

CITY OF IRONTON RESOLUTION NO. 05202015
IRONDALE TOWNSHIP RESOLUTION NO. 050115

**JOINT RESOLUTION ESTABLISHING AN ORDERLY ANNEXATION AGREEMENT
 BETWEEN THE CITY OF IRONTON AND IRONDALE TOWNSHIP PURSUANT TO
 MINNESOTA STATUTES § 414.0325**

WHEREAS, the City of Ironton ("City") and Irondale Township ("Town"), both located within Crow Wing County, in the State of Minnesota, desire to accommodate growth in a cooperative, planned, and orderly fashion;

WHEREAS, the City and Town are in agreement as to the orderly annexation of the unincorporated land described below, and both believe it will be to their benefit and to the benefit of their respective residents; and

WHEREAS, the City is owner of five parcels of land within the Town on which the City's Morning Side Park and City well and pump house are located, and the City seeks to immediately annex that land as well as portions of abutting streets; and

WHEREAS, Minnesota Statutes, section 414.0325 provides a procedure whereby the City and the Town may agree on a process of orderly annexation of a designated area; and

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

WHEREAS, this joint resolution sets out the agreement ("Agreement") between the City and the Town on all terms and conditions for the annexation of the property described within this document and the signatories hereto agree that no consideration by the Chief Administrative Law Judge of the Office of Administrative Hearings is necessary; and

WHEREAS, the City owns all of the property to be annexed and because this Agreement provides for the immediate annexation of all such property the parties are not required to publish notice of their intent to include the property in an orderly annexation agreement.

NOW, THEREFORE, BE IT RESOLVED, jointly by the City Council of the City of Ironton and the Town Board of Irondale Township to enter into this Agreement to provide for the immediate orderly annexation of the property herein described into the City upon the following terms and conditions:

1. **Designated Area.** The unincorporated property designated for orderly annexation by this Agreement consists of the land shown on map attached hereto as Exhibit A and is legally described in the attached Exhibit B ("Property").
2. **Immediate Annexation.** It is agreed that the Property shown on Exhibit A and legally described in Exhibit B be immediately annexed to the City. Upon its adoption by the City

and Town, the City shall file this Agreement with the Chief Judge for processing and an order providing for the immediate annexation of the Property pursuant to its terms.

3. **Acreage/Population/Usage/Zoning.**

- a. The Property consists of approximately 19.1 acres.
- b. The population of the Property is zero.
- c. The Property is owned by the City and utilized as a municipal park. It also contains a City well and pump house for the City's water supply. Having been a major part of the City's park system for decades, the Property is urban in character.
- d. The northern boundary of the Property abuts the southern boundary of the City for a distance of 1,030 feet.
- e. Upon annexation, the Property is to be zoned O – Open Space Development.

4. **Jurisdiction.** Pursuant to Minnesota Statutes, section 414.0325, the Town and City, upon passage of this joint resolution, confer jurisdiction upon the Chief Administrative Law Judge so as to accomplish orderly annexation in accordance with the terms of this Agreement.

5. **Need.** The Property is developed as a City park and has been used for that purpose for decades. The Property also contains a City water well and pump house that are an integral part of the City's water supply system. The City can provide services to the Property immediately. Annexation of the Property would be in the best interests of the community.

6. **Tax Reimbursement, Debt and Assessments.** As tax-exempt municipal property, the Property does not generate any property taxes for the Town and so the City and Town agree that no reimbursement of property taxes to the Town is required. Furthermore, the City and Town agree there are no special assessments assigned by the Town, and no debt attributable, to the Property for the purposes of Minnesota Statutes, section 414.036.


7. **Effect on Roads.** The City and Town agree the City shall be, in all respects, responsible for maintaining and improving as needed Park Avenue and the portion of Irene Avenue between Hematite Street and the north side of Shawmut Street. The Town shall maintain Shawmut Street and Edwards Avenue. The City's obligation to maintain the above mentioned roads shall survive the expiration of this Agreement.


8. **Review and Comment.** The City and the Town agree that upon receipt of this Joint Resolution, as passed and adopted by each party, the Chief Administrative Law Judge may review and comment but shall, within 30 days, order the annexation in accordance with the terms of this Joint Resolution. The City and Town agree that no alteration of the stated boundaries of the orderly annexation area as shown and described in the attached exhibits is appropriate, that no consideration by the Chief Administrative Law Judge is necessary, and that all terms and conditions for annexation are provided for in this Agreement.

