

JOINT RESOLUTION**IN THE MATTER OF THE ORDERLY ANNEXATION BETWEEN
THE CITY OF GRACEVILLE AND GRACEVILLE TOWNSHIP
PURSUANT TO MINNESOTA STATUTES SECTION 414.0325**

WHEREAS, the City of Graceville and Graceville Township designate for orderly annexation, the following described lands located within Graceville Township, County of Big Stone, State of Minnesota:

Lot C of the Northwest Quarter (NW 1/4), Section Ten (10), Township One Hundred Twenty-four (124), Range Forty-six (46), EXCEPT that part described as follows:

Hoffman's Addition, and Hoffman's Third Addition, Hoffman's Fourth Addition and Hoffman's Sixth Addition to the City of Graceville, AND EXCEPT The North 526' of said Lot C

WHEREAS, the City of Graceville and Graceville Township are in agreement as to the orderly annexation of the unincorporated land described; that both believe it to be to their benefit and to the benefit of their respective residents; and

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

WHEREAS, all the property owners of the property designated for annexation have joined in a petition in the annexation of the property to the City of Graceville and pursuant to Minnesota Statutes Section 414.0325, Subd. 1b, Notice of Intent is not required; and

WHEREAS, the City of Graceville and Graceville 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 alteration of the designated area is appropriate and no consideration by the Chief Administrative Law Judge is necessary. The Chief Administrative Law Judge may review and comment, but shall within thirty (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 Graceville and the Township Board of Graceville Township as follows:

1. **(Property)**. That the following described lands in Graceville Township are subject to orderly annexation pursuant to Minnesota Statutes Section 414.0325, and that the parties hereto designate those areas for orderly annexation, for the property located in Big Stone County, Minnesota, to-wit:

Lot C of the Northwest Quarter (NW 1/4), Section Ten (10), Township One Hundred Twenty-four (124), Range Forty-six (46), EXCEPT that part described as follows:

Hoffman's Addition, and Hoffman's Third Addition, Hoffman's Fourth Addition and Hoffman's Sixth Addition to the City of Graceville, AND EXCEPT The North 526' of said Lot C

2. (**Acreage/Population/Usage**). That the designated area consists of approximately ten (10) acres, the population in the subject area is "0", and the land use type is potentially residential.

3. (**Jurisdiction**) That Graceville Township and the City of Graceville, by submission of this joint resolution to the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, confers jurisdiction upon the Chief Administration Law Judge 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 Graceville is capable of providing service to this area within a reasonable time, the annexation would be in the best interest of the area.

5. (**Conditions**):

Phases:

Timing: Immediate

Initiating Triggers: Purchase of part of the property for residential purposes.

Local Procedures:

Provision of Services: City will provide water and sewer to individuals who build on said real property, subject to assessments and agreement with the property owners

Other Intergovernmental Agreements:

6. (**Planning**). Minnesota Statutes Section 414.0325, Subd. 5 (as amended) requires parties to identify which statutory planning option they have agreed will govern the designated area, or if the parties have agreed to some other process within the orderly annexation agreement to accomplish planning and land use control over the designated area. The Township of Graceville has no zoning or subdivision ordinance and agrees that the City of Graceville will have jurisdiction of the same. The County of Big Stone will permit the City of Graceville to enforce its own zoning and planning control over the annexed property.

7. **(Municipal Reimbursement).** Minnesota Statutes Section 414.036
- a. **Reimbursement to Towns for lost taxes on annexed property.**
The parties agree to no reimbursement for lost taxes.

- b. **Assessments and Debts.**
That pursuant to Minnesota Statutes Section 414.036 with respect to any special assessment assigned by the Township to the annexed property and any portion of debt incurred by the Township prior to the annexation and attributable to the property to be annexed, but for which no special assessments are outstanding, for the area legally described (herein or attached exhibit) there are no special assessments or debt.

8. **(Review and Comment).** The City of Graceville and Graceville Township agree that upon receipt of this resolution, passed and adopted by each party, the Chief Administrative Law Judge may review and comment, but shall within thirty (30) days, order the annexation in accordance with the terms of the resolution.

