

REC'D. BY
A M B JUL 29 1999

**JOINT RESOLUTION BETWEEN THE TOWN OF MOORHEAD AND THE CITY OF
MOORHEAD DESIGNATING AN AREA FOR ORDERLY ANNEXATION PURSUANT
TO MINNESOTA STATUTE 414.0325**

BE IT RESOLVED by the Town of Moorhead, hereinafter referred to as "Township", by and through its Board of Supervisors; and the City of Moorhead, hereinafter referred to as "the City", by and through its City Council, that the Township and City do hereby jointly agree to the following:

1. **Definitions**

For the purposes of this Joint Resolution the following definitions will mean:

- a. City. Will mean the City of Moorhead, Minnesota, a municipal corporation duly organized and existing under the laws of the State of Minnesota, except whenever in the provisions of this document reference is made to water or electrical services, then and in that case, "City" will include within its meaning both the City of Moorhead and the Moorhead Public Service Commission, a board to which the control, management and operation of all City water and electrical systems have been committed by Section 12.02 of the Moorhead City Charter.
- b. County. Will mean the County of Clay, Minnesota, a body corporate and politic duly organized and existing under the laws of the State of Minnesota.
- c. Effective Date of Annexation. Will mean the date the Minnesota Municipal Board issues its order approving the annexation contemplated in the Initiating Resolution.
- d. Effective Date of this Joint Resolution. Will mean the date the Minnesota Municipal Board accepts this Joint Resolution for filing.
- e. Initiating Resolution. Will mean an initiating resolution adopted by the City and filed with the Minnesota Municipal Board.

- f. Joint Resolution. Will mean the Joint Resolution between the Township and the City designating an area for orderly annexation pursuant to Minnesota Statute Section 414.0325.
- g. Minnesota Municipal Board. Will mean the Minnesota Municipal Board, which is created by Minnesota Statute Section 414.01.
- h. Orderly Annexation Area. Will mean that area of the Town of Moorhead legally described as:

**The Western 400 feet of the Southeast Quarter of the Northwest
Quarter of Section 29 of Moorhead Township, Clay County
Minnesota. Said tract contains 12.1 acres more or less.**

and a map of which is attached as Exhibit A.

- i. Town of Moorhead. Will mean the Town of Moorhead, a body corporate and politic, duly organized under the laws of the State of Minnesota.
2. **Population**
The population of the Orderly Annexation Area is zero and the population of the City of Moorhead will not increase as a result of annexation.
3. **Reason for Annexation**
It is specifically found that:
- a. Certain Properties Urban or Suburban. Certain areas within the Township abutting upon the City are presently or are about to become urban or suburban in nature.
 - b. City Capable of Providing Services. City has provided or is capable of providing wastewater collection services and water distribution and is capable of providing additional municipal service to this property to adequately protect the public health, safety, and general welfare of the property.
4. **Annexation Date**
All property within the Orderly Annexation Area will be annexed to the City upon the date the Minnesota Municipal Board issues its order approving annexation following the Board's acceptance of this Joint Resolution and based on the City filing an Initiating Resolution with the Board.
5. **Zoning/Subdivision/Land Use Control Regulations**
Upon the effective date of annexation, the Orderly Annexation Area will be zoned TZ,

Transitional Zone, so that the entire Orderly Annexation Area will be governed by the City's comprehensive land use plan and subdivision regulations as such plan and regulations may be amended, modified or replaced from time to time.

6. **Electric Service**

The provisions of electric service vests with the Moorhead Public Service Commission, a board to which the control, management, and operation of the City's electrical system has been committed by Section 12.02 of the Moorhead City Charter. The policy of the Moorhead Public Service Commission and the City of Moorhead is to have the Moorhead Public Service Department provide electric service to all property located within the City of Moorhead.

7. **Drainage**

The City and Township agree that an alternative drainage outlet will be constructed along the southside of Clay County 76 to the Red River of the North prior to the issuance of a residential building permit within Allyson Parkway Second Addition, unless otherwise agreed upon between the City of Moorhead and Red River-Buffalo River Watershed District.

8. **No Referendum**

As all of the conditions for annexation are contained within and have been mutually agreed upon by the Township and City, at the time of annexation of the Orderly Annexation Area no referendum will be conducted.

9. **Modifying/Amending Joint Resolution**

The parties to this agreement concur that this agreement will not be modified or amended, nor will the stated boundaries be altered unless mutually agreed to through resolution of each party and acceptance by the Minnesota Municipal Board.

10. **Ordering in of Annexation**

Upon receipt of an Initiating Resolution under this Joint Resolution, the Minnesota Municipal Board may review and comment, but will, within 30 days, order the annexation in accordance with the terms of this Joint Resolution.

11. **Town/City Cooperation**

The Township and City resolve to fully cooperate with the Minnesota Municipal Board in connection with this Joint Resolution and its agreements.

REC'D. BY JUL 29 1999
MMS

PASSED AND ADOPTED by the **Town Board of Moorhead, Minnesota**, this 21 day of JUNE 1999.

APPROVED BY:

E. Robert Olson
E. ROBERT OLSON, Chairperson
Town of Moorhead

ATTEST:

Leland Vette
LELAND E. VETTE, Town Clerk
Town of Moorhead

(SEAL)

PASSED by the City Council of the **City of Moorhead** this 6 day of JULY 1999.

APPROVED BY:

Morris L. Lanning
MORRIS L. LANNING, Mayor

ATTEST:

Kaye E. Buchholz
KAYE E. BUCHHOLZ, City Clerk

(SEAL)

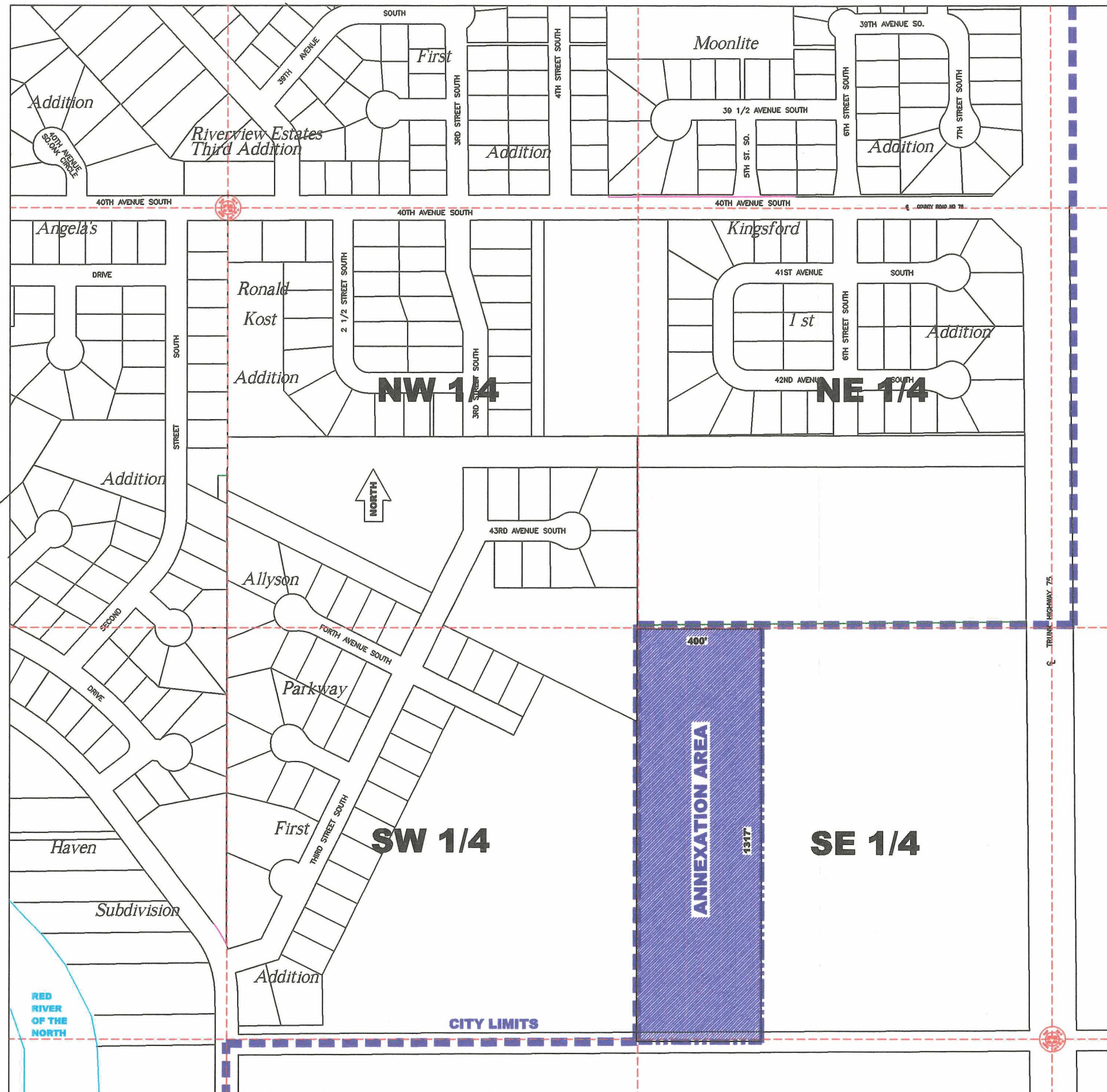
**CITY OF MOORHEAD
MOORHEAD TOWNSHIP
ORDERLY ANNEXATION
AGREEMENT**

**ALLYSON PARKWAY
SECOND ADDITION**

**THE WESTERN 400
FEET OF THE
SOUTHEAST
QUARTER OF THE
NORTHWEST
QUARTER OF
SECTION 29 OF
MOORHEAD
TOWNSHIP, CLAY
COUNTY,
MINNESOTA**



**DEPARTMENT OF COMMUNITY
AND ECONOMIC DEVELOPMENT
BOX 779
MOORHEAD, MN 56561
218-299-5370**



REC'D. BY JUL 29 1999
A.M.B.