9. **Binding Contract.** Pursuant to Minnesota Statutes, section 414.0325, subdivision 6, this Agreement is a binding contract upon the parties and is enforceable in district court in the county containing the Property.
10. **Costs Associated with the Orderly Annexation Agreement.** Each party shall pay its own costs incurred in the negotiation, development and implementation of this Agreement, with the exception that the City shall pay for the survey work, the recording and filing fees, and costs incurred to make any needed corrections, and all publication and notice costs.
11. **Entire Agreement.** The terms, covenants, conditions, and provisions of this Agreement, including Exhibits A and B, which are attached hereto and incorporated herein by reference, shall constitute the entire agreement between the parties. Any prior joint resolutions or agreements regarding all or any portion of the Property are superseded by, and shall not interfere with or otherwise control, the terms of this Agreement.
12. **Effective Date/Applicability.** This Agreement is effective upon its adoption by the respective governing bodies of the Town and the City, whichever is the last party to take action to adopt it. The annexation of the Property shall be effective upon the issuance of the order by the Chief Judge. This Agreement is only meant to apply to the Property and not to any other property or area within the Town.
13. **Adopt and Enforce Regulations.** The City's zoning and subdivisions regulations shall apply to the Property annexed pursuant to this Agreement upon the effective date of the Chief Judge's order approving the annexation. Until such time as the annexation is effective, the Property shall remain subject to the Town's ordinances and regulations.
14. **Authorization.** The appropriate officers of the City and the Town are hereby authorized to carry the terms of this Joint Resolution and Agreement into effect.
15. **Governing Law.** This Agreement is made pursuant to, and shall be construed in accordance with, the laws of the State of Minnesota.

Adopted by affirmative vote of the Irondale Town Board this 11 day of May, 2015.

IRONDALE TOWNSHIP

By: 
Town Chairperson

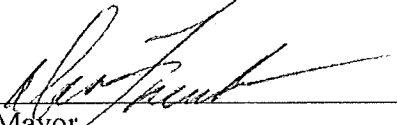
By: 
Town Clerk

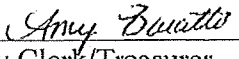
REC'D BY
MBA

JUL 20 2015

Adopted by affirmative vote of the City Council of the City Ironton, this 20th day of
May, 2015.

CITY OF IRONTON

By: 
Mayor

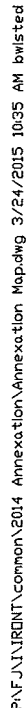
By: 
City Clerk/Treasurer

**EXHIBIT A
MAP OF PROPERTY**

REC'D BY
MBA

JUL 20 2015

[Attached hereto]



