

RESOLUTION NO. 4012

A JOINT RESOLUTION FOR ORDERLY ANNEXATION
BY THE CITY OF SHAKOPEE AND THE TOWNSHIP OF JACKSON

WHEREAS, the City of Shakopee and the Township of Jackson desire to accommodate growth in the most orderly fashion; and

WHEREAS, a joint orderly annexation agreement between the parties hereto is beneficial to both parties from the standpoint of orderly planning and orderly transition of government within the area proposed to be annexed, and provides the guidelines under which such annexation shall take place.

NOW THEREFORE, be it resolved by the City of Shakopee and the Township of Jackson that the property herein is proposed to be annexed by the City of Shakopee and shall be annexed subject to the following terms and conditions:

1. The property which is covered by this orderly annexation agreement is legally described as follows:

A. Property in Section 12, Township 115, Range 23, described as follows:

The South half of the Southeast quarter (S 1/2 SE 1/4); and

The Northeast quarter of the Southwest quarter (NE 1/4 SW 1/4); and

That part of the Northwest quarter of the Southwest quarter (NW 1/4 SW 1/4) described as follows: Beginning at the Northeast corner of the Northwest Quarter of the Southwest Quarter thence southerly along the east line of said Northwest Quarter of Southwest Quarter a distance of 596.20 feet to a point 1954.54 feet southerly from the Northeast corner of the Southwest Quarter of the Northwest quarter of Section 12, said 1954.54 feet measured along the east lines of said Southwest quarter of Northwest quarter and Northwest quarter of the Southwest quarter; thence Westerly parallel with a line drawn at right angles to the east line of said Southwest quarter of the Northwest quarter a distance of 484.10 feet; thence Northerly parallel with the east line of said Northwest quarter of Southwest quarter a distance of 643.27 feet more or less to the north line of said Northwest quarter of the Southwest quarter; thence easterly along the north line of said Northwest quarter of Southwest quarter a distance of 485.95 feet more or less to the point of beginning; and

The South half of the Southwest quarter (S 1/2 SW 1/4).

B. Together with property in Section 11, Township 115, Range 23, described as follows:

The South 10.0 feet of the Southeast quarter of the Southeast quarter (SE 1/4 SE 1/4); and

The Southwest quarter of the Southeast quarter (SW 1/4 SE 1/4); and

That part of the Southeast quarter of the Southwest quarter (SE 1/4 SW 1/4) lying north of the centerline of Trunk Highway 101 Bypass (which is expected to be renumbered to Highway 169 after construction).

2. This property is adjacent to the City of Shakopee.

3. Within three years after annexation, the City of Shakopee shall provide public sanitary sewer to this property. Shakopee Public Utilities shall make available to this property municipal water and electricity, subject to standard SPUC policies which apply to other similar properties and customers. Water will be available upon completion of the regular procedures for City of Shakopee public improvement projects. Electric service is available upon application to the Shakopee Utilities, except for the area described below. After December 10, 1995, the City of Shakopee and Shakopee Utilities will endeavor to secure the right to furnish electric service in the area described as follows:

That part of the Southeast quarter of the Southwest quarter (SE 1/4 SW 1/4) lying north of the centerline of Trunk Highway 101 Bypass (future Highway 169), in Section 11, Township 115, Range 23.

4. The parties agree to the following division of tax revenues from and special assessments for local improvements to the property:

(a) Property taxes: Taxes based on the 1994 tax capacity shall be paid to the Township of Jackson each year, ending on December 31, 1999. The amount of any current taxes which exceed the 1994 tax capacity shall be paid to the City of Shakopee.

(b) Special assessments: The property shall not be assessed for utility and street improvements until either (1) said improvements have been determined by the City to benefit the property as required by Minnesota Statutes Chapter 429, or (2) the property owners have provided the City with signed waivers of their appeal rights. Any assessments shall follow standard City policy. Special assessment payments shall be paid to the City of Shakopee.

5. As a condition precedent to annexation, authority from the appropriate metropolitan governmental agencies to change and adjust the "MUSA line" boundary to include the property designated for annexation shall be obtained. The 30-day period for approval of this Joint Resolution for Annexation by the Minnesota Municipal

Board under Minn. Stat. Sec. 414.0325, Subd. 1, shall be withheld until such authority has been obtained. The 30-day period for approval also shall be delayed until a survey description is provided to the Minnesota Municipal Board if they deem it advisable or necessary.

6. The property shall be zoned according to the normal zoning designation procedure in the City. The City of Shakopee Comprehensive Plan shall guide the City in arriving at the appropriate zoning of the property. It is presently the intent of the City to zone this property for urban residential development, R-2, following all due process including a public hearing as required by law. The City Council shall act upon the recommendation of the City Planning Commission within 60 days after receiving the order of the Municipal Board for annexation of the property.

7. The City of Shakopee and the Township of Jackson agree that no alteration of the stated boundaries of the property is appropriate. Furthermore, the parties agree that no consideration by the Municipal Board is necessary, except as hereinabove provided. Upon receipt of this resolution, passed and adopted by each party, the Municipal Board may review and comment, but shall, within thirty (30) days, order the annexation in accordance with the terms of this joint resolution.

Approved by the City of Shakopee this 26th day of June, 1994.

Janith L. Cox
City Clerk

[Signature]
Mayor

Approved by the Township of Jackson this 19th day of July, 1994.

Robert F. Hies
Town Board Chair

Joseph Mink
Town Board Clerk

[8MEMO2]

ORDERLY ANNEXATION AGREEMENT

This Agreement, made and entered into this 21st day of June, 1994, by and between the City of Shakopee, Minnesota, with offices at 129 S. Holmes St., Shakopee, MN 55379, and the Township of Jackson, Minnesota, with offices at 1060 Oak Road, Shakopee, MN 55379.

WHEREAS, the City of Shakopee and the Township of Jackson desire to accommodate growth in the most orderly fashion; and

WHEREAS, a joint orderly annexation agreement between the parties hereto is beneficial to both parties from the standpoint of orderly planning and orderly transition of government within the area proposed to be annexed, and provides the guidelines under which such annexation shall take place.

NOW THEREFORE, it is agreed by and between the City of Shakopee and the Township of Jackson that the property herein is proposed to be annexed by the City of Shakopee and shall be annexed subject to the following terms and conditions:

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Executed the date and year first above written.

Township of Jackson, Minnesota

City of Shakopee, Minnesota

By Morbert Theis
Town Board Chair 7-19-94

By [Signature]
Mayor

By Barbara Menke
Town Board Clerk

By Dennis R. Kraft
City Administrator

Shakopee Public Utilities

By Judith J. [Signature]
City Clerk 8.3.94

By [Signature]
Chair

By Barbara Menke
Secretary 8.1.94

[8MEMO2]

JACKSON TOWNSHIP ANNEXATION — 1994

SFR — 156.49 AC

C — 3.28 AC

SCALE: 1" = 1000'

MDR — 13.12 AC

DRAINAGEWAY — 4.16 AC

PARK — 13.89 AC

SFR (DEVELOPED) 19.28 AC TOTAL: approx. 210 acres

