JOINT RESOLUTION

IN THE MATTER OF THE ORDERLY ANNEXATION BETWEEN THE CITY OF IVANHOE AND THE TOWNSHIP OF ROYAL DESIGNATING UNINCORPORATED AREAS AS IN NEED OF ORDERLY ANNEXATION PURSUANT TO MINNESOTA STATUTES §414.0325

WHEREAS, Velva Sovell, the only fee simple owner of that tract of land described as "Tract One" herein, has petitioned the City of Ivanhoe and Royal Township for the annexation to the City of Ivanhoe of that property located in the Township of Royal, County of Lincoln, State of Minnesota, described as follows:

Tract One

All that part of the Southwest Quarter of the Southwest Quarter of Section 35, Township 112 North, Range 45 West, Lincoln County, Minnesota, being more particularly described as follows:

Commencing at the southwest corner of said Southwest Quarter; thence North 00 degrees 16 minutes 12 seconds East, bearing based on Lincoln County Coordinate System, along the west line of said Southwest Quarter, a distance of 75.00 feet, to the northerly right of way line of Minnesota Trunk Highway Number 19; thence South 89 degrees 39 minutes 59 seconds East, along said northerly right of way line, a distance of 716.45 feet; thence North 00 degrees 16 minutes 12 seconds East, parallel with the west line of said Southwest Quarter, a distance of 304.00 feet; thence North 89 degrees 39 minutes 59 seconds West, parallel with the south line of said Southwest Quarter, a distance of 108.15 feet, to the point of beginning; thence continuing North 89 degrees 39 minutes 59 Seconds West, parallel with said south line, a distance of 608.30 feet, to a point on the west line of said Southwest Quarter; thence North 00 degrees 16 minutes 12 seconds East, along said west line, a distance of 460.00 feet; thence South 85 degrees 55 minutes 45 seconds East a distance of 577.00 feet; thence South 00 degrees 00 minutes 00 seconds East a distance of 256.22 feet; thence North 90 degrees 00 minutes 00 seconds East a distance of 30.58 feet; thence South 00 degrees 00 minutes 00 seconds East a distance of 166.35 feet, to the point of beginning.

and,

WHEREAS, The City of Ivanhoe is the only fee simple owner of that property described as "Tract Two" herein, and said City of Ivanhoe and Royal Township agree to have said "Tract

Two" annexed into the City of Ivanhoe for that property located in the Township of Royal, County of Lincoln, State of Minnesota, described as follows:

Tract Two

All that part of the Southwest Quarter of Section 35, Township 112 North, Range 45 West, Lincoln County, Minnesota, being more particularly described as follows:

Commencing at the southwest corner of said Southwest Quarter; thence North 00 degrees 16 minutes 12 seconds East, bearing based on Lincoln County Coordinate System, along the west line of said Southwest Quarter, a distance of 75.00 feet, to the northerly right of way line of Minnesota Trunk Highway Number 19; thence South 89 degrees 39 minutes 59 seconds East, along said northerly right of way line, a distance of 716.45 feet; thence North 00 degrees 16 minutes 12 seconds East, parallel with the west line of said Southwest Quarter, a distance of 304.00 feet; thence North 89 degrees 39 minutes 59 seconds West, parallel with the south line of said Southwest Quarter, a distance of 716.45 feet, to a point on the west line of said Southwest Quarter; thence North 00 degrees 16 minutes 12 seconds East, along said west line, a distance of 460.00 feet to the point of beginning; thence South 85 degrees 55 minutes 45 seconds East a distance of 577.00 feet; thence North 00 degrees 16 minutes 12 seconds East a distance of 536.50 feet; thence North 89 degrees 43 minutes 49 seconds West a distance of 575.73 feet, to a point on the west line of said Southwest Quarter, said point also being 50 feet north and at right angles from the centerline of the main track (now removed) of the Minnesota and South Dakota Railway Company (now the Chicago and North Western Transportation Company); thence South 00 degrees 16 minutes 12 seconds West, along said west line, a distance of 498.25 feet, to the point of beginning.

EXCEPTING THEREFROM the north 192.69 feet.

