

REC'D BY  
MMB  
OCT 03 2001

RESOLUTION NO. 01-09-01

ORDERLY ANNEXATION AGREEMENT

To: Minnesota Planning

A joint Resolution of the City of Lynd and Lynd Township designating an unincorporated area as a need of orderly annexation to the City of Lynd and conferring jurisdiction over said area to Minnesota Planning, pursuant to MS 414.0325.

**WHEREAS**, the City of Lynd and the Township of Lynd desire to accommodate growth in the most orderly fashion, and

**WHEREAS**, a joint orderly Annexation Agreement and Resolution between the parties hereto is beneficial to both parties from the standpoint of orderly planning and orderly and orderly transition of government within the area proposed to be annexed and provides for guidelines under which said annexation shall take place, and

**WHEREAS**, conditions of the orderly Annexation Agreement have been discussed with the sole owner of the area designated as Exhibit A, and

**WHEREAS**, Theodore J. Anderson, Jr. is the sole owner of the areas as shown on the attached Exhibit A, and

**WHEREAS**, the City of Lynd is the sole owner of areas shown on the attached Exhibit B.

**NOW THEREFORE**, be it resolved by the City of Lynd, (hereinafter referred to as the City), and the Township of Lynd, (hereinafter referred to as the Township), that the property herein designated for Orderly Annexation by the City of Lynd shall be annexed to the City of Lynd subject to the following terms and conditions:

1. That the property which is covered by this orderly Annexation Agreement is legally described as follows:

See premises described in the attached Exhibits A and B.

2. That parties confer jurisdiction on Minnesota Planning and the Minnesota Municipal Board over orderly annexation of the property and over the various provisions of this Agreement.

3. The property is adjacent to the City of Lynd.

4. That as between the parties, the City of Lynd will be responsible for providing applicable water, sewer, and street improvements as may be appropriate and pursuant to requests of the various present and future owners and pursuant to state and local law and in the discretion of the City and based upon policies of the City as they may then exist and be in effect.

5. That electric utility service notice as required by MS 414.0325 subd.1a has been satisfied. Electrical utility service is provided in the City of Lynd by Lyon-Lincoln Electric Power Cooperative. That Lyon-Lincoln Electric Power Cooperative currently provides electrical service to the area shown on Exhibit A and no change in the electrical utility service provided to the premises will be made.

6. The property will be zoned as residential upon entrance into the City of Lynd and may be rezoned in accordance with the requirements of the City of Lynd Planning Commission.

7. This Agreement will go into effect on the date that orderly annexation is approved by the Minnesota Municipal Board/Minnesota Planning.

8. The City of Lynd and Lynd Township agree that no formal hearing or consideration by the Municipal Board is necessary. Upon receipt of this Resolution passed and adopted by each party, the Municipal Board may review and comment but shall within thirty (30) days order the annexation in accordance with the terms of the joint resolution.

Approved by the Township of Lynd this 20<sup>th</sup> day of Sept, 2001.

## LYND TOWNSHIP

By: Michael Bueckley  
Its: Chairman

By: Doug P. Kleiner  
Its: Clerk

Approved by the City of Lynd this 20<sup>th</sup> day of Sept, 2001.

## CITY OF LYND

By: LeRoy Sik  
LeRoy Sik  
Its: Mayor

By: Faye Angrimson  
Faye Angrimson  
Its: City Clerk

**EXHIBIT A  
LEGAL DESCRIPTIONS  
ORDERLY ANNEXATION CITY OF LYND AND LYND TOWNSHIP  
REAL ESTATE OWNED BY THEODORE J. ANDERSON, JR. AND ILLA ANDERSON**

**Parcel 1****Reference: Abstract**

All that part of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$  of SE $\frac{1}{4}$ ) of Section Twenty-two (22) described as follows: commencing at a point on the north line of said SE $\frac{1}{4}$  of said SE $\frac{1}{4}$  of said Section Twenty-two (22), Twenty (20) rods west of the east line of said Section Twenty-two (22), proceeding thence west on said north line of said SE $\frac{1}{4}$  of said SE $\frac{1}{4}$  Twenty (20) rods; thence south parallel to the east line of said section to the south bank of the Redwood River; thence northeasterly along said river bank to a point Twenty (20) rods west from and measured at right angles to the east line of said Section Twenty-two (22); thence north to the place of beginning, Township One Hundred Eleven (111) North, of Range Forty-two (42) West of the 5<sup>th</sup> P.M. ALSO, NE $\frac{1}{4}$ SE $\frac{1}{4}$  Sec. 22. Containing 46 acres, more or less.

