

CITY OF ZIMMERMAN RESOLUTION #12-06-05

LIVONIA TOWNSHIP RESOLUTION # 12-15**JOINT RESOLUTION FOR DESIGNATION OF CERTAIN LAND AND THE
IMMEDIATE ANNEXATION OF ENTIRE DESIGNATED AREA.****IN THE MATTER OF THE ORDERLY ANNEXATION BETWEEN
THE CITY OF ZIMMERMAN AND LIVONIA TOWNSHIP
PURSUANT TO MINNESOTA STATUTES § 414.0325**

WHEREAS, on May 19, 2012 a Notice of Intent to include property in an orderly annexation area was published pursuant to the requirements of Minnesota Statutes § 414.0325 Subd. 1b; and

WHEREAS, the City of Zimmerman and Livonia Township jointly agree to designate and request the immediate annexation of the following described land located within Livonia Township to the City of Zimmerman, County of Sherburne, Minnesota; and

See Exhibit A.

WHEREAS, the City of Zimmerman and Livonia Township are in agreement as to the orderly annexation of the unincorporated land described; and

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

WHEREAS, the City of Zimmerman and Livonia Township have agreed to all the terms and conditions for the annexation of the above-described lands; 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 Zimmerman and the Township Board of Livonia Township as follows:

1. **Property.** That the following described land is subject to orderly annexation pursuant to Minnesota Statutes § 414.0325, and that the parties hereto designate the area for orderly annexation; and agree that the land be immediately annexed:

See Exhibit A.

2. **Acreage/Population/Usage.** That the orderly annexation area consists of approximately 0.48 acres, the population in the area is 0, and the land use type is road or street right of way.

3. **Jurisdiction.** That Livonia Township and the City of Zimmerman, by submission of this joint resolution to the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, confers jurisdiction upon the Chief Administrative Law Judge so as to accomplish said orderly annexation in accordance with the terms of this resolution.

4. **Municipal Reimbursement.** Minnesota Statutes § 414.036.

a. Reimbursement to Towns for lost taxes on annexed property.

The City of Zimmerman and Livonia Township agree that no reimbursement is necessary as the property is and shall remain road or street right of way.

b. Assessments and Debt.

That pursuant to Minnesota Statutes § 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.

5. **Review and Comment.** The City of Zimmerman and Livonia 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 Livonia Township Board of Supervisors this 25th day of June, 2012.

LIVONIA TOWNSHIP

ATTEST:

By: Don Sherper
Don Sherper, Chairperson
Board of Supervisor

By: Lila Spencer
Lila Spencer, Township Clerk

JUL 20 2012

Adopted by affirmative vote of the City Council of Zimmerman this 4th day of June, 2012.

CITY OF ZIMMERMAN

ATTEST:

