

AMENDMENT TO THE JOINT RESOLUTION BETWEEN THE TOWNSHIP OF SHELBY AND THE CITY OF AMBOY DESIGNATING AN AREA FOR ORDERLY ANNEXATION DATED MAY 3, 1986

The Township of Shelby, hereafter referred to as "Township" and the City of Amboy, hereafter referred to as "City", hereby jointly agree to amend the Joint Resolution between the Township of Shelby and the City of Amboy dated May 3, 1986, as follows:

1. That the following described area is located in Shelby Township, Blue Earth County, and is part of a parcel of property described under Section B, Subdivision 2.b, exhibit D, of the Joint Resolution Between the Township of Shelby and the City of Amboy Designating an Area for Orderly Annexation dated May 3, 1986:

That part of the Southwest Quarter of the Northeast Quarter of Section 23, Township 105 North, Range 28 West, described as:

Commencing at the Center of said Section 23; thence South 89 degrees 45 minutes 15 seconds East, (assumed bearing), along the East-West center line of said Section 23, a distance of 176.00 feet; thence North 00 degrees 43 minutes 48 seconds East, along a line parallel with the North-South center line of said Section 23, a distance of 386.00 feet to the point of beginning; thence continuing North 00 degrees 43 minutes 48 seconds East, along said parallel line, 74.00 feet; thence North 89 degrees 45 minutes 15 seconds West, along a line parallel with said East-West center line, 176.00 feet to a point on the North-South center line of said Section 23; thence South 00 degrees 43 minutes 49 seconds West, along said North-South center line, 74.00 feet; thence South 89 degrees 45 minutes 15 seconds East, along a line parallel with said East-West center line, 176.00 feet to the point of beginning. Containing 0.30 acres.

2. That the above described property is within the orderly annexation area and is urban in nature.
3. That said Joint Resolution Between the Township of Shelby and the City of Amboy provides for the annexation of the property described on said Exhibit D, which includes the real estate described in paragraph 1 above, under the following conditions:

"The property shall remain in Shelby Township even though it is urban in nature provided the property is used for a bus service business or any business which has no other competition within the City Limit of the City. If said property is used for any other business which has any competition within the City, said property shall be immediately annexed into the City".

4. That the City has received a Memorandum of Understanding made between Maple River Holdings, LLC and Bradley Schoneck stating that Maple River Holdings, LLC will purchase by Contract for Deed from Schoneck the above described property after said real estate has been annexed into the City. Bradley Schoneck sold his bus business in 2007 to Maple River Holdings, LLC and now Maple River Holdings, LLC wishes to purchase said property adjacent to the bus terminal real estate from Schoneck and to have it annexed to provide a parking place for buses when they are temporarily parked outside the bus terminal building.

4. That upon annexation, the parcel will be zoned as B-2 General Business District.
5. That the Township and City have complied with the procedures outlined in Section B, Subdivision 3 of the Joint Resolution Between the Township of Shelby and the City of Amboy Designating an Area for Orderly Annexation regarding future annexations by holding a joint meeting between the Township and City; determining that said real estate is part of the property described under Section B, Subdivision 2.b, Exhibit D, of said Joint Resolution and obtaining a legal description of said part of the property.
6. That this property is not part of the Rural Service Tax District, but that the levy of the City of Amboy on the area annexed shall be increased in substantially equal portions over a period of six (6) years to equal the levy of the property already within the City of Amboy.
7. That the property taxes shall be paid to the Township of Shelby in the year in which the annexation becomes effective. Thereafter, property taxes on the annexed land shall be paid to the City. In the first year following the year the land was annexed, the municipality shall make a cash payment to Shelby Township in an amount equal to 90% of the property taxes paid to Shelby Township in the year the land was annexed; in the second year, an amount equal to 75%; in the third year, an amount equal to 60%; in the fourth year, an amount equal to 45%; in the fifth year, an amount equal to 30%; and in the sixth year, an amount equal to 15% of the property taxes paid to Shelby Township in the year the land was annexed.
8. That there are no special assessments or pending special assessments against the above described property for which the City would need to make restitution to the Township.
9. Both the Township and the City agree that no alteration of the stated boundaries of this agreement is appropriate. Furthermore, both parties agree that no consideration is necessary. Upon receipt of this Resolution, the Office of Administrative Hearings may review and comment, but shall, within 30 days, order the annexation of the above described property in accordance with the terms of the Joint Resolution.

