

**TOWN OF EMPIRE
CITY OF FARMINGTON**

REC'D BY
MBA

NOV 30 2015

**IN THE MATTER OF THE JOINT RESOLUTION
OF THE TOWN OF EMPIRE AND THE CITY
OF FARMINGTON, DESIGNATING AN
UNINCORPORATED AREA AS IN NEED OF
ORDERLY ANNEXATION AND CONFERRING
JURISDICTION OVER TO THE OFFICE OF
ADMINISTRATIVE HEARINGS, MUNICIPAL
BOUNDARY ADJUSTMENT UNIT, PURSUANT
TO M.S. §414.0325**

JOINT RESOLUTION

R63-15

WHEREAS, the portion of 213th Street W. described in Exhibit A and depicted Exhibit B is currently a Town road located in the Township, and serves properties located in the City, and;

WHEREAS, the urban development that has occurred in the area has resulted in additional trip generation from the properties located in the City, and;

WHEREAS, the Township shall transfer by deed that portion of 213th Street W. as described in Exhibit A and depicted in Exhibit B to the City.

NOW, THEREFORE, the Township of Empire and the City of Farmington jointly agree to the following:

1. The Township and City hereby establish an Orderly Annexation Area ("OAA") as authorized by Minnesota Statute §414.0325, Subdivision 1, as described in Exhibit A and depicted on Exhibit B, and have determined that the area of the property involved in this annexation is approximately 2.32 acres and the population of the area is currently zero.
2. That the purpose of the annexation of the property involved in this annexation is to transfer jurisdiction over the portion of 213th Street W. as described in Exhibit A and depicted in Exhibit B from Empire Township to the City of Farmington due to the urban development that has occurred around this portion of roadway and for provision of urban services, including road maintenance and snow removal by the City.
3. That in order to accomplish this purpose, that portion of 213th Street W. as described in Exhibit A and depicted in Exhibit B should be immediately annexed to and made part of the City of Farmington.
4. Upon approval by the respective governing bodies of the City and the Township, this joint resolution and agreement shall confer jurisdiction upon the chief administrative law judge of the Office of Administrative Hearings, Municipal Boundary Adjustment Unit (or his or her successor designee responsible for administering Minnesota Statutes Chapter 414) so as to immediately annex the lands described in Exhibit A and depicted in Exhibit B in accordance with the terms of this joint resolution and agreement without the need for any subsequent resolution(s) of the parties.
5. The City and Township agree that upon annexation all planning, official controls, and governmental services for the annexed area shall become the responsibility of the City, and that the provisions of Minn. Stat. §§414.035 and 414.036 authorizing differential taxation and municipal reimbursement for the annexed property will not be applied in this proceeding.
6. The City and the Township mutually state that no alteration by the chief administrative law judge to the OAA boundaries, as described in Exhibit A and depicted in Exhibit B is appropriate or permitted.

7. That the annexation of the property will not result in any change of electrical service and will not require joint planning since upon final approval of this joint resolution and issuance of the annexation order by the chief administrative law judge the property will immediately be fully subject to the official controls and other ordinances of the City of Farmington, including all land use controls. Further, that differential taxation under M.S. §414.036 is not required.
8. Having designated the area described In Exhibit A and depicted in Exhibit B as in need of orderly annexation, and having provided for all of the conditions of its annexation within this document, the parties to this agreement agree that no consideration by the chief administrative law judge is necessary. The chief administrative law judge may review and comment but shall within thirty (30) days order the annexation in accordance with the terms of this Resolution.

Approved and Adopted
this 10 day of November, 2015

Approved and Adopted
this 16th day of November, 2015

TOWN OF EMPIREBY: 

Terry L. Holmes

Its Town Board Chair

AND 

Kathleen B. Krippner

Its Town Board Clerk

CITY OF FARMINGTONBY: 

Todd Larson

Its Mayor

AND ~~David McKnight~~ Kevin Scherzman

Its City Administrator

Acting

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Exhibit A – Description

That portion of 213th Street right-of-way described as:

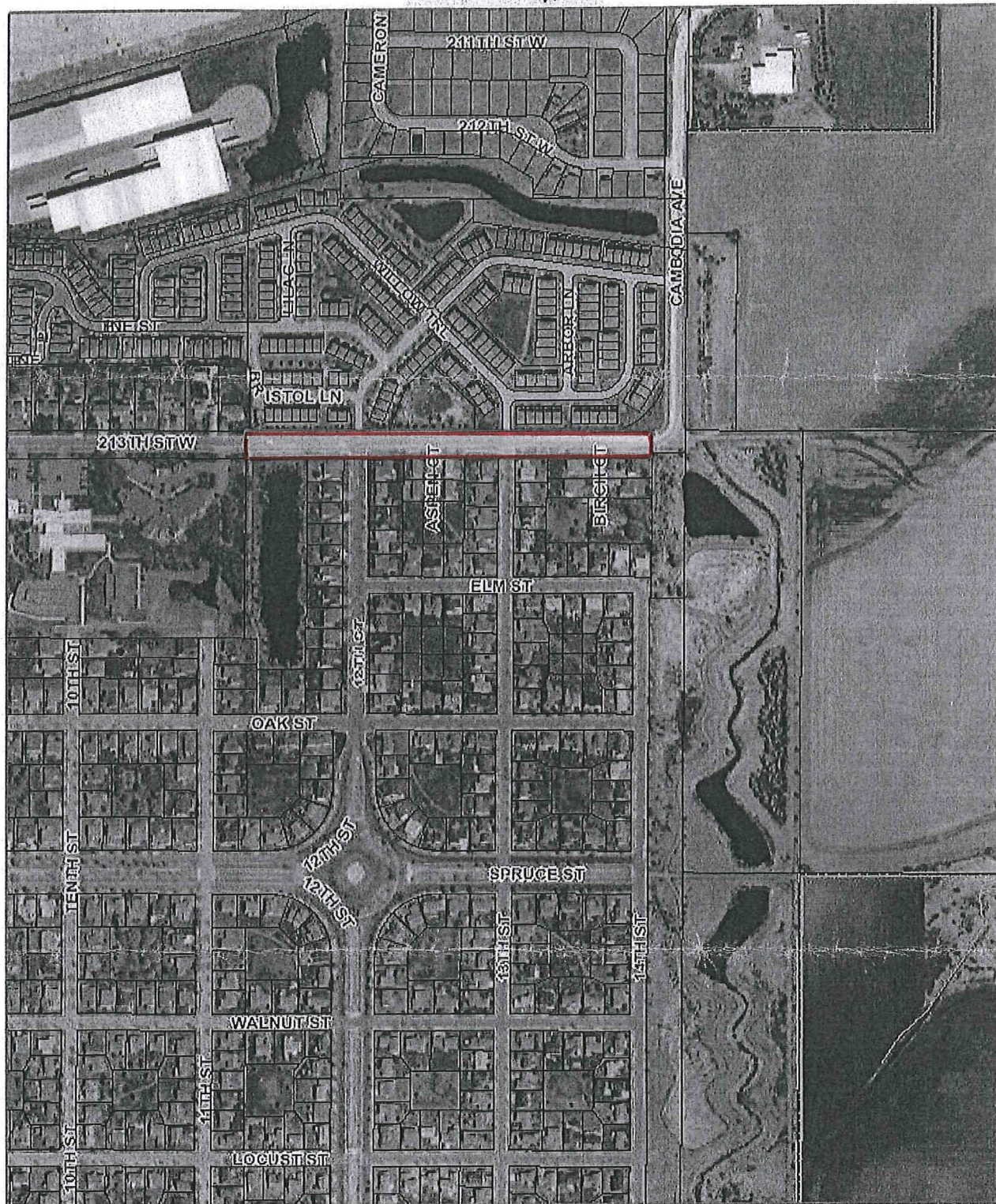
The North 83 feet of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 32, Township 114, Range 19 Dakota County, Minnesota beginning at the West line of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 32, Township 114, Range 19 Dakota County, Minnesota then extending easterly a distance of 1,217.6 feet. Containing approximately 2.32 acres.

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EXHIBIT B

Dakota County, MN



Disclaimer: Map and parcel data are believed to be accurate, but accuracy is not guaranteed. This is not a legal document and should not be substituted for a title search, appraisal, survey, or for zoning verification. Dakota County assumes no legal responsibility for the information contained in this data.

11/4/2015



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