

4-8-96

BEFORE THE MUNICIPAL BOARD
OF THE STATE OF MINNESOTA

Robert J. Ferderer	Chair
Paul B. Double	Vice Chair
Lea De Souza Speeter	Commissioner

IN THE MATTER OF THE JOINT RESOLUTION)
 OF THE CITY OF FERGUS FALLS AND THE)
 TOWN OF BUSE FOR THE ANNEXATION OF)
 CERTAIN LAND TO THE CITY OF FERGUS)
 FALLS PURSUANT TO MINNESOTA STATUTES 414)

**JOINT RESOLUTION OF THE CITY OF FERGUS FALLS
AND THE TOWN OF BUSE**

WHEREAS, the City of Fergus Falls has received petitions from owners of property of Buse Township relating to the annexation of certain lands to the City of Fergus Falls; and

WHEREAS, the City of Fergus Falls (hereinafter "City") and the Township of Buse (hereinafter "Town") have been meeting periodically to implement annexation of an area of Buse to the City; and

WHEREAS, the parties have agreed upon the provisions for an Annexation Agreement,

NOW THEREFORE, BE IT RESOLVED, the following Joint Resolution be adopted by the City and Town, and submitted to the Minnesota Municipal Board for review and comment. No alteration of the boundaries are appropriate and no consideration by the Municipal Board is necessary. This Resolution provides generally for the terms of annexation by and between the City of Fergus Falls and portion of Buse Township in several regards.

RESOLVED, by the City and Town as follows:

1. Annexation Area. The following described area in Buse Township is properly subject to annexation pursuant to Minnesota Statutes 414.0325. The parties designate this area in need of annexation as provided by statute (see attached real estate description marked Schedule I).

The Town, upon the passage of this resolution and its adoption by the Council of the City, confers jurisdiction (which jurisdiction is limited by and strictly within the terms of this Resolution) upon the Minnesota Municipal Board so as to accomplish said annexation in accordance with the terms of this Resolution.

2. No Municipal Board Hearing - 1996 Annexation. The Town will not object to the annexation of the tracts of land described in attached Schedule I.

No alteration of the boundaries thereof stated herein are appropriate. No consideration by the Municipal Board is necessary. The Municipal Board may review and comment only, but shall, within thirty (30) days, order Annexation in accordance with the terms of this Resolution.

3. Consideration in Lieu of Allocation of Real Estate Taxes. The City agrees that in lieu of the Township receiving any other allocation of the real estate taxes for the entire annexed area for a six (6) year period of time, City will, upon acceptance and Order of the Minnesota Municipal Board of this Agreement and resulting annexation of the area described in Schedule 1, pay to the Town the sum of Six Hundred Ninety Seven Dollars and 98/100 (\$697.98), as follows:

- a. One Hundred Sixteen Dollars and 33/100 (\$116.33) on June 30, 1997; and
- b. The sum of One Hundred Sixteen Dollars and 33/100 (\$116.33) to be payable on June 30 of each subsequent year for a period of five (5) years, terminating on June 30, 2002.

The Township shall be entitled to receive all real estate taxes payable in 1996.

The City shall be entitled to receive all real estate taxes payable in 1997 and thereafter.

4. Reimbursement for Improvements. Within sixty (60) days from and after the date of the Order of Annexation by the Minnesota Municipal Board, the City shall pay to Town, the sum of Seven Hundred Seventy Seven Dollars and 48/100 (\$777.48) as and for reimbursements for two culverts recently constructed on the area subject for annexation.

5. Road Maintenance. Upon acceptance and Order of the Municipal Board of this Agreement and resulting annexation of the area described in Schedule 1, the City shall take over all responsibilities for maintenance and repair of the Township road which is included in the description set forth in Schedule 1.

6. Population. The Town and City agree that the population of the area described in Schedule 1 is 2 people. Upon annexation, the City's population shall increase by 2 and the Town's population shall decrease by 2 people.

RECEIVED BY APR 25 1996
M M R

CITY OF FERGUS FALLS:

Passed and adopted by the City of Fergus Falls this 15th day of April, 1996.

ATTESTED:



City Administrator

APPROVED:



Mayor

RECEIVED BY APR 25 1996
M M P

TOWNSHIP OF BUSE:

Passed and adopted by the Town of Buse this 9 day of April, 1996.

