

RESOLUTION NO. 2014-48

JOINT RESOLUTION OF THE TOWNSHIP OF ALEXANDRIA AND THE CITY OF ALEXANDRIA AS TO THE AGREEMENT FOR ORDERLY ANNEXATION OF A PORTION OF GENEVA ROAD

WHEREAS, the City of Alexandria ("City") and the Township of Alexandria ("Township") desire to enter into an agreement for the orderly annexation of certain public road, pursuant to Minnesota Statute § 414.0325, Subdivision 1; and

WHEREAS, City and the Township are in agreement as to the procedures and process for orderly annexation of certain lands described herein for the purpose of orderly, planned growth; and

WHEREAS, it is in the best interest of the City, the Township and their respective residents to agree to an orderly annexation in furtherance of orderly growth and the protection of the public health, safety and welfare; and

WHEREAS, the parties hereto desire to set forth the terms and conditions of such orderly annexation by means of this Resolution:

NOW, THEREFORE, BE IT RESOLVED by the City of Alexandria, Douglas County, Minnesota, and the Township of Alexandria, Douglas County, Minnesota, as follows:

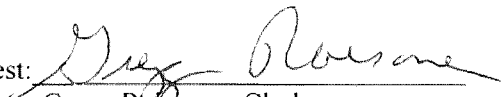
1. Upon approval by the respective governing bodies of the City and the Township, this joint resolution and agreement shall confer jurisdiction on the Office of Administrative Hearings as declared in this Resolution.
2. The City and the Township state that no consideration by the Office of Administrative Hearings is necessary, no alteration of the designated area's boundaries is appropriate and all conditions of annexation have been provided for in this resolution. The Office of Administrative Hearings may review and comment only, and shall, within thirty (30) days of receipt of this Joint Resolution order the annexation.
3. The following described lands will hereinafter be described as the Orderly Annexation Area ("OAA") and said property is properly subject to orderly annexation pursuant to Minnesota Statute § 414.0325, Subdivision 1. The parties hereto do hereby designate this area as in need of orderly annexation as provided by statute; this area is legally described as follows, to wit:

That part of Government Lot 1, Section 9, Township 128 North, Range 37 W, Douglas County, Minnesota, lying northerly of the channel between Lake Le Homme Dieu and Lake Geneva, lying easterly of the easterly right of way line of the SOO Line Railroad, lying westerly of the easterly right of way line of Geneva Road and lying southerly of the southerly right of way line of County Road No. 73.

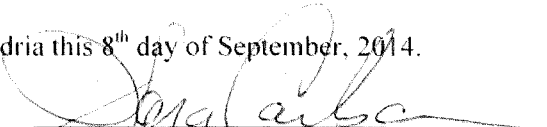
4. All properties within the OAA shall remain in the Township until annexed to the City in accordance with the terms of this Agreement.
5. Tax levy phase-in: The City and Township state that the public road comprising the OAA is not taxable.
6. Property lying within the OAA shall be annexed by the City by this resolution after the execution of this Agreement. The Office of Administrative Hearings shall order annexation of the identified property within thirty (30) days following receipt of this Joint Resolution.
7. Having designated the area described in paragraph 3. as in need of orderly annexation, and having provided for all of the conditions of its annexation within this document as pursuant to Minnesota Statute § 414.0325, Subdivision 1; the parties to this agreement agree that no consideration by the Office of Administrative Hearings is necessary. The Office of Administrative Hearings may review and comment, but shall, within 30 days, order the agreed upon annexation in accordance with the terms of the joint resolution.
8. In the event that any portion of this agreement is declared null and void or unenforceable by a court of law, the validity of the remaining terms and provisions shall not be affected and the agreement shall be construed and enforced as if the agreement did not contain the particular term or provision held to be invalid.
9. The City and Township agree to share equally all fees related to the drafting and filing of this document. The City and Township shall pay their own respective attorney and staff fees related to the review of this document.


ADOPTED by the Township Board of Supervisors for the Township of Alexandria this 6th day of October, 2014.


Bryon Alstead, Board Chair

Attest: 
Gregg Ralsanan, Clerk

ADOPTED by the City Council of the City of Alexandria this 8th day of September, 2014.


