with the terms hereof.

This amendment is to take full force and effect on the date of its adoption by the Township of Young America, the City of Norwood and the City of Young America and upon Minnesota Municipal Board approval.

Approved by Young America Township this $//$ day of $Feb$ , 1986.
Osvalle Schrigge Town Board Chairman
Lothar Woller & Town Board Clerk
Approved by the City of Norwood this 10 day of February, 1986.
Mayor  Alader S. Pedersen  City Clerk
Approved by the City of Young America this 4th day of February, 1986.  Mayor  Parell Plage City Clerk

# EXHIBIT A-1

Description of the City of Norwood's designated orderly annexation area, all lying in Township 115 North, Range 26 West:

Beginning at a point lying between Sections 13 and 14, at the intersection of the centerline of Trunk Highway 212 and the westerly right-of-way (ROW) line of Young America Township Road 68; then south along the westerly ROW of Young America Township Road 68 to the southerly ROW line of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company tracks; thence northwesterly along the southerly ROW line of the railroad to its intersection with the easterly ROW line of the abandoned Chicago and Northwestern Transportation Company railroad tracks; thence southwesterly along the easterly ROW line of the abandoned Chicago and Northwestern Transportation Company tracks to its intersection with a line extended in an easterly direction from the southerly ROW line of Lake Street, City of Norwood; thence west along this line to its intersection with the westerly ROW line of Carver County Road 33; thence south along the westerly ROW line of Carver County Road 33 a distance of 400.4 feet; thence west a distance of 1,445.65 feet; thence north a distance of 342.00 feet, more or less, to the present corporate limits; thence west along a line extended in a westerly direction from the southerly ROW line of Lake Street a distance of 2,520.00 feet; thence north to the southerly ROW line of Carver County Road 31; thence west along the southerly ROW line of Carver County Road 31 to the section line lying between Sections 15 and 16; thence north along the section line to its intersection with Tiger Lake; thence following the easterly lake shore of Tiger Lake in a northerly direction to its intersection with the section line lying between Sections 9 and 10; thence continuing north along this section line to its intersection with the southerly ROW line of Carver County Road 34; thence in a southeasterly direction along the southerly ROW line of Carver County Road 34 to its intersection with the centerline of Carver County Road 33; thence southerly along the centerline of Carver County Road 33 to its intersection with the centerline of State Highway 5; thence in an easterly direction along a line extended from the center of 7th Street SW, City of Norwood, to its intersection with the Southeasterly ROW line of Old State Highway 5; thence southwesterly along the Southeasterly ROW line of Old State Highway 5 to its intersection with the City of Norwood corporate limits; thence southeasterly a distance of 119.50 feet, more or less, to a point 289.20 feet north of the northwest corner of Lot 2 in Block 34, City of Norwood; thence southerly a distance of 289.20 feet to the northwest corner of said Lot 2 in Block 34, City of Norwood; thence easterly a distance of 1,150 feet to the centerline of the abandoned Chicago, Northwestern Transportation Company railway tracks; thence southwesterly along the centerline of the abandoned Chicago Northwestern Transportation Company railroad tracks to their intersection with the centerline of Trunk Highway 212; thence easterly along the centerline of Trunk Highway 212 to its intersection with the westerly ROW of Young America Township Road 68, the point of beginning.

City of Young America City of Norwood Young America Township

By: James Rossbach, Mayor Sohn Fahey, Mayor Orville Schrupp, Chairman

Lowell Plagge, Clerk Gladys Pedersen, Clerk Lothar Wolter, Jr., Clerk

#### RESOLUTION AND NOTICE OF INTENT TO ANNEX CERTAIN PROPERTY INTO THE CITY OF NORWOOD, MINNESOTA

WHEREAS the City of Norwood, Minnesota has resolved that it is in the best interest of said city to annex and include within its boundary, that real estate described below, and

WHEREAS the City of Norwood has resolved and determined that said property is 60% or more bordered by the City of Norwood, and said property is 40 acres or less, and

WHEREAS, the City Council for the City of Norwood resolve and deem that said land to be annexed is urban or suburban in character or about to become so.

