

**JOINT RESOLUTION AND AGREEMENT
AS TO ORDERLY ANNEXATION
BETWEEN THE TOWN OF HOLDING
AND THE CITY OF HOLDINGFORD**

WHEREAS, the Town of Holding ("Town") and the City of Holdingford ("City"), both of Stearns County, Minnesota, are in agreement as to the orderly annexation of certain land described herein for the purpose of providing orderly and planned services to the area; and

WHEREAS, the property proposed to be annexed adjoins the City; and

WHEREAS, the property proposed to be annexed is in need of orderly annexation and alteration of the stated boundaries is not appropriate; and

WHEREAS, this area is in need of orderly annexation because of the urban quality of the area, the need for the extension of City services to the area, and to protect and provide for the health, safety, and welfare of the residents of the area as well as all residents of the Township of Holding and the City of Holdingford; and

WHEREAS, it is appropriate that the Minnesota Municipal Board review and comment on the annexation of the described area to the City of Holdingford, however, no alteration in the boundaries is deemed appropriate nor is a hearing before the Board required.

NOW, THEREFORE, BE IT JOINTLY RESOLVED AND AGREED by the Town of Holding and the City of Holdingford, as follows:

1. The following-described property in the Town ("subject property") is subject to orderly annexation pursuant to Minnesota Statutes § 414.0325 and the parties hereto designate the area for orderly annexation following issuance of the Municipal Board Order:

PARCEL 1: (Area to be annexed Northwest of existing City limits) A part of Lots 2 and 3, all of Lots 4, 5, and a part of Lot 6 in Block 4, Soo Line Addition, all of Lot 1 and 2 and part of Lots 3, 4, and 5 in Block 5 of the Soo Line Addition, all of the Soo Line Railroad right of way adjacent thereto and a part of Lot 7, Block 3, Soo Line Addition, together with all alleys, streets, and avenues lying therein and adjacent thereto as well as all vacated alleys, streets, and avenues located therein and adjacent thereto.

PARCEL 2: (Extension of City limits from existing boundaries and boundaries of Parcel 1 above, Westerly and Northerly) All of the following Lots in Auditor's Subdivision No. 13: Lots 28, 29, 27, 39, 26, 7, 4, 5, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, and all of Lot 8 and all of Shannon's Addition and the Southerly part of Lot 3 Auditor's Subdivision No. 13, which is located Southerly of the following described line: Commencing at the Northeast corner of Lot 4 in Auditor's Subdivision No. 13 running Easterly on the Easterly extension of the North line of Lot 4 to a point which is the Northwest corner of the existing City limits, said point being on the Easterly Soo Line Railroad right of way line which Northwest corner is in Lot 1 Auditor's Subdivision No. 13.

The parcels identified as 1 and 2 are intended to include all of the real estate Southerly and Easterly of the following line described: Commencing at the Northwest corner of the existing City boundary line located in Lot 1, Auditor's Subdivision No. 13; thence running Westerly to the Northeast corner of Lot 4, Auditor's Subdivision No. 13; thence Westerly along the North boundary line of Lot 4 and continuing Westerly along the North boundary line of Lot 7 to the Northwest corner thereof; thence South along the Westerly boundary line of Lot 7 to the Southwestern corner of Lot 7; thence Westerly across County State Aid Highway No. 9 and continuing along the North boundary line of Lot 27 to the Northwest corner of Lot 27 all in Auditor's Subdivision No. 13; thence South along the Westerly boundary line of Lot 27 and continuing along the Westerly boundary line of Lot 29 to the Southwest corner of Lot 29 where this line intersects with the existing City limits and there terminating, together with all alleys, streets, avenues, County

Highways, roads, and public right of ways and vacated alleys, streets, avenues, public roads, and right of ways lying therein and adjacent thereto.