JUL 20 2015

EXHIBIT B

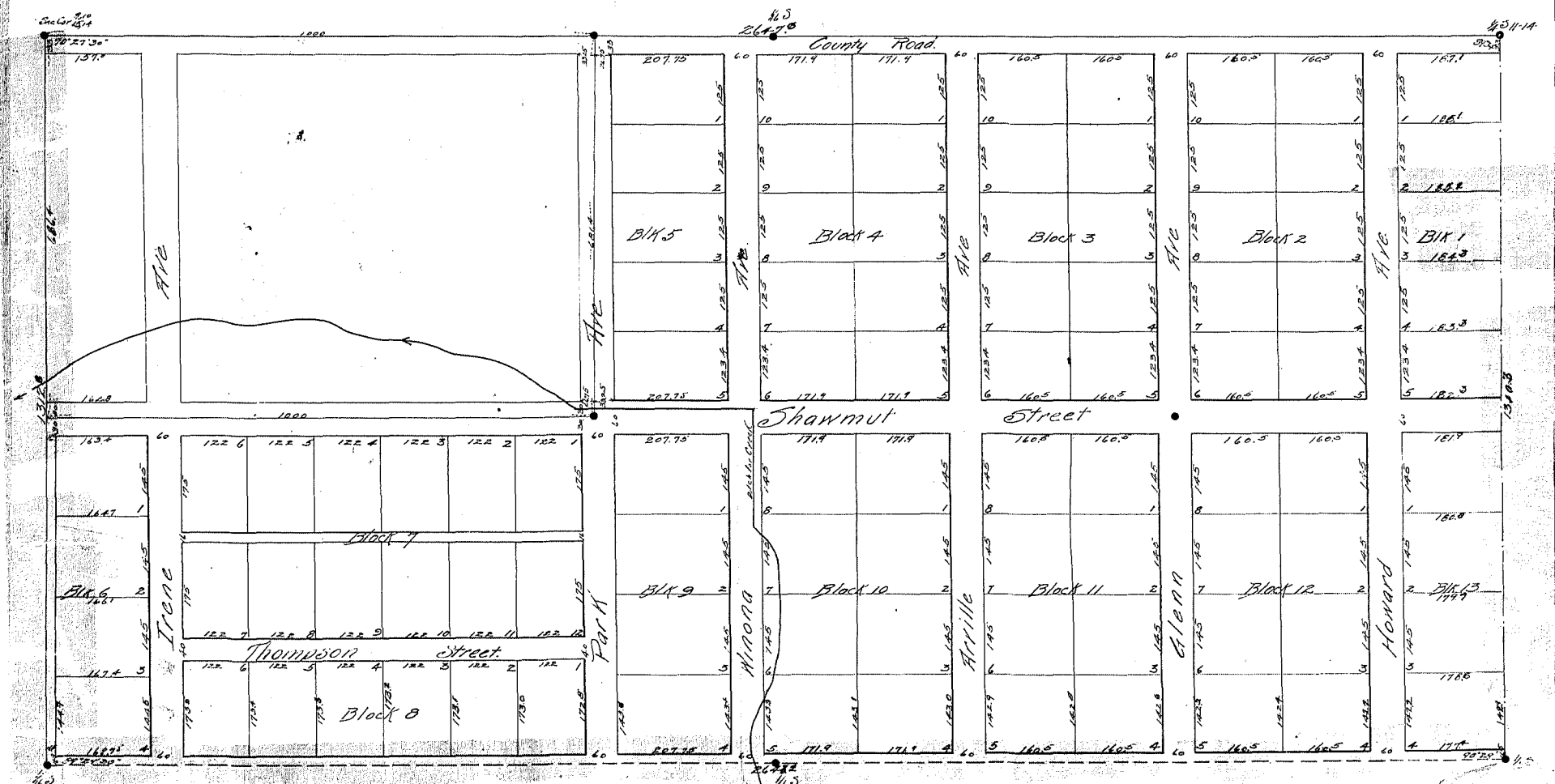
LEGAL DESCRIPTION OF THE PROPERTY

That part of the Northwest Quarter of the Northwest Quarter of Section 14, Township 46 North, Range 29 West, and MORNING SIDE PARK, according to the recorded plat thereof, all in Crow Wing County, Minnesota, described as follows:

Beginning at the northwest corner of said Section 14; thence southerly along the west line of said Section 14, to the intersection with the centerline of Shawmut Street, as dedicated in said plat; thence easterly along said centerline, to the intersection with the southerly extension of the east line of Block 5, said plat; thence northerly along said east line and its extension, to the northeast corner of Lot 2, said Block 5; thence westerly to the northwest corner of said Lot 2; thence northerly along the west line of said Block 5 and its northerly extension, to the north line of said Section 14; thence westerly along said north line, to the point of beginning.

REC'D BY
MBA

JUL 20 2015

[illegible]

In Presence of
E. M. H. H. H. H.
E. M. H. H. H. H.

[illegible]

State of Minnesota, ss
County of Spiritus

On this 16th day of September 1917 before me personally appeared H.M. Prindle to me known to be the person who executed the foregoing Declaration in behalf of the above named owners, and acknowledged that he executed the same as the free act and deed of the said Owners and of each of them

Witness my hand and seal of office
E. H. Prindle

Notary in Fact

I, Claude M. Pearce, a Mining Engineer, of Denton, Minnesota do hereby certify that I have made the above named Survey and Plat of Mining Site that and that description is correct to the best of my knowledge and belief. There are no other lodes in this tract excepted shown on this Plat. Iron Pipe Measurements have been placed at points marked throughout the Plat.

State of Minnesota } ss.
County of Crow Wing }
On this 4th day of September 1917 personally appeared before me Clyde M. Pearce who executed the above Certificate and he there being cognizant of the contents thereof as his free act and deed.
The above Plat of "Normanside Park" is
Clyde M. Pearce. Surveyor.
Donald B. McFarland
Notary Public, Boundary County, Minn.

I hereby certify that the taxes have been paid
on the above described Lands

I hereby certify that the Taxes have been paid on the above described Lands for year 1916

The above Plat of MorningSide Park was approved by the Board of Commissioners for Lincoln County, Minnesota this 5th day of September 1917

The above Map of "Morning Disc Park" No. 2
filed in my Office this day of 1917
at o'clock M

County Auditor
For the Board of
Commissioners - Crow Wing County
Minnesota.

Register of Deeds.
Crow Wing County
Minnesota.

CERTIFICATE NUMBER
VOL 18 PAGE 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 89