

TO: OFFICE OF ADMINISTRATIVE HEARINGS
P.O. BOX 64620
ST. PAUL, MN 55164-0620

REC'D BY
MBA

APR 22 2013

IN THE MATTER OF THE JOINT RESOLUTION
OF THE TOWNSHIP OF BRANDON AND THE
CITY OF BRANDON DESIGNATING AN
UNINCORPORATED AREA AS IN NEED OF
ORDERLY ANNEXATION AND CONFERRING
JURISDICTION OVER SAID AREA TO THE
OFFICE OF ADMINISTRATIVE HEARINGS
PURSUANT TO MINN. STAT. 414.0325

JOINT RESOLUTION
FOR ORDERLY ANNEXATION

WHEREAS, individual property owners with property located within the Township of Brandon ("Township") and legally described in EXHIBIT A and represented on the map marked as EXHIBIT B, both of which are attached hereto and incorporated by reference, have approached the City of Brandon ("City") requesting annexation of their property, and

WHEREAS, the Township and City have agreed to work together to accomplish the orderly annexation of that portion of the property as legally described in EXHIBIT A and located with the Township, and

WHEREAS, the owners of the parcel located within the proposed annexation area are as follows:

VSC Partners I, LLC

WHEREAS, the above-described designated property is presently urban or suburban in nature or is about to become so. VSC Partners I, LLC, desire to become annexed into the City so that municipal services may be made available to them. Public sewer and water facilities are not otherwise available in the area proposed to be annexed.

WHEREAS, the City is capable of providing services to this area within a reasonable time.

WHEREAS, the City and Township agree that orderly annexation of the property legally described in EXHIBIT A would be in the best interests of the area proposed for annexation.

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

WHEREAS, the City and Township desire to accomplish the immediate orderly annexation of the property described in EXHIBIT A without the need for a hearing.

NOW, THEREFORE, BE IT RESOLVED by the City of Brandon and the Township of Brandon as follows:

1. The City and Township hereby designate that the portion of the property described in EXHIBIT A and located in the Township for immediate orderly annexation pursuant to Minn. Stat. 414.0325
2. The City and Township agree that the property legally described in EXHIBIT A and located in the Township contains approximately 5.37 acres.
3. The area described above as being in need for orderly annexation is not presently included within the corporate limits of any incorporated city.
4. Real estate taxes payable during the year in which the annexation becomes effective shall be paid to the Township. Thereafter the real estate taxes on the area designated for annexation shall be paid to the City.
5. Upon its execution, the city shall submit this Joint Resolution for Orderly Annexation to the municipal board and the City, Township, and all named people agree that this Joint Resolution may be submitted to the Office of Administrative Hearings without further notice to any party.
6. No alteration of the stated boundaries of the area designated for annexation as above-described is appropriate. No consideration by the Chief Administrative Law Judge is necessary. Upon receipt of this Joint Resolution, the Chief Administrative Law Judge may review and comment but shall, within thirty (30) days thereafter, order the annexation in accordance with the terms of this Joint Resolution.
7. In the event there are any errors, omissions or any other problems with the legal descriptions provided in EXHIBIT A in the judgment of the Office of Administrative Hearings, 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 as necessary to make effective the annexation in accordance with the terms of this Joint Resolution.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF BRANDON THIS
1st DAY OF April, 2013.

CITY OF BRANDON

BY: *Wong Johnson*
ITS MAYOR

ATTEST:

Debra Diommesch
CITY CLERK

PASSED AND ADOPTED BY THE TOWN BOARD OF THE TOWNSHIP OF BRANDON
THIS 1st DAY OF April, 2013.

TOWNSHIP OF BRANDON

BY: *A. Ledermann*
TOWN BOARD CHAIR

ATTEST:

Adrian Ledermann
TOWN BOARD CLERK



EXHIBIT A

That part of the Northeast Quarter (NE1/4), Section Twenty-one (21), all in the Township One Hundred Twenty-nine (129) North, Range Thirty-nine (39), West, Douglas County, Minnesota, described as follows:

Commencing at the East quarter corner of said Section 21;

Thence on a recored bearing South 89 degrees 34 minutes 32 seconds West along South line of said Northeast Quarter (NE1/4) 1938.46 feet, to the Southeast corner of that land described in Document No. 112389 filed in the office of the Douglas County Recorder;