Adopted by affirmative vote of all the members of the Graceville Township Board of Supervisors this 9th day of March, 2010.

ATTEST:

Clara Andrews
Township Clerk

GRACEVILLE TOWNSHIP

Jan Pauset
Chairperson

Adopted by affirmative vote of all the members of the City Council of the City of Graceville this 11 day of March, 2010.

ATTEST:

[Signature]
City Clerk

CITY OF GRACEVILLE

[Signature]
Mayor

Approved this 11th day of March 2010, 2010

Drafted by:
William J. Watson
Graceville City Attorney
37 Northwest Second Street
Ortonville, MN 56278
(320)839-6197

**PROPERTY OWNERS PETITION TO MUNICIPALITY
FOR ANNEXATION OF TOWNSHIP PROPERTY**

**IN THE MATTER OF THE ORDERLY ANNEXATION BETWEEN
THE CITY OF GRACEVILLE AND GRACEVILLE TOWNSHIP
PURSUANT TO MINNESOTA STATUTES SECTION 414.0325**

TO: City Council of the City of Graceville, Minnesota AND Graceville Township Board of Supervisors

PETITIONERS STATE:

1. The real property that is the subject of this action is located in Big Stone County, Minnesota, legally described as follows:

Lot C of the Northwest Quarter (NW 1/4), Section Ten (10), Township One Hundred Twenty-four (124), Range Forty-six (46), EXCEPT that part described as follows:

Hoffman's Addition, and Hoffman's Third Addition, Hoffman's Fourth Addition and Hoffman's Sixth Addition to the City of Graceville, AND EXCEPT The North 526' of said Lot C

2. The owners of the above-described real property are:

Arlis J. Schmitz
Phyliss A. Saxton
Vicki L. Stange
Sharon K. Schneider
Gary L. Hoffman
Diane E. Vollmers

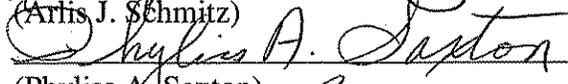
3. The owners of the above-described real property do hereby petition the Township of Graceville and the City of Graceville for orderly annexation of the property set forth above, waiving any right to notice of hearing. Further, the property owners herein ask for an Order of Annexation into the City of Graceville as provided for by law.

March 3, 2010



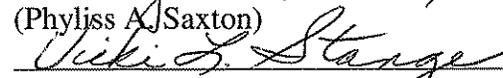
(Arlis J. Schmitz)

March 6, 2010



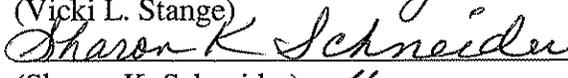
(Phyliss A. Saxton)

March 6, 2010



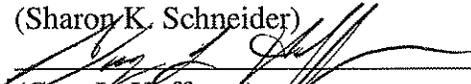
(Vicki L. Stange)

March 6, 2010



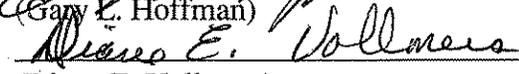
(Sharon K. Schneider)

March 3, 2010



(Gary L. Hoffman)

March 10, 2010



(Diane E. Vollmers)

