# JOINT RESOLUTION FOR ORDERLY ANNEXATION AREA BETWEEN THE TOWN OF BUFFALO AND THE CITY OF BUFFALO

**WHEREAS**, the Board of Supervisors of the Town of Buffalo (hereinafter referred to as the "Town") passed a resolution on May 12, 2014, approving the annexation to the City of Buffalo of certain land in the Town legally described in the attached Exhibit A.

**WHEREAS**, the City Council of the City of Buffalo (hereinafter referred to as the "City"), agreed to the annexation of the above described parcel of land at its May 19, 2014, meeting; and

**WHEREAS**, the Town and the City have determined that the annexation of a portion of the Township with the City is of mutual benefit to both parties and the residents thereof:

**NOW, THEREFORE, BE IT RESOLVED**, in consideration of the mutual terms and conditions, the City and Town enter into this Joint Resolution of Orderly Annexation (the "Joint Resolution")

- 1. <u>Designation of Orderly Annexation Area</u>. The Town and the City hereby designate the area set forth on the map attached as Exhibit B, which is legally described on the Exhibit A attached, both of which attachments are incorporated herein by reference, for immediate orderly annexation under and pursuant to Minnesota Statutes Section 414.0325. For purposes of this Joint Resolution, this area shall be referred to as the "OAA Property."
- 2. Office of Administrative Hearings, Municipal Boundary Adjustments Unit. Upon approval by the Town Board and the City Council, this Joint Resolution shall confer jurisdiction upon the Office of Administrative Hearings, Municipal Boundary Adjustments Unit (hereinafter referred to as "OAH") to accomplish said orderly annexations in accordance with the terms of this Joint Resolution. In the event that the OAH is abolished, the authority will be transferred to the department or person(s) assigned that duty.
- 3. <u>No Alterations of Boundaries</u>. The Town and City mutually agree and state no alterations of the stated boundaries of the OAA Property is appropriate.
- 4. No Hearing Required. Pursuant to Minnesota Statutes Section 414.0325, the Town and City mutually agree that this Joint Resolution and Agreement sets forth all the conditions for annexation of the areas designated, and that no consideration by the chief administrative law judge OAH is necessary. Upon the execution and filing of this Joint Resolution, the chief administrative law judge of the OAH may review and comment, but shall, within thirty (30) days of receipt of this Joint Resolution, order annexation of the OAA Property in accordance with the terms of this Joint Resolution.
- 5. Planning and Land Use Control Authority. The Town and City mutually agree that

- upon annexation, the property shall be zoned R-1, single family residential, and shall be subject to the land use control authority of the City.
- **Character of the Property.** The OAA Property abuts the City of Buffalo and is presently urban or suburban in nature or is about to become so. Further, the City is now or within a reasonable amount of time will be capable of providing municipal water and sanitary sewer to the OAA Property.
- 7. <u>Acreage</u>. The designated property consists of 9.06 acres.
- **8.** <u>Population.</u> The Township and the City state that the population of the annexed area is approximately  $\underline{0}$  persons. Therefore, following the annexation, the estimated population of the City will increase by  $\underline{0}$  persons.
- **9. <u>Authorization</u>**. The Town and City have authorized the appropriate officers to carry this Joint Resolution's terms into effect.
- 10. Roads. No Township roads shall be affected by this annexation.
- 11. <u>Severability and Repealer</u>. A determination that a provision of this Joint Resolution is unlawful or unenforceable shall not affect the validity or enforceability of the other provisions herein.
- **12. Effective Date.** This Joint Resolution shall be effective upon adoption by the governing bodies of the City and Township and approval by the Director of Office of Administrative Hearings, Municipal Boundary Adjustments Unit.
- 13. Governing Law. Minnesota law will govern this Agreement.

Approved the 12th day of May, 2014, by the Township of Buffalo.

Township Supervisor

Township Clerk

Approved the 19th day of May, 2014, by the City Council of the City of Buffalo.

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Mayor

Clerk/Administrator

## EXHIBIT A Legal Descriptions of the Annexation Areas

#### PID # 202-000-193102

All that part of the North Half of the Southwest Quarter of Section 19, Township 120, Range 25 which lies North and East of the Railroad right of way across said Section, Except therefrom: Commencing at the center of Section 19, Township 120, Range 25; thence South on quarter line, 847.6 feet to the point of beginning; thence continue South on quarter line, 313.8 feet more or less to the right-of-way line of Trunk Highway No. 55; thence Northwesterly along said Trunk Highway No. 55 right-of-way line, 500 feet; thence deflect 90 degrees right, 235 feet; thence parallel with Trunk Highway right-of-way line, 277.7 feet to the point of beginning.

#### Also except:

Commencing at the center of Section 19, Township 120, Range 25; thence South on quarter line, 451.4 feet to the point of beginning; thence continue South on quarter line, 396.2 feet; thence Northwesterly parallel with Trunk Highway No. 55 right-of-way line, 277.7 feet; thence Northeasterly 280.4 feet to the point of beginning.

### Also except:

Commencing at the Northeast corner of the Southwest Quarter of Section 19, Township 120, Range 25; thence West on the quarter line, 1111.3 feet; thence deflect left 134 degrees 06' 30" along the right-of-way line of Trunk Highway No. 55, 360.05 feet to the point of beginning of the tract to be described; thence continue on the last described course, 112 feet; thence deflect left 90 degrees, 100 feet; thence deflect left 90 degrees, 100 feet to the point of beginning.

#### PID # 202-000-193100

That part of the East 200.00 feet of the North Half of the Southwest Quarter of Section 19, Township 120, Range 25, Wright County, Minnesota lying northeasterly of the northeasterly right of way line of Minnesota State Highway Number 55 except therefrom the following described tracts:

 Commencing at the center of Section 19, Township 120, Range 25; thence South on quarter line, 847.6 feet to the point of beginning; thence continue south on quarter line, 313.8 feet more or less to the right of way line of Trunk Highway No. 55; thence northwesterly along said Trunk Highway No. 55 right of way line, 500.0 feet; thence deflect 90 degrees 00 minutes right 235.0 feet; thence parallel with Trunk Highway right of way line, 277.7 feet to the point of beginning. 2. Commencing at the center of Section 19, Township 120, Range 25; thence south on quarter line, 451.4 feet to the point of beginning; thence continue south on quarter line, 396.2 feet; thence northwesterly parallel with Trunk Highway No. 55 right of way line, 277.7 feet; thence northeasterly 280.4 feet to the point of beginning.