Said tract is subject to any existing highways, roadways, or easements.

and,

WHEREAS, the City of Ivanhoe (the "City") and the Township of Royal (the "Township") are in agreement as to the orderly annexation of the unincorporated lands described; that both believe it will be to their mutual benefit and to that of their respective residents; and

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

WHEREAS, the City and the 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 consideration by the Office of the Administrative Hearings – Municipal Boundary Adjustments is necessary; that the Office may review and comment, but shall within 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 Ivanhoe and the Township Board of the Township of Royal as follows:

1. That the petition of Velva Sovell, the only fee simple owner of "Tract One", has filed a petition for the annexation to the City of Ivanhoe, and that the City of Ivanhoe is the only fee simple owner of that property described as "Tract Two", and both tracts in the Township of Royal are subject to orderly annexation pursuant to Minnesota Statutes §414.032, and that the parties hereto designate that area petitioned by Velva Sovell as Tract One and that area owned by the City of Ivanhoe as Tract Two for the orderly annexation, to-wit:

Tract One

All that part of the Southwest Quarter of the Southwest Quarter of Section 35, Township 112 North, Range 45 West, Lincoln County, Minnesota, being more particularly described as follows:

Commencing at the southwest corner of said Southwest Quarter; thence North 00 degrees 16 minutes 12 seconds East, bearing based on Lincoln County Coordinate System, along the west line of said Southwest Quarter, a distance of 75.00 feet, to the northerly right of way line of Minnesota Trunk Highway Number 19; thence South 89 degrees 39 minutes 59 seconds East, along said northerly right of way line, a distance of 716.45 feet; thence North 00 degrees 16 minutes 12 seconds East, parallel with the west line of said Southwest Quarter, a distance of 304.00 feet; thence North 89 degrees 39 minutes 59 seconds West, parallel with the south line of said Southwest Quarter, a distance of 108.15 feet, to the point of beginning; thence continuing North 89 degrees 39 minutes 59 Seconds West, parallel with said south line, a distance of 608.30 feet, to a point on the west line of said Southwest Quarter; thence North 00 degrees 16 minutes 12 seconds East, along said west line, a distance of 460.00 feet; thence South 85 degrees 55 minutes 45 seconds East a distance of 577.00 feet; thence South 00 degrees 00 minutes 00 seconds East a distance of 256.22 feet; thence North 90 degrees 00 minutes 00 seconds East a distance of 30.58 feet; thence South 00 degrees 00 minutes 00 seconds East a distance of 166.35 feet, to the point of beginning.

Tract Two

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All that part of the Southwest Quarter of Section 35, Township 112 North, Range 45 West, Lincoln County, Minnesota, being more particularly described as follows:

Commencing at the southwest corner of said Southwest Quarter; thence North 00 degrees 16 minutes 12 seconds East, bearing based on Lincoln County Coordinate System, along the west line of said Southwest Quarter, a distance of 75.00 feet, to the northerly right of way line of Minnesota Trunk Highway Number 19; thence South 89 degrees 39 minutes 59 seconds East, along said northerly right of way line, a distance of 716.45 feet; thence North 00 degrees 16 minutes 12 seconds East, parallel with the west line of said Southwest Ouarter, a distance of 304.00 feet; thence North 89 degrees 39 minutes 59 seconds West, parallel with the south line of said Southwest Quarter, a distance of 716.45 feet, to a point on the west line of said Southwest Quarter; thence North 00 degrees 16 minutes 12 seconds East, along said west line, a distance of 460.00 feet to the point of beginning; thence South 85 degrees 55 minutes 45 seconds East a distance of 577.00 feet; thence North 00 degrees 16 minutes 12 seconds East a distance of 536.50 feet; thence North 89 degrees 43 minutes 49 seconds West a distance of 575.73 feet, to a point on the west line of said Southwest Quarter, said point also being 50 feet north and at right angles from the centerline of the main track (now removed) of the Minnesota and South Dakota Railway Company (now the Chicago and North Western Transportation Company); thence South 00 degrees 16 minutes 12 seconds West, along said west line, a distance of 498.25 feet, to the point of beginning.