4
257

AUDITORS PLAT OF

REC'D BY MBA APR 19 2010

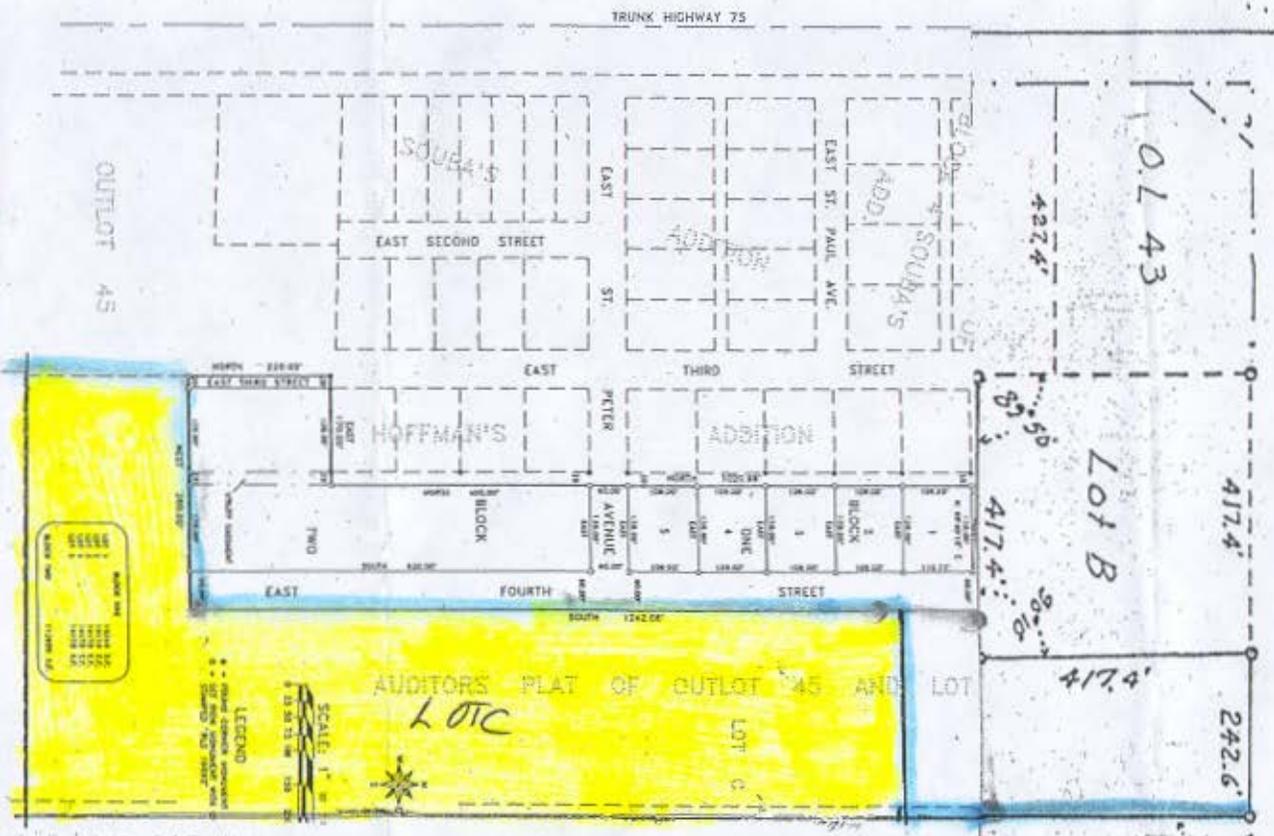
OUTLOT 45 AND LOT C OF THE NW 1/4 OF SECTION 10

Filed Nov. 29, 1977, at T124N - R 46W
4 P.M., and recorded in SCALE 1" = 300'