**Parcel 2****Reference: No. 3952**

All that part of the West Half of the Southeast Quarter (W $\frac{1}{2}$ SE $\frac{1}{4}$ ) of Section Twenty-Two (22) in Township One Hundred Eleven (111) North, of Range Forty-two (42) West of the Fifth Principal Meridian, described as follows: Beginning at a point on the South line of said Section 22, Township 111 North, Range 42 West, which is 3,321 feet East of the Southwest corner of said Section 22, thence running in a Northeasterly direction to the Northwest corner of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$ ) of said Section 22; thence running South along the West line of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$ ) of said Section 22 to the South line of said Section 22; thence running West along the South line of said Section 22 to the point of beginning, ALSO the West Half of the East Half of the Southeast Quarter of the Southeast Quarter (W $\frac{1}{2}$ E $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ ) of said Section 22, Township 111 North, Range 42 West, lying South of the Redwood River and the West Half of the Southeast Quarter of the Southeast Quarter (W $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ ) of said Section 22, Township 111 North, Range 42 West.

**Parcel 3****Reference: No. 3953**

All that part of the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$ ) of Section Twenty-three (23), Township One Hundred Eleven (111) North, of Range Forty-two (42) West of the Fifth Principal Meridian, described as follows: Beginning at the Southeast corner of the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$ ) in Section 23, Township 111 North, Range 42 West of the Fifth Principal Meridian; thence North along the East line of the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$ ) 700 feet; thence West at right angles 80 feet; thence Southwest to a point which is 540 feet West and 200 feet North of the Southeast corner of said Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$ ); thence South 200 feet to the South line of the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$ ); thence East 540 feet to the point of beginning, containing 6 acres more or less.

**Parcel 4****Reference: No. 3955**

All that part of the North Half of the North Half of the Northeast Quarter ( $N\frac{1}{2}N\frac{1}{2}NE\frac{1}{4}$ ) of Section Twenty-three (23), Township One Hundred Eleven (111) North, Range Forty-two (42) West, Lyon County, Minnesota, lying South and East of the present Redwood River and a line 330 feet West of the Northeast corner of said Northeast Quarter ( $NE\frac{1}{4}$ ), said tract being more particularly described as follows: Commencing at the Northeast corner of the  $NE\frac{1}{4}$ , thence South  $89^{\circ}42'38''$  West, assumed bearing, along the North line of said  $NE\frac{1}{4}$  330 feet to the Point of Beginning, thence South  $00^{\circ}17'22''$  East at right angles to said North line 665.10 feet to a point on the South line of said ( $N\frac{1}{2}N\frac{1}{2}NE\frac{1}{4}$ ); thence South  $89^{\circ}42'30''$  West along said South line 2,327.75 feet to the Southwest corner of said ( $N\frac{1}{2}N\frac{1}{2}NE\frac{1}{4}$ ); thence North  $00^{\circ}21'05''$  West along the West line of said  $N\frac{1}{2}N\frac{1}{2}NE\frac{1}{4}$ ; 88.00 feet to a point on the center line of the Redwood River as it existed in July 1979; thence along the present centerline of said Redwood River by the following ten courses: North  $80^{\circ}44'35''$  East 66.63 feet; thence South  $32^{\circ}37'31''$  East 30.00 feet; thence South  $87^{\circ}27'41''$  East 174.84 feet; thence North  $63^{\circ}06'36''$  East 210.91 feet; thence North  $50^{\circ}36'18''$  East 196.43 feet; thence South  $83^{\circ}31'55''$  East 88.69 feet; thence South  $32^{\circ}11'00''$  East 108.00 feet; thence North  $67^{\circ}50'11''$  East 94.00 feet; thence South  $57^{\circ}28'30''$  East 276.00 feet; thence South  $13^{\circ}06'11''$  East 67.72 feet more or less to a point on said South line of the  $N\frac{1}{2}N\frac{1}{2}NE\frac{1}{4}$ ; thence North  $89^{\circ}42'30''$  East along said South line 85.02 feet to the present centerline of said Redwood River; thence North  $73^{\circ}32'09''$  East along said center line 119.21 feet; thence South  $63^{\circ}21'41''$  East along said center line 73.31 feet to a point on said South line; thence North  $89^{\circ}42'30''$  East along said South line 57.82 feet to a point on the present center line of the Redwood River; thence North  $57^{\circ}46'21''$  East along said center line 256.52 feet; thence Northerly along said center line and on a tangential curve to the left having a central angle of  $62^{\circ}38'06''$  and a radius of 295.84 feet and an arc length of 322.10 feet; thence North  $04^{\circ}51'45''$  West on a tangential line and along said center line 255.60 feet to a point on the North line of said  $NE\frac{1}{4}$ ; thence North  $89^{\circ}42'38''$  East along said North line 593.15 feet to the Point of Beginning. Said tract of land contains 13.60 acres more or less and is subject to any existing highways, roadways and easements.