WHEREAS it is the intent of the City of Norwood, Minnesota, to annex said property and to include it in the boundaries of said city,

NOW THEREFORE it is hereby resolved by the City of Norwood, Minnesota, that the real estate situated in the County of Carver and legally described as follows, to-wit:

Commencing at a point which is 33 feet South, thence 144 feet East of the Southwest Corner of the Northwest Quarter (NW-1/4) of the Southwest Quarter (SW-1/4) of Section 14-115-26, thence running South 367.4 feet to a point, thence West 94 feet to a point; thence North 367.4 feet to a point; thence East 94 feet to the point of beginning. Lying and being in the Southwest Quarter (SW-1/4) of the Southwest Quarter (SW-1/4) of said Section 14-115-26.

The City Clerk is hereby directed to serve this Resolution and Notice of Intent upon the Young America Township and also upon the Minnesota Municipal Board.

Dated this 12 day of JANUARY , 1981.

Donald Richter, Mayor

Attest:

Earl Keusemann, City Clerk

MANS FEB 181986

#### RESOLUTION AND NOTICE OF INTENT TO ANNEX CERTAIN PROPERTY INTO THE CITY OF NORWOOD, MINNESOTA

WHEREAS the City of Norwood, Minnesota has resolved that it is in the best interest of said city to annex and include within its boundary, that real estate described below, and

WHEREAS the City of Norwood has resolved and determined that said property is 60% or more bordered by the City of Norwood, and said property is 40 acres or less, and

WHEREAS, the City Council for the City of Norwood resolve and deem that said land to be annexed is urban or suburban in character or about to become so.

WHEREAS it is the intent of the City of Norwood, Minnesota, to annex said property and to include it in the boundaries of said city,

NOW THEREFORE it is hereby resolved by the City of Norwood. Minnesota, that the real estate situated in the County of Carver and legally described as follows, to-wit:

Commencing at a point which is 33 feet South, thence 1,067.06 feet East of the Southwest Corner of the 1,06/.06 feet East of the Southwest Corner of the Northwest Quarter (NW-1/4) of the Southwest Quarter (SW-1/4) of Section 14-115-26; thence South 180 feet to the actual point of beginning; thence South 187.4 feet to a point; thence West 60 feet to a point; thence North 187.4 feet to a point; thence East 60 feet to the point of beginning, lying and being in the Southwest Quarter (SW-1/4) of the Southwest Quarter (SW-1/4) of said Section 14-115-26.

The City Clerk is hereby directed to serve this Resolution and Notice of Intent upon the Young America Township and also upon the Minnesota Municipal Board.

Dated this /2 day of JANYARY , 1981.

Donald Richter, Mayor

Attest:

Nousemann gemann. City Clerk

JOINT RESOLUTION BETWEEN THE TOWNSHIP OF YOUNG AMERICA, THE CITY OF NOHWOOD AND THE CITY OF YOUNG AMERICA

The Township of Young America, the City of Norwood and the City of Young America hereby jointly agree to the following:

1. That the following described area in Young America Township is subject to orderly annexation pursuant to Minnesota Statutes 414.032, and the parties hereto designate this area for orderly annexation:

# Attached as Exhibits A and B

- 2. That the Township of Young America does, upon passage of this resolution and its adoption by the City of Norwood and the City of Young America, and upon acceptance by the Minnesota Municipal Board, confer jurisdiction upon the Minnesota Municipal Board over the various provisions contained in this agreement.
- 3. No annexation will take place anywhere within the area designated as in need of orderly annexation unless:
  - a. A petition is received by the proper city from the owner of property which is served by municipal water or sanitary sewer at the time of petition, or
  - b. A petition of a majority of property owners requesting annexation is received by the proper city, or
  - c. A request for or a lawful order of the extension of sewer or water lines into a given area of the orderly annexation area is received by the proper city, or
  - d. A petition is served upon the Minnesota Municipal Board by the proper city.
- 4. All land shown in Exhibits A and B are deemed to be urban or suburban in character.
- 5. All parties agree to leave the timing of annexations, as set forth in paragraph 3, within these areas, to the discretion of the Minnesota Municipal Board.
- 6. That both cities agree not to commence or approve any annexation outside of their respective orderly annexation area unless said annexation does not abut the other city's orderly annexation area.
- 7. That after any area has been properly annexed into either city, and the proper zoning designation has been assigned to the property, no rezoning of said land can occur without the prior consent of the other city. Any objection by either city to a rezoning request may not be contradictory to any applicable Comprehensive Plan. This condition pertains only to the land described in Exhibit C.
- 8. That on any property annexed by either city pursuant to this resolution, the mill levy of the city for the annexed area will be increased from the township mill levy in substantially equal proportions over a period of three (3) years, to equality with the mill levy on the property already within the city, as follows: the township mill rate for the first year after annexation will be subtracted from the city mill rate for the first year after annexation and the difference will be divided by three; this amount will be added each year to the township mill rate for the first year after annexation until equality with the city mill rate is reached. For this purpose, any increases in the city mill rate will be added to the total but any increases in the township mill rate will not.
- 9. The zoning and subdivision ordinances of the cities shall be initially monitored and overseen by the Norwood-Young America Land Use Committee (N-YALUC) for the land identified in Exhibit C. Requests for zoning changes, variances and/or conditional use permits shall be initially reviewed by the N-YALUC and recommended to the responsible Planning Commission/City Council. The respective city Planning Commission(s) and City Councils will continue to have the ultimate zoning and subdivision ordinance review, recommendation and decision authority. This provision shall become effective upon the revision of the zoning and subdivision ordinances of both cities to include the various land use zones as established by the N-YALUC and approved by the Planning Commission(s) and City Councils of both cities. The remainder of the area within the orderly annexation area shall continue to be administered by the township and Carver County in accordance with all applicable Comprehensive Plan requirements.

