

JOINT RESOLUTION FOR ORDERLY ANNEXATION BETWEEN  
THE TOWN OF BLOOMING PRAIRIE AND THE CITY OF BLOOMING  
PRAIRIE

RECITALS

- A. The Town of Blooming Prairie (the "Town") and the City of Blooming Prairie (the "City") both of Steele County, Minnesota, agree on the orderly annexation of certain real property described in this resolution for orderly and planned services to the community.
- B. The property proposed to be annexed is not already part of another city, and it adjoins and is contiguous to the City (see attached map).
- C. All owners of the property proposed to be annexed have petitioned the City for annexation.
- D. An orderly annexation of the proposed property is in the best interest of the area proposed for annexation.

RESOLUTION

In consideration of this resolution's mutual terms and conditions, the Town and City jointly resolve and enter into this Joint Resolution for Orderly Annexation (the "Joint Resolution") as follows:

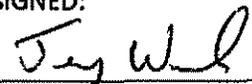
1. Designation of Orderly Annexation Area. The Town and City designate the area set forth on the map attached as Exhibit A and the legal description of the property attached as Exhibit B (the "Designated Property") as subject to orderly annexation pursuant to Minnesota Statutes Section 414.0325.
2. Office of Administrative Hearings Jurisdiction. Upon approval by the Town Board and City Council, this Joint Resolution shall confer jurisdiction upon the Office of Administrative Hearings to approve annexation of the designated property pursuant to Minnesota Statutes Section 414.0325.
3. No Alteration of Boundaries. The Town and City agree and state that no alterations by the Office of Administrative Hearings of the Designated Property's stated boundaries is appropriate.

4. **Office of Administrative Hearings Review and Comment.** The Town and City agree and state that this Joint Resolution sets forth all the conditions for annexation of the designated property, and no consideration by the Office of Administrative Hearings is necessary. The Office of Administrative Hearings may review and comment, but shall order the annexation of the designated property according to this Joint Resolution's terms within thirty (30) days of the Office of Administrative Hearings' receipt of this Joint Resolution.
5. **Planning and Land Use Control Authority.** Upon the annexation's effective date, the City's zoning regulations and land use controls shall govern the Designated Property.
6. **Acreage and Population.** The Designated Property consists of 1.24 acres, more or less and has a current population of 0.
7. **Authorization.** The Town and City have authorized the appropriate officers to carry this Joint Resolution's terms into effect.
8. **Modification.** The Town and City may modify, amend or terminate this Joint Resolution only by a mutually signed, written agreement.
9. **Severability.** A determination by any court of competent jurisdiction that any provision of this Joint Resolution is invalid, illegal or unenforceable shall not affect the validity of this Joint Resolution's other provisions. If any of this Joint Resolution's provisions is inapplicable to any person or circumstances, it shall still remain applicable to all other persons or circumstances.
10. **Tax Pay Back.** The City shall pay to Town in two (2) payments 1) December 2010 and 2) January 2011 the sum of Four Hundred (\$400.00) Dollars.
11. **Effective Date.** This Joint Resolution shall be effective from the date of the Office of Administrative Hearings' order calling for the Designated Property's annexation to the City.
12. **Governing Law.** Minnesota law will govern this Agreement.

The Town of Blooming Prairie Board of Supervisors adopts this Joint Resolution on the 6th day of July, 2010.

**Town of Blooming Prairie**

SIGNED:

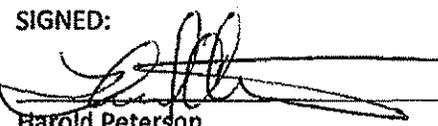
  
\_\_\_\_\_  
Jerry Wenzel  
Board of Supervisors, Chairperson

ATTEST:

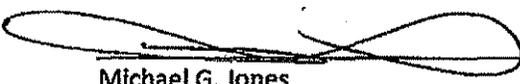
  
\_\_\_\_\_  
Melissa Anderson  
Town Clerk

**City of Blooming Prairie**

SIGNED:

  
\_\_\_\_\_  
Harold Peterson  
Mayor

ATTEST:

  
\_\_\_\_\_  
Michael G. Jones  
City Administrator

## EXHIBIT C

## LEGAL DESCRIPTION

All That part of the Southeast Quarter of the Northeast Quarter of Section 36, Township 105 North, Range 19 West, Steele County, Minnesota, described as follows:

Commencing at the point of beginning of a tract described in a Warranty Deed to Farmers Cooperative Elevator Association recorded in Book 135 of Deeds, page 75 in the Office of the Steele County Recorder, hereinafter referred to as Tract A;

thence South 89° 48'43" West a distance of 290.00 feet, on the North line of said Tract A, assuming a bearing of North 89° 51'02" East on the North line of said NE ¼, to the point of beginning;

thence South 00° 11'17" East a distance of 150.00 feet, on the West line of said Tract A;

thence South 89° 48'43" West a distance of 361.00 feet;

thence North 00° 11'17" West a distance of 150.00 feet, to a point on the westerly extension of the North line of said Tract A;

thence North 89° 48'43" East a distance of 360.95 feet, on the westerly extension of the north line of said Tract A, to the point of beginning.

