

Municipal Boundary Adjustments Docket No. _____
City of Belle Plaine Resolution No. 04-009
Belle Plaine Township Resolution No. 1-21-04A

**CITY OF BELLE PLAINE
BELLE PLAINE TOWNSHIP
COUNTY OF SCOTT
STATE OF MINNESOTA**

**JOINT RESOLUTION OF THE CITY OF BELLE PLAINE AND BELLE
PLAINE TOWNSHIP AS TO THE ORDERLY ANNEXATION OF
PROPERTY**

WHEREAS, the City of Belle Plaine ("City") and Belle Plaine Township ("Township") desire to enter into an agreement allowing for the immediate orderly annexation of certain property, pursuant to Minnesota Statute 414.0325, Subdivision 1; and

WHEREAS, The City and the Township are in agreement as to the procedures and process for orderly annexation of certain lands described herein for the purpose of orderly, planned growth; and

WHEREAS, the City of Belle Plaine has received a request for annexation from the owner of real property legally described and graphically depicted on attached Exhibits A and B, which are located within Belle Plaine Township; and

WHEREAS, the annexation is being sought by the petitioner for the purpose of obtaining municipal water and sewer service; and

WHEREAS, it is in the best interest of the City, the Township and their respective residents to agree to orderly annexation in furtherance of orderly growth and the protection of the public health, safety and welfare; and

WHEREAS, the parties hereto desire to set forth the terms and conditions of such Orderly Annexation by means of this Joint Resolution.

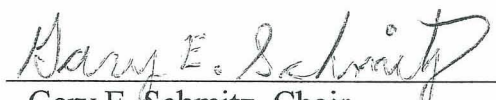
NOW, THEREFORE, BE IT RESOLVED by the City of Belle Plaine, Scott County, Minnesota and Belle Plaine Township, Scott County, Minnesota, as follows:


1. That the area described in the attached Exhibits A and B is immediately annexed from Belle Plaine Township into the municipal boundaries of the City of Belle Plaine.
2. Upon annexation of the parcel the City shall make a good faith effort to make municipal sanitary sewer service and municipal water service available to that parcel within three years from the effective date of the annexation.
3. The City and Township agree that no alteration of the stated boundaries as described in this resolution is appropriate, and that all the terms and conditions for annexation are provided for in this Joint Resolution unless otherwise noted. Upon receipt of the Joint Resolution, Department of Administration, Municipal Boundary Adjustments, may review and comment, but shall within 30 days of receipt, order the annexation in accordance with the terms and conditions of this Joint Resolution.
4. Prior to annexation of the parcel by the City, Chatfield on the Green, Inc. a Minnesota Corporation, the developer of the subject parcel shall reimburse the Township for the loss of taxes from the property so annexed in the amount of \$21,000.
5. Prior to annexation of the parcel by the City, all costs and disbursements incurred by the Township due to processing this annexation request shall be fully reimbursed by Chatfield on the Green, Inc. in the amount of \$192.50.
6. No other reimbursement or taxes shall be owed to the Township from either the City or Chatfield on the Green, Inc. with regard to the property described on attached Exhibits A and B except as provided in paragraph 7.

7. The City shall remit all delinquent taxes, charges and assessments collected from any portion of the property described on attached Exhibits A and B if such taxes or charges were originally payable while the delinquent property remained in the Township. Additionally, should the subject property no longer qualify for special tax treatment through Green Acres or other applicable programs such as Ag Preserves, CRP, This Old House, and taxes that were deferred under one of these programs is paid to the City, the City shall remit to Township the amount which was deferred during the time the property was in the Township.
8. Pursuant to Minnesota Statute §414.0325 the City and the Township agree that as all of the property owners of the parcel have petitioned for annexation, no hearing is required and the City may initiate annexation of the property described in Exhibits A and B by filing this resolution with the Department of Administration, Municipal Boundary Adjustments, or its successor agency, and the Township. The Township agrees not to object to or oppose any annexation undertaken pursuant to the terms and conditions contained in this Joint Resolution.
9. This Joint Resolution is made pursuant to, and shall be construed in accordance with the laws of the State of Minnesota.
10. The City shall pay all applicable filing fees and other costs necessary to have the Joint Resolution filed with and approved by the Department of Administration, Municipal Boundary Adjustments.

