

**NEW MARKET TOWNSHIP  
CITY OF ELKO NEW MARKET  
SCOTT COUNTY, MN**

**IN THE MATTER OF THE JOINT  
RESOLUTION OF NEW MARKET  
TOWNSHIP AND THE CITY OF  
ELKO NEW MARKET, DESIGNATING  
AN UNINCORPORATED AREA AS  
IN NEED OF ORDERLY  
ANNEXATION AND CONFERRING  
JURISDICTION OVER SAID AREA  
TO THE OFFICE OF ADMINISTRATIVE  
HEARINGS, PURSUANT TO M.S. §414.0325**

**JOINT RESOLUTION**

New Market Township and the City of Elko New Market jointly agree to the following:

1. That the property described below ("Property") is owned by the City and the City is requesting annexation of the Property to the City. This property is referred to as:

City of Elko New Market Property  
PID # 89220031  
Property Address: 25499 Natchez Ave, Elko, MN 55020  
Legal Description – See Exhibit A

2. The Property lies entirely within the County of Scott, State of Minnesota, and no portion thereof is currently included within the corporate limits of any incorporated municipality.

3. The Property contains approximately 39.5 acres, and is legally described on the attached Exhibit A.

4. The Property is owned by the City but does not abut the existing border of the City. See Map(s) of the Property attached as Exhibit B.

5. The Property unplatted and has a current population of zero (0).

6. It is in the best interest of the City, the Township and their respective residents for the City and Township to agree to orderly annexation of the Property in

furtherance of orderly growth, the efficient delivery of public services, and the protection of the public health, safety, and welfare.

7. That the Property should be immediately annexed to the City for the purpose of providing urban services.

8. That since the Property will be immediately annexed to the City upon adoption of this Joint Resolution and approval of the State, joint planning pursuant to M.S. 414.0325, Subd. 5 is not warranted. The City of Elko New Market will, upon annexation, serve as the reviewing agency and local government unit for the purpose of any land use, subdivision, and environmental review of the proposed development and the proposed development will be subject to and comply with the comprehensive plan and official controls of the City of Elko New Market.

9. That as a result of the City's proposed provision of urban services to, and urban development of the Property, the previously described area in New Market Township, Scott County, is subject to orderly annexation pursuant to Minnesota Statutes §414.0325, and the parties hereto designate this area for annexation under this orderly annexation agreement.

10. That both New Market Township and the City of Elko New Market agree, pursuant to M.S. §414.0325, Subd. 1(f), that no alteration of the stated boundaries of this agreement is appropriate.

11. Upon execution and filing of this Joint Resolution, jurisdiction is hereby conferred upon the Office of Administrative Hearings, Boundary Adjustments. Upon execution by the respective governing bodies of the City and Township, the City shall file this Joint Resolution with the Office of Administrative Hearings, Boundary Adjustments. In the event that there are errors, omissions or any other problems with the legal description, mapping, or tax reimbursement provided in the attached Exhibits the parties agree to make such corrections and file any additional documentation, including a new Exhibit making the corrections requested or required by the Office of Administrative Hearings, Boundary Adjustments as necessary to make effective the annexation of said area in accordance with the terms of this Joint Resolution, without the necessity of re-adopting this Joint Resolution.

12. That the annexation of the Property will not result in any change of electrical service and that differential taxation under M.S. §414.035 is not required, and that reimbursement under M.S. §414.036 will be provided as specified in the table attached hereto as Exhibit C.


13. Furthermore, each party agrees that pursuant to M.S. §414.0325, Subd. 1(g) no consideration by the Office of Boundary Adjustments is necessary, and that upon receipt of this resolution and agreement, passed and adopted by each party, the Director of the Office of Boundary Adjustments may review and comment but shall, within thirty

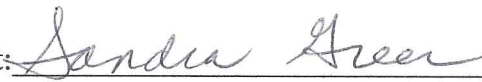
(30) days, immediately order the annexation in accordance with the terms of this joint resolution.

14. Unless otherwise approved by the Township, the City agrees not to initiate annexation or accept a property owner petition for annexation of any property abutting the Property until (i) the City's present boundary extends such that the Property abuts the City's present border or (ii) the property to be annexed also abuts the City's boundary at a point other than the Property.

**CITY OF ELKO NEW MARKET**

Passed and adopted by the City Council of the City of Elko New Market on this 10 day of April, 2014.

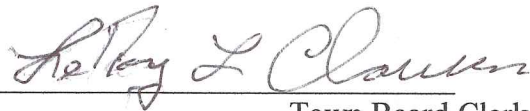
By:   
Tony Gabriel, Mayor

Attest:   
Sandra Green, City Clerk

**NEW MARKET TOWNSHIP**

Passed and adopted by the Town Board of New Market Township on this 8 day of April, 2014.

By:   
Town Board Chair

Attest:   
Town Board Clerk

**EXHIBIT "A" Legal Description of the Property**

The East Half of the East Half of the Northwest Quarter of Section 22, Township 113 North, Range 21 West of the 5th Principal Meridian; AND the south 33.00 feet, as measured at a right angle, of that part of the Northwest Quarter of said Section 22, lying westerly of said East Half of the East Half of the Northwest Quarter of Section 22, being 255 Street East and part of Natchez Avenue South, as delineated and dedicated in the plat of BASS ADDITION, on file or of record in the office of the Scott County Recorder.