END OF EXHIBIT C

EXHIBIT "B"

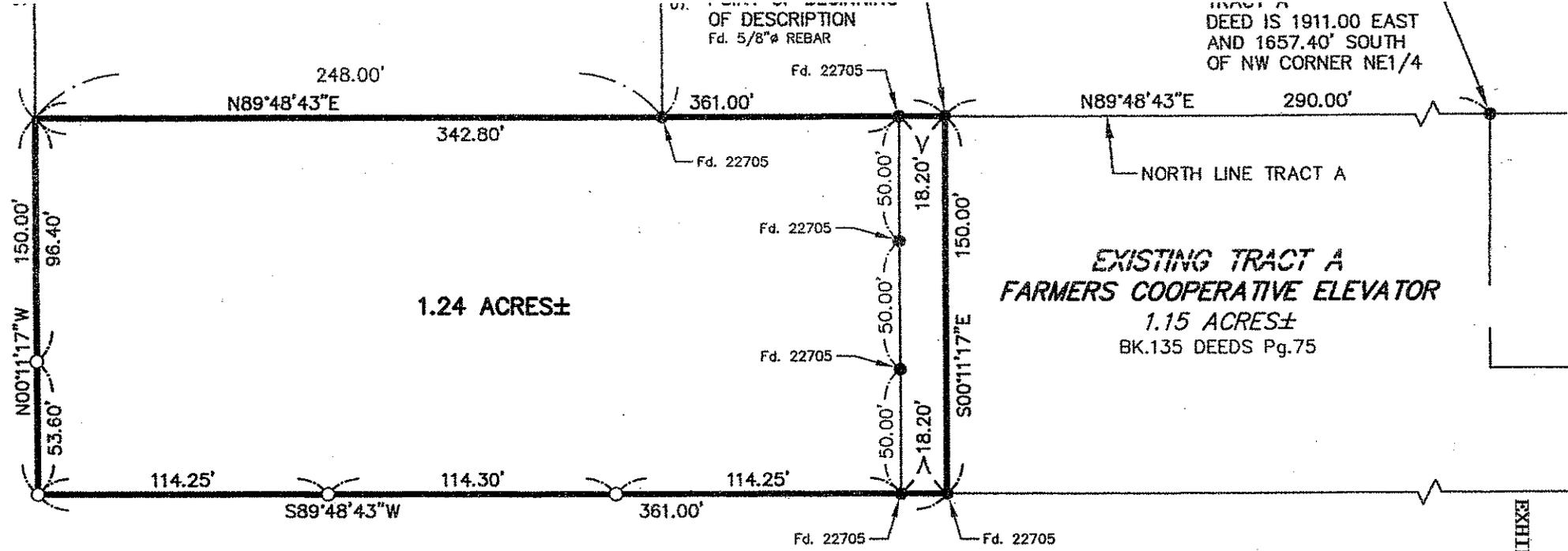


EXHIBIT "B"

COPYRIGHT  
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REC'D BY  
 MBA  
 SEP 15 2010

<p><b>LOCATION MAP</b></p> <p>Scale: 1"=4000'</p>	<p><b>MONUMENTS</b></p> <ul style="list-style-type: none"> <li>○ = 5/8" x 16" iron stake monument (Capped RLS 22705)—Placed</li> <li>● = Iron stake monument—Found</li> <li>⊗ = DRILL HOLE</li> </ul> <p><b>SURVEY FOR:</b>  <b>TOM VAVRA</b></p> <p>Date of survey: 12-09-09        Revised date: —        Drawn by: ADM Survey: SJT/SEO        Book: — Page: —        Coord-System: MNDOT CO. NAD83 (96)        Job No: 09-419</p>	<p>I hereby certify that this survey, plan, or report        was prepared by me or under my direct supervision        and that I am a duly Licensed Land Surveyor under        the laws of the State of Minnesota.</p> <p></p> <p>STEVEN J. THOMPSON        Date: 12-31-09 Reg. No. 22705</p> <p><b>JONES, HAUGH &amp; SMITH INC.</b>        Civil Engineers &amp; Land Surveyors        Albert Lea, Minnesota</p>
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EXHIBIT "A"