Book 4 of Plats, Page 257.
FLOYD H. FOLKENS, County Recorder

Big Stone County, Minn.
By Richard Latta Deputy T. H. 28

N.
current boundary
City of Graceville
area to be annexed



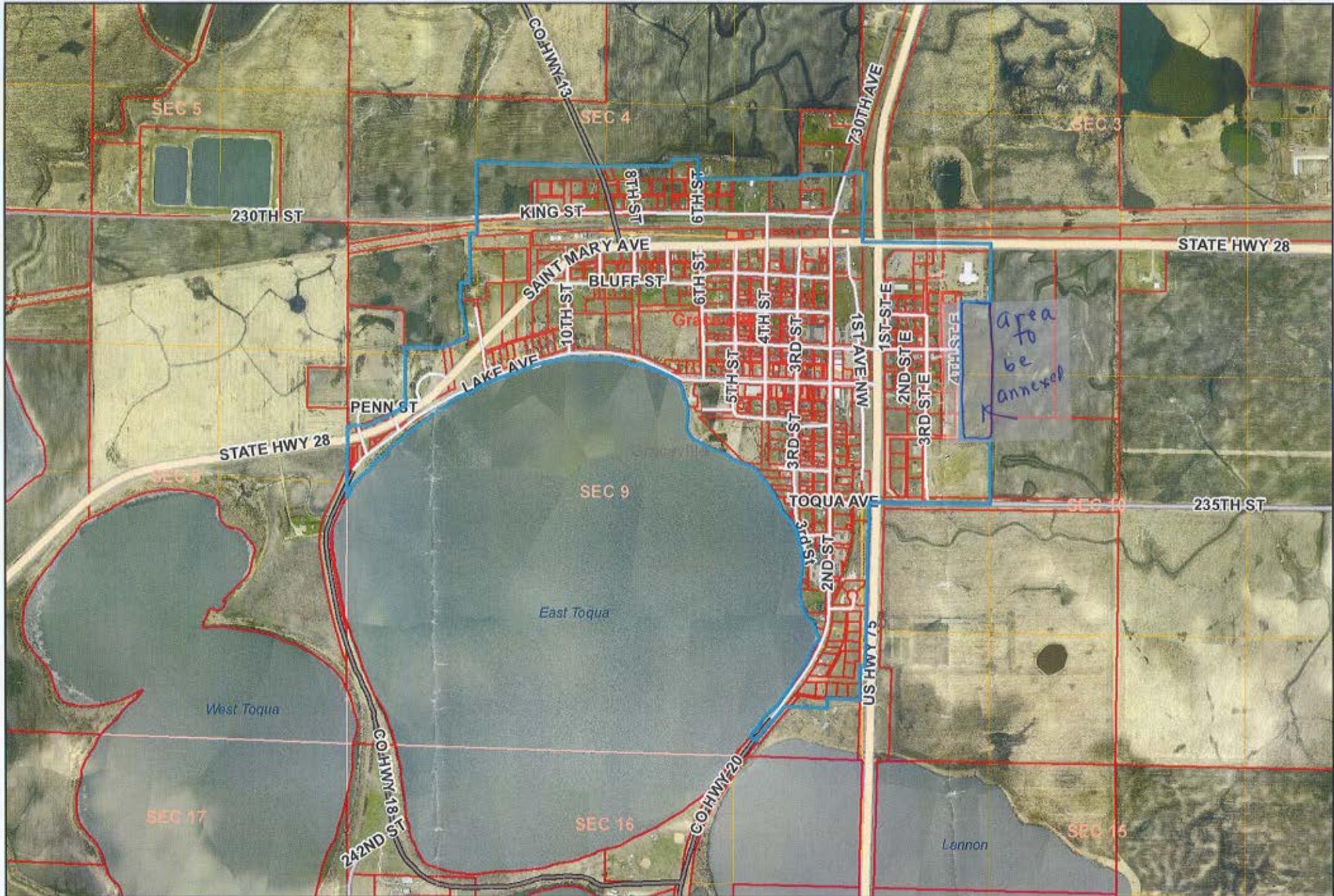
957.7
10.2 AC.
Outlot
660.0
957.7
660.0
Outlot A

beginning at the NW corner of Lot B of section 10, T124N-R 46W, thence easterly along the north boundary of said Lot B for a distance of 417.4' to the point of beginning, thence continue easterly on the same course a distance of 242.6', thence deflect to the right 90° 21' for a distance of 1919.6', thence deflect to the right 90° 07' for a distance of 1919.6', thence deflect to the left 90° 21' for a distance of 660.0', thence deflect to the right 90° 21' for a distance of 424.4', thence deflect to the right 90° 21' for a distance of 957.7' thence deflect to the right 91° 35' for a distance of 231.0', thence deflect to the left 88° 25' for a distance of 189.8', thence deflect to the right 91° 35' for a distance of 192.8', thence deflect to the left 91° 22' for a distance of 1013.4', thence deflect to the right 89° 50' for a distance of 17.4', thence deflect to the left 89° 50' for a distance of 417.4' to the point of ending. This tract of land to be known as Lot C of the NW 1/4 of section 10 4N-R46W and contains 25.0 Acres, and Outlot 45 Village of Graceville, and contains 10.2 Acres.

I hereby certify that this plat was made from a survey made by me, and that distances and angles shown hereon are correct.

October 20, 1977

Mont Spasche
Reg No: 1943



City Boundary Map Graceville

REC'D BY
MBA APR 19 2010

4/16/2010 8:47:52 AM

These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.