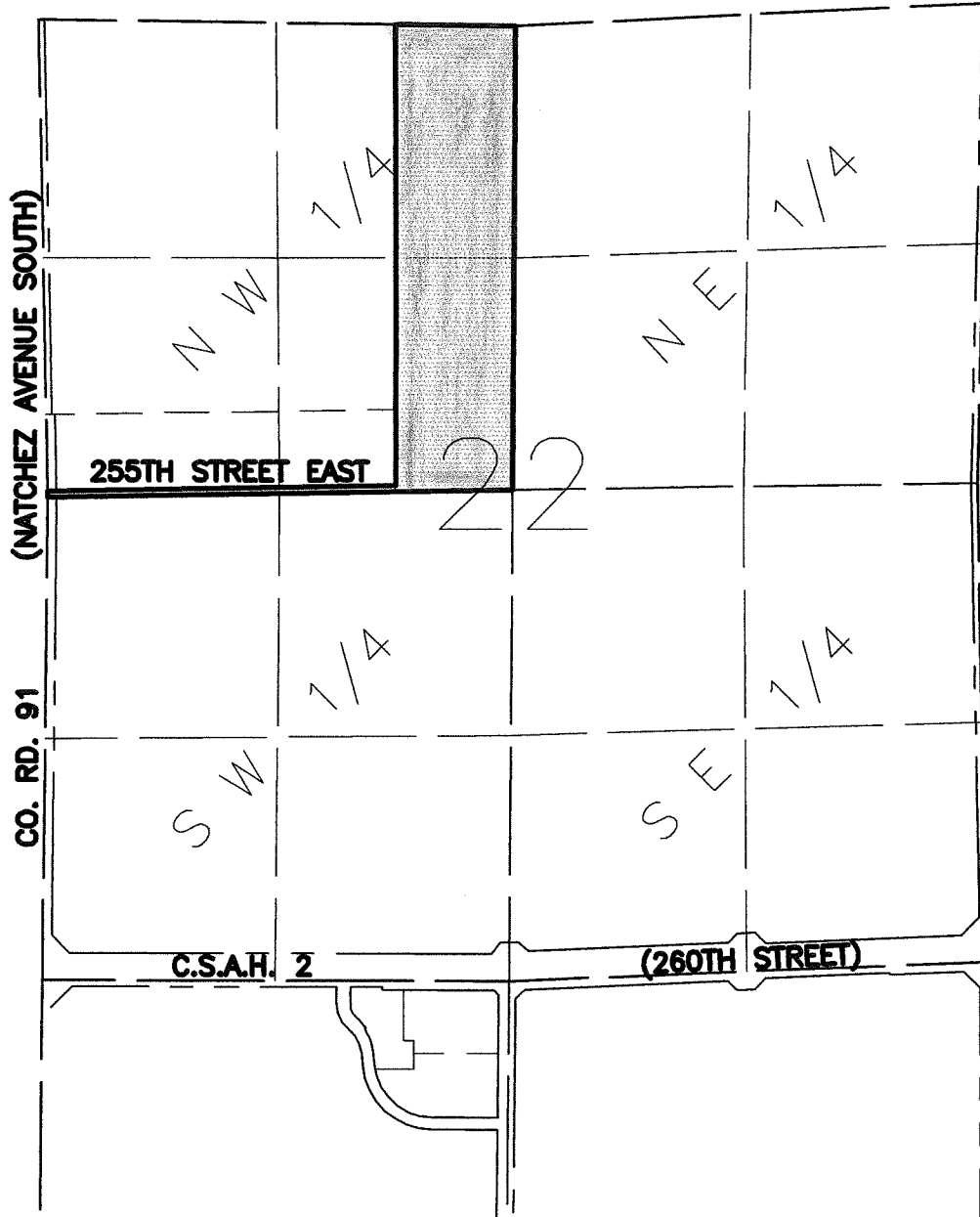
REC'D BY  
MBA

APR 16 2014

**EXHIBIT "B" Corporate Boundary Map and more detailed map of annexation area**

**(See attached map).**

The East Half of the East Half of the Northwest Quarter of Section 22, Township 113 North, Range 21 West of the 5th Principal Meridian; AND the south 33.00 feet, as measured at a right angle, of that part of the Northwest Quarter of said Section 22, lying westerly of said East Half of the East Half of the Northwest Quarter of Section 22, being 255 Street East and part of Natchez Avenue South, as delineated and dedicated in the plat of BASS ADDITION, on file or of record in the office of the Scott County Recorder.



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**ANNEXATION EXHIBIT B**  
ELKO NEW MARKET, SCOTT COUNTY

P/O SEC. 22, T. 113, R. 21

**BOLTON & MENK, INC.**  
Consulting Engineers & Surveyors  
12224 NICOLLET AVENUE, BURNSVILLE, MN 55337 (952)-890-0509

FOR: CITY OF ELKO NEW MARKET



FILE NO: 4488

REC'D BY  
MBA

APR 16 2014

**EXHIBIT "C" Tax Reimbursement pursuant to M.S. §414.036**

The City and Township agree that because the property is exempt from real property taxes that upon approval of the annexation by the Minnesota Municipal Adjustments Board of the Subject Area legally described in Exhibit A, no reimbursement of taxes shall be made by the City to the Township.