PARCEL 3: (Land lying Southwesterly of existing City limits and Westerly of River) Commencing at the intersection of County State Aid Highway No. 9 and 17; thence Southerly along the West line of the vacated Meridian Street to its intersection with the South line of the vacated Spring Street; thence Easterly along the South line of the vacated Spring Street to the Holdingford City limits. The property to be included is that real estate which lies within the area of the extension of the center line of County State Aid No. 9, extended Southerly to its intersection with the extension of the existing South line of Spring Street in the City of Holdingford extended Westerly to the intersection point with the extension of the center line of State Aid Highway No. 9. This includes Lot 46, Auditor's Subdivision No. 13.

2. That the Joint Resolution and Agreement shall be filed by the City Clerk of the City of Holdingford with the Minnesota Municipal Board for review and comment, however, no alterations in the boundaries as stated and described above is appropriate.

3. That a need exists for orderly annexation of the area because of the need for the extension of City services to the area, because it furthers the best interests of the residents of the Township, City, and area subject to annexation and is in furtherance of the health, safety, and welfare of all the residents of both political subdivisions of the State of Minnesota.

4. The Town of Holding and the City of Holdingford herewith confer jurisdiction upon the Municipal Board to approve the annexation pursuant to Minnesota Statutes § 414.0325.

5. The above described property contains approximately 115 acres, more or less, and the population of said area is 37.

6. The area subject to annexation is currently urban in character and therefore appropriate for annexation to the City.

7. The land is not already a part of another City or political subdivision of the State of Minnesota.

8. All of the real estate is contiguous to and abuts the existing City of Holdingford adjoining its corporate limits.

9. Further consideration through hearing or otherwise by the Municipal Board is unnecessary save and except review and comment by the Municipal Board and issuance of the Order of Annexation within thirty (30) days of the date of filing. The parties hereto agree that the terms of this Joint Resolution and Agreement shall have full force and effect from the date of the Order of the Minnesota Municipal Board calling for annexation of the subject property to the City of Holdingford.

10. That there is currently disparity between the parties real estate tax rates. It is agreed that the real estate taxes in the subject area shall be increased during the following calendar years in the following proportions as it relates to the disparity between the real estate tax rate of the Town of Holding and the real estate tax rate of the City of Holdingford:

<u>Calendar Year</u>	<u>Percent of Difference Between the Township Rate and City Rate to be Added to Annexed Property</u>
1997	0%
1998	33.34%
1999	33.34%
2000	33.32%

Further the real estate taxes collected, using as a basis the taxes collected and paid to Holding Township during the calendar year 1997, shall be paid to the Township in the following percentages during the following calendar years:

<u>Calendar Year</u>	<u>Percent of 1996 Real Estate Taxes Payable To Township Which Shall Be Paid To Township</u>
1997	100%
1998	66.6%
1999	33.3%
2000	0%

In the year 2000 all real estate taxes generated on the subject property annexed by this Joint Resolution and Agreement shall be fully payable to the City of Holdingford.

11. This Agreement may be amended or terminated by mutual, written agreement between the City of Holdingford and Holding Township.

12. If any provision of this Joint Resolution and Agreement is held by a Court of competent jurisdiction to be invalid, illegal, or unenforceable, the balance of this instrument shall remain in full force and effect, and if any provision is inapplicable to any person or circumstance, it

shall nevertheless remain applicable to all other persons and circumstances.

This Resolution has been duly adopted by the Town of Holding Board of Supervisors on this 30th day of August, 1996.

TOWN OF HOLDING

By Theodore Czech
Theodore Czech, Chairman
Board of Supervisors

ATTEST:

Julianne Ebnet
Julianne Ebnet, Town Clerk

This Resolution has been duly adopted by the Holdingford City Council on this 30th day of August, 1996.

CITY OF HOLDINGFORD

By Rosemary Scepanskiak
Rosemary Scepanskiak, Mayor

ATTEST:

Patricia Paggen
Patricia Paggen, City Clerk/Coordinator

- SCHOOL DISTRICT PARCEL - OA-439
- DESCRIPTION PARCEL 1 } OA-440
- DESCRIPTION PARCEL 2 }
- DESCRIPTION PARCEL 3 }
- ENTIRE AREA SUBJECT TO 2 RESOLUTIONS
- CURRENT CITY LIMITS

REC'D BY
MMB SEP 04 1996

