

REC'D BY
MBA

NOV 12 2009

**RESOLUTION No. 63-2009
ANNEXATION RESOLUTION**

In the matter of the Resolution of the City of Arlington for annexation of certain areas as described herein, under Minnesota Statute 414.0325.

Whereas, the City of Arlington, hereafter "city", entered into a Joint Resolution for Orderly Annexation with the Town of Arlington, said agreement dated September 2, 1997, approved by the State of Minnesota on August 7, 1998; and

Whereas, under paragraph 4(b) of said joint resolution, the city may at any time annex property for which it receives a property – owner petition for annexation, for land abutting municipal corporate limits within the sector of Area 3 as identified in said Joint Resolution; and

Whereas, the City of Arlington has received petitions for annexation by the owners of parcels described at Appendix A attached hereto as Parcels 1, 2, 3 and 4; and

Whereas, under paragraph 4(b) of said Joint Resolution, having received a petition for annexation by at least 50 percent of the affected property owners, the city, considering it to be in the best interest of the city and of the property affected, resolves to also annex the property described at Appendix A as Parcels 5, 6 and 7, the owners of said parcels not having petitioned for annexation; and

Whereas, the property described at Appendix A attached hereto abuts present city limits, is urban or about to become urban in character, and it is the intention of the city to provide said area with city utility services, and it is therefore appropriate to annex said property to the City of Arlington at this time.

Now, therefore, be it resolved by the City Council of the City of Arlington that the city hereby petitions for annexation and hereby resolves to annex the property described at Appendix A attached hereto.

Said property is located within the area described as Area 3 of the Joint Resolution. Under paragraph 4(d) and 4(e) of said Joint Resolution, no hearing is required. The State of Minnesota, by the Office of Administrative Hearings, Municipal Boundary Adjustments, may review and

comment, but shall within 30 days of receipt of said resolution, order the annexation of the area designated therein in accordance with the terms and conditions of the Joint Resolution.

Under paragraph 5 of the Joint Resolution, the tax rate of the area annexed shall be increased in substantially equal proportions over 6 years to equality with the tax rate of the property already within the city. However, the annexed property shall be assessed for the cost of providing city utility services to the property under the city's standard improvement assessment policy and assessment payment schedule, in the same manner as applied to all other property within the city limits.

Under paragraph 6 of the Joint Resolution, and as required by state law, Arlington Township shall be reimbursed for the loss of taxes generated from the annexed property as follows: For six years following the tax year that Arlington Township last collects a levy, the city will reimburse the township 100 percent of the amount of taxes that were collected by the township in the year the land was annexed. Thereafter, the City of Arlington will no longer reimburse Arlington Township for such lost tax revenue.

Approved by the City of Arlington this September 21, 2009

For City of Arlington:

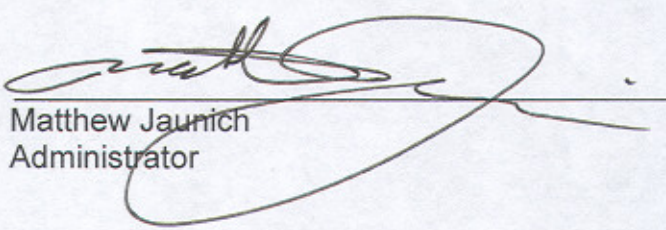

By James R. Kreft
Its Mayor


By Matthew Jaunich
Its Administrator

CERTIFICATION

I hereby certify that the foregoing Resolution is a true and correct copy of a Resolution presented to and adopted by the City Council of Arlington at a meeting thereof held on September 21, 2009, as disclosed by the records of the said city in my possession.

Dated: September 21, 2009


Matthew Jaunich
Administrator

City Seal

0917025009

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APPENDIX "A"

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Parcel 1:

Part of the NW 1/4 of the NW 1/4 of Section 16, Township 113, Range 27 described as follows:

Commencing at the northwest corner of said Section 16; thence on an assumed bearing of North 90 degrees 00 minutes 00 seconds East along the North line of said Northwest Quarter 436.50 feet to the point of beginning of the tract to be described; thence South 00 degrees 00 minutes 00 seconds West 200.00 feet, thence North 90 degrees 00 minutes 00 seconds West 439.65 feet to the West line of said Northwest Quarter; thence South 00 degrees 54 minutes 05 seconds West along said West line 745.51 feet to the northerly right of way line of Trunk Highway Number 5; thence North 58 degrees 33 minutes 24 seconds East along said northerly right-of-way line 909.77 feet; thence North 00 degrees 00 minutes 00 seconds East 470.83 feet to the North line of said Northwest Quarter; thence South 90 degrees 00 minutes 00 seconds West along said North line 324.80 feet to the point of beginning,

Parcel 2:

Outlot A, High Island Creek Addition, City of Arlington.

