

RESOLUTION R-97- 37JOINT RESOLUTION BETWEEN
THE TOWN OF FRANKLIN AND THE CITY OF DELANO
DESIGNATING AN AREA FOR ORDERLY ANNEXATION

The Town of Franklin, a public corporation under the laws of the State of Minnesota ("Franklin") and the City of Delano, a Minnesota municipal corporation ("Delano"), jointly agree and resolve as follows:

1. Franklin and Delano hereby designate for orderly annexation, pursuant to Minn. Stat. Section 414.0325, that certain land lying within Franklin and legally described as follows:

Tract 1:

That part of the Southeast Quarter of Section Twelve (12), Township One Hundred Eighteen (118), Range Twenty-five (25), Wright County, Minnesota, described as follows: Commencing at the Southeast corner of said Southeast Quarter (SE1/4); thence Northerly along the East line of said Southeast Quarter (SE1/4), a distance of 50.00 feet to the Northerly right-of-way line of Trunk Highway Number 12; thence Westerly along said Northerly right-of-way line, a distance of 680.00 feet to the point of beginning; thence deflect 90 degrees 00 minutes 00 seconds right a distance of 530.00; thence deflect 90 degrees 00 minutes 00 seconds left, a distance of 340.00 feet; thence deflect 90 degrees 00 minutes 00 seconds left, a distance of 530.00 feet to said Northerly right-of-way line of Trunk Highway Number 12; thence deflect 90 degrees 00 minutes 00 seconds left, along said right-of-way line, a distance of 340.00 feet to the point of beginning, Wright County, Minnesota.

ALSO:

Tract 2:

All that part of the East Half of the Southeast Quarter (E 1/2 of SE1/4) of Section Twelve (12), Township One Hundred Eighteen (118), Range Twenty-five (25), lying South of the Railroad passing through said section, Wright County, Minnesota.

ALSO:

Tract 3:

The Southwest Quarter of the Southeast Quarter (SW1/4 of SE1/4) of Section Twelve (12), in Township One Hundred Eighteen (118), Range Twenty-five (25) West of the Fifth Principal Meridian, and Lots Numbered "A" and "B" of said Section Twelve according to the duly recorded plats thereof in the office of the County Recorder in and for Wright County, Minnesota.

ALSO:

Tract 4:

Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7) and Eight (8) of Stewart's and Spate's Addition to Delano, according to the recorded plat thereof filed in the office of the County Recorder in and for Wright County, Minnesota, together with the part of Franklin Avenue public street and right-of-way contiguous to said Lots.

2. Franklin and Delano do, upon their adoption and upon acceptance by the Minnesota Municipal Board, confer jurisdiction upon the Minnesota Municipal Board over the Property so as to accomplish said orderly annexation in accordance with the terms of this Resolution. No consideration by the Minnesota Municipal Board is necessary. The Board may review and comment, but shall, within thirty (30) days, order the annexation in accordance with the terms of this Resolution. No alteration of the stated boundaries of the orderly annexation area is appropriate. The Property shall be annexed to Delano upon the Minnesota Municipal Board's order.

3. The Property is abutting Delano and is now or about to become urban or suburban in nature. Further, annexation is in the best interest of the Property.

4. The zoning and planning throughout the Property shall be under the control of the applicable Wright County, Minnesota ordinances, until annexed to Delano. Upon annexation, the Property shall, pursuant to Delano City Code, have a zoning designation of "R-A" (single family/agricultural district). Upon annexation the zoning and planning throughout the Property shall be under the control of the applicable Delano ordinances.

5. Upon annexation of the Property, Delano agrees to compensate Franklin for loss of tax revenues to ease Franklin's financial adjustment to the annexation. These payments will be made from Delano to Franklin as follows:

- a. Delano will compensate Franklin for five years of projected lost tax revenues,

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assuming an annual flat adjustment factor of 9.8 percent. The total compensation calculated in this manner is \$2,589.00. This amount shall be paid by Delano to Franklin within thirty days of the effective date of the annexation. The calculation of the amount due pursuant to this subparagraph is made in accordance with Tables 1 and 2 on Exhibit A.

- b. In addition to the amount due to Franklin pursuant to subparagraph 5.a. above, Delano agrees to pay to Franklin one-half (1/2) of any tax revenues collected in the years 1999, 2000, 2001, 2002 and 2003 generated from any development occurring on the Property which is initiated in the years 1998, 1999, 2000, 2001 and 2002.
- c. Delano does not assume by this annexation any liability or responsibility for the payment of any obligations issued to finance public improvements constructed by Franklin or for which special assessments were levied by Franklin.
- d. Delano shall pay to Franklin the amount of any special assessments collected by the county from the Property on account of special assessments levied by Franklin.
- e. The lump sum payment provided for in subparagraph 5.a. above will be paid within thirty (30) days of the effective date of the annexation; the effective date of the annexation shall be the date of the issuance of the order of annexation by the Minnesota Municipal Board. The payments of tax revenues provided for in subparagraph 5.b. above are to be made semi-annually and within thirty (30) days after Delano's receipt of revenues from the Wright County Treasurer's Office.

This Agreement and Resolution shall be effective solely up approval by both the Franklin Town Board and the Delano City Council.

Approved by the City Council of the City of Delano this 16th day of September, 1997.

CITY OF DELANO

By: 

John Jaunich, Mayor

By: 

Marlene E. Kittock, Clerk/Treasurer

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Motion by: Wallace
Seconded by: Mueller

Jaunich: Absent
Bartels: Aye
Mueller: Aye
Painschab: Aye
Wallace: Aye

Approved by the Board of the Township of Franklin this 6th day of October, 1997.

TOWNSHIP OF FRANKLIN

By: John G. Vanderlinde
John G. Vanderlinde, Chairman

By: Norma Chadwick
Norma Chadwick, Clerk

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EXHIBIT A

TABLE 1

ANNEXATION COMPENSATION

<u>PID</u>	<u>1997 EMV</u>	<u>1997 TAX CAPACITY</u>	<u>1997 TAXES*</u>
208-200-124300	164,000	2,485	200.54
208-200-124400	90,700	479	38.66
208-200-124402	84,600	1,772	143.00
208-221-001010	<u>24,500</u>	<u>223</u>	<u>18.00</u>
TOTALS	363,800	4,959	400.20

$$\$400.20 \times 5 \text{ years} = \$2,001.00$$

*1997 tax revenues were generated using Franklin Township 1997 tax rate of 8.070 percent

TABLE 2

ANNEXATION COMPENSATION
TOTAL PAYMENT TO FRANKLIN TOWNSHIP, ASSUMING
ANNUAL ADJUSTMENT FACTOR OF 9.8 PERCENT**

<u>1998</u>	<u>1999</u>	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>TOTAL</u>
\$439	\$479	\$518	\$557	\$596	\$2,589

** 1992 Estimated market value of all parcels = \$244,200;
1997 Estimated market value of all parcels = \$363,800; a 5 year increase of 48.976 percent.

