

**IN THE MATTER OF THE ORDERLY ANNEXATION BETWEEN
THE CITY OF HENDRICKS AND HENDRICKS TOWNSHIP
PURSUANT TO MINNESOTA STATUTES § 414.0325**

WHEREAS, a request from all of the property owners of the area proposed for designation and immediate annexation was received.

WHEREAS, the City of Hendricks and Hendricks Township jointly agree to designate and request the immediate annexation of the following described land located within Hendricks Township to the City of Hendricks, County of Lincoln, Minnesota;

See Attached Exhibit A.

and

WHEREAS, the City of Hendricks and Hendricks Township are in agreement as to the orderly annexation of the unincorporated land described; and

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

WHEREAS, the City of Hendricks and Hendricks Township have agreed to all the terms and conditions for the annexation of the above-described lands; and the signatories hereto agree that no alteration of the designated area is appropriate and 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 the resolution.

NOW, THEREFORE, BE IT RESOLVED, jointly by the City Council of the City of Hendricks and the Township Board of Hendricks Township as follows:

1. **Property.** That the following described land is subject to orderly annexation pursuant to Minnesota Statutes § 414.0325, and that the parties hereto designate the area for orderly annexation; and agree that the land be immediately annexed:

See Attached Exhibit A

2. That the orderly annexation area consists of approximately ten acres, the population in the area is 16, and the land use type is Commercial.

3. That Hendricks Township and the City of Hendricks, by submission of this joint resolution to the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, confers jurisdiction upon the Chief Administrative Law Judge so as to accomplish said orderly annexation in accordance with the terms of this resolution.

4. **Municipal Reimbursement.** Minnesota Statutes § 414.036.

a. Reimbursement to Towns for lost taxes on annexed property. The parties to this agreement acknowledge that the taxes paid annually to Hendricks Township for the property being annexed is currently \$11.00 per year. That part of the property being annexed that belongs to the Hendricks Community Hospital Association is tax exempt and generates no taxes. The remaining approximately 4 acres being annexed generates the nominal tax amount of \$11.00

The parties acknowledge that the amount of taxes which will no longer be payable to Hendricks Township are nominal, and that administrative burden and cost for the City of Hendricks to reimburse Hendricks Township outweighs any benefit of making that reimbursement. Therefore, the parties agree that no reimbursement will be due in consideration of that fact and the fact that the City of Hendricks is paying the full cost related to this annexation, preparing this agreement and any associated fees.

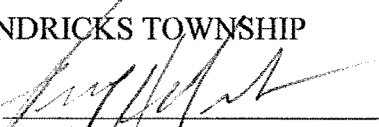
b. Assessments and Debt.

That pursuant to Minnesota Statutes § 414.036 with respect to any special assessment assigned by the Township to the annexed property and any portion of debt incurred by the Township prior to the annexation and attributable to the property to be annexed, but for which no special assessments are outstanding, for the area legally described on the attached exhibit A, there are (1) no special assessments or debt.

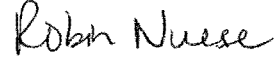
6. The City of Hendricks and Hendricks Township agree that upon receipt of this resolution, passed and adopted by each party, the Chief Administrative Law Judge may review and comment, but shall within thirty (30) days, order the annexation in accordance with the terms of the resolution.

Adopted by affirmative vote of all the members of the Hendricks Township Board of Supervisors this 9th day of April 2018.

HENDRICKS TOWNSHIP

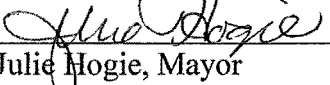
By: 
Ronald Weverka, Chairperson
Board of Supervisor

ATTEST:

By: 
Robin Nuese
Township Clerk

Adopted by affirmative vote of the City Council of the City of Hendricks this 19th day of March 2018.

CITY OF HENDRICKS

By: 
Julie Hogue, Mayor

ATTEST:

By: 
David Blee, City Administrator

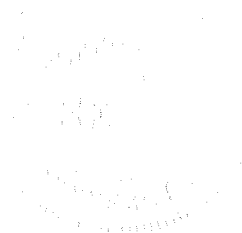


Exhibit A Legal Description

Omar and Ilene Ness Trust Property:

That part of the Southeast Quarter of the Southwest Quarter of Section 17, Township 112 North, Range 46 West of the Fifth Principal Meridian described as follows:

Beginning at the Southeast Corner of the Southwest Quarter (SW1/4) thence West along the South Line of the Southwest quarter a distance of 670 feet; thence North at right angles a distance of 260 feet; thence East on a line parallel to the South line of the Southwest Quarter to the East line of the Southwest Quarter; thence South along the East line of the Southwest Quarter to the point of beginning.