Parcel 3:

Lot 16 and Lot 17, all in Block 3, High Island Creek Addition, City of Arlington.

Parcel 4:

All that part of the following described area not already within the corporate limits of the City of Arlington:

Blocks 1, 2, and 3, Seneca Foods Corporation Plat, excepting therefrom Block 1, Lot 1 and Block 2, Lots 1 and 2.

Parcel 5:

Part of the NW 1/4 of the NW 1/4 of Section 16, Township 113 Range 27, Sibley County, Minnesota described as follows: Commencing at the northwest corner of said Section 16; thence on an assumed bearing of North 90 degrees 00 minutes 00 seconds East along the North line of said NW 1/4 761.30 feet to the point of beginning of the tract to be described; thence continuing North 90 degrees 00 minutes 00 seconds East along said North line 463.00 feet; thence South 00 degrees 00 minutes 00 seconds West 187.73 feet to the northerly right-of-way line of Trunk Highway Number 5; thence South 58 degrees 33 minutes 24 seconds West along said northerly right-of-way line 542.69 feet; thence North 00 degrees 00 minutes 00 seconds East 470.83 feet to the point of beginning. This tract contains 3.50 acres of land and is subject to any and all easements of record.

Parcel 6:

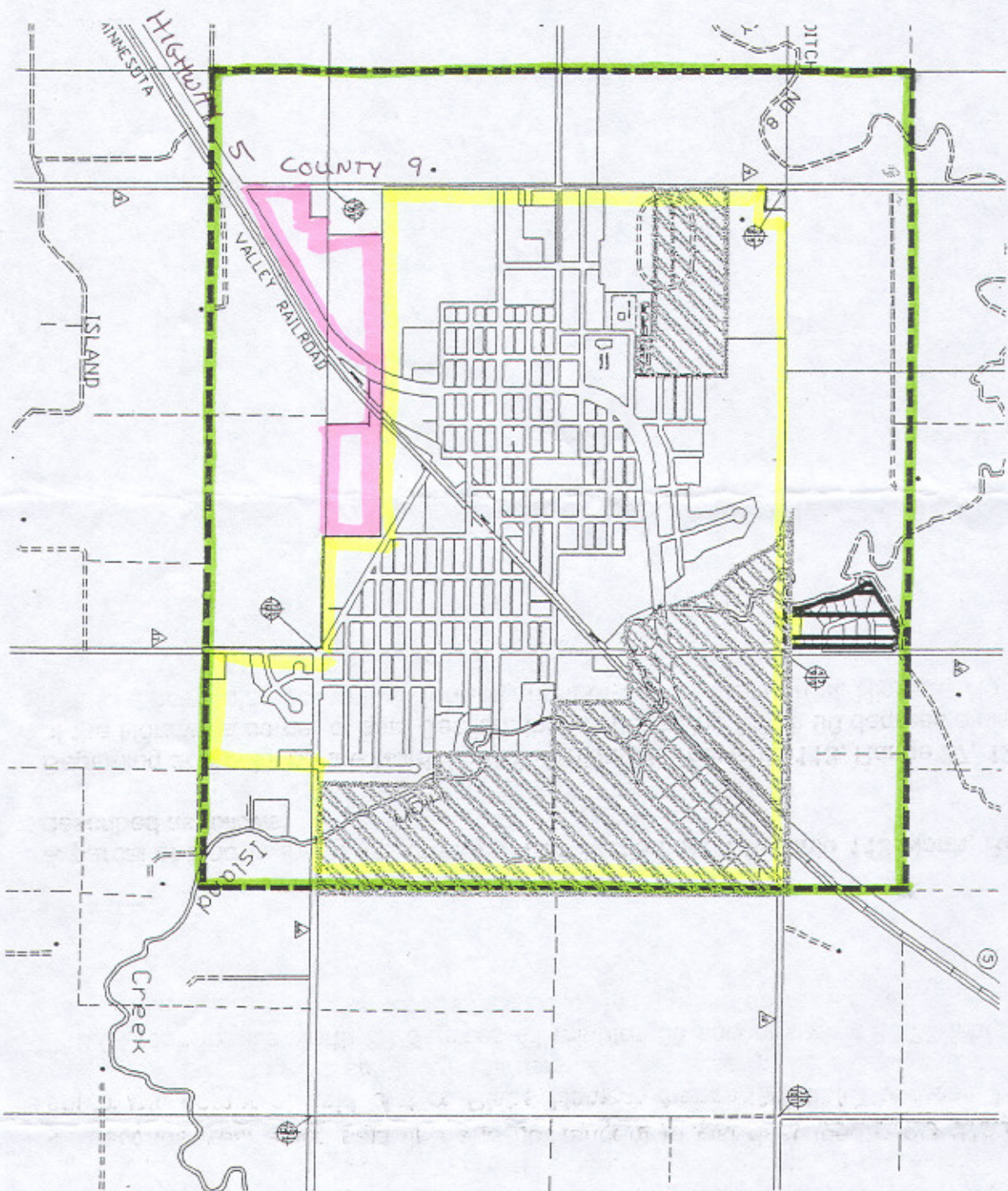
That portion of the following described property not already in city limits:

Part of Lot 1 of Block One of the plat of Martha P. Frenzel Addition, City of Arlington, Minnesota, described as follows: Commencing at the southwest corner of said Lot 1; thence on an assumed bearing of North 88 degrees 46 minutes 53 seconds east along the southerly line of said Lot 1 a distance of 1166.98 feet to the point of beginning of the tract to be described; thence continuing North 88 degrees 46 minutes 53 seconds east along said southerly line 330.48 feet to the westerly right-of-way line of Trunk Highway Number 5; thence North 57 degrees 20 minutes 00 seconds east along said westerly right-of-way line 1.60 feet; thence northeasterly along said westerly right-of-way line along a tangential curve that is concave to the northwest, said curve having a central angle of 41 degrees 51 minutes 58 seconds, a radius length of 1562.23 feet, an arc length of 1141.52 feet to the intersection with the easterly extension of the southerly line of the plat of Riebe Homes, said plat being of record and on file at the Sibley County Recorder's Office; thence South 89 degrees 11 minutes 41 seconds west along said line and not tangent to last described curve 918.26 feet to the southwest corner of said plat of Riebe Homes; thence South 00 degrees 18 minutes 04 seconds west along the southerly extension of the westerly line of said plat of Riebe Homes 313.64 feet; thence North 89 degrees 41 minutes 56 seconds west 86.77 feet; thence South 01 degrees 13 minutes 24 seconds east 580.44 feet to the point of beginning.

Parcel 7:

A parcel of land in the N 1/2 of NW 1/4 of Section 16, Township 113 North, Range 27 West, described as follows:

Beginning at a point on the North line of Section 16, Township 113, Range 27, 1224.3 feet East of the Northwest corner of said Section, thence deflecting South 90 degrees a distance of 184.8 feet to a point intersecting the Northerly right-of-way of State Trunk Highway No. 5, thence in a Northeasterly direction along said Northerly right-of-way line of State Trunk Highway No. 5 a distance of approximately 360 feet to a point where said right-of-way line intersects the North line of said Section 16, thence Westerly along said North line of Section 16 distance of 300 feet, to the point of beginning.



