

**JOINT RESOLUTION ESTABLISHING AN
ORDERLY ANNEXATION AGREEMENT BETWEEN
ROCKSBURY TOWNSHIP AND THE CITY OF THIEF RIVER FALLS**

WHEREAS, The City of Thief River Falls, Minnesota, (hereafter "City"), did receive a Petition for Annexation of Real Property into the City due to the need of utilities and other services provided by the City, and

WHEREAS, The owner of the Real Property to be annexed pursuant to this Agreement did sign a Petition for Annexation, and

WHEREAS, The respective governing bodies of Rocksbury Township (hereafter "Town") and City had expressed their desire to encourage future development of Real Property near the City so as to promote the development of municipal services and urban growth as much as is practical, while respecting the existing rural residential lifestyles of other areas within the Town, and

WHEREAS, The Petition for Annexation concerned that Real Property located within the Township of Rocksbury, County of Pennington, and State of Minnesota described as follows:

That part of the Southeast Quarter (SE¼), Section Five (5), Township One Hundred Fifty-three (153) North, of Range Forty-three (43) West of the Fifth Principal Meridian, described as follows:

Commencing at the Southeast corner of said Southeast Quarter; thence North 1 degree 59 minutes 34 seconds East, assumed bearing, along the east line of said Southeast Quarter, a distance of 130.75 feet; thence North 75 degrees 25 minutes 43 seconds West, a distance of 302.73 feet to the point of beginning of that tract of land to be described herein, said point of beginning is the southwest corner of that tract of land conveyed by Highway Easement recorded as Document No. 151417 in the office of the Pennington County Recorder; thence North 14 degrees 34 minutes 17 seconds East, along the westerly line of said tract of land conveyed by Document No. 151417, a distance of 216.47 feet; thence northeasterly, a distance of 74.05 feet, along the westerly line of said tract of land conveyed by Document No. 151417, on a tangential curve, concave to the southeast, having a radius of 1054.93 feet, central angle of 4 degrees 01 minutes 19 seconds; thence North 18 degrees 35 minutes 35 seconds East, a distance of 329.18 feet; thence northeasterly, a distance of 247.70 feet, along the westerly line of said tract of land conveyed by Document No. 151417, on a tangential curve, concave to the northwest, having a radius of 854.93 feet, central angle of 16 degrees 36 minutes 01 seconds; thence north 1 degree 59 minutes 34 seconds East, parallel with the east line of said Southeast Quarter, a distance of 300.00 feet; thence South 88 degrees 00 minutes 26 seconds East, a distance of 67.00 feet, to the westerly right-of-way line of Pennington County Road No. 75; thence North 1 degree 59 minutes 34 seconds East, along said westerly right-of-way line, a distance of

556.66 feet to the southerly line of that tract of land conveyed by Conveyance of Forfeited Lands recorded as Document No. 171647 in the office of the Pennington County Recorder; thence North 88 degrees 01 minutes 54 seconds West, a distance of 548.06 feet to the southwest corner of said tract conveyed by Document No. 171647; thence North 1 degree 59 minutes 34 seconds East, a distance of 750.00 feet to the northwest corner of said tract conveyed by Document No. 171647, said corner is on the north line of said Southeast Quarter, thence North 88 degrees 01 minutes 54 seconds West, along the north line of said Southeast Quarter, a distance of 1973.60 feet to the easterly right-of-way line of Pennington County Road No. 16; thence South 2 degrees 48 minutes 17 seconds West, along the easterly right-of-way line of Pennington County Road No. 16, a distance of 1087.68 feet; thence southerly, southeasterly and easterly along the northeasterly right-of-way line of said Pennington County Road No. 16, a distance of 1428.13 feet, on a tangential curve, concave to the northeast, having a radius of 1045.92 feet, central angle of 78 degrees 14 minutes 00 seconds, thence South 75 degrees 25 minutes 43 seconds East, along the northerly right-of-way line of said Pennington County Road No. 16, a distance of 1492.38 feet to the point of beginning.

WHEREAS, The City and Town desire to accommodate the Petition for Annexation to encourage growth in a cooperative, planned, and orderly fashion, and

WHEREAS, This Joint Resolution creating an Orderly Annexation Agreement (hereafter "Agreement") is beneficial to both parties to promote orderly planning, the orderly transition of government within the Real Property proposed to be annexed, promote continuity of City boundaries, and establish the condition under which such annexation shall take place, and

WHEREAS, The Town and City jointly request the immediate annexation of the Real Property described herein into the City,

NOW, THEREFORE, BE IT RESOLVED, In consideration of the mutual terms and conditions contained herein, Town and City hereby enter into this Agreement to provide for the orderly annexation of the Real Property herein described into the City upon the following terms and conditions:

1. Real Property Designated For Annexation. The unincorporated Real Property designated for orderly annexation is located in the Township of Rocksbury, County of Pennington and State of Minnesota and is described as follows:

That part of the Southeast Quarter (SE $\frac{1}{4}$), Section Five (5), Township One Hundred Fifty-three (153) North, of Range Forty-three (43) West of the Fifth Principal Meridian, described as follows:

Commencing at the Southeast corner of said Southeast Quarter; thence North 1 degree 59 minutes 34 seconds East, assumed bearing, along the east line of said Southeast Quarter, a distance of 130.75 feet; thence North 75 degrees 25 minutes

43 seconds West, a distance of 302.73 feet to the point of beginning of that tract of land to be described herein, said point of beginning is the southwest corner of that tract of land conveyed by Highway Easement recorded as Document No. 151417 in the office of the Pennington County Recorder; thence North 14 degrees 34 minutes 17 seconds East, along the westerly line of said tract of land conveyed by Document No. 151417, a distance of 216.47 feet; thence northeasterly, a distance of 74.05 feet, along the westerly line of said tract of land conveyed by Document No. 151417, on a tangential curve, concave to the southeast, having a radius of 1054.93 feet, central angle of 4 degrees 01 minutes 19 seconds; thence North 18 degrees 35 minutes 35 seconds East, a distance of 329.18 feet; thence northeasterly, a distance of 247.70 feet, along the westerly line of said tract of land conveyed by Document No. 151417, on a tangential curve, concave to the northwest, having a radius of 854.93 feet, central angle of 16 degrees 36 minutes 01 seconds; thence north 1 degree 59 minutes 34 seconds East, parallel with the east line of said Southeast Quarter, a distance of 300.00 feet; thence South 88 degrees 00 minutes 26 seconds East, a distance of 67.00 feet, to the westerly right-of-way line of Pennington County Road No. 75; thence North 1 degree 59 minutes 34 seconds East, along said westerly right-of-way line, a distance of 556.66 feet to the southerly line of that tract of land conveyed by Conveyance of Forfeited Lands recorded as Document No. 171647 in the office of the Pennington County Recorder; thence North 88 degrees 01 minutes 54 seconds West, a distance of 548.06 feet to the southwest corner of said tract conveyed by Document No. 171647; thence North 1 degree 59 minutes 34 seconds East, a distance of 750.00 feet to the northwest corner of said tract conveyed by Document No. 171647, said corner is on the north line of said Southeast Quarter, thence North 88 degrees 01 minutes 54 seconds West, along the north line of said Southeast Quarter, a distance of 1973.60 feet to the easterly right-of-way line of Pennington County Road No. 16; thence South 2 degrees 48 minutes 17 seconds West, along the easterly right-of-way line of Pennington County Road No. 16, a distance of 1087.68 feet; thence southerly, southeasterly and easterly along the northeasterly right-of-way line of said Pennington County Road No. 16, a distance of 1428.13 feet, on a tangential curve, concave to the northeast, having a radius of 1045.92 feet, central angle of 78 degrees 14 minutes 00 seconds, thence South 75 degrees 25 minutes 43 seconds East, along the northerly right-of-way line of said Pennington County Road No. 16, a distance of 1492.38 feet to the point of beginning.

The Real Property is shown on the map attached hereto and made a part hereof as Exhibit "A".

2. Acreage and population. The Real Property consists of approximately 113.10 acres, the population of the Real Property is currently 0.

3. Jurisdiction. Upon approval by the Town Board and City Council, this Agreement shall confer jurisdiction upon the Chief Administrative Law Judge, as defined in

Minnesota Statutes, Section 414.011 (Subd. 12) (hereafter "Chief Judge"), to accomplish said annexation in accordance with the terms of this Agreement.

4. Review and Comment by Chief Judge. The Town and City mutually agree and state that this Agreement sets forth all the conditions for annexation and that no consideration by the Chief Judge is necessary for annexation to occur within the Real Property in accordance with this Agreement. Additionally, no alteration of the boundaries by the Chief Judge is appropriate. The Chief Judge may review and comment, but shall, within thirty days, order the annexation in accordance with the terms of this Agreement.

5. Effective Date. This Agreement is effective on the date it is last adopted by the Town and City. The annexation provided for by this Agreement shall be effective upon the issuance of the Order by the Chief Judge. The provisions of this Agreement shall be binding unless otherwise modified by a joint resolution of both the Town and City. This Agreement is only meant to apply to the Real Property and not to any other area within the Town.

6. Reasons for Annexation. The reasons for the annexation of the Real Property include the Town's and City's collective determination that: The Real Property is now, or is about to become, urban or suburban in character; that the Real Property is in need of utilities such as sanitary sewer, storm sewer, and water; the type of development proposed for the Real Property is more consistent with development within the City; and at this time the annexation would be in the best interest of the Petitioner, the City, and the Town.

7. Timing of Tax Levy. Pursuant to Minnesota Statutes, Section 414.0325, Subd. 4b, because the annexation provided for in this Agreement will be effective after August 1, 2015, the City may levy on the annexed area beginning with the next levy year.

8. Property Tax Reimbursement. Pursuant to Minnesota Statutes, Section 414.036, the reimbursement from the City to the Town shall be as follows:

First Year	90%
Second Year	70%
Third Year	50%
Fourth Year	30%
Fifth Year	10%

9. Road Maintenance. The annexation does not include any Town roads.

10. Planning and Land Use Control. The City shall exercise planning and land use control over the Property pursuant to City ordinances.

