

RESOLUTION NUMBER 3745, SECOND SERIES

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

REC'D BY
MBA JUN 04 2012

IN THE MATTER OF THE JOINT RESOLUTION
OF THE CITY OF MARSHALL AND THE TOWNSHIP
OF LAKE MARSHALL ANNEXING CERTAIN AREAS
PURSUANT TO MINNESOTA STATUTES,
SECTION 414.0325

JOINT RESOLUTION FOR
FOR ORDERLY ANNEXATION

WHEREAS, the City of Marshall ("City") and the Township of Lake Marshall ("Township") have designated an orderly annexation area, OA-142, via Resolution No. 516, Second Series, in January 1982; and

WHEREAS, individual property owners with property located within the Township and legally described in Exhibit A, which is attached hereto and incorporated herein by reference, have approached the City regarding annexation of that property and extension of City services to that property; and

WHEREAS, the Township and City have agreed to work cooperatively to accomplish the orderly annexation of the areas legally described in Exhibit A; and

WHEREAS, the above-mentioned property is proposed to be developed, abuts the City, and is in need of orderly annexation since the property is urban or suburban or about to become so; and

WHEREAS, the City has available capacity to provide needed services to the above-mentioned property; and

WHEREAS, the City and Township agree that orderly annexation of the property legally described in Exhibit A is in the best interest of the property owners and would benefit the public health, safety, and welfare of the community; and

WHEREAS, the City and Township agree that the property legally described in Exhibit A is designated as in need of orderly annexation; and

WHEREAS, the City and Township desire to accomplish the orderly annexation of the property legally described in Exhibit A without the need for a hearing; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Marshall and the Board of Supervisors of the Township of Lake Marshall as follows:

1. The City and Township agree that the area legally described in Exhibit A for immediate annexation is approximately 53.7 acres.
2. A boundary map showing the area legally described in Exhibit A is attached hereto as Exhibit B and is hereby incorporated by reference.
3. The City and Township agree that the population of the area legally described in Exhibit A and designated as in need of orderly annexation is 7.
4. 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 areas legally described as in Exhibit A are contained in this Joint Resolution, and that no consideration by Office of Administrative Hearings-Municipal Boundary Adjustments is necessary. Upon the execution and filing of this Joint Resolution, Office of Administrative Hearings-Municipal Boundary Adjustments may review and comment thereon, but shall, within 30 days of receipt of this Joint Resolution, order the annexation of the area legally described in Exhibit A in accordance with the terms and conditions contained in this Joint Resolution.
5. The City of Marshall and the Town of Lake Marshall have agreed, pursuant to Minnesota Statutes, Section 414.036, that with respect to property taxes payable on the area legally described in Exhibit A, hereby annexed, the City of Marshall shall make a cash payment to the Town of Lake Marshall in the first

hereby annexed, the City of Marshall shall make a cash payment to the Town of Lake Marshall in the first year following the year the City of Marshall could first levy on the annexed area, an amount equal to \$13,210.68.

6. That pursuant to Minnesota Statutes, Section 414.036 with respect to any special assessments assigned by the Township to the annexed property for the area legally described in Exhibit A, there are no special assessments or debt incurred by the Township on the subject area for which reimbursement is required.
7. The City and Township agree that upon adoption and execution of this Joint Resolution, the City shall file the same with the Office of Administrative Hearings-Municipal Boundary Adjustments.
8. In the event there are errors, omissions or any other problems with the legal descriptions provided in Exhibit A in the judgment of the Office of Administrative Hearings-Municipal Boundary Adjustments, the City and Township agree to make such corrections and file any additional documentation, including a new Exhibit A making the corrections requested or required by the Office of Administrative Hearings-Municipal Boundary Adjustments as necessary to make effective the annexation of said area in accordance with the terms of this Joint Resolution.

Passed, adopted, and approved by the Township Board of Supervisors of the Township of Lake Marshall, Lyon County, Minnesota, this 8 day of May, 2012.

TOWNSHIP OF LAKE MARSHALL

By: Joe Verkinderen
Joe Verkinderen, Chair

ATTEST:

Sandra Nelson

Sandra Nelson, Township Clerk

Passed, adopted, and approved by the City Council of the City of Marshall, Lyon County, Minnesota, this 22nd day of May, 2012.

CITY OF MARSHALL

By: Robert J. Byrnes
Robert J. Byrnes, Mayor

ATTEST:

Thomas M. Meulebroeck
Thomas M. Meulebroeck, City Clerk

EXHIBIT A

REC'D BY
MBA

JUN 04 2012

A tract of land located in Northeast Quarter of Section 7, Township 111 North, Range 41 West, Lyon County, Minnesota, being more particularly described as follows:

Beginning at the northwest corner of the East Half of the Northeast Quarter of said Section 7, said point being located on the current Corporate Limits line of the City of Marshall; thence south along the westerly line of said East Half of the Northeast Quarter to the north right-of-way line of the Burlington Northern Santa Fe Railroad; thence southeasterly perpendicular to said railroad right-of-way line, a distance of 100 feet more or less to the south right-of-way line of said railroad, said point being located on the northerly boundary of the current Corporate Limits line of the City of Marshall; thence easterly along the current Corporate Limits line of the City of Marshall to the east line of said Section 7; thence northerly along the east line of said Section 7, said line being the current Corporate Limits line of the City of Marshall, to the northeast corner of said Section 7; thence westerly along the north line of said Section 7, said line being the current Corporate Limits line of the City of Marshall, to the point of beginning.