CITY OF ARLINGTON
SIBLEY COUNTY MINNESOTA

September 2, 1997
EXHIBIT "A"

ORDERLY ANNEXATION AREAS:

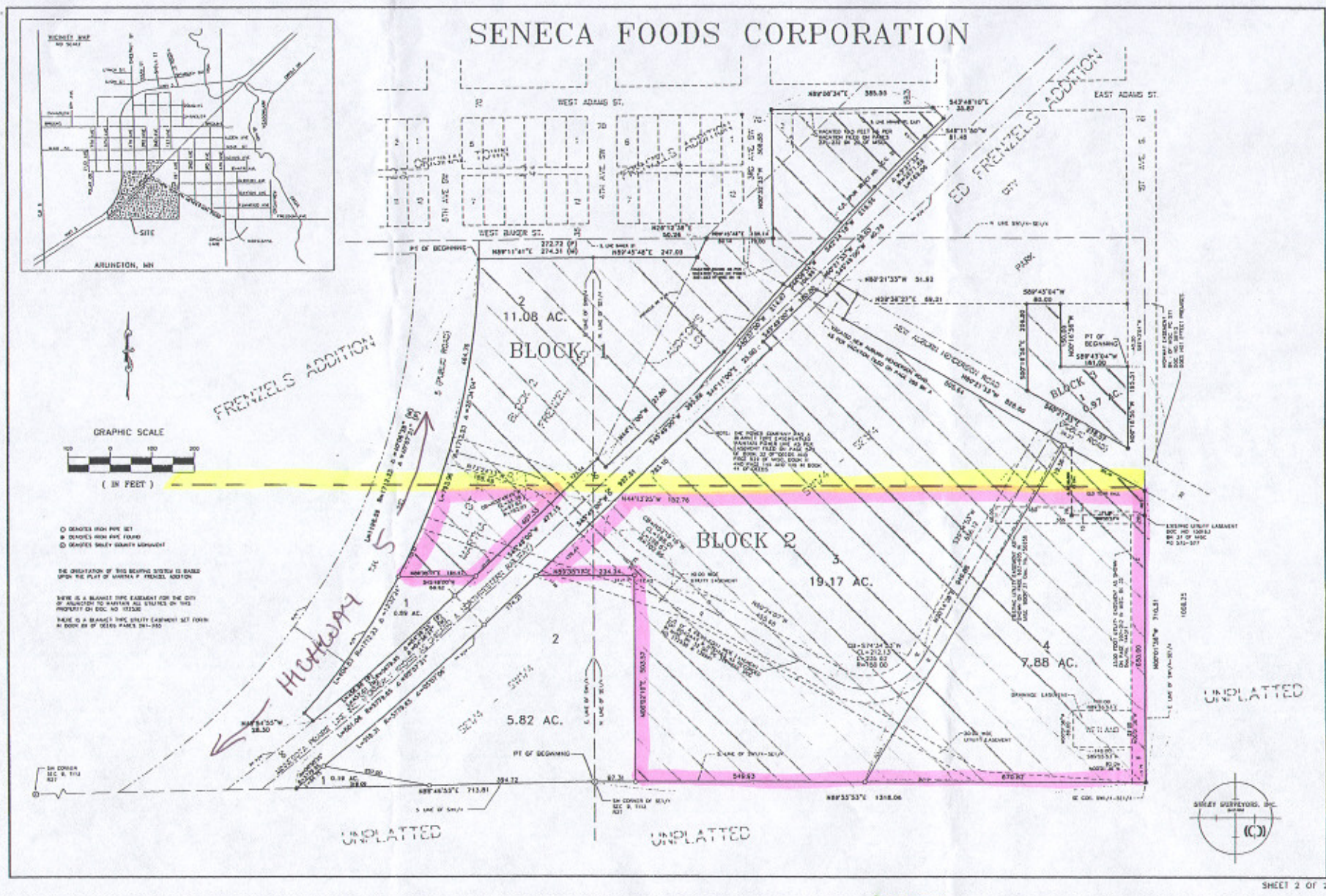
- ORDERLY ANNEXATION AREA THREE (Total Area Boundary)
- ORDERLY ANNEXATION AREA ONE
- ORDERLY ANNEXATION AREA TWO

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- CURRENT CITY
- ORDERLY ANNEXATION AREA
- ORDERLY ANNEXATION ZONE

NOTICE:
This map was prepared to show the relative locations of the lots and parcels shown. It is not intended to be used as a legal document. The provider offers no guarantee or representation as to the accuracy or completeness of the information for any other purpose.

EXHIBIT A TO SENECA FOODS CORPORATION PETITION FOR ANNEXATION



CURRENT CITY SOUTHERN BOUNDARY

NEW ANNEXATION PARCELS

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