By: David Earenfight
David Earenfight, Mayor

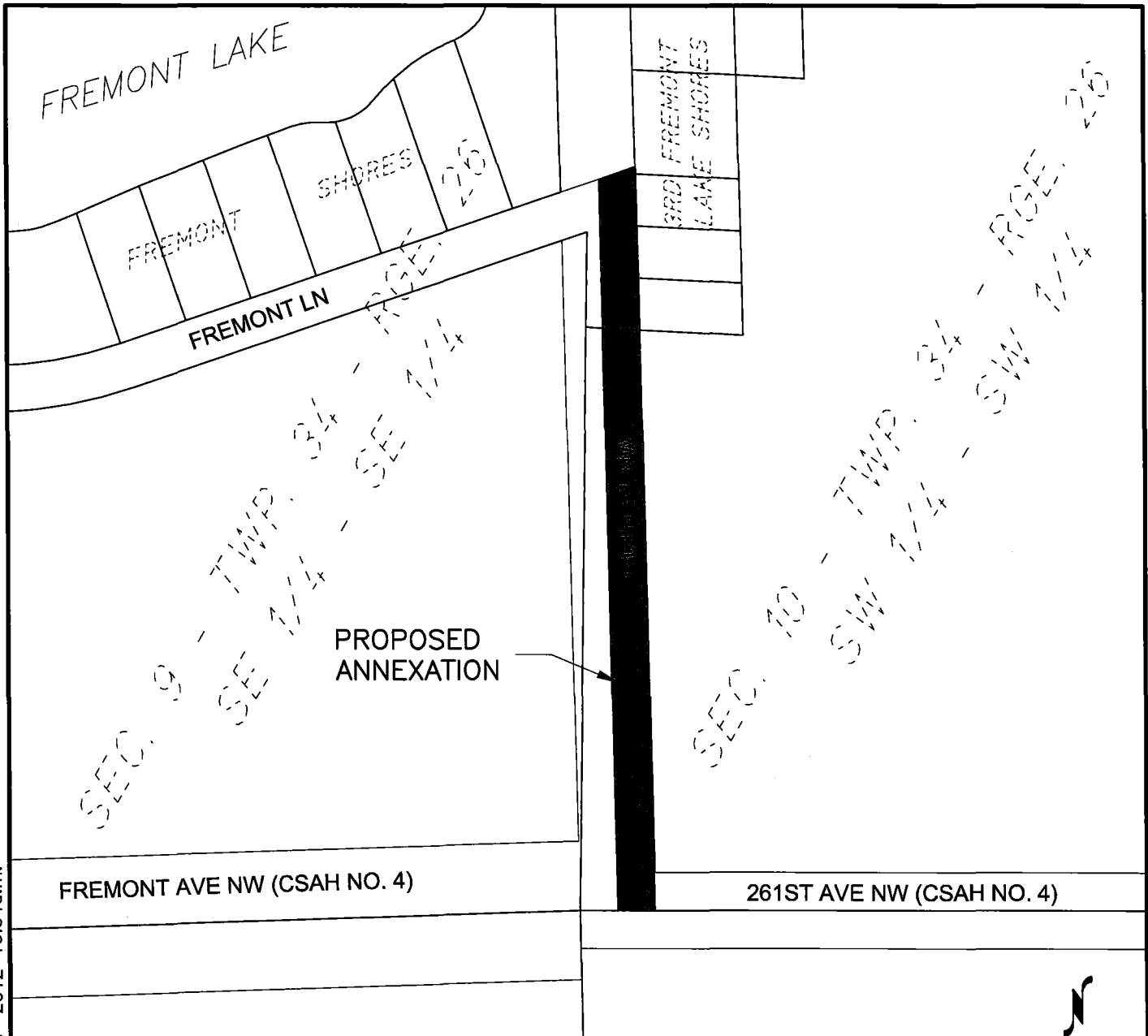
By: Randy Piasecki
Randy Piasecki, City Administrator

EXHIBIT A

REC'D BY
MBA

JUL 20 2012

That part of the right-of-way of 120th Street Northwest located in the Southwest Quarter of the Southwest Quarter of Section 10, Township 34, Range 26, and in the Southeast Quarter of the Southeast Quarter of Section 9, Township 34, Range 26, all in Sherburne County, Minnesota, lying easterly of the centerline of said 120th Street Northwest, lying westerly of a line 33.00 feet easterly of and parallel with said centerline, and lying southerly of the northerly right-of-way line, and its easterly extension, of Fremont Lane, as delineated and dedicated in FREMONT SHORES, according to the recorded plat thereof, said Sherburne County. The easterly and westerly lines of the area described above shall be prolonged or shortened to terminate at the south line of said Southwest Quarter of the Southwest Quarter.

**PROPOSED ANNEXATION DESCRIPTION:**

That part of the right-of-way of 120th Street Northwest located in the Southwest Quarter of the Southwest Quarter of Section 10, Township 34, Range 26, and in the Southeast Quarter of the Southeast Quarter of Section 9, Township 34, Range 26, all in Sherburne County, Minnesota, lying easterly of the centerline of said 120th Street Northwest, lying westerly of a line 33.00 feet easterly of and parallel with said centerline, and lying southerly of the northerly right-of-way line, and its easterly extension, of Fremont Lane, as delineated and dedicated in FREMONT SHORES, according to the recorded plat thereof, said Sherburne County. The easterly and westerly lines of the area described above shall be prolonged or shortened to terminate at the south line of said Southwest Quarter of the Southwest Quarter.

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PROPOSED ANNEXATION EXHIBIT
ZIMMERMAN, MN**BOLTON & MENK, INC.**
Consulting Engineers & Surveyors

7533 SUNWOOD DRIVE, RAMSEY, MN 55303 (763) 433-2851
MANKATO, MN FAIRMONT, MN SLEEPY EYE, MN BURNSVILLE, MN
WILLMAR, MN CHASKA, MN RAMSEY, MN AMES, IA

PARTS OF
SW 1/4 OF SW 1/4, S10-T34-R26
SE 1/4 OF SE 1/4, S9-T34-R26
SHERBURNE COUNTY, MN

FOR: CITY OF ZIMMERMAN