ATTESTED:

Carolyn Lund
Township Clerk

APPROVED:

Curtis D. Svare
Chairman

REC'D BY
MMR APR 25 1996

SCHEDULE I
(Four Parcels)

PARCEL 1

The North Thirty-three (33) of the Southwest Quarter (SW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section Thirteen (13), Township One Hundred Thirty Two (132), Range Forty-three (43) and the North Thirty-three (33) feet of Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section Fourteen (14), Township One Hundred Thirty Two (132), Range Forty-two (42), described as follows:

Beginning at the East Right-of-Way line of County Highway #82, thence East to the East line of the Southwest Quarter (SW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section Thirteen (13), Township One Hundred Thirty Two (132), Range Forty-three (43) and there terminating, consisting of 1.6 acres, more or less.

PARCEL 2

All of the dedicated Public Road Right-of-Way lying within Pebble Shores and Pebble Shores First Addition, on file and of record in the Office of the County Recorder in and for Otter Tail County, Minnesota. Said Right-of-Way, known as Pebble Shores Drive, located within Section Thirteen (13), Township One Hundred Thirty Two (132), Range Forty-three (43), Otter Tail County, Minnesota, consisting of 6 acres, more or less.

That part of the Northeast Quarter of the Southwest Quarter, together with that part of the Northwest Quarter of the Southeast Quarter, together with that part of the Southwest Quarter of the Northeast Quarter, together with that part of Government Lot 2 all in Section 13, Township 132 North, Range 43 West, Otter Tail County, Minnesota all of which is described as follows:

Commencing at the Southwest Corner of said Northeast Quarter of the Southwest Quarter; thence South $88^{\circ}18'41''$ East (Assumed Bearing) along the South Line of said Northeast Quarter of the Southwest Quarter a distance of 50.13 feet; thence North $01^{\circ}31'38''$ East a distance of 285.85 feet; thence North $01^{\circ}10'15''$ East a distance of 931.61 feet; thence northeasterly along a tangential curve concave to the southeast a distance of 117.12 feet, said curve having a central angle of $92^{\circ}32'12''$ and a Radius of 72.52 feet; thence South $86^{\circ}17'34''$ East tangent to the last described curve a distance of 88.83 feet to the point of beginning, said point being on the southerly Right-of-Way Line of a Dedicated Road in the Plat of PEBBLE SHORES, on file and of record in the office of the County Recorder in and for Otter Tail County, Minnesota; thence northeasterly along said Right-of-Way line on a tangential curve concave to the northwest a distance of 319.22 feet, said curve having a central angle $61^{\circ}51'33''$ and a Radius of 295.67 feet; thence North $31^{\circ}50'53''$ East tangent to the last described curve and along the Southeasterly Right-of-Way Line of said Dedicated Road a distance of 380.05 feet; thence northeasterly along said Right-of-Way Line and on a tangential curve concave to the northwest a distance of 142.11 feet, said curve having a central angle of $20^{\circ}39'33''$ and a Radius of 394.12 feet; thence North $11^{\circ}11'20''$ East along said Right-of-Way Line and tangent to the last described curve a distance of 222.20 feet; thence northerly along said Right-of-Way Line on a tangential curve concave to the west a distance of 53.81 feet, said curve having a central angle of $18^{\circ}47'44''$ and a Radius of 164.02 feet; thence northeasterly along the Southeasterly Right-of-Way Line of a Dedicated Road in PEBBLE SHORES FIRST ADDITION, on file and of record in the office of the County Recorder in and for Otter Tail County, Minnesota on a reverse curve concave to the east a distance of 59.53 feet, said curve having a central angle of $44^{\circ}43'59''$ and a Radius of 76.25 feet; thence North $37^{\circ}07'42''$ East tangent to the last described curve and along said Right-of-Way Line a distance of 341.99 feet; thence Northeasterly along said Right-of-Way Line on a tangential curve concave to the northwest a distance of 142.94 feet, said curve having a central angle of $07^{\circ}47'17''$ and a Radius of 1051.59 feet; thence South $52^{\circ}52'18''$ East not tangent to the last described curve a distance of 502.70 feet; thence South $64^{\circ}18'15''$ East a distance of 70.37 feet; thence South $75^{\circ}14'43''$ East a distance of 383.00 feet; thence South $68^{\circ}11'19''$ East a distance of 207.26 feet; thence South $19^{\circ}40'35''$ East a distance of 844.10 feet; thence South $01^{\circ}30'53''$ West a distance of 1341.11 feet to the South Line of said Northwest Quarter of the Southeast Quarter; thence North $89^{\circ}01'54''$ West along the South Line of said Northwest Quarter of the Southeast Quarter a distance of 1079.05 feet to the Southeast Corner of said Northeast Quarter of the Southwest Quarter; thence North $88^{\circ}18'41''$ West along the South Line of said Northeast Quarter of the Southwest Quarter a distance of 729.04 feet; thence North $01^{\circ}26'17''$ East a distance of 512.33 feet; thence North $01^{\circ}10'15''$ East a distance of 62.22 feet; thence South $86^{\circ}17'34''$ East a distance of 730.63 feet to the East Line of said Northeast Quarter of the Southwest Quarter; thence North $01^{\circ}30'53''$ East along said East Line a distance of 700.00 feet; thence North $86^{\circ}17'34''$ West a distance of 1096.32 feet to the point of beginning.

