

STATE OF MINNESOTA

OFFICE OF ADMINISTRATIVE HEARINGS

IN THE MATTER OF THE JOINT RESOLUTION
OF THE CITY OF WILLMAR AND WILLMAR
TOWNSHIP DESIGNATING CERTAIN AREAS
AS IN NEED OF ORDERLY ANNEXATION
PURSUANT TO MINNESOTA STATUTES § 414.0325

JOINT RESOLUTION FOR ORDERLY ANNEXATION

WHEREAS, 100 percent of property owners with property located within the Township of Willmar ("Township") and legally described in Exhibit A, which is attached hereto and incorporated herein by reference (referred to hereinafter as the "Subject Area"), petitioned the City of Willmar ("City") seeking annexation of that property to the City; and

WHEREAS, the Township and City have agreed to work cooperatively to accomplish the orderly annexation of the Subject Area legally described in Exhibit A; and

WHEREAS, for ease of reference, the Subject Area proposed for annexation in accordance with this Joint Resolution and legally described in Exhibit A is shown on the map attached hereto as Exhibit B and incorporated herein by reference; and

WHEREAS, the City and Township agree that orderly annexation of the Subject Area is in the best interest of the property owners and would benefit the public health, safety, and welfare of the community; and

WHEREAS, the City and Township agree that the Subject Areas, legally described in Exhibit A, is in need of immediate orderly annexation; and

WHEREAS, the City and Township desire to accomplish the immediate orderly annexation of the Subject Area without the need for any further hearing before the Office of Administrative Hearings.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of Supervisors of Willmar Township and the City Council of the City of Willmar, as follows:

1. Designation of Orderly Annexation Area – City of Willmar and Willmar Township. The Township and the City hereby designate the Subject Area legally described in Exhibit A, which is attached hereto and incorporated herein by reference, for immediate orderly annexation pursuant to Minnesota Statutes, Section 414.0325.
2. Acreage. The Township and City agree that the above-mentioned Subject Area legally described in Exhibit A and designated as in need of immediate orderly annexation is approximately 1.53 acres in total space.

3. Population. The Township and City agree that the population of the Subject Area legally described in Exhibit A and designated as in need of immediate orderly annexation herein is 0.
4. Map of Area. A boundary map showing the Subject Area legally described in Exhibits A is attached hereto as Exhibit B and is incorporated herein by reference.
5. No Hearing Required. Pursuant to Minnesota Statutes, Section 414.0325, the Township and City agree that no alteration of the boundaries stated herein is appropriate, that all conditions for annexation of the Subject Area legally described in Exhibit A are contained in this Joint Resolution, and that no consideration by the Office of Administrative Hearings is necessary. Upon the execution and filing of this Joint Resolution, the Office of Administrative Hearings may review and comment thereon, but shall, within 30 days of receipt of this Joint Resolution, order the annexation of the Subject Area legally described in Exhibit A in accordance with the terms and conditions contained in this Joint Resolution.
6. Tax Reimbursement. The City and Township agree that upon annexation of the Subject Area legally described in Exhibit A, the City shall reimburse the Township for the loss of taxes from the property so annexed in accordance with the following:
 - a. In the year when the City could first levy on the annexed area, the City shall make a cash payment to the Township in an amount equal to five (5) times the property taxes distributed to the Township in regard to the annexed area in the last year that property taxes from the annexed area were payable to the Township.
 - b. Thereafter, the City will no longer reimburse the Township. The City shall make payment as contemplated herein no later than December 31 of the first year following the year when the City could first levy on the annexed area.
7. Notice of Intent. This Joint Resolution is not subject to the notice and publication requirements of Minn. Stat. § 414.0325, subd. 1b since this Joint Resolution designates the Subject Areas for immediate annexation and all of the property owners of the Subject Areas have petitioned the City to be annexed.
8. Termination. This Joint Resolution shall remain in full force and effect until completion of tax reimbursement to the Township in accordance with paragraph 6 of this Joint Resolution.
9. Governing Law. The Township and City agree that this Joint Resolution is made pursuant to, and shall be construed in accordance with the laws of the State of Minnesota.
10. Headings and Captions. The Township and City agree that the headings and captions contained in this Joint Resolution are for convenience only and are not intended to alter any of the provisions of this Joint Resolution.
11. Entire Agreement. The terms, covenants, conditions and provisions of this Joint Resolution shall constitute the entire agreement between the parties hereto superseding all prior

agreements and negotiations. This Joint Resolution shall be binding upon and inure to the benefit of the respective successors and assigns of the Township and City.

12. Legal Description and Mapping. The Township and City agree that in the event there are errors, omissions or any other problems with the legal descriptions provided in Exhibit A or mapping provided in Exhibit B, in the judgment of the Office of Administrative Hearings, the City and Township agree to make such corrections and file any additional documentation, including a new Exhibit A or Exhibit B making the corrections requested or required by the Office of Administrative Hearings as necessary to make effective the annexation of said Subject Area in accordance with the terms of this Joint Resolution.
13. Notice. Any notices required under the provisions of this Joint Resolution shall be in writing and sufficiently given if delivered in person or sent by U.S. mail, postage prepaid, as follows:

If to the City:

Leslie Valiant
City Administrator
Willmar City Hall
333 6th St SW
Willmar, MN 56201

If to the Township:

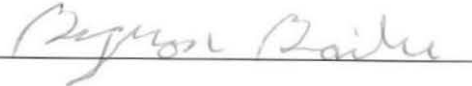
Krista Krupa
Township Clerk
Willmar Township
5812 7th Avenue NW
Willmar, MN 56201

14. Effective Date. This Joint Resolution shall be effective on the date that the last party hereto signs and dates said document.
15. Filing. The Township and City agree that upon adoption and execution of this Joint Resolution, the City shall file the same with the Office of Administrative Hearings Municipal Boundary Adjustments Office and pay the required filing fee.

[Signature page to follow]


Passed, adopted, and approved by the Town Board of Supervisors of Willmar Township, Kandiyohi County, Minnesota, this 3rd day of October, 2023.

WILLMAR TOWNSHIP

By: 


Byron Boike, Supervisor Chairman

ATTEST:


Krista Krupa, Town Clerk

Passed, adopted, and approved by the City Council of the City of Willmar, Kandiyohi County, Minnesota, this 18th day of September, 2023.

CITY OF WILLMAR

By: 
Douglas E. Reese, Mayor

ATTEST:

By: 
Leslie M. Valiant, City Administrator

EXHIBIT A
Legal Description of Subject Area

The Subject Area A to be annexed in the attached Joint Resolution is legally described as follows:

Lot 01 Block 01 Janssen Second Addition.

AND

Lot 02 Block 01 Janssen Second Addition.

EXHIBIT B **Boundary Map**

The following is a municipal boundary map as referenced in the attached Joint Resolution, showing the current City of Willmar (boundary shown in yellow) and its relation to the Subject Area to be annexed (boundary of these two parcels is shown in green), which are legally described in Exhibit A.