- 10. That a mutually established compensation from one city to the other shall be made for public services placed by one city at that city's expense into areas annexed by the other city. Privately owned utilities shall not become the property of the municipality solely upon the act of annexation. Existing agreements for utilities development and expansion shall be binding upon the annexing city.
- 11. That the cities agree to investigate the sharing of facilities, equipment, personnel, etc. in order to avoid duplication of facilities and to reduce the overall cost of government in the area.
- 12. That any special improvement or assessment funds collected by the township for improvements to property annexed to either city shall be turned over to that city and that any accounts receivable for work already done shall be collected by the city and turned over to the township.
- 13. That all per capita aids applicable to the property annexed for the year in which the annexation occurs shall be the property of the township.
- 14. Should any section or provision of this agreement be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the agreement as a whole or any part thereof other than the part so declared to be invalid.
- 15. That it is agreed and understood by the parties that the terms of this joint resolution will not take effect until they have been approved by the Minnesota Municipal Board in the form approved by the two cities and the township.
- 16. Each year following the effective date of this resolution, the parties shall inform the Minnesota Municipal Board of any changes to the conditions of the resolution in accordance with Minnesota Statutes 414.021.

Adopted this 9 day of Fohrwary, 1982 by vote of the City Council.

Harvey Bachmann, Mayor

Lowell Plagge, CMV Clerk

CITY OF NORWOOD

Adopted this 8 day of FEBRUARY, 1982 by vote of the City Council.