Hendricks Hospital Association Property:

All that part of the Southwest Quarter of Section 17, Township 112 North, Range 46 West, Lincoln County, Minnesota; a part of Outlot B of the subdivision entitled "Outlots A, B and C to the Town of Hendricks", in the City of Hendricks, as filed and recorded in the office of the County Recorder in and for said County; and a part of Outlot F of the subdivision entitled "Blocks 33 to 38 inclusive and Outlots D to L inclusive to the Town of Hendricks", in the City of Hendricks, as filed and recorded in the office of said County Recorder; being more particularly described as follows:

Commencing at the southeast corner of Outlot A as shown on said subdivision entitled Outlots A, B, and C to the Town (now City) of Hendricks; thence North 00 degrees 07 minutes 28 seconds East, assumed bearing, along the east line of said Outlot A, a distance of 40.00 feet; thence South 89 degrees 52 minutes 32 seconds East a distance of 75.00 feet; thence North 00 degrees 07 minutes 28 seconds East, parallel with said east line, a distance of 42.54 feet; thence South 89 degrees 49 minutes 10 seconds East a distance of 58.00 feet to the point of beginning; thence North 89 degrees 49 minutes 10 seconds West a distance of 58.00 feet; thence South 00 degrees 07 minutes 28 seconds West a distance of 42.54 feet; thence North 89 degrees 52 minutes 32 seconds West a distance of 75.00 feet to a point on the east line of said Outlot A; thence South 00 degrees 07 minutes 28 seconds West, along said east line of said Outlots A and B, a distance of 80.00 feet; thence North 89 degrees 52 minutes 32 seconds West, parallel to the north line of said Outlot B, a distance of 128.40 feet; thence South 00 degrees 07 minutes 28 seconds West a distance of 150.00 feet; thence North 89 degrees 52 minutes 32 seconds West a distance of 257.00 feet to the west line of said Outlot B; thence South 00 degrees 07 minutes 28 seconds West, along the west line of said Outlot B and the west line of said Outlot F, a distance of 219.78 feet to the southwest corner of said Outlot F; thence South 89 degrees 52 minutes 32 Seconds East, along the south line of said Outlot F, a distance of 385.40 feet to the southeast corner of said Outlot F; thence South 00 degrees 07 minutes 28 seconds West, along the east line of Outlot G of said subdivision entitled "Blocks 33 to 38 inclusive and Outlots D to L inclusive to the Town of Hendricks", a distance of 50.04 feet to the northwest corner of Sunview Addition, as filed and recorded in the office of said County Recorder; thence North 89 degrees 49 minutes 10 seconds East, along the north line of said Sunview Addition, a distance of 371.50 feet to the northeast corner of said Sunview Addition;

thence South 00 degrees 18 minutes 15 seconds West, along the east line of said Sunview Addition, a distance of 867.97 feet to a point on the south line of said Southwest Quarter; thence North 89 degrees 00 minutes 46 seconds East, along said south line a distance of 281.15 feet; thence North 00 degrees 59 minutes 14 seconds West a distance of 260.00 feet; thence North 89 degrees 00 minutes 46 seconds East a distance of 24.45 feet; thence North 00 degrees 58 minutes 15 seconds West a distance of 825.89 feet; thence South 88 degrees 58 minutes 18 seconds West a distance of 44.38 feet; thence North 00 degrees 07 minutes 28 seconds East a distance of 319.43 feet; thence North 89 degrees 49 minutes 10 seconds West a distance of 200.00 feet; thence North 00 degrees 04 minutes 10 seconds West a distance of 72.50 feet; thence South 86 degrees 10 minutes 50 seconds West a distance of 150.30 feet; thence South 74 degrees 28 minutes 50 seconds West a distance of 69.30 feet; thence South 54 degrees 00 minutes 02 seconds West a distance of 73.29 feet to the point of beginning.