Passed and adopted by the City Council of the City of Amboy and the Township Board of the Township of Shelby, County of Blue Earth, State of Minnesota, this 10th day of November, 2008.

TOWNSHIP OF SHELBY

Alex Larson

Chairman

ATTEST:

John T. Mark

Clerk

CITY OF AMBOY

Bradley Schwan

Mayor

ATTEST:

John T. Mark

Admr. Clerk-Treas.

REGISTERED LAND SURVEY NO.

CITY OF AMBOY
BLUE EARTH COUNTY, MINNESOTA

BLOCK 10

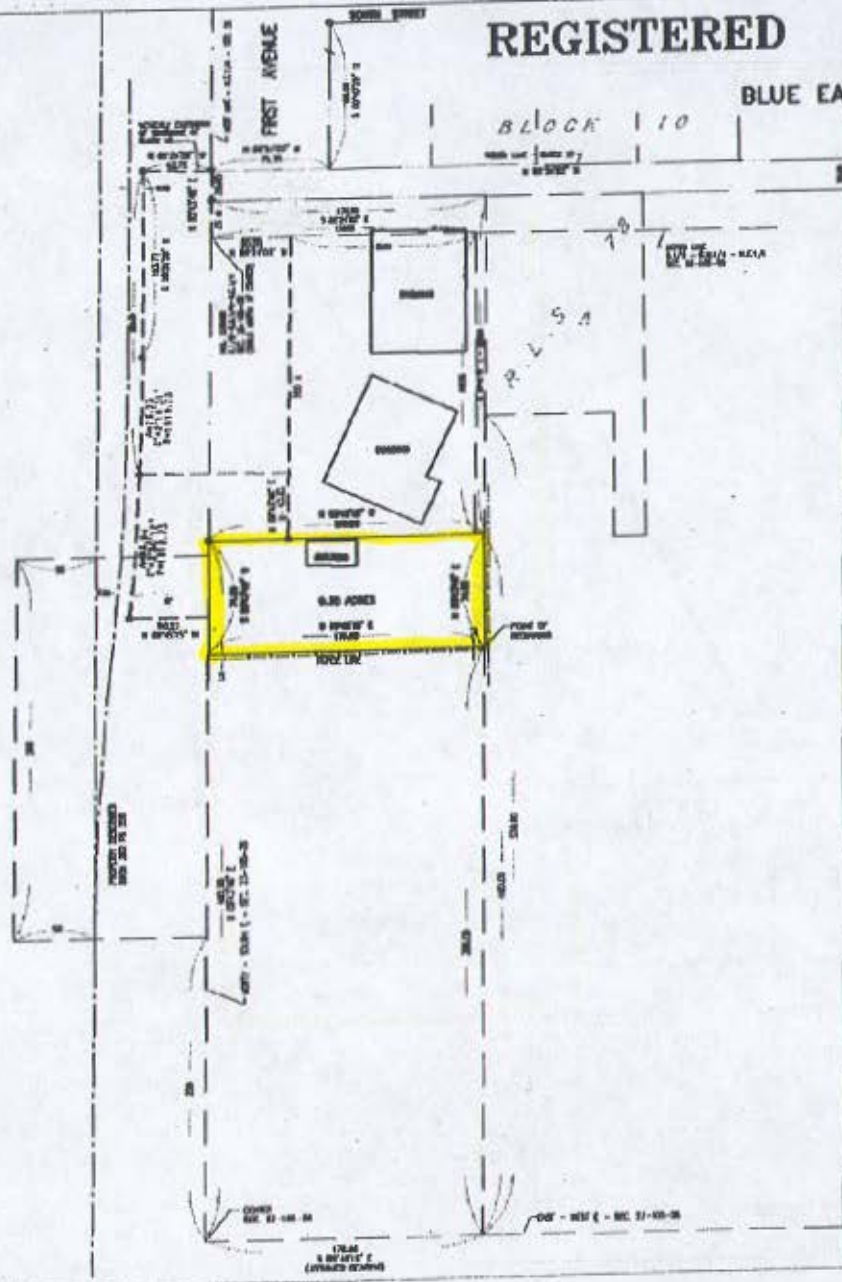
REC'D BY
MMB

NOV 20 2008

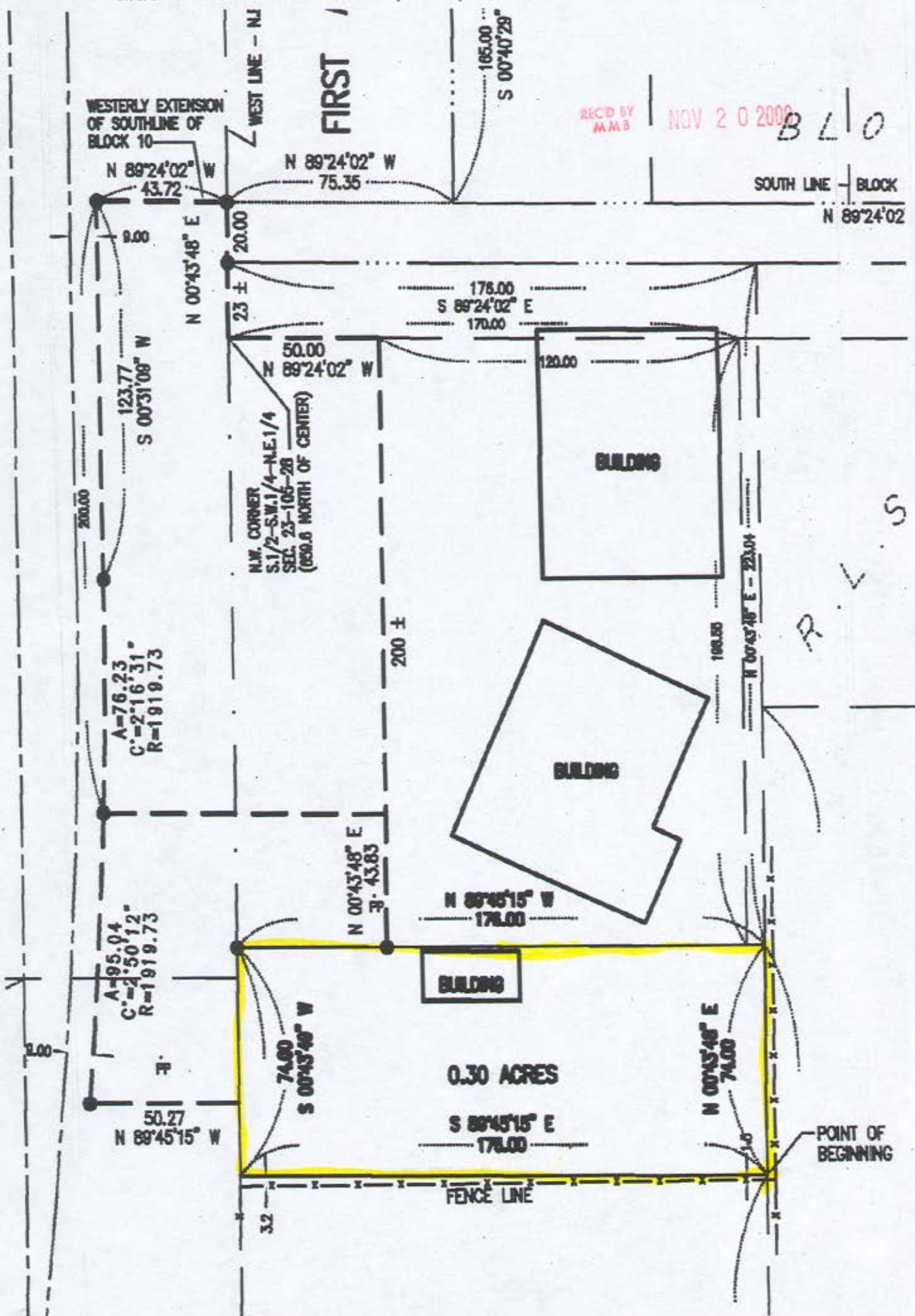
SECOND AVENUE

PLEASANT STREET

PRAIRIE STREET



FINAL PLAT
PREPARED BY SURVEY SERVICES, P.C.



300-00
2.69

2003

22-23A

22123B

22-23C

22-23D

STEVENS SUBDIVISION ADDITION

STRAWBERRY FATHOM
ALL NIGHT

STRAWES ADDITION

HRAS ENHANCER ON THE VENTRIFORM

REGISTERED LAND
SURVEY 78

DEWITZ SECOND

REGISTERED MAIL

DEWY-SEADITION SURVEY 54

29

REGISTERED MAIL
SURVEY 146

BEVERLY HILL
PRODUCTIONS

BRUSH & ADDITION

COX SUBMISSION

22-23G

427-005
1145

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