Thence North 00 degrees 00 minutes 50 seconds West along the East line described in Document No. 112389 filed in the office of the Douglas County Recorder 550.00 feet;

Thence North 89 degrees 36 minutes 44 seconds East 200.00 feet;

Thence North 00 degrees 23 minutes 16 seconds West 164.70 feet to the point of beginning of the land to be described;

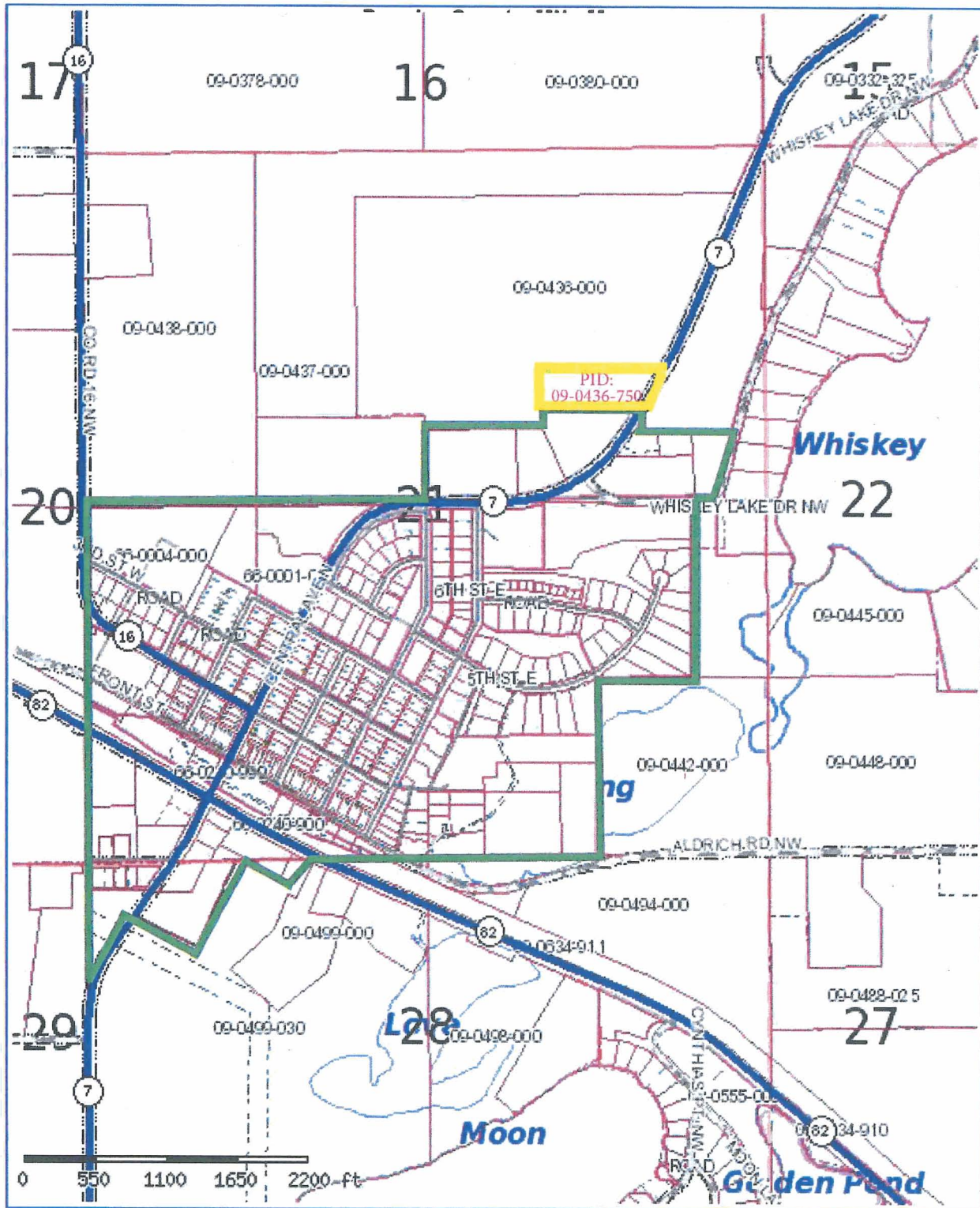
Thence North 00 degrees 23 minutes 16 seconds West 271.60 feet;

Thence North 89 degrees 36 minutes 44 seconds East 948.32 feet to the center line of C.S.A.H No. 7;

Thence South 32 degrees 26 minutes 26 seconds East 323.22 feet along the center line of C.S.A.H. No. 7;

Thence South 89 degrees 36 minutes 44 seconds West 773.10 feet to the point of beginning.