**Parcel 5****Reference: No. 3959**

That part of the Southwest Quarter ( $SW\frac{1}{4}$ ) and the Northwest Quarter of the Southeast Quarter ( $NW\frac{1}{4}SE\frac{1}{4}$ ) of Section Twenty-three (23), Township One Hundred Eleven (111), Range Forty-two (42), lying North and West of the Great Northern Railroad right of way.

**Parcel 6****Reference: No. 3956**

All that part of the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$ ) of Section Twenty-three (23), Township One Hundred Eleven (111), Range Forty-two (42) LYING Northerly and Westerly of the right of way of the Great Northern Railway.

AND

The South Half of the North Half of the Northeast Quarter (S $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{4}$ ) of Section Twenty-three (23), Township One Hundred Eleven (111), Range Forty-two (42), LYING Northerly and Westerly of the right of way of the Great Northern Railway.

**Parcel 7****Reference: No. 3954**

The Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$ ), lying Northwesterly of the railroad right of way and the Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$ ) of Section Twenty-three (23), Township One Hundred Eleven (111), Range Forty-two (42).

**Parcel 8****Reference: No. 3958**

All that part of the Northwest Quarter (NW $\frac{1}{4}$ ) of Section Twenty-six (26), Township One Hundred Eleven (111), Range Forty-two (42) West of the Fifth Principal Meridian, lying North and West of the right of way of the Great Northern Railway Company, as the same is now constructed over and across said premises.

EXCEPT PARCEL DESCRIBED IN 53 MISC. 147

- a) Commencing at the Southwest corner of said Northwest Quarter, thence Northerly along the West line of said Northwest Quarter 1071.73 feet to the intersection of a line parallel with and 66.00 feet Northwesterly of the Northwesterly right of way line of the Burlington Northern Railroad and the actual point of beginning; thence continue Northerly along said West line 789.56 feet to the intersection of a line parallel with and 566.00 feet Northwesterly of said Northwesterly right of way line; thence Northeasterly, along said parallel line 68.27 feet; thence Southeasterly at right angles 500.00 feet to the intersection of a line parallel with and 66.00 feet Northwesterly of said Northwesterly right of way line; thence Southwesterly along said parallel line, to the point of beginning.

AND

The Northeast Quarter (NE $\frac{1}{4}$ ) of Section Twenty-seven (27), Township One Hundred Eleven (111), Range Forty-two (42) West of the Fifth Principal Meridian, lying North and West of the Great Northern Railway Company, as the same is now constructed over and across said premises, except the following described parcels:

- a) That part of the NE $\frac{1}{4}$  of Section 27, Township 111, Range 42 described as follows:  
Beginning at the Southwest corner of said NE $\frac{1}{4}$ , thence on an assumed bearing of East along the South line of said NE $\frac{1}{4}$  a distance of 770.20 feet; thence North 1



degree, 40 minutes West a distance of 550.67 feet; thence West a distance of 400 feet; thence North 0 degrees, 07 minutes West a distance of 44.46 feet; thence West a distance of 355.30 feet to the West line of said NE $\frac{1}{4}$ , thence South 0 degrees, 07 minutes East a distance of 594.90 feet to the point of beginning; subject to easements of record, if any, and subject to land use restrictions of record.

- b) That part of the NE $\frac{1}{4}$  of Section 27, Township 111, Range 42, Lyon County, Minnesota, described as follows: Commencing at the Southwest corner of said NE $\frac{1}{4}$  of Section 27; thence East, assumed bearing, along the South line of said NE $\frac{1}{4}$ , 770.20 feet to the point of beginning of the land to be described, thence North 1 degrees 40 minutes West 419.59 feet; thence North 69 degrees 01 minutes East 95.10 feet; thence South 72 degrees 44 minutes East 233.70 feet; thence South 45 degrees 58 minutes 30 seconds East 140.20 feet; thence South 23 degrees 13 minutes 30 seconds East 126.40 feet; thence South 47 degrees 21 minutes 30 seconds East 251.70 feet to the South line of said NE $\frac{1}{4}$ , thence West, along said South line 635.56 feet to the point of beginning.
- c) That part of the Northeast Quarter of Section 27, Township 111, Range 42, Lyon County, Minnesota described as follows:  
Commencing at the Southeast corner of said Northeast Quarter, thence Northerly along the East line of said Northeast Quarter 1071.73 feet to the intersection with a line parallel with and 66.00 feet Northwesterly of the Northwesterly right of way line of the Burlington Northern Railroad and the actual point of beginning; thence continue Northerly along said East line 789.56 feet to the intersection of a line parallel with and 566.00 feet Northwesterly of said Northwesterly right of way line; thence Southwesterly, along said parallel line 1131.73 feet; thence Southeasterly at right angles 500.00 feet to the intersection of a line parallel with and 66.00 feet Northwesterly of said Northwesterly right of way line; thence Southwesterly along said parallel line to the South line of said Northeast Quarter; thence Easterly along said South line to said Northwesterly right of way line; thence Northeasterly, along said Northwesterly right of way line to a point 374.00 feet Southwesterly of the intersection of said Northwesterly right of way line and said East line of the Northeast Quarter; thence Northwesterly at right angles to the intersection with a line parallel with and 66.00 feet Northwesterly of said Northwesterly right of way line; thence Northeasterly along said parallel line to the point of beginning.

