

REC'D. BY JUN 26 1995
M M R

OPTION D

TO THE MINNESOTA MUNICIPAL BOARD

475 McCall Building

366 Jackson Street

St. Paul, MN 55101-1925

IN THE MATTER OF THE JOINT RESOLUTION
OF THE TOWNSHIP OF EYOTA AND THE CITY
OF EYOTA DESIGNATING AN UNINCORPORATED
AREAS AS IN NEED OF ORDERLY ANNEXATION
AND CONFERRING JURISDICTION OVER SAID
AREA TO THE MINNESOTA MUNICIPAL BOARD
PURSUANT TO M.S. 414.0325

JOINT RESOLUTION
FOR ORDERLY
ANNEXATION

The township of Eyota and the city of Eyota hereby jointly agree to the following:

1. That the following described area in Eyota Township is subject to orderly annexation pursuant to Minnesota Statutes 414.0325, and the parties hereto designate this area for orderly annexation:

See Attachment A

NO ALTERATION OF THE STATED BOUNDARIES OF THIS AREA DESIGNATED AND IN NEED OF ORDERLY ANNEXATION IS APPROPRIATE.

2. That the township of Eyota does, upon passage of this resolution and its adoption by the City Council of the city of Eyota, Minnesota, and upon acceptance by the Municipal Board, confer jurisdiction upon the Minnesota Municipal Board over the various provisions contained in this agreement.

3. These certain properties abutting the city of Eyota are presently urban or suburban in nature or are about to become so.

Further, the city of Eyota is capable of providing services to this area within a reasonable time, or the existing township form of government is not adequate to protect the public health, safety or welfare, or the annexation would be in the best interests of the area proposed for annexation. Therefore, these properties should be immediately annexed to the city of Eyota. This area is described as follows:

See Attachment A

LH
B
5m

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4. In this annexation area the parties agree that the township or city portion of the real estate taxes payable based on present market values by the city of Eyota in the years 1996, 1997, 1998, 1999, 2000 and ~~2001~~ will be paid to the township of Eyota. Except for those parcels along Madison Avenue North shown on Exhibit B, no reimbursement of real estate taxes will be paid due to the possible immediate need for city services and maintenance.

5. Any person owning lands annexed to the city pursuant to this agreement shall have the following rights with regard to the payment of assessments and hook-up charges on projects completed by the city which may be assessable against said annexed property: The hook-up charges for sewer and water shall be as provided in the Eyota City Ordinance covering such hook-up charges at the time the hook-up is requested by the annexed land owner.

No assessment for a previously completed city project will be assessed against the annexed land owner.

Furthermore, be it resolved that the city of Eyota will not contest and will agree to the detachment if legally petitioned by the property owners, those parcels in Section 11-106-12 city of Eyota are as follows:

102 Robert and Larry Brubaker

103 Larry Brubaker

~~104 Theodore and Gail Klassen~~

LH
B
5m

If detached, the township agrees to reimburse the city portion of the lost real estate tax for a period of 5 years.

7. No consideration by the board is necessary.

City of Eyota

Passed and adopted by the City Council of the city of Eyota this 19th day of June 1995.

Attest:

Julia C. Mason
(Clerk)

By: [Signature]
(Mayor)

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B.M.S.

Township of Eyota

Passed and adopted by the Township Board of the Eyota Township this 19th day of June, 1995.

Attest:

Leverne Hammel
(Town Clerk)

By: David Bush
(Its Chairman)

RECORDED BY JUN 26 1995
M.M.R.

ATTACHMENT A

ANNEXATION DESCRIPTION

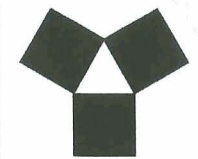
All of Lots 9, 10, 12, 13, 14, 15, 16, 17, 18 and 19, Rena Belle Addition, in Eyota, Minnesota, according to the plat thereof on file in the County Recorder's office, Olmsted County Minnesota, together with that part of Everett Avenue adjoining said Lots 10 and 12, and that part of Skyline Avenue adjoining said Lots 15 and 16.

That part of the South Half of Section 10, and of the North Half of the Northeast Quarter of Section 15, Township 106 North, Range 12 West, Olmsted County, Minnesota, described as follows:

Commencing at the intersection of the west line of said South Half of Section 10 and the southerly right-of-way line of the Dakota, Minnesota, and Eastern Railroad; thence easterly along said southerly right-of-way line 2100 feet more or less to the intersection with a southeasterly extension of the southwesterly right-of-way line of a Dakota, Minnesota, and Eastern Railroad Spur Track and the point of beginning; thence continue easterly along said southerly right-of-way line of the Dakota, Minnesota, and eastern Railroad 3230 feet more or less to the easterly line of said Northeast Quarter of Section 15; thence northerly along said easterly line and along the easterly line of said South Half of Section 10, a distance of 1990 feet more or less to the southerly right-of-way line of State Trunk Highway No. 14; thence northwesterly and westerly along said southerly right-of-way line of State Trunk Highway No. 14, a distance of 4250 feet more or less to the intersection with the westerly right-of-way line of a Dakota, Minnesota, and Eastern Railroad Spur Track; thence southerly and southeasterly along said westerly right-of-way line 2630 feet more or less to the point of beginning.



REC'D. BY
M.M.H. JUN 26 1995



**YAGGY
COLBY
ASSOCIATES**

ENGINEERS • ARCHITECTS
SURVEYORS • PLANNERS
LANDSCAPE ARCHITECTS

717 THIRD AVENUE SOUTHEAST
ROCHESTER, MINNESOTA 55904
507-288-6464
FAX 507-288-6058

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

NUMBER _____ DATE _____

**ANNEXATION STUDY
EYOTA, MINNESOTA**

PROJECT NUMBER 4276
COMPUTER FILE EYOTA.DWG
DATE 06/22/95
DRAWN BY MSR
CHECKED BY _____
REVISIONS _____

SHEET NUMBER
1
OF 1 SHEETS