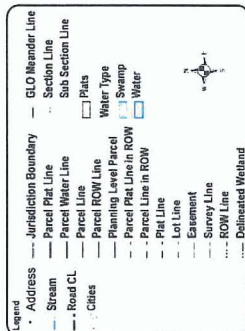
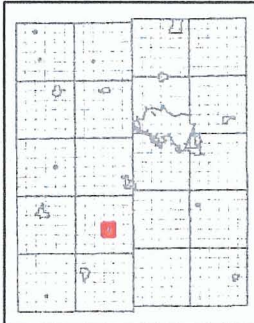
Exhibit B - City of Brandon Municipal Boundary Map



Brandon Township - Section 21

THIS MAP IS A COMPILATION OF INFORMATION AND DATA IN THE PUBLIC DOMAIN. IT IS NOT A SURVEY. THE DRAWING IS TO BE USED FOR REFERENCE PURPOSES ONLY AND THE COUNTY IS NOT RESPONSIBLE FOR INACCURACIES HEREIN CONTAINED.

THE WATER FEATURES AND ROAD CENTERLINES SHOWN HEREON ARE BASED ON AERIAL PHOTOGRAPHY DATED APRIL 1998. THE AERIAL PHOTO, IF PRESENT, IS FROM THE COUNTY OF DOUGLAS COUNTY, MISSOURI, AND THE AERIAL PHOTOGRAPHY FIELD OFFICE, 2003.



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CREATED BY: DOUGLAS COUNTY
SURVEY AND GIS
Date: 11/15/2013
Time: 2:26:04 PM
Page 83 of 720 Sections

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Douglas County, MN - Map

**PIN: 09-0436-750**

Taxpayer: VSC PARTNERS I LLC

GIS Acres: 5.37

Water Acres: 0.04

ROW Acres: 0.37

Section: 21

Township: 129

Range: 39

Tax Desc.: 5.37 AC OF S2NE4 LYING W OF CL OF CSAH #7.
AC 5.37 -ADJOINS 66-0022-250

Plat Desc.:

Other Interest:

Disclaimer: Douglas County does not warrant or guarantee the accuracy of the data.

The data is meant for reference purposes only and should not be used for official decisions.

If you have questions regarding the data presented in this map, please contact the Douglas County GIS Department.

Map created on Mar 22, 2013 8:53. This information is to be used for reference purposes only.

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RESOLUTION REIMBURSING TOWNSHIP FOR ANNEXED TAXABLE PROPERTY

WHEREAS, the City of Brandon ("City") has received a request from VSC Partners I, LLC, for the annexation of 5.37 acres, and

WHEREAS, the City has approved a joint orderly annexation resolution with the Township of Brandon ("Township"), and

WHEREAS, Minnesota Statute, § 414.036, reads unless otherwise agreed to by the annexing municipality and the affected town, when an order or other approval under this chapter annexes part of a town to a municipality, the order or other approval must provide a reimbursement from the municipality to the town for all or part of the taxable property annexed as part of the order. The reimbursement shall be completed in substantially equal payments over not less than two nor more than eight years from the time of annexation. The municipality must reimburse the township for all special assessments assigned by the township to the annexed property, and any portion of debt incurred by the town prior to the annexation and attributable to the property to be annexed but for which no special assessments are outstanding, in substantially equal payments over a period of not less than two nor more than eight years, and

WHEREAS, in 2013 and 2014, City will pay to the Township \$115 to constitute the two substantially equal payments to the Township in order to comply with Minnesota Statute, § 414.036. The property currently has no special assessments currently recorded.


NOW, THEREFORE, BE IT RESOLVED, the City of Brandon hereby agrees to submit two equal payments to the Township in order to comply with Minnesota Statute and to complete the annexation of VSC Partners I LLC property to the City.

ADOPTED by the City Council of the City of Brandon, Douglas County, Minnesota, this 6th day of May, 2013, by the following vote:

Yes: Scott Dutcher, Brian Fuchs, Mike Ranweiler

No: NONE

Absent: Doug Johnson, Mary Lee Korkowski



Mayor, City of Brandon
Acting Chair



City Clerk, City of Brandon