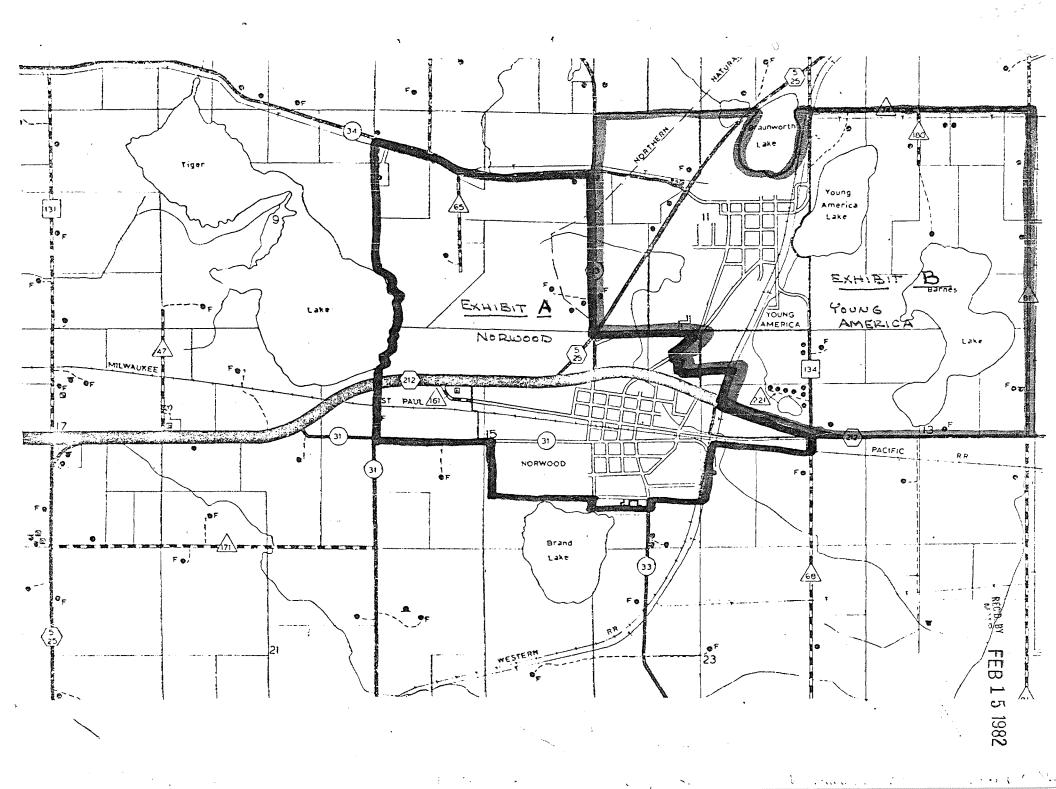
Earl Keusemann, City Clerk

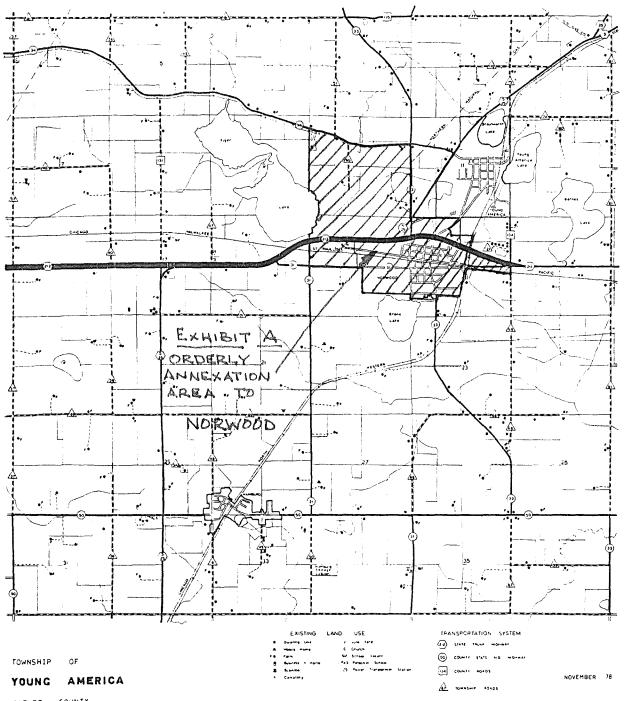
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TOWNSHIP OF YOUNG AMERICA

Adopted this  $\frac{\sqrt{2}}{\sqrt{2}}$  day of &&&  $\frac{\sqrt{2}}{\sqrt{2}}$ ,  $\frac{\sqrt{2}}{\sqrt{2}}$  by vote of the Town Board.

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CARVER COUNTY

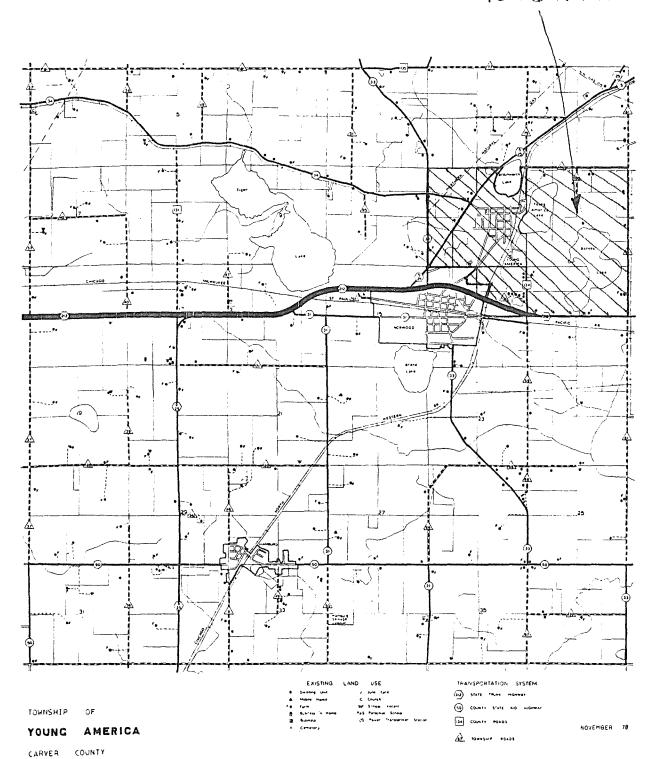
### EXHIBIT A

a. Orderly Annexation Area To The City of Norwood:

Beginning at the intersection of the centerline of Trunk Highway (T.H.) 212 and Carver County Road 134/Young America Township Road 68, south along the west Right-Of-Way (ROW) line of Township Road 68 to the south ROW line of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company tracks; thence northwesterly along the railroad ROW to the northeast corner of the City of Norwood Sewage Treatment Plant property; thence south along the east line of the treatment plant property; thence west along the south line of the treatment plant property to its intersection with the abandoned east ROW of the Chicago and Northwestern Transportation Company tracks; thence following the east line of the railroad ROW in a southwesterly direction to a point of intersection with a line drawn in an easterly direction from the wouth ROW line of Lake Street, City of Norwood; thence west along this line to its intersection with County Road 33; thence south along the west ROW line of County Road 33 a distance of 400.4 feet; thence west a distance of 1,445.65 feet; thence north a distance of 342.00 feet; thence west along a line extended from the south ROW line of Lake Street a distance of 2,520 feet; thence north to the intersection with County Road 31; thence west along the south right-of-way line of County Road 31 to the quarter section line; thence north along the quarter section line to its intersection with Tiger Lake; thence following the easterly lakeshore line of Tiger Lake in a northerly direction to the intersection with the quarter section line; thence, continuing north along the quarter section line to its intersection with the southerly ROW line of County Road 34; thence in a southeasterly direction along the southerly ROW line of County Road 34 to its intersection with the centerline of County Road 33; thence southerly along the centerline of County Road 33 to its intersection with State Highway 5/25; thence in an easterly direction on a line extension of the centerline of 7th Street SW (Young America street name) to the intersection with the centerline of "Old State Highway 5/25"; thence southwesterly along the centerline of "Old State Highway 5/25" a distance of 450 feet; thence southeasterly along a property line seperating Independent School District #108 land from that of the Young America Corporation a distance of 119.50 feet; thence southerly a distance of 289.20 feet; thence easterly a distance of 1,150 feet to the centerline of the former ROW of the Chicago, Northwestern Transportation Co. tracks; thence roughly southwesterly along the centerline of the former ROW of the Chicago, Northwestern Transportation Co. tracks to the intersection with the centerline of Trunk Highway 212; thence easterly along the centerline of T.H. 212 to the point of beginning.

EXHIBIT B

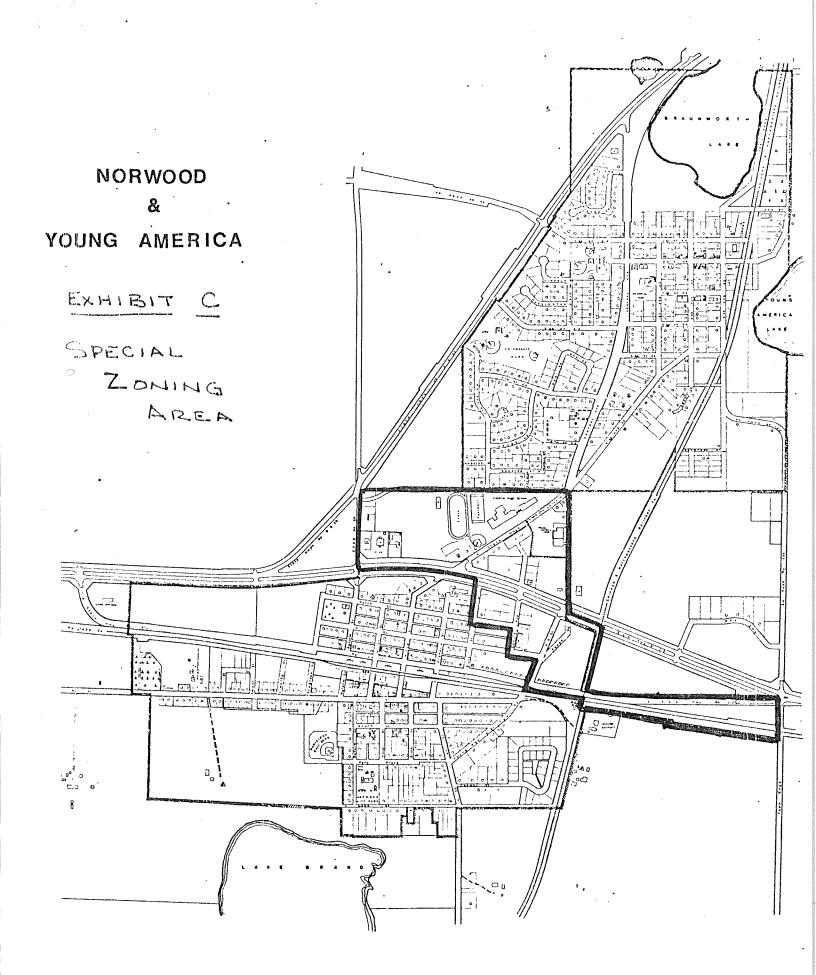
ORDERLY ANNEXATION
AREA TO YOUNG AMERICA



