

JOINT RESOLUTION OF THE CITY OF OTTERTAIL AND THE TOWNSHIP OF OTTER TAIL PURSUANT TO MINNESOTA STATUTES 414.0325, SUBDIVISION 1, DESIGNATING CERTAIN UNINCORPORATED LAND AS IN NEED OF ORDERLY ANNEXATION, CONFERRING JURISDICTION ON SAID LAND TO THE MINNESOTA MUNICIPAL BOARD, AND AGREEING TO IMMEDIATE ANNEXATION OF SAID LAND TO THE CITY OF OTTERTAIL.

City of Ottertail Resolution No. 99-02

Township of Otter Tail Resolution No. 1999-02

TO Minnesota Municipal Board
Suite 225 Bandana Square
1021 Bandana Boulevard East
St. Paul, MN 55108

WHEREAS, the City of Ottertail and the Township of Otter Tail, Otter Tail County, Minnesota, have received a Petition by all of the owners of certain unincorporated land, as hereinafter described, for designation as an area in need of orderly annexation and for the immediate annexation of said land to the City of Ottertail; and

WHEREAS, the City of Ottertail and the Township of Otter Tail jointly desire to accommodate and encourage such growth in the most reasonable manner; and

WHEREAS, said land is proposed to be developed for commercial purposes and the City of Ottertail is capable of assisting said development and providing services required by said area within a reasonable time, and

WHEREAS, it is deemed beneficial to both the City of Ottertail and the Township of Otter Tail and appropriate and in the best interests of both the City of Ottertail and the Township of Otter Tail that said land be annexed to the City of Ottertail.

NOW, THEREFORE, pursuant to Minnesota Statutes 414.0325, Subdivision 1, be it JOINTLY RESOLVED and agreed by the City Council of the City of Ottertail and the Board of Supervisors of the Township of Otter Tail, Otter Tail County, Minnesota, as follows:

1. That the following described land is properly subject to orderly annexation under and pursuant to Minnesota Statutes 414.0325, Subdivision 1, and is hereby designated as in need of orderly annexation as provided by statute:

All that part of the Northwest Quarter of Section Twenty-eight (28), Township One Hundred Thirty-four (134), Range Thirty-nine (39), Otter Tail County, Minnesota, lying southerly of the southerly right-of-way line of State Trunk Highway No. 78 as existing and constructed as of October 1981 and lying westerly of the following described line:

Commencing at the southwest corner of said Northwest Quarter thence on an assumed bearing of South 88 degrees 42 minutes 20 seconds East along the southerly line of said Northwest Quarter, a distance of 1364.40 feet to the point of beginning of the line to be described; thence North 1 degree 42 minutes 20 seconds West a distance of 265.17 feet; thence South 88 degrees 17 minutes 40 seconds West a distance of 225.37 feet; thence North 1 degree 42 minutes 20 seconds West a distance of 161.69 feet; thence North 47 degrees 22 minutes 20 seconds West a distance of 103.30 feet; thence North 89 degrees 12 minutes 20 seconds West a distance of 450.78 feet; thence North 00 degrees 06 minutes 58 seconds East a distance of 1925.55 feet to the southerly right-of-way line of State Trunk Highway No. 78 and there terminating

except the following described tract:

Beginning at the southwest corner of the Northwest Quarter; thence on an assumed bearing of South 88 degrees 42 minutes 20 seconds East along the southerly line of said Northwest Quarter, a distance of 1364.40 feet; thence North 1 degree 42 minutes 20 seconds West a distance of 265.17 feet; thence South 88 degrees 17 minutes 40 seconds West a distance of 225.37 feet, thence North 1 degree 42 minutes 20 seconds West a distance of 161.69 feet; thence North 47 degrees 22 minutes 20 seconds West a distance of 103.30 feet, thence North 89 degrees 12 minutes 20 seconds West a distance of 1048.48 feet to the west line of said Section 28; thence South 00 degrees 12 minutes 17 seconds West along said west line, a distance of 473.64 feet to the point of beginning.

Containing 23.74 acres. Subject to County State Aid Highway No. 5 over the west 50 feet thereof and subject to easements and reservations of record if any.

2. That jurisdiction is hereby conferred upon the Minnesota Municipal Board over the provisions contained in this Joint Resolution.

3. That upon order of the Minnesota Municipal Board the land described above shall be annexed to and become part of the corporate municipal limits of the city of Ottertail.
4. That the area of land to be annexed contains approximately 23.74 acres and is proposed to be developed for commercial purposes.
5. That the population of the area to be annexed is zero.
6. That as and for the conditions of the annexation of the above-described properties, the City of Ottertail agrees to compensate the Township of Otter Tail for lost tax revenue over a five-year period to ease the financial adjustment burden on the remainder of the Township. In the first year the land is annexed, the City of Ottertail will make a cash payment to the Township of Otter Tail in an amount equal to ninety percent (90%) of the property taxes paid in the year 1999 for said property; in the second year (2000), an amount equal to seventy percent (70%) of the property taxes paid in the year 1999 for said property; in the third year (2001) an amount equal to fifty percent (50%) of the property taxes paid in the year 1999 for said property; in the fourth year (2002), an amount equal to thirty percent (30%) of the property taxes paid in the year 1999 for said property; and in the fifth year (2003), an amount equal to ten percent (10%) of the property taxes paid in the year 1999 for said property. That in addition to the foregoing, the City of Ottertail will also pay to the Township of Otter Tail for each of the years 2000, 2001, 2002, 2003 and 2004 ten percent (10%) of the difference between the real property taxes levied on said real property by the City of Ottertail in the years 2000, 2001, 2002, 2003 and 2004 and the real property taxes which would have been levied on said real property by the Township of Otter Tail if said real property had not been annexed by the City of Ottertail. Said computation shall be made for each of said years using the assessed valuation shown on the real property statements for said property for each such year and the actual mill levy in effect for each such year for each of the City of Ottertail and the Township of Otter Tail.
7. That the owners of the land to be annexed have waived any notice required by Minnesota Statutes Section 414.0325, Subdivision 1a, relating to electric utility service, and that in fact there will be no change in electric service or cost as a result of this annexation.
8. That no alteration of the stated boundaries is appropriate, no conditions for the annexation are required and no consideration by the Municipal Board is necessary.

