

REC'D. BY
M/18 SEP 11 1997

TO THE MINNESOTA MUNICIPAL BOARD
165 Metro Square Building
St. Paul, Minnesota 55101

IN THE MATTER OF
THE JOINT
RESOLUTION OF
THE TOWN OF
CANTON AND THE
CITY OF CANTON
DESIGNATING AN
UNINCORPORATED
AREA AS IN NEED OF
ORDERLY ALLEXATION
AND CONFERING
JURISDICTION OVER
SAID AREA TO THE
MINNESOTA MUNICIPAL
BOARD PURSUANT TO
M.S. 414.0235.

JOINT RESOLUTION
FOR ORDERLY
ANNEXATION

The Township of Canton and the City of Canton hereby jointly agree to the following:

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

See attached Exhibits A and B.

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

3. Certain properties abutting the City of Canton are presently urban or suburban in nature or are about to become so. Further, the City of Canton 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 would be immediately annexed to the City of Canton. This area is described as follows:

See attached Exhibits A and B.

4. That the city agrees to investigate the possibility of sharing facilities, equipment, and personnel with the township to forestall the duplication of facilities and to reduce the overall costs of government in the area.

5. That the effect of annexations on population shall be resolved whenever possible by agreement of parties. If there is failure to reach such agreement, the question shall be resolved by the Minnesota Municipal Board.

6. That planning throughout the orderly annexation area shall be pursuant to Minnesota Statutes 414.0325: The City of Canton will be extending its water line.

7. In all annexations within the orderly annexation area, the parties agree to the following division of financial assets and obligations: At present the property is bare land. There are no assets or obligations to be divided. The City of Canton has reached an agreement with the party which will be building on the parcel for the providing of water at no expense to the Town of Canton.

8. The mill levy of the annexing municipality shall be increased upon annexation to equality with the mill levy of the property already in the municipality.

9. That 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 previously completed by the city which may be assessable against said annexed property: The city water service will be extended to buildings built

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upon the annexed properties with the full cost of the water line extension being paid or assessed against the annexed property.

19. No consideration by the board is necessary.

City of Canton

Passed and adopted by the City Council of the City of Canton
this 21 day of AUGUST, 1997.

Attest:

Miriam Sather by [Signature]
(Clerk) (Mayor)

Township of Canton

Passed and adopted by the Town Board of the Town of Canton
this 21 day of AUGUST, 1997.

Attest:

[Signature] by [Signature]
(Town Clerk) (Its Chairman)

EXHIBIT A

Cenex's

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LEGAL DESCRIPTION

That part of the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of Section 20, Township 101 North, Range 9 West, Fillmore County, Minnesota, described as follows: Commencing at the Southeast Corner of said Southwest Corner; thence North 01 degrees 25 minutes 26 seconds West (assumed bearing) along the East line of said SW 1/4, 1417.41 feet to the Northerly Right-of-Way line of Minnesota Trunk Highway No. 52; thence Northwesterly 552.64 feet along said Northerly R.O.W. line and along a nontangential curve, concave to the Northeast, having a radius of 2191.80 feet and a central angle of 14 degrees 26 minutes 48 seconds (chord bears North 69 degrees 03 minutes 41 seconds West and chord length is 551.18 feet) to the point of beginning of the tract of land to be herein described; thence continuing Northwesterly 118.08 feet along said Northerly R.O.W. line and along said curve, concave to the Northeast, having a radius of 2191.80 feet and a central angle of 03 degrees 05 minutes 13 seconds (chord bears North 60 degrees 17 minutes 41 seconds West and chord length is 118.07 feet); thence North 58 degrees 45 minutes 05 seconds West tangent to said curve and along said Northerly R.O.W. line, 481.93 feet; thence North 31 degrees 14 minutes 55 seconds East, 361.81 feet; thence South 59 degrees 03 minutes 18 seconds East, 599.97 feet; thence South 31 degrees 14 minutes 55 seconds West, 361.81 feet to the point of beginning and containing 5.00 acres, more or less. Subject to easements of record.

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LEGAL DESCRIPTION

That part of the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of Section 20, Township 101 North, Range 9 West, Fillmore County, Minnesota, described as follows: Commencing at the Southeast Corner of said Southwest Corner; thence North 01 degrees 25 minutes 26 seconds West (assumed bearing) along the East line of said SW 1/4, 1417.41 feet to the Northerly Right-of-Way line of Minnesota Trunk Highway No. 52 and to the point of beginning of the tract of land to be herein described; thence Northwesterly 552.64 feet along said Northerly R.O.W. line and along a nontangential curve, concave to the Northeast, having a radius of 2191.80 feet and a central angle of 14 degrees 26 minutes 48 seconds (chord bears North 69 degrees 03 minutes 41 seconds West and chord length is 551.18 feet); thence North 31 degrees 14 minutes 55 seconds East not tangent to said curve, 361.81 feet; thence South 67 degrees 55 minutes 30 seconds East, 342.84 feet to the East line of said NE 1/4 SW 1/4; thence South 01 degrees 25 minutes 26 seconds East along said East line, 377.56 feet to the point of beginning and containing 3.76 acres, more or less.

CERTIFICATE OF SURVEY

PART OF NE1/4 SW1/4
SEC. 20, T101N, R9W,
FILLMORE COUNTY, MN.

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