EXCEPTING THEREFROM the north 192.69 feet.

Said tract is subject to any existing highways, roadways, or easements.

It is therefore agreed that the following property be immediately annexed to the City of Ivanhoe, to-wit:

Tract One

All that part of the Southwest Quarter of the Southwest Quarter of Section 35, Township 112 North, Range 45 West, Lincoln County, Minnesota, being more particularly described as follows:

Commencing at the southwest corner of said Southwest Quarter; thence North 00 degrees 16 minutes 12 seconds East, bearing based on Lincoln County Coordinate System, along the west line of said Southwest Quarter, a distance of 75.00 feet, to the northerly right of way line of Minnesota Trunk Highway Number 19; thence South 89 degrees 39 minutes 59

seconds East, along said northerly right of way line, a distance of 716.45 feet; thence North 00 degrees 16 minutes 12 seconds East, parallel with the west line of said Southwest Quarter, a distance of 304.00 feet; thence North 89 degrees 39 minutes 59 seconds West, parallel with the south line of said Southwest Quarter, a distance of 108.15 feet, to the point of beginning; thence continuing North 89 degrees 39 minutes 59 Seconds West, parallel with said south line, a distance of 608.30 feet, to a point on the west line of said Southwest Quarter; thence North 00 degrees 16 minutes 12 seconds East, along said west line, a distance of 460.00 feet; thence South 85 degrees 55 minutes 45 seconds East a distance of 577.00 feet; thence South 00 degrees 00 minutes 00 seconds East a distance of 256.22 feet; thence North 90 degrees 00 minutes 00 seconds East a distance of 30.58 feet; thence South 00 degrees 00 minutes 00 seconds East a distance of 166.35 feet, to the point of beginning.

Tract Two

All that part of the Southwest Quarter of Section 35, Township 112 North, Range 45 West, Lincoln County, Minnesota, being more particularly described as follows:

Commencing at the southwest corner of said Southwest Quarter; thence North 00 degrees 16 minutes 12 seconds East, bearing based on Lincoln County Coordinate System, along the west line of said Southwest Quarter, a distance of 75.00 feet, to the northerly right of way line of Minnesota Trunk Highway Number 19; thence South 89 degrees 39 minutes 59 seconds East, along said northerly right of way line, a distance of 716.45 feet; thence North 00 degrees 16 minutes 12 seconds East, parallel with the west line of said Southwest Quarter, a distance of 304.00 feet; thence North 89 degrees 39 minutes 59 seconds West, parallel with the south line of said Southwest Quarter, a distance of 716.45 feet, to a point on the west line of said Southwest Quarter; thence North 00 degrees 16 minutes 12 seconds East, along said west line, a distance of 460.00 feet to the point of beginning; thence South 85 degrees 55 minutes 45 seconds East a distance of 577.00 feet; thence North 00 degrees 16 minutes 12 seconds East a distance of 536.50 feet; thence North 89 degrees 43 minutes 49 seconds West a distance of 575.73 feet, to a point on the west line of said Southwest Quarter, said point also being 50 feet north and at right angles from the centerline of the main track (now removed) of the Minnesota and South Dakota Railway Company (now the Chicago and North Western Transportation Company); thence South 00 degrees 16 minutes 12 seconds West, along said west line, a distance of 498.25 feet, to the point of beginning.

EXCEPTING THEREFROM the north 192.69 feet.

Said tract is subject to any existing highways, roadways, or easements.