11. Authorization. The appropriate officers of the Town and City are hereby authorized to carry out the terms of this Agreement.

12. Entire Agreement. The terms, covenants, conditions, and provisions of this Agreement, including Exhibit "A", which is attached hereto and incorporated herein by

reference, shall constitute the entire Agreement between the Town and City, unless amended by joint resolution of Town and City.

13. 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 all the members of the Rocksbury Township Board on this 13 day of October, 2015.

Town of Rocksbury

By: Nancy L. Poffe
Its Chairperson

By: Stacy Lee
Its Town Clerk

REC'D BY
MBA

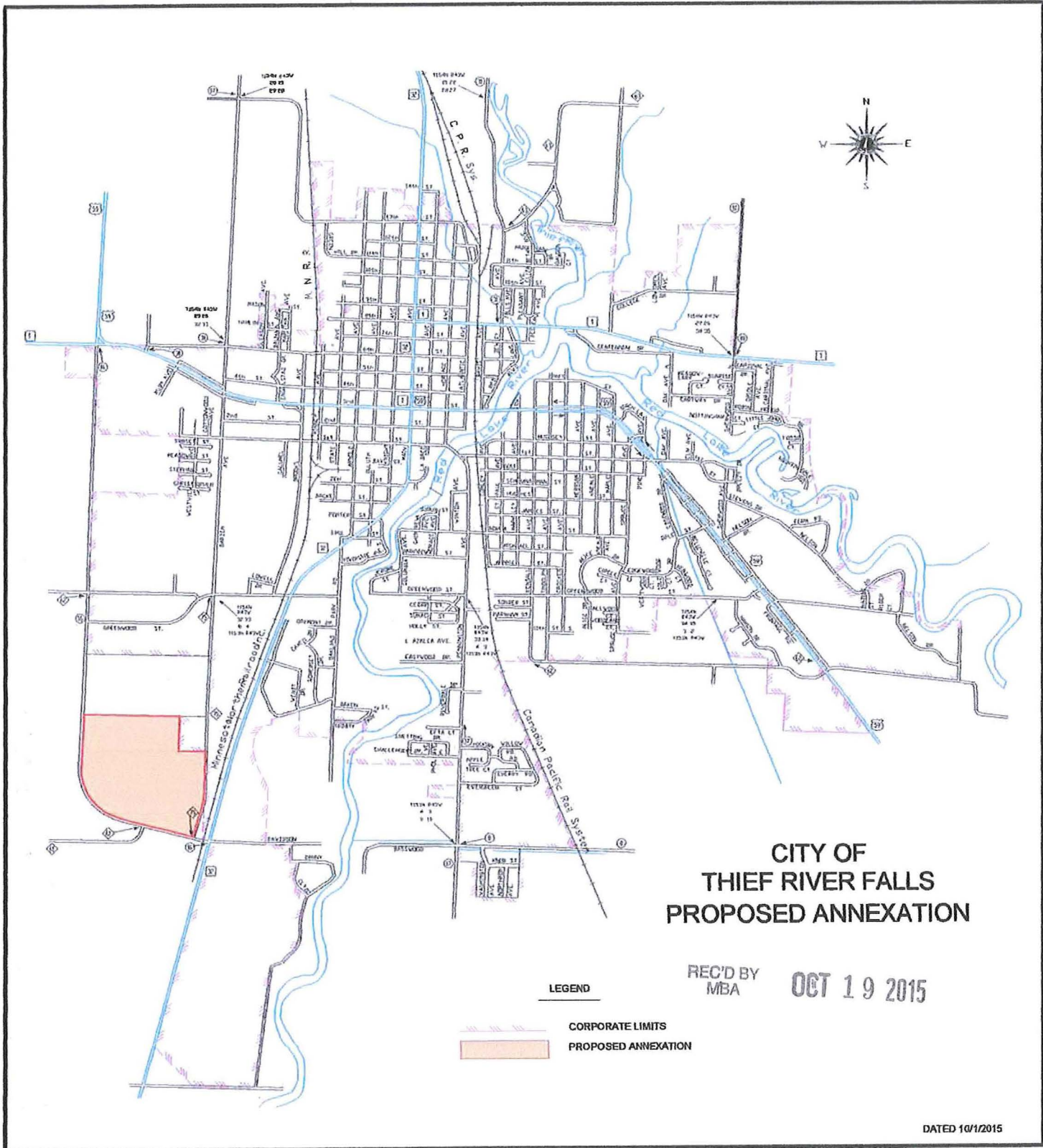
OCT 19 2015

6 Adopted by affirmative vote of all the members of the City of Thief River Falls on this day of October, 2015.

City of Thief River Falls

By: B. D. H.
Its Mayor



By: Lany Luer
City Administrator



**CITY OF
THIEF RIVER FALLS
PROPOSED ANNEXATION**

REC'D BY
MBA **OCT 19 2015**

LEGEND

-  CORPORATE LIMITS
-  PROPOSED ANNEXATION

DATED 10/1/2015