AND

The East Half of the East Half of the Southeast Quarter of the Southeast Quarter (E $\frac{1}{2}$ E $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ ) of Section Twenty-two (22), Township One Hundred Eleven (111), Range 42 West of the Fifth Principal Meridian. SUBJECT to easements of record, including the right to cross the said E $\frac{1}{2}$ E $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 22, Township 111, Range 42, which runs to the Marshall Sand and Gravel Company, Marshall, Minnesota.

**Excepting from the above Parcels 1 through 8 the following described Tract:**

**TRACT 1**

All that part of the Northeast Quarter of Section 23, Township 111 North, Range 42 West, Lyon County, Minnesota, described as follows:

Commencing at the northeast corner of said Northeast Quarter, thence South 89 degrees 42 minutes 38 seconds West, assumed bearing, along the north line of said Northeast Quarter, a distance of 330.00 feet to the point of beginning; thence South 00 degrees 17 minutes 22 seconds East, at right angles to said north line, a distance of 665.10 feet to a point on the south line of North Half of the North Half of said Northeast Quarter; thence North 89 degrees 42 minutes 30 seconds East along said south line a distance of 219.59 feet to a point on the northwesterly right of way line of the Burlington Northern Santa Fe Railroad; thence South 38 degrees 45 minutes 30 seconds West, along said right of way line, a distance of 1700.00 feet; thence North 51 degrees 14 minutes 30 seconds West a distance of 188.69 feet to a point on the west line of the Southeast Quarter of said Northeast Quarter; thence North 22 degrees 13 minutes 19 seconds East a distance of 1430.00 feet; thence North 57 degrees 40 minutes 14 seconds West a distance of 199.56 feet to a point on the center line of the Redwood River; thence northerly along said center line along a non tangential curve concave to the northwest having a central angle of 37 degrees 11 minutes 31 seconds, a radius of 295.84 feet, an arc length of 192.04 feet and a chord that bears North 13 degrees 43 minutes 52 seconds East; thence North 04 degrees 51 minutes 45 seconds West, tangent to said curve, a distance of 255.61 feet to a point on the north line of said Northeast Quarter; thence North 89 degrees 42 minutes 38 seconds East, along said north line, a distance of 593.15 feet to the point of beginning.

9/20/2001/LB/kdAndersontedrev.leg

9/20/2001

**EXHIBIT B  
LEGAL DESCRIPTION  
ORDERLY ANNEXATION CITY OF LYND AND LYND TOWNSHIP  
REAL ESTATE OWNED BY THE CITY OF LYND**

That part of the Northwest Quarter of Section 26, Township 111, Range 42, Lyon County, Minnesota described as follows:

Commencing at the southwest corner of said Northwest Quarter; thence northerly along the west line of said Northwest Quarter 1071.73 feet to the intersection of a line parallel with and 66.00 feet northwesterly of the northwesterly right of way line of the Burlington Northern Railroad and the actual point of beginning; thence continue northerly along said west line 789.56 feet to the intersection of a line parallel with and 566.00 feet northwesterly of said northwesterly right of way line; thence northeasterly, along said parallel line 68.27 feet; thence southeasterly at right angles 500.00 feet to the intersection of a line parallel with and 66.00 feet northwesterly of said northwesterly right of way line; thence southwesterly along said parallel line, to the point of beginning.

ALSO

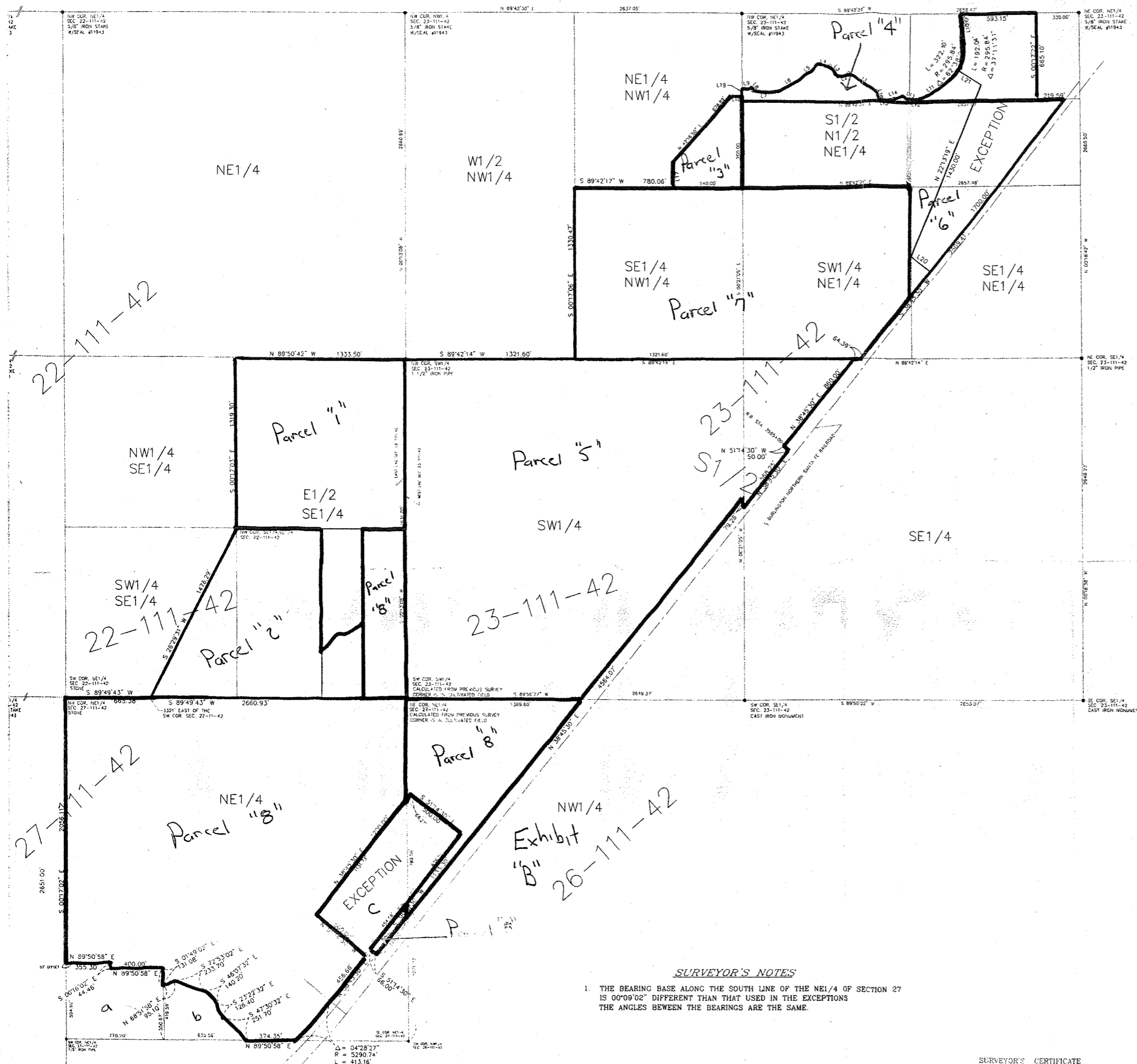
That part of the Northeast Quarter of Section 27, Township 111, Range 42, Lyon County, Minnesota described as follows:

Commencing at the southeast corner of said Northeast Quarter; thence northerly along the east line of said Northeast Quarter 1071.73 feet to the intersection with a line parallel with and 66.00 feet northwesterly of the northwesterly right of way line of the Burlington Northern Railroad and the actual point of beginning; thence continue northerly along said east line 789.56 feet to the intersection of a line parallel with and 566.00 feet northwesterly of said northwesterly right of way line; thence southwesterly, along said parallel line 1131.73 feet; thence southeasterly at right angles 500.00 feet to the intersection of a line parallel with and 66.00 feet northwesterly of said northwesterly right of way line; thence southwesterly along said parallel line to the south line of said Northeast Quarter; thence easterly along said south line to said northwesterly right of way line; thence northeasterly, along said northwesterly right of way line, to a point 