- 2. That the designated area consists of approximately 5.96 acres in "Tract One" and 4.29 acres in "Tract Two". The population for area described as "Tract One" in the subject area is one, the population for the area described as "Tract Two" is none, and the land type is agricultural and residential to be zoned residential.
- 3. That the Township of Royal does, upon passage of this Resolution, and the City of Ivanhoe, does upon adoption by the City Council, and upon acceptance by the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, confer jurisdiction upon the Office of Administrative Hearings Municipal Boundary Adjustments so as to accomplish said orderly annexation in accordance with the terms of this Resolution.
- 4. That the above-described property is urban or suburban or about to become so, and since the City of Ivanhoe is capable of providing services to this area for city water, and other services, the annexation would be in the best interest of the area.
- 5. The Township of Royal agrees to exclude the area being annexed from its Zoning and Subdivision Ordinances, if any, and the City may extend its Zoning and Subdivision Regulations to the area being annexed. That the City shall obtain the agreement of the County of Lincoln to have the area being annexed excluded from the County's Zoning and Subdivision Ordinances and that the City may extend its Zoning and Subdivision Regulations to the area being annexed.
- 6. The tax capacity rate applicable to the property after annexation shall be increased to the tax capacity rate of the City of Ivanhoe.
 - 7. There shall be no reimbursement to the Township of Royal for lost taxes.
 - 8. That there are no special assessments attributable to the annexed property.
- 9. That the City of Ivanhoe is entitled to levy on the annexed property in 2012. That the following year the City of Ivanhoe shall be paid the property taxes on the annexed property.
- 10. The City of Ivanhoe and the Township of Royal agree that upon receipt of this Resolution, passed and adopted by each party, the Office of Administrative Hearings/Municipal Boundary Adjustments, or its successor, may review and comment, but shall, within thirty (30) days, order the annexation in accordance with the terms of this Resolution.

Adopted by affirmative vote of the City Council of Ivanhoe, this 25th day of June, 2012.

CITY OF IVANHOE

ATTEST:

By:

Doyle Sorensen

Mayor

Charmaine Lundberg

City Clerk

Adopted by affirmative vote of all the members of the Royal Township Board of Supervisors this 25th day of June, 2012.