Sara Carlson, Mayor

Attest: 
Martin D. Schultz, City Administrator



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PIN: 63-2588-000

Taxpayer: MC CARTNEY/BRENDA E & LARRY

Tax Desc.: W 90 FT OF LOTS 13-14 BLOCK 37

GIS Acres: 0.23

Water Acres: 0.00

ROW Acres: 0.00

Section: 20

Township: 128

Plat Desc.: HOLES GARDEN PARK ADDN

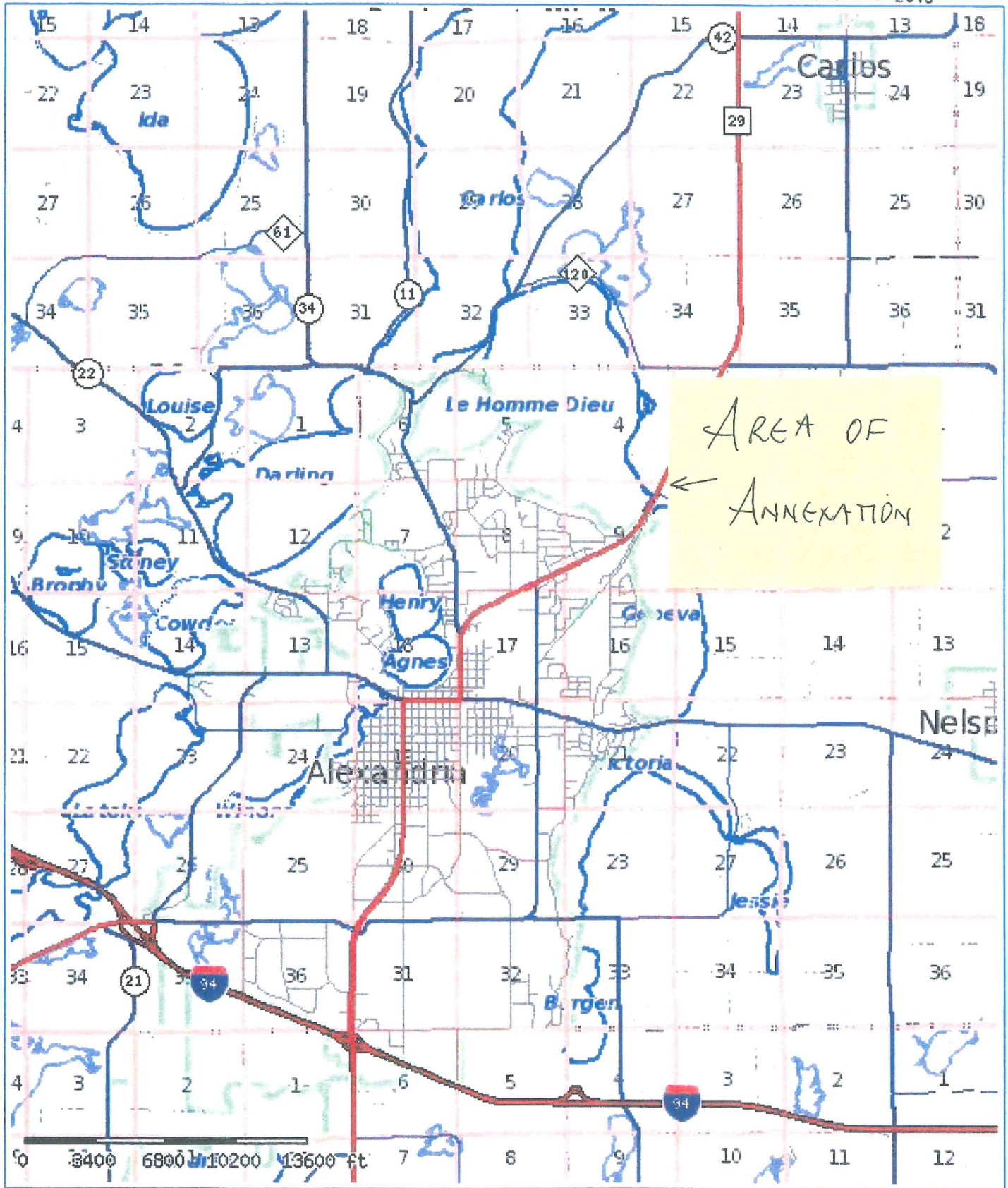
Range: 37

Other Interest:

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