Said tract containing 53.16 acres more or less.

AND

All that part of the Northeast Quarter of Section 7, Township 111 North, Range 41 West, Lyon County, Minnesota, being more particularly described as follows:

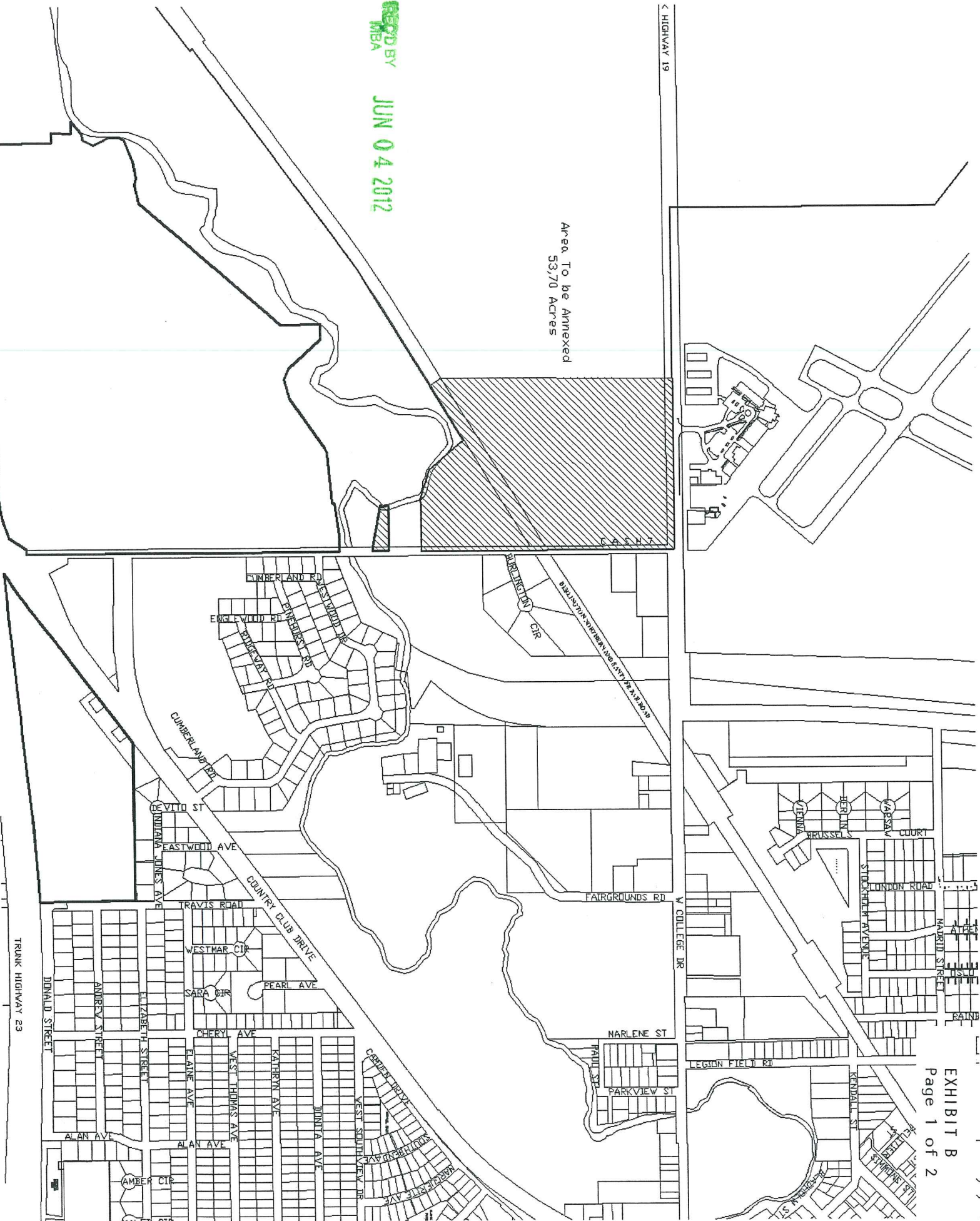
Commencing at the southeast corner of said Northeast Quarter; thence north 01 degrees 02 minutes 14 seconds East, along the east line of said Northeast Quarter and current Corporate Limits line of the City of Marshall, a distance of 443.15 feet to the true point of beginning; thence North 88 degrees 18 minutes 31 seconds West along the current Corporate Limits line of the City of Marshall, a distance of 353.11 feet to the current Corporate Limits line of the City of Marshall; thence southerly and easterly along the current Corporate Limits line of the City of Marshall to the east line of said Section 7; thence northerly along said east line of said Section 7, the current Corporate Limits line of the City of Marshall, to the point of beginning.

Said tract containing 0.537 acres more or less.

RECD BY
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Area To be Annexed
53,70 Acres

< HIGHWAY 19



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TOTAL Acres Analyzed
53.16
1.037
53.697 Acres