EXCEPT

All that part of the above described tract located within the City of Hendricks.

City of Hendricks Property

All that part of the Northwest Quarter of Section 20, Township 112 North, Range 46 West, Lincoln County, Minnesota, being more particularly described as follows:

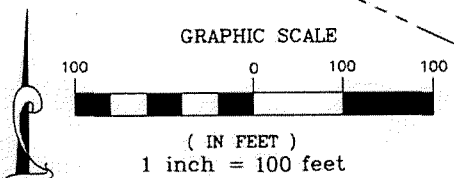
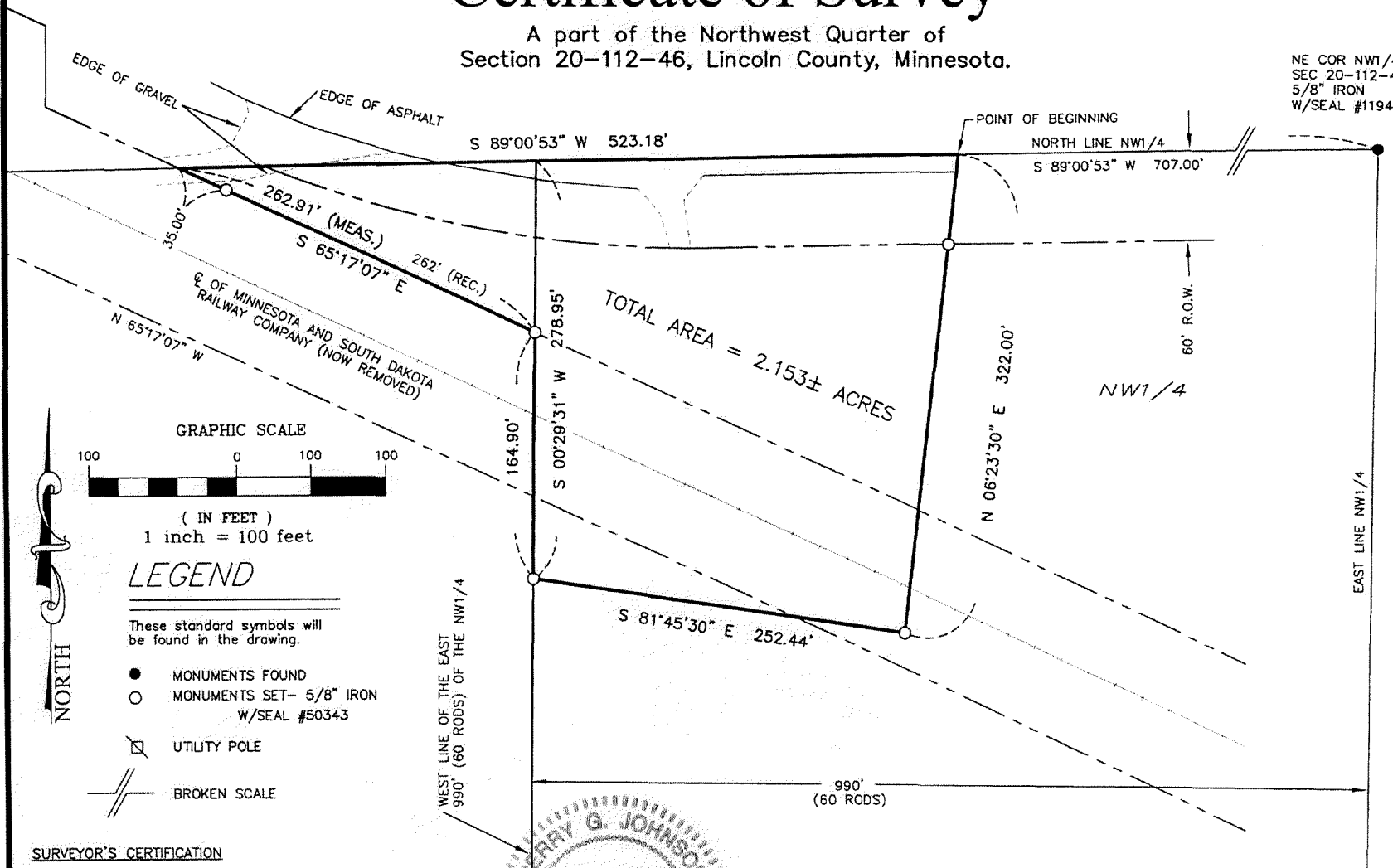
Commencing at the northeast corner of said Northwest Quarter; thence South 89 degrees 00 minutes 53 seconds West, bearing based on Lincoln County Coordinate System (1996 Adj.), along the north line of said Northwest Quarter, a distance of 707.00 feet, to the point of beginning; thence continuing South 89 degrees 00 minutes 53 seconds West, along said north line, a distance of 523.18 feet, to a point on the northeasterly right of way line of the Minnesota and South Dakota Railway (now removed); thence South 65 degrees 17 minutes 07 seconds East, along said northeasterly right of way line, a distance of 262.91 feet, to a point on the west line of the east 990 feet of said Northwest Quarter; thence South 00 degrees 29 minutes 31 seconds West, along said west line, a distance of 164.90 feet; thence South 81 degrees 45 minutes 30 seconds East a distance of 252.44 feet; thence North 06 degrees 23 minutes 30 seconds East a distance of 322.00 feet, to the point of beginning.

