

City of Zimmerman Resolution # 12-06-06

Livonia Township Resolution # 12-16**JOINT RESOLUTION AND AGREEMENT OF LIVONIA TOWNSHIP AND THE CITY OF ZIMMERMAN ANNEXING PROPERTY WITHIN THE ORDERLY ANNEXATION AREA INTO THE CITY OF ZIMMERMAN**

WHEREAS, Livonia Township and the City of Zimmerman have negotiated the boundaries of an Orderly Annexation Area and have entered into an Orderly Annexation Agreement on file with the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings as OA-615; and

WHEREAS, the City has requested annexation of a portion of the 136th Street right of way so that segment as described below may be added the City's Municipal State Aid Street program; and

WHEREAS, the City and Township agree that no alteration of the stated boundaries as described below are appropriate and that all terms and conditions for annexation are provided for in this Joint Resolution.

NOW, THEREFORE, BE IT RESOLVED, jointly by the City Council of the City of Zimmerman and the Township Board of Livonia Township as follows:

1. Property. That the following described land is subject to annexation pursuant OA-615, on file with the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, and that the parties hereto agree that the land be immediately annexed:

That part of the right-of-way of 136th Street Northwest located within the Southeast Quarter of the Southeast Quarter and the Northeast Quarter of the Southeast Quarter of Section 7, Township 34, Range 26, Sherburne County, Minnesota, lying easterly of a line 33.00 feet westerly of and parallel with the centerline of said 136th Street Northwest, and lying southerly of the northerly right-of-way line, and its westerly extension, of Oakwood Road, as delineated and dedicated in PLEASANT HILLS, according to the recorded plat thereof, said Sherburne County. The easterly and westerly lines shall be prolonged or shortened to terminate on the south line of said Southeast Quarter of the Southeast Quarter.

2. Acreage/Population/Usage. That the annexation area consists of approximately 1.32 acres, the population in the area is 0, and the land use type is road or street right of way.

3. Jurisdiction. That Livonia Township and the City of Zimmerman, by submission of this joint resolution to the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, confers jurisdiction upon the Chief Administrative Law Judge so as to accomplish said annexation in accordance with the terms of this resolution.

4. Municipal Reimbursement. Minnesota Statutes § 414.036.

a. Reimbursement to Towns for lost taxes on annexed property.

The City of Zimmerman and Livonia Township agree that no reimbursement is necessary as the property is and shall remain road or street right of way.

b. Assessments and Debt.

That pursuant to Minnesota Statutes § 414.036 with respect to any special assessment assigned by the Township to the annexed property and any portion of debt incurred by the Township prior to the annexation and attributable to the property to be annexed, but for which no special assessments are outstanding, for the area legally described (herein or attached exhibit) there are no special assessments or debt.

5. Review and Comment. The City of Zimmerman and Livonia Township agree that upon receipt of this resolution, passed and adopted by each party, the Chief Administrative Law Judge may review and comment, but shall within thirty (30) days, order the annexation in accordance with the terms of the resolution.

Adopted by affirmative vote of all the members of the Livonia Township Board of Supervisors this 25th day of June, 2012.

LIVONIA TOWNSHIP

ATTEST:

By: Don Sherper
Don Sherper, Chairperson
Board of Supervisor

By: Lila Spencer
Lila Spencer, Township Clerk

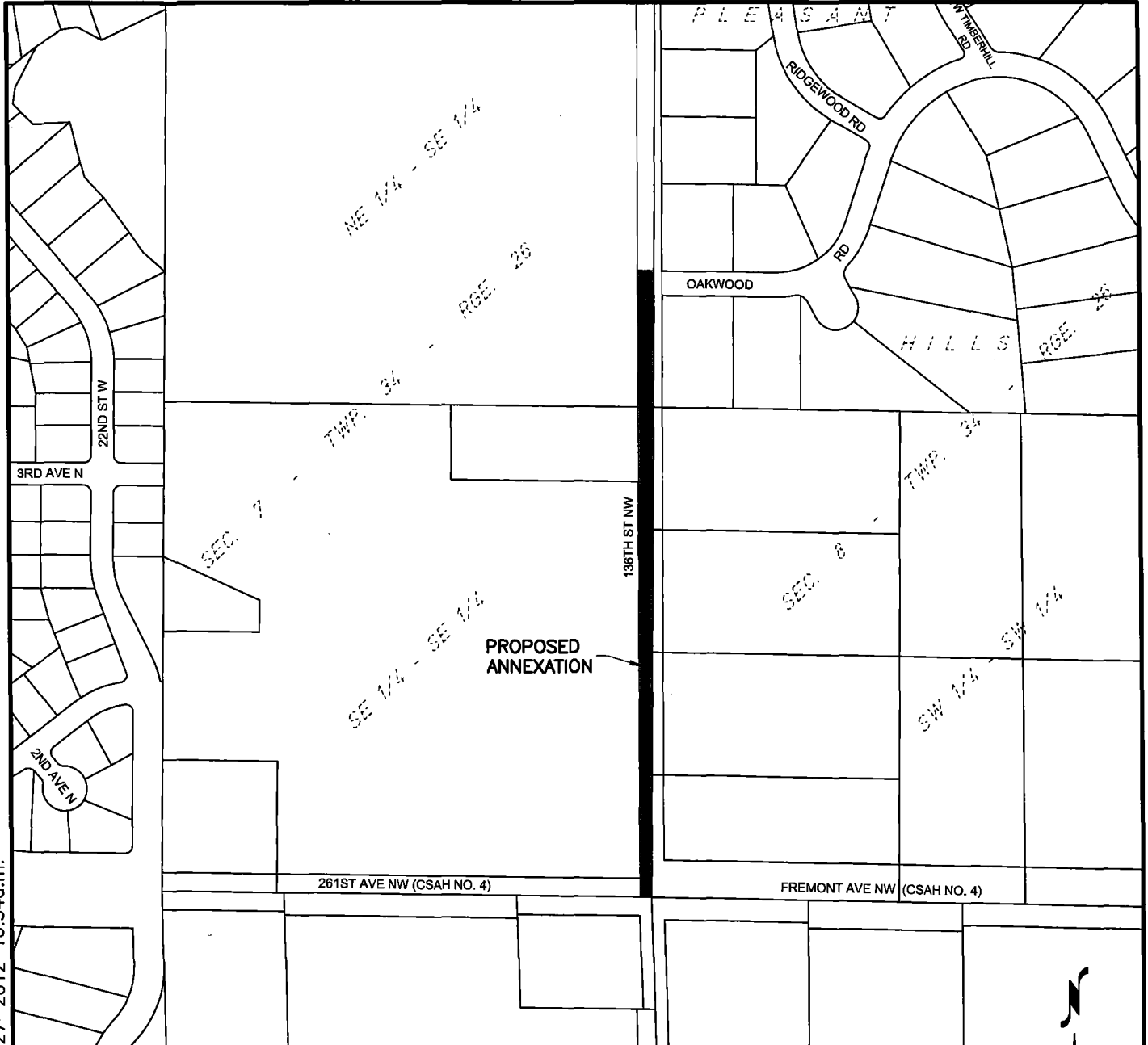
Adopted by affirmative vote of the City Council of Zimmerman this 4th day of June, 2012.

CITY OF ZIMMERMAN

ATTEST:

By: David Earenfight
David Earenfight, Mayor

By: Randy Piasecki
Randy Piasecki, City Administrator



PROPOSED ANNEXATION DESCRIPTION:

That part of the right-of-way of 136th Street Northwest located within the Southeast Quarter of the Southeast Quarter and the Northeast Quarter of the Southeast Quarter of Section 7, Township 34, Range 26, Sherburne County, Minnesota, lying easterly of a line 33.00 feet westerly of and parallel with the centerline of said 136th Street Northwest, and lying southerly of the northerly right-of-way line, and its westerly extension, of Oakwood Road, as delineated and dedicated in PLEASANT HILLS, according to the recorded plat thereof, said Sherburne County. The easterly and westerly lines shall be prolonged or shortened to terminate on the south line of said Southeast Quarter of the Southeast Quarter.

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**PROPOSED ANNEXATION EXHIBIT
ZIMMERMAN, MN**

BOLTON & MENK, INC.
Consulting Engineers & Surveyors

7533 SUNWOOD DRIVE, RAMSEY, MN 55303 (763) 433-2851
MANKATO, MN FAIRMONT, MN SLEEPY EYE, MN BURNSVILLE, MN
WILLMAR, MN CHASKA, MN RAMSEY, MN AMES, IA

PARTS OF
SE 1/4 OF SE 1/4
NE 1/4 OF SE 1/4
SHERBURNE COUNTY, MN

FOR: CITY OF ZIMMERMAN

S7-T34-R26-41,44

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