Containing 80.05 Acres.

Subject to any Easements or Restrictions of record.

RECORDED BY
M A R APR 25 1996

Parcel 4

The Southwest Quarter (SW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section Ten (10), Township One Hundred thirty-two (132), Range Forty-three (43), Otter Tail County, Minnesota, consisting of 40 acres, more or less, of which 10.22 acres is highway Right-of-Way.

REC'D BY
MAR APR 25 1996



CITY OF
**FERGUS FALLS,
MINNESOTA**

Proposed Annexation
In sections 13+14
Twp 132 R 43

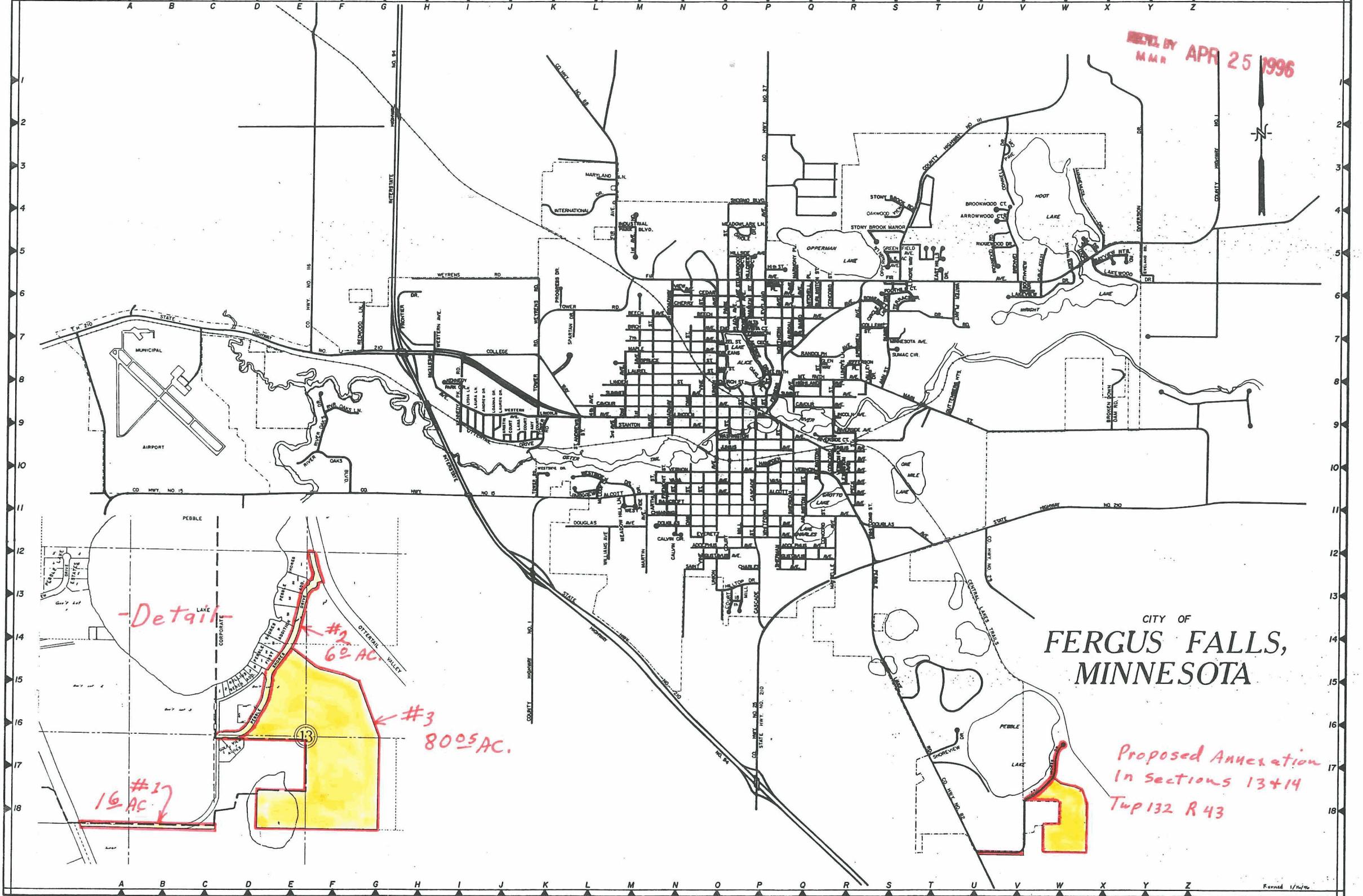
-Detail-

#2
60 AC.