Subject to any existing highways, roadways, or easements.

Certificate of Survey

A part of the Northwest Quarter of
Section 20-112-46, Lincoln County, Minnesota.

NE COR NW1/4
SEC 20-112-46
5/8" IRON
W/SEAL #11943



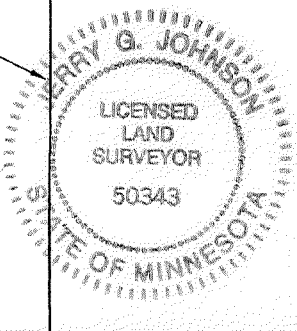
LEGEND

- These standard symbols will be found in the drawing.
- MONUMENTS FOUND
 - MONUMENTS SET- 5/8" IRON W/SEAL #50343
 - ▣ UTILITY POLE
 - ⋈ BROKEN SCALE

SURVEYOR'S CERTIFICATION

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

[Signature]
 JERRY G. JOHNSON LICENSE NO: 50343
 DATE: DECEMBER 6, 2017



Prepared for Ness
 Prepared by
Bueltel-Moseng Land Surveying, Inc.
 Marshall, MN 56258 Ph. 507-532-9043
 PROJECT NO. 17-5293

Certificate of Survey

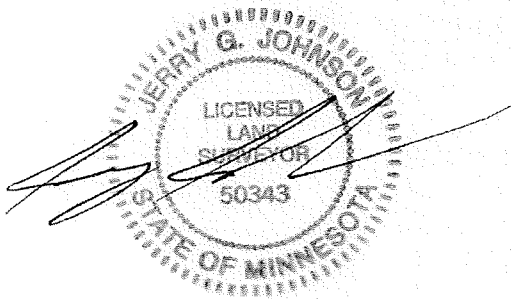
A part of the Northwest Quarter of
Section 20-112-46, Lincoln County, Minnesota.

LAND DESCRIPTION

All that part of the Northwest Quarter of Section 20, Township 112 North, Range 46 West, Lincoln County, Minnesota, being more particularly described as follows:

Commencing at the northeast corner of said Northwest Quarter; thence South 89 degrees 00 minutes 53 seconds West, bearing based on Lincoln County Coordinate System (1996 Adj.), along the north line of said Northwest Quarter, a distance of 707.00 feet, to the point of beginning; thence continuing South 89 degrees 00 minutes 53 seconds West, along said north line, a distance of 523.18 feet, to a point on the northeasterly right of way line of the Minnesota and South Dakota Railway (now removed); thence South 65 degrees 17 minutes 07 seconds East, along said northeasterly right of way line, a distance of 262.91 feet, to a point on the west line of the east 990 feet of said Northwest Quarter; thence South 00 degrees 29 minutes 31 seconds West, along said west line, a distance of 164.90 feet; thence South 81 degrees 45 minutes 30 seconds East a distance of 252.44 feet; thence North 06 degrees 23 minutes 30 seconds East a distance of 322.00 feet, to the point of beginning.

Subject to any existing highways, roadways, or easements.



SHEET 2 OF 2

Prepared for Ness

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