## EXHIBIT B

Orderly Annexation Area to the City of Young America:

Beginning at the intersection of the southerly ROW line of County Road 34 and the centerline of County Road 33, south along the center line of County Road 33 to its intersection with State Highway 5/25; thence east along a line extension of 7th Street SW to the intersection with "Old State Highway 5/25"; thence southwesterly along the centerline of "Old State Highway 5/25" a distance of 450 feet; thence southeasterly along a property line seperating Independent School District #108 land from that of the Young America Corporation a distance of 119.50 feet; thence southerly a distance of 289.20 feet; thence easterly a distance of 1,150 feet to the centerline of the former ROW line of the Chicago Northwestern Transporation Co. tracks; thence roughly southwesterly along the centerline of the former ROW line of the Chicago, Northwestern Transporation Co. tracks to the intersection with the centerline of Trunk Highway 212; thence easterly along the centerline of T.H. 212 to the intersection with the westerly ROW of Young America Township Road 81; thence north along the western ROW line of Township Road 81 to its intersection with the southerly ROW line of Young America Township Road 74; thence westerly along the southerly ROW line of Township Road 74 to the shoreline of Braunworth Lake; thence in a clockwise direction along the shoreline of Braunworth Lake to its intersection with the quarter section line; thence westerly along the quarter section line to its intersection with the easterly ROW line with County Road 33; thence southerly along the easterly ROW line of County Road 33 to its intersection with the southerly ROW line of County Road 34; thence westerly along the southerly ROW line of County Road 34 to the intersection with the centerline of County Road 33, which is the point of beginning.



# EXHIBIT C

Description of Special Zoning Area as described in Section 7 of the Joint Powers Resolution.

Beginning at the intersection of 7th Street SW and "Old State Highway 5/25"; thence southerly along the centerline of Young America-Faxon Road to the centerline of Trunk Highway (TH) 212; thence following the centerline of TH 212 in a southeasterly direction to the centerline of the right-of-way (ROW) of the former Chicago, Northwestern Transportation Company railroad tracks; thence southerly to the intersection of the railroad tracks ROW and the centerline of Old State Highway 212; thence in an easterly direction along the centerline of Old State Highway 212 to its intersection with the centerline of Young America Township Road 68; thence southerly along the centerline of Young America Township Road 68 to its intersection with the south ROW line of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company tracks; thence westerly along the south ROW of the railroad tracks to its intersection with the east ROW line of the former Chicago, Northwestern Transportation Co. railroad tracks; thence north to its intersection with the sould ROW line of Old State Highway 212; thence westerly to the west ROW line of Young America-Faxon Road; thence north to the south ROW line of E. Hill Street; thence west to the west RCW line of Central Ave; thence north to the south RCW line of Wilson Street; thence west to the west ROW line of East Street; thence north to the centerline of TH 212; thence west to the intersection with Carver County Road 33; thence north to the intersection with 7th Street SW; thence east to the intersection of 7th Street SW and "Old State Highway 5/25", which is the point of beginning.