Search Print Options

Help Disclaimer

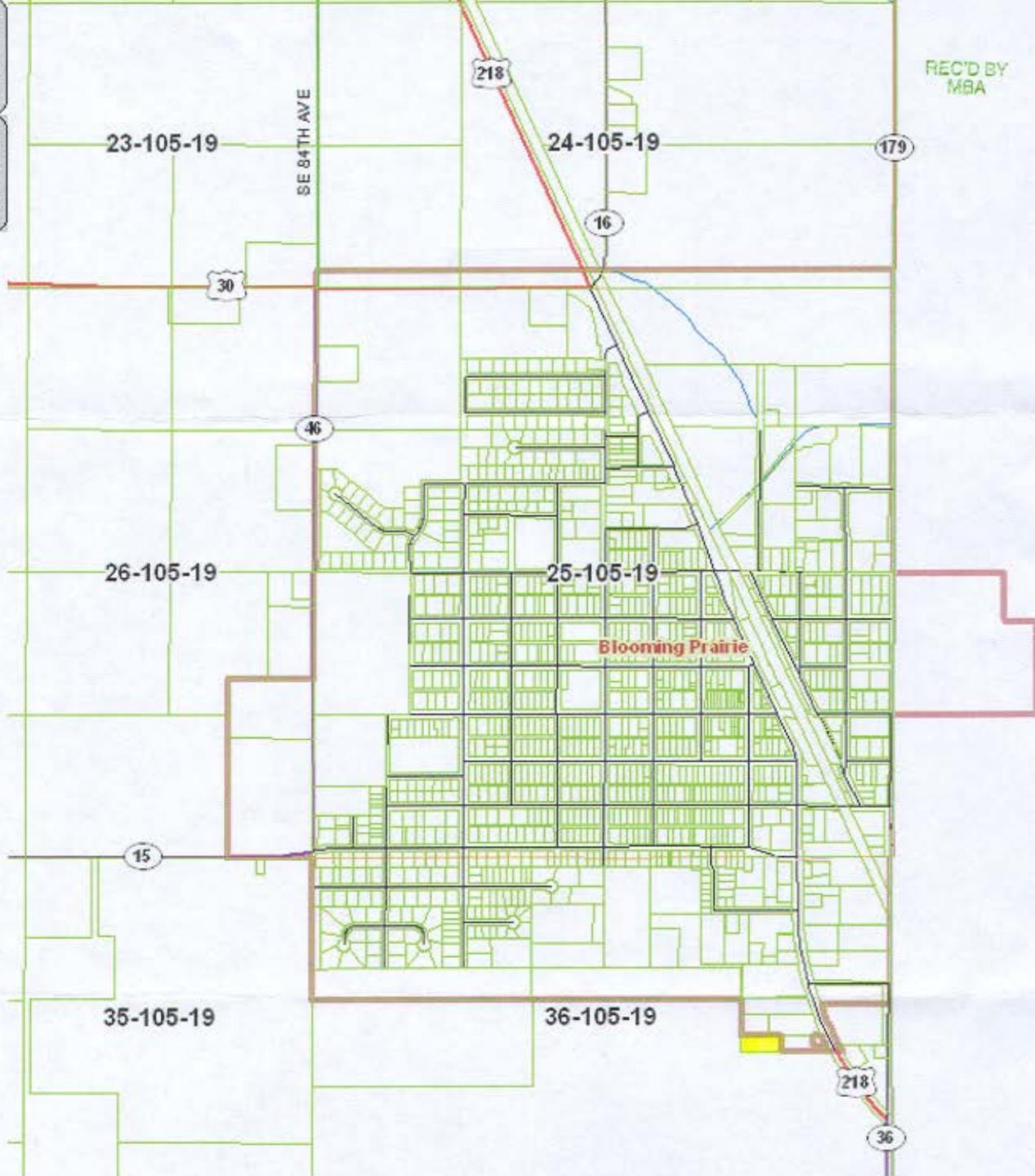


Steele County MN  
WebFusion



Overview  
Map Layers

REC'D BY  
MBA  
SEP 15 2010



Table

EXHIBIT "A"

Scale 1:17402

No Features Selected

Click and drag on map to move the view area