PASSED, ADOPTED AND APPROVED by the Belle Plaine Town Board of Supervisors, Scott County, Minnesota this 6th day of January 2004.

BELLE PLAINE TOWNSHIP


Gary E. Schmitz, Chair


Carol Jean Bauer, Clerk

PASSED, ADOPTED AND APPROVED by the Belle Plaine City Council, Scott County, Minnesota this 20th day of January 2004.

CITY OF BELLE PLAINE

Maynard Harms
Maynard Harms, Mayor

[Signature]
_____, City Clerk

REC'D BY
M M B

FEB 17 2004

APPENDIX A

The Northeast Quarter of the Northeast Quarter of the Northeast Quarter of NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section No Thirteen (13), Township No. One Hundred Thirteen (113), Range No. Twenty-Five (25), Scott County, Minnesota.

AND

The East Half of the Southeast Quarter (E1/2 of SE1/4) of Section No. Twelve (12), Township No. One Hundred Thirteen (113), Range No. Twenty-Five (25), Scott County, Minnesota.

REC'D BY
M.M.B.
JAN 28 2004



DRAINAGE AND UTILITY EASEMENTS
ARE SHOWN THUS:

BEING 5 FEET IN WIDTH AND ADJOINING
SIDE LOT LINES AND 10 FEET IN WIDTH
AT BACK LOT LINES AND ADJOINING
STREET LINES, UNLESS OTHERWISE
INDICATED ON THE PLAN.

CHATFIELD ON THE GREEN

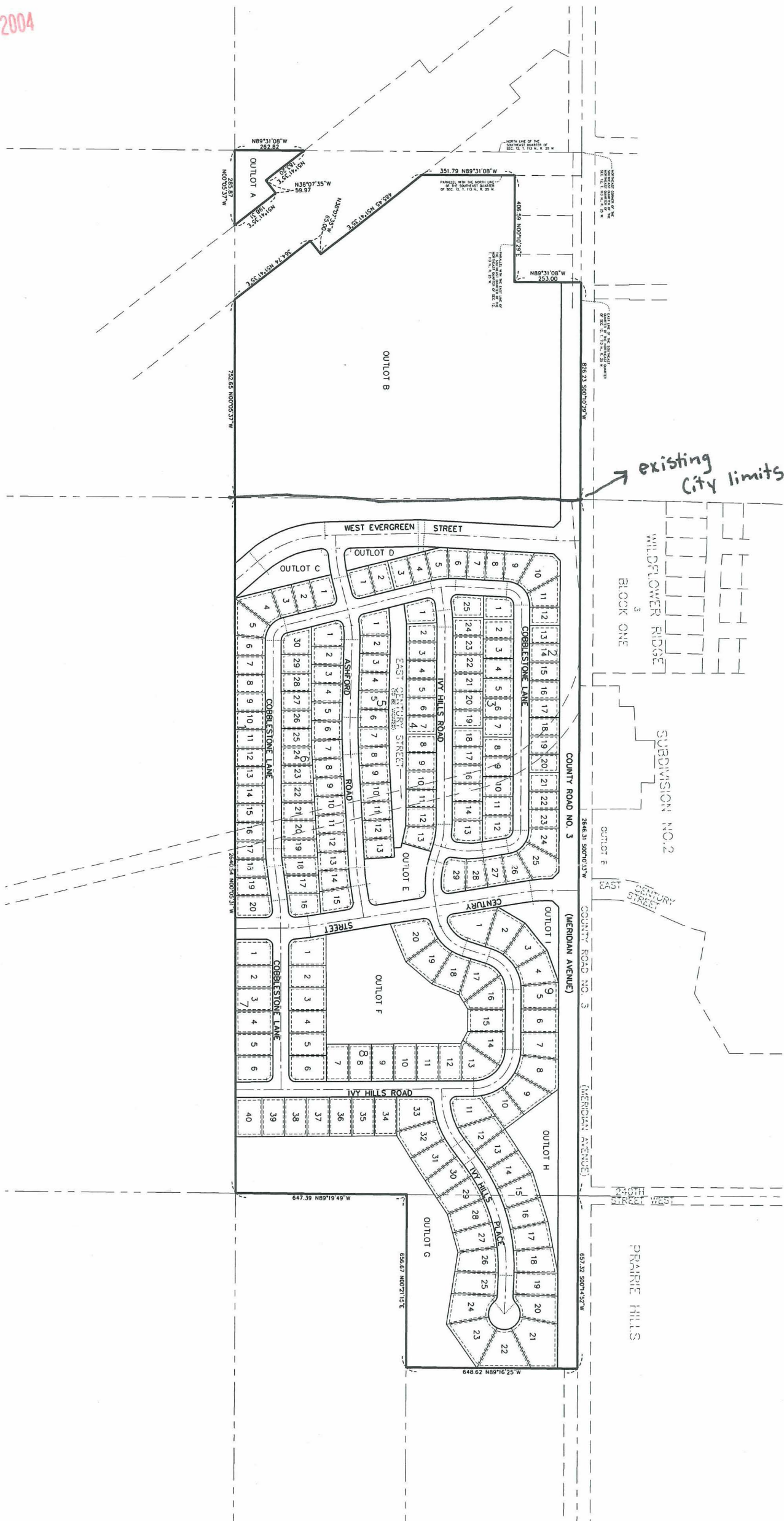
TOTALS LOTS	196
LOTS (R-3)	130
LOTS (R-1)	66
DENSITY	2.3 D.U./ACRE

