

JOINT RESOLUTION AND AGREEMENT OF THE TOWNSHIP OF LIVONIA AND THE CITY OF ZIMMERMAN ANNEXING PROPERTY WITHIN THE ORDERLY ANNEXATION AREA INTO THE CITY OF ZIMMERMAN

City of Zimmerman Resolution No. 02-06-04

Township of Livonia Resolution No. 02-18

WHEREAS, the Township of Livonia ("Township") and the City of Zimmerman ("the City") have negotiated the boundaries of an Orderly Annexation Area ("the Area") and have entered into an Orderly Annexation Agreement ("the Agreement"); and

WHEREAS, the Area and Agreement have been created to provide for orderly and planned development, to provide for city services to developing areas, to serve the interest of public health, safety and welfare, and to protect natural waterways and wetlands; and

WHEREAS, James M. Brindley, a land owner within the Area, has submitted a petition to the City and Township for annexation of his property subject to the terms of the Agreement; and

WHEREAS, four (4) properties owned by three (3) separate landowners lie between the parcel petitioned for annexation and the current corporate limits; and

WHEREAS, paragraph 7 of the Agreement states that parcels lying between an annexed parcel and the existing corporate limits shall immediately be annexed; and

WHEREAS, the three (3) landowners lying between the parcel petitioned and the current corporate limits have been notified of their pending annexation and have not submitted an objection to annexation;

NOW, THEREFORE, it is hereby resolved and agreed by and between the properties:

1. The property petitioned for annexation subject to the Agreement is described on Exhibit A ("the Property") attached hereto and shown on the map attached as Exhibit C.
2. The properties lying between the petitioned parcel and the current corporate limits to be annexed into the City in accordance with Paragraph 7 of the Agreement are described on Exhibit B (the "Properties") attached hereto and shown on the map attached as Exhibit C.
3. The City and Township agree that no alteration of the stated boundaries as described in Exhibit A are appropriate and that all terms and conditions for annexation are provided for in this Joint Resolution. Upon receipt of the Joint Resolution, Minnesota Planning 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. The Property as described in Exhibit A hereto shall be immediately annexed into the City and zoned R-1 Single Family Residential.
5. The Properties shall be classified as rural and placed in the rural services district. Properties in the rural services district shall be taxed at 35% of the City's tax capacity rate, until such time as the properties are no longer rural as defined in Minn. Stat. §272.67.

6. The Township shall be reimbursed for lost tax revenue according to the following reimbursement formula:
- a. In the year of annexation, the Township shall receive all the City share of tax revenue from the property.
 - b. In the first year after annexation, the Township shall receive an amount equal to 90% of the property taxes paid in the year the property was annexed.
 - c. In the second year after annexation, the Township shall receive an amount equal to 70% of the property taxes paid in the year the property was annexed.
 - d. In the third year after annexation, the Township shall receive an amount equal to 50% of the property taxes paid in the year the property was annexed.
 - e. In the fourth year after annexation, the Township shall receive an amount equal to 30% of the property taxes paid in the year the property was annexed.
 - f. In the fifth year after annexation, the Township shall receive an amount equal to 10% of the property taxes paid in the year the property was annexed.
 - g. The City shall have the right to make one (1) payment to the Township, as reimbursement for property taxes lost from annexed property, equal to the amount due over the 5-year schedule listed in paragraphs a-f.

The following Board members of the Township of Livonia voted in favor: _____

~~Anderson, Fordahl, Kerr, Pensinger, Sherper~~

The following Board members voted against or abstained: None

Whereupon the motion was declared duly passed and executed.

The following Council members of the City of Zimmerman voted in favor: Hanson, Hass, Frederick, Lenz and Wilkinson.

The following Council members voted against or abstained: none.

Whereupon the motion was declared duly passed and executed.

LIVONIA TOWNSHIP

CITY OF ZIMMERMAN

Don Sherper
Chair, Town Board

Randy Hanson
Mayor

Spencer
Town Clerk

Nelda Remus
Clerk/Treasurer

REC'D BY
MMB

APR 25 2003

EXHIBIT A
PROPERTY PETITIONED FOR ANNEXATION

The north half of the southeast quarter of the southeast quarter of Section 18, Township 34,
Range 26, Sherburne County, Minnesota.

EXHIBIT B

**PROPERTIES IMMEDIATELY ANNEXED IN ACCORDANCE WITH
PARAGRAPH 7 OF THE AGREEMENT**

Parcel # 30-018-4115

That part of the East 544.40 feet of the Northeast Quarter of the Southeast Quarter of Section 18, Township 34, Range 26, lying South of the following described line and its extension; Commencing at the Northeast corner of the said Northeast Quarter of the Southeast Quarter; thence South along the East line thereof a distance of 1,122.78 feet to the actual point of beginning of the line to be described; thence West at right angles to a point distant 544.50 feet West of the East line of said Northeast Quarter of Southeast Quarter, and there terminating, according to the United States Government Survey thereof and situated in Sherburne County, Minnesota.

Parcel # 30-018-4105

All that part of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 18, Township 34, Range 26, Sherburne County, Minnesota described as follows: Commencing at the Northeast corner of said NE $\frac{1}{4}$ of the SE $\frac{1}{4}$; thence South along the East line thereof a distance of 560 feet to the actual point of beginning of the land to be described; thence continue South along said East line a distance of 208 feet; thence West at right angles a distance of 258 feet; thence North parallel with said East line a distance of 208 feet; thence East to the point of beginning. Subject to an together with that part taken for County Road No. 46. Containing 1.23 acres more or less, including road.

Parcel # 30-018-4102

All that part of the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ of the SE $\frac{1}{4}$) of Section Eighteen (18) Township Thirty-four (34), Range Twenty-six (26), Sherburne County, Minnesota described as follows: Commencing at the Northeast corner of said Northeast Quarter of the Southeast Quarter; thence South along the East line thereof a distance of 560 feet to the actual point of beginning of the land to be described; thence continue South along said East line a distance of 362.78 feet; thence West at right angle a distance of 544.50 feet; thence North parallel with said East line a distance of 362.78 feet; thence East to the point of beginning. Subject to and together with that part thereof taken for County Road No. 46, except the East 258 feet of the North 208 feet thereof, containing 3.30 acres, more or less.

Parcel # 30-018-4110

All that part of the Northeast Quarter of the Southeast Quarter of Section 18, Township 34, Range 26, Sherburne County, Minnesota, described as follows: Commencing at the Northeast corner of said Northeast Quarter of the Southeast; thence South along the East line thereof a distance of 922.78 feet to the actual point of beginning of the land to be described; thence continue South along said East line a distance of 200 feet; thence West at right angles a distance of 544.50 feet; thence North parallel with said East line a distance of 200 feet; thence East to the point of beginning, according to the United States Government Survey thereof and situate in Sherburne County, Minnesota.