9. That upon receipt of this Joint Resolution, the Municipal Board may review and comment, but shall, within thirty (30) days, order the annexation in accordance with the terms of this Resolution.
10. That this Resolution shall be effective upon approval and adoption by both the Board of Supervisors of the Township of Otter Tail and the City Council of the City of Ottertail.

Adopted by the Board of Supervisors of the Township of Ottertail this 25th day of March, 1999.

Chairman: Lyle Cordes

CLERK: Blon Meyers

Adopted by the City Council of the City of Ottertail this 1st day of April, 1999.

Raymond Mounts
Mayor: Raymond Mounts

Arlette Carlson
Clerk: Arlette Carlson

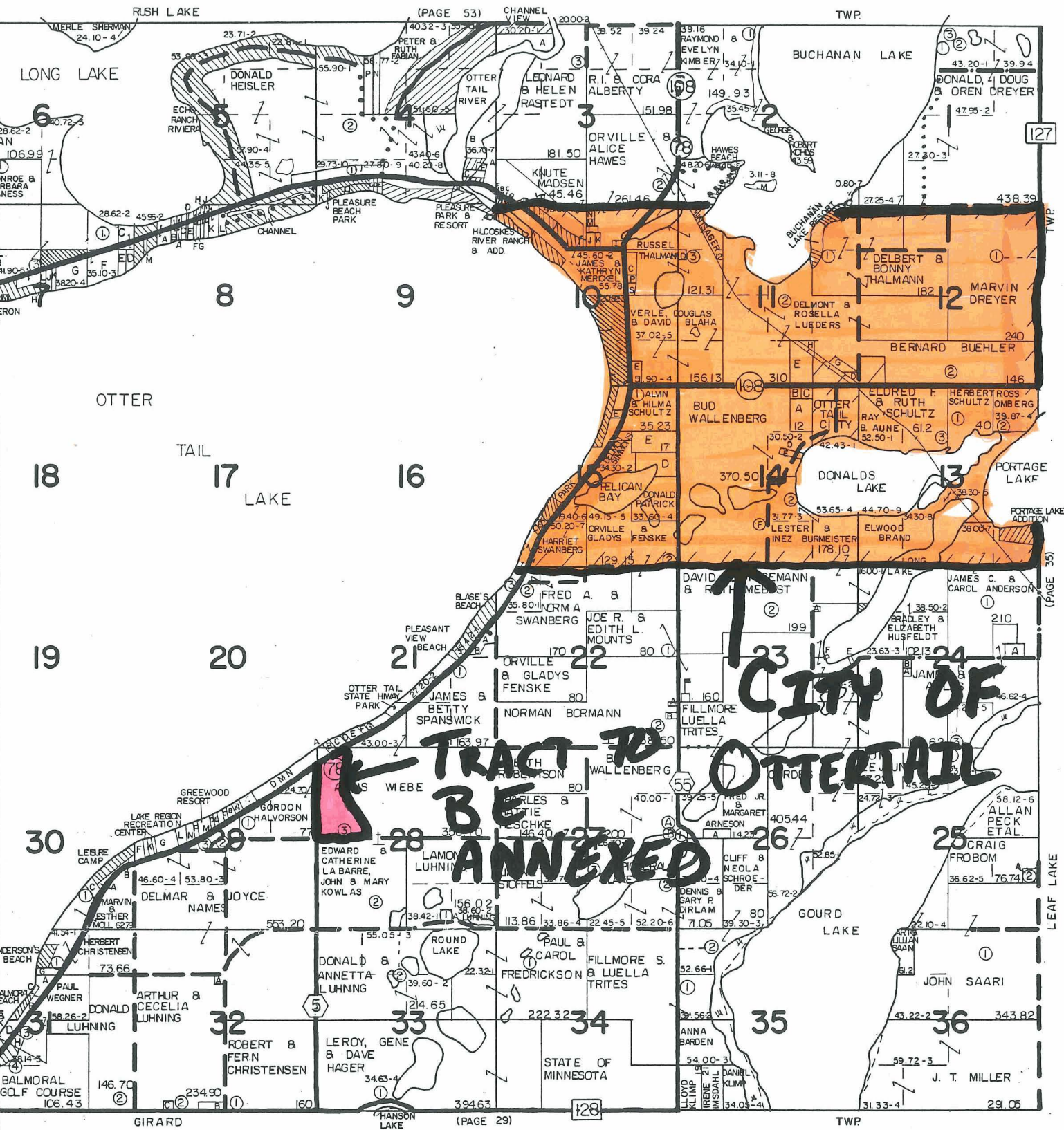
OTTER TAIL

CODE - 46

46

SHIP 134 NORTH

REC'D. BY APR 05 1999
M.M.B. RANGE 39 WEST



**TRACT TO
BE
ANNEXED**

**CITY OF
OTTERTAIL**

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