TOWNSHIP OF ROYAL

David Lacek

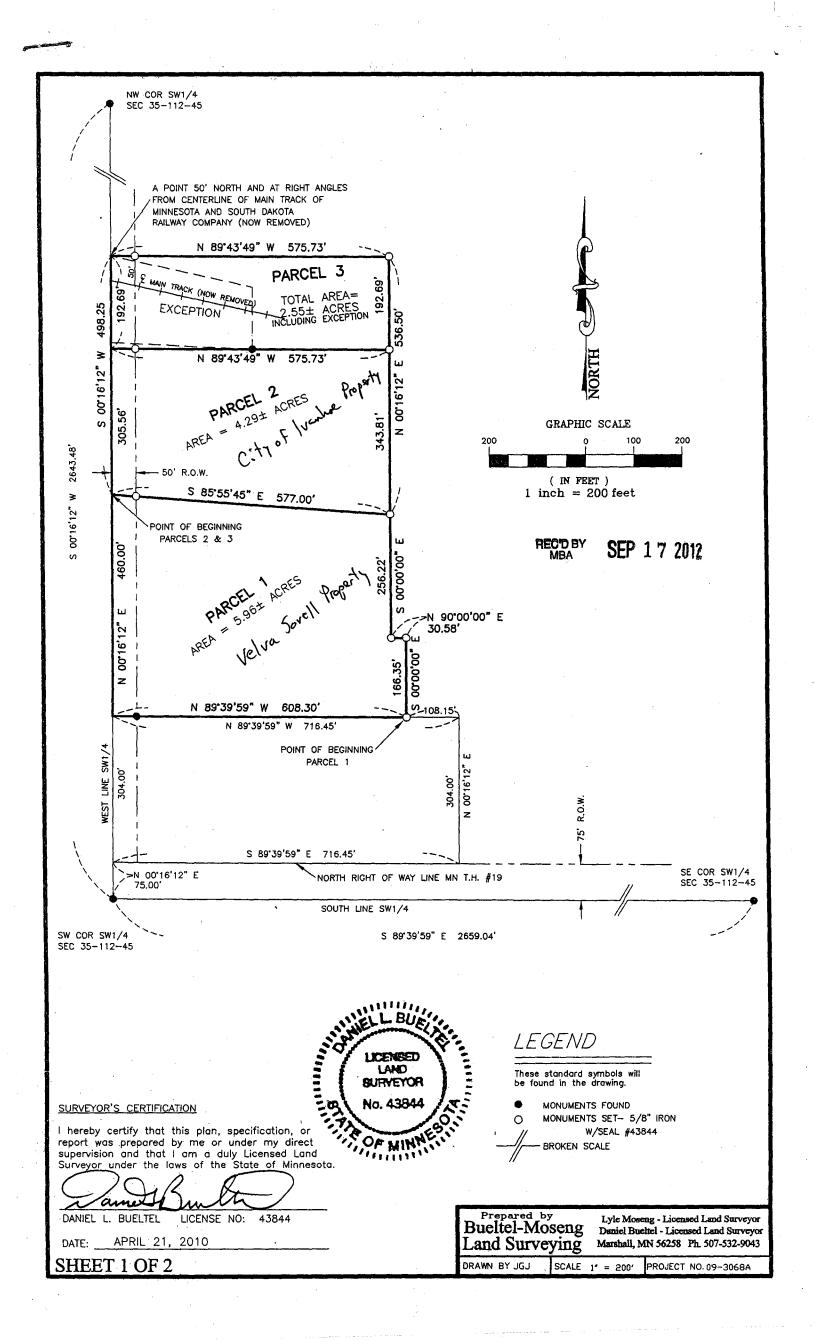
Chairperson

Board of Supervisors

Bv

Michelle Rybinski

Township Clerk



LAND DESCRIPTIONS

PARCEL 1

REC'D BY MBA

SEP 1 7 2012

All that part of the Southwest Quarter of the Southwest Quarter of Section 35, Township 112 North, Range 45 West, Lincoln County, Minnesota, being more particularly described as follows:

Commencing at the southwest corner of said Southwest Quarter; thence North 00 degrees 16 minutes 12 seconds East, bearing based on Lincoln County Coordinate System, along the west line of said Southwest Quarter, a distance of 75.00 feet, to the northerly right of way line of Minnesota Trunk Highway Number 19; thence South 89 degrees 39 minutes 59 seconds East, along said northerly right of way line, a distance of 716.45 feet; thence North 00 degrees 16 minutes 12 seconds East, parallel with the west line of said Southwest Quarter, a distance of 304.00 feet; thence North 89 degrees 39 minutes 59 seconds West, parallel with the south line of said Southwest Quarter, a distance of 108.15 feet, to the point of beginning; thence continuing North 89 degrees 39 minutes 59 seconds West, parallel with said south line, a distance of 608.30 feet, to a point on the west line of said Southwest Quarter; thence North 00 degrees 16 minutes 12 seconds East, along said west line, a distance of 460.00 feet; thence South 85 degrees 55 minutes 45 seconds East a distance of 577.00 feet; thence South 00 degrees 00 minutes 00 seconds East a distance of 166.35 feet; thence North 90 degrees 00 minutes 00 seconds East a distance of 166.35 feet, to the point of beginning.

Said tract is subject to any existing highways, roadways, or easements.

PARCEL 2

All that part of the Southwest Quarter of Section 35, Township 112 North, Range 45 West, Lincoln County, Minnesota, being more particularly described as follows:

Commencing at the southwest corner of said Southwest Quarter; thence North 00 degrees 16 minutes 12 seconds East, bearing based on Lincoln County Coordinate System, along the west line of said Southwest Quarter, a distance of 75.00 feet, to the northerly right of way line of Minnesota Trunk Highway Number 19; thence South 89 degrees 39 minutes 59 seconds East, along said northerly right of way line, a distance of 716.45 feet; thence North 00 degrees 16 minutes 12 seconds East, parallel with the west line of said Southwest Quarter, a distance of 304.00 feet; thence North 89 degrees 39 minutes 59 seconds West, parallel with the south line of said Southwest Quarter, a distance of 716.45 feet, to a point on the west line of said Southwest Quarter; thence North 00 degrees 16 minutes 12 seconds East, along said west line, a distance of 460.00 feet to the point of beginning; thence South 85 degrees 55 minutes 45 seconds East a distance of 577.00 feet; thence North 00 degrees 16 minutes 12 seconds East a distance of 576.50 feet; thence North 89 degrees 43 minutes 49 seconds West a distance of 575.73 feet, to a point on the west line of said Southwest Quarter, said point also being 50 feet north and at right angles from the centerline of the main track (now removed) of the Minnesota and South Dakota Railway Company (now the Chicago and North Western Transportation Company); thence South 00 degrees 16 minutes 12 seconds West, along said west line, a distance of 498.25 feet, to the point of beginning.

EXCEPTING THEREFROM the north 192.69 feet.

Said tract is subject to any existing highways, roadways, or easements.

PARCEL 3

The north 192.69 feet of the following described parcel:

All that part of the Southwest Quarter of Section 35, Township 112 North, Range 45 West, Lincoln County, Minnesota, being more particularly described as follows:

Commencing at the southwest corner of said Southwest Quarter; thence North 00 degrees 16 minutes 12 seconds East, bearing based on Lincoln County Coordinate System, along the west line of said Southwest Quarter, a distance of 75.00 feet, to the northerly right of way line of Minnesota Trunk Highway Number 19; thence South 89 degrees 39 minutes 59 seconds East, along said northerly right of way line, a distance of 716.45 feet; thence North 00 degrees 16 minutes 12 seconds East, parallel with the west line of said Southwest Quarter, a distance of 304.00 feet; thence North 89 degrees 39 minutes 59 seconds West, parallel with the south line of said Southwest Quarter, a distance of 716.45 feet, to a point on the west line of said Southwest Quarter; thence North 00 degrees 16 minutes 12 seconds East, along said west line, a distance of 460.00 feet to the point of beginning; thence South 85 degrees 55 minutes 45 seconds East a distance of 577.00 feet; thence North 00 degrees 16 minutes 12 seconds East a distance of 557.00 feet; thence North 89 degrees 43 minutes 49 seconds West a distance of 575.73 feet, to a point on the west line of said Southwest Quarter, said point also being 50 feet north and at right angles from the centerline of the main track (now removed) of the Minnesota and South Dakota Railway Company (now the Chicago and North Western Transportation Company); thence South 00 degrees 16 minutes 12 seconds West, along said west line, a distance of 498.25 feet, to the point of beginning.

EXCEPTING THEREFROM THE FOLLOWING RECORDED DESCRIBED PARCEL: (Doc. No. 153328)

A tract of land lying in the Southwest Quarter (SW 1/4) of Section Thirty-five (35), Township One Hundred twelve (112) North, Range Forty-five (45) West of the 5th Principal Meridian, as described as follows, to-wit: Beginning at the point of intersection of the centerline of the main track (now removed) of the Minnesota and South Dakota Railway Company (now the Chicago and North Western Transportation Company), as said main track centerline was originally located and established over and across Section 35, Township 112 North, Range 45 West of the 5th Principal Meridian, and the west line of said Section 35; thence South along the west line of said Section 35 a distance of 51.2 feet for a point of commencement; thence South along the west line of said Section 35, for a distance of 77.8 feet, thence at an interior angle of 92 degrees 27 minutes to the East for a distance of 293 feet; thence at an interior angle of 87 degrees 33 minutes to the North for a distance of 26.8 feet to a point 50 feet at right angle from the center line of the main track (now removed) of the Minnesota and South Dakota Railway Company; thence in a Northwesterly direction on a line parallel with and 50 feet distant from the said centerline of the main track (now removed) of the Minnesota and South Dakota Railway Company to the point of commencement, said tract containing 0.352 acres, more or less.

The Westerly 300 feet, as measured along the centerline of the main track (now removed) of the Chicago and North Western Transportation Company, a strip of land One Hundred (100) feet in width extending over and across a part of the Southwest Quarter (SW½) of Section Thirty-five (35), Township One Hundred Twelve (112) North, Range Forty-five (45) West of the 5th Principal Meridian, said strip of land being 50 feet in width on each side of the centerline of the main track (now removed) of the Minnesota and South Dakota Railway Company (now the Chicago and North Western Transportation Company) as said main track centerline was originally located and established over and across said Section Thirty-five (35).

Said tract is subject to any existing highways, roadways, or easements.



Bueltel-Moseng Land Surveying

Lyle Moseng - Licensed Land Surveyor Daniel Bueltel - Licensed Land Surveyor Marshall, MN 56258 Ph. 507-532-9043

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