MINIMUM SETBACKS (R-3)

FRONT	30 FEET
SIDE (STREET)	20 FEET
SIDE (HOUSE & GARAGE)	5 FEET
REAR	30 FEET

MINIMUM SETBACKS (R-1)

FRONT	30 FEET
SIDE (STREET)	20 FEET
SIDE (HOUSE & GARAGE)	10 FEET
REAR	30 FEET



CHATFIELD ON THE GREEN
BELLE PLAINE, MINNESOTA
PRELIMINARY PLAT
FOR
CHATFIELD ON THE GREEN, L.L.P.
2000 AMES DRIVE, BURNSVILLE, MINNESOTA 55306



James R. Hill, Inc.
PLANNERS / ENGINEERS / SURVEYORS
2500 W. Cty. Rd. 42, Suite 120, Burnsville, MN 55337
PHONE: (952)890-6044 FAX: (952)890-6244
EMAIL: JRHINC@JRHINC.COM

DRAWN BY	PLM
DATE	8/20/03
REVISIONS	
BOOK/PAGE	NONE
CONTROL NO.	21036C
CAD FILE	21036PP
PROJECT NO.	21036
FILE NO.	1-03-169
SHEET 1 OF 1	

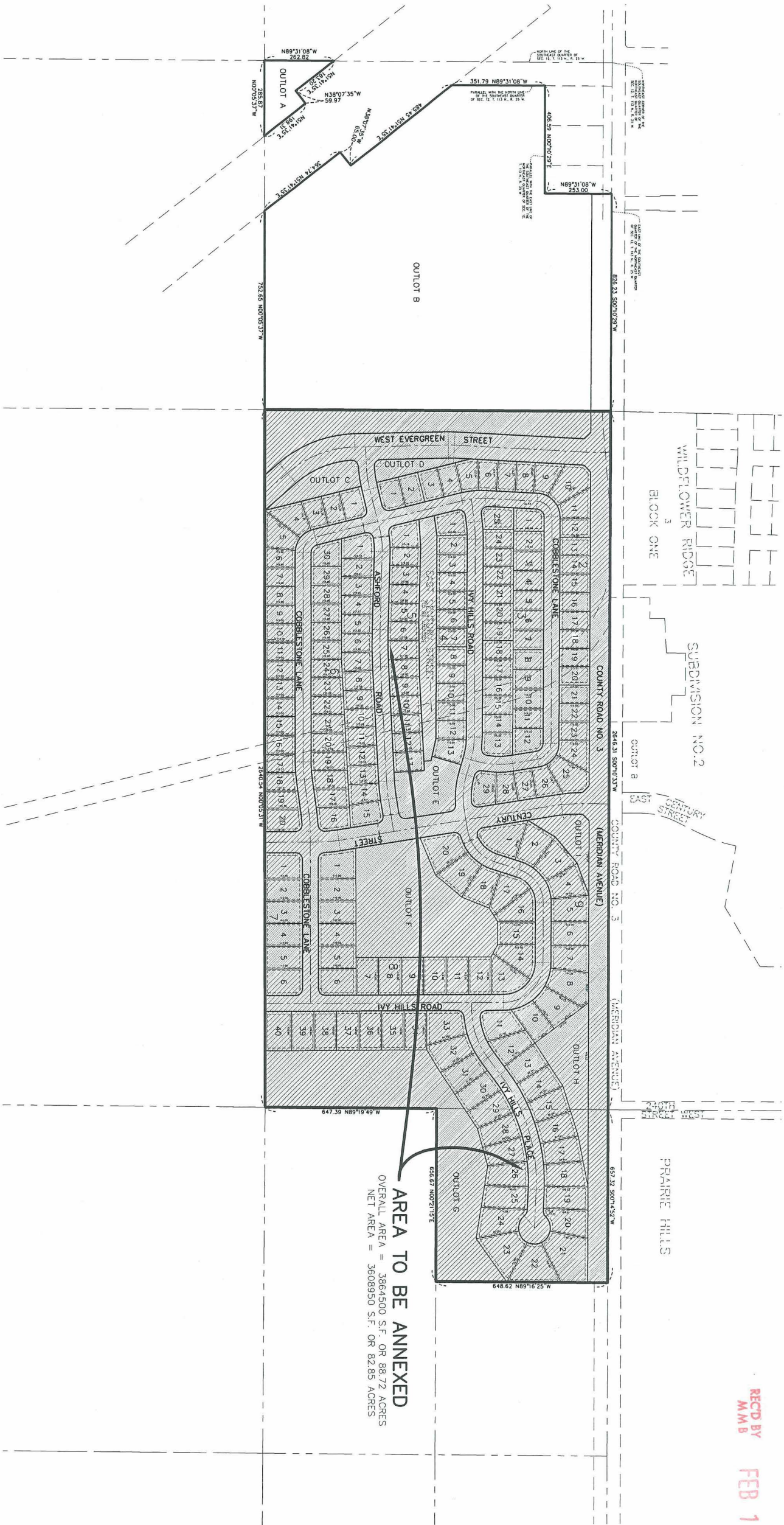
Property Description of Area to be Annexed

The Northeast Quarter of the Northeast Quarter of the Northeast Quarter (NE1/4 of NE1/4 of NE1/4) of Section No. Thirteen (13), Township No. One Hundred Thirteen (113), Range No. Twenty-Five (25), Scott County, Minnesota.

AND

The East Half of the Southeast Quarter (E1/2 of SE1/4) of Section No. Twelve (12), Township No. One Hundred Thirteen (113), Range No. Twenty-Five (25).

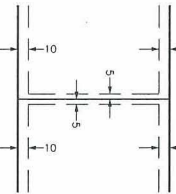
REC'D BY
M.M.B. FEB 13 2004



AREA TO BE ANNEXED

OVERALL AREA = 3864500 S.F. OR 88.72 ACRES
NET AREA = 3608950 S.F. OR 82.85 ACRES

DRAINAGE AND UTILITY EASEMENTS
ARE SHOWN THUS:



BEING 5 FEET IN WIDTH AND ADJOINING
SIDE LOT LINES AND 10 FEET IN WIDTH
AT BACK LOT LINES AND ADJOINING
STREET LINES, UNLESS OTHERWISE
INDICATED ON THE PLAT.

CHATFIELD ON THE GREEN
TOTALS: LOTS (R-3) 196
LOTS (R-1) 130
DENSITY 66
2.3 D.U./ACRE

MINIMUM SETBACKS (R-3)
FRONT 30 FEET
SIDE (STREET) 20 FEET
SIDE (HOUSE & GARAGE) 5 FEET
REAR 30 FEET

MINIMUM SETBACKS (R-1)
FRONT 30 FEET
SIDE (STREET) 20 FEET
SIDE (HOUSE & GARAGE) 10 FEET
REAR 30 FEET

CHATFIELD ON THE GREEN
BELLE PLAINE, MINNESOTA
PRELIMINARY PLAT
FOR
CHATFIELD ON THE GREEN, L.L.P.
2000 AMES DRIVE, BURNSVILLE, MINNESOTA 55306



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