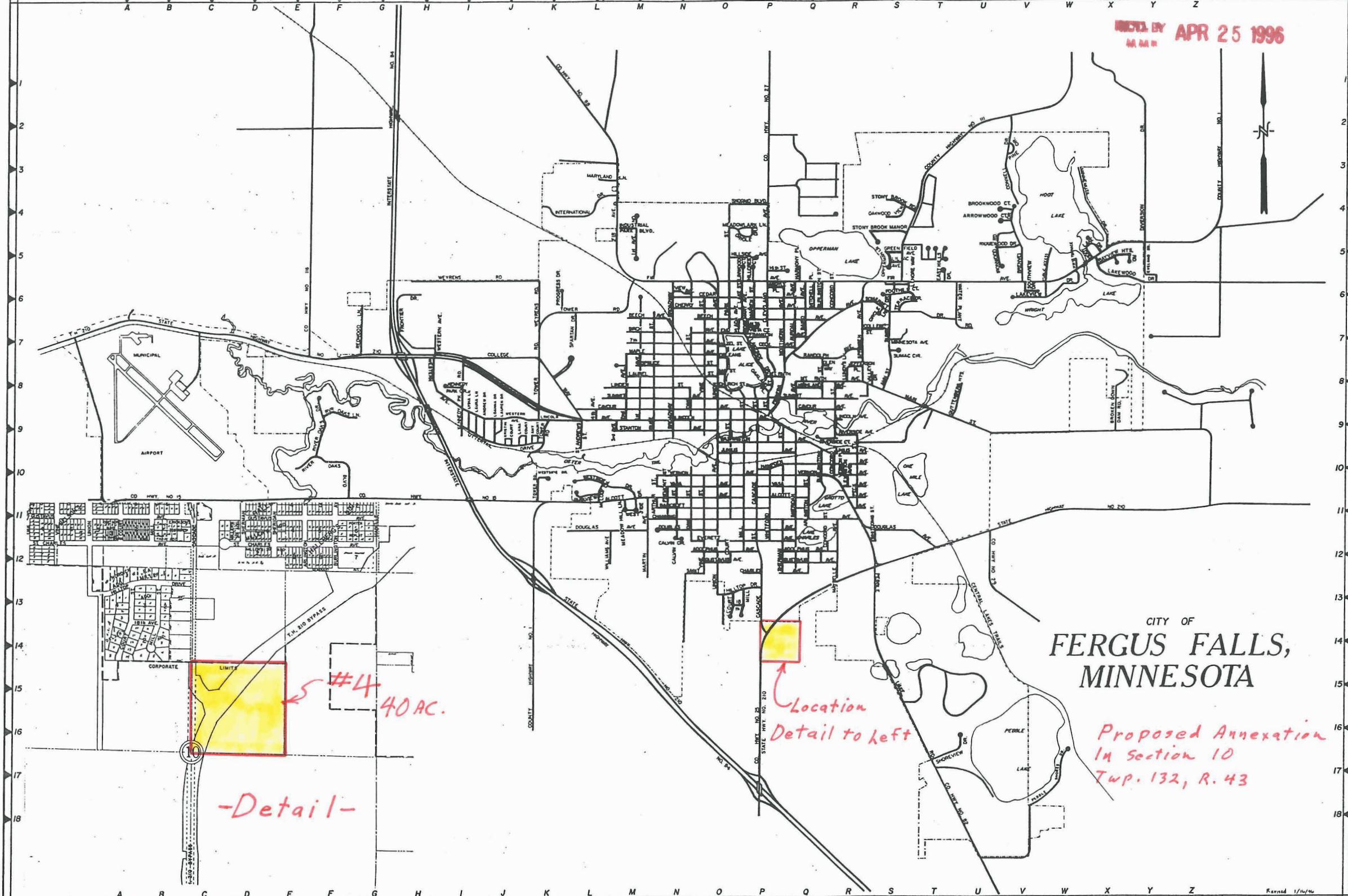
#3
8005 AC.

#17
16 AC

13



REDA BY APR 25 1996
M M M



CITY OF
**FERGUS FALLS,
MINNESOTA**

*Proposed Annexation
In Section 10
Twp. 132, R. 43*

-Detail-

*Location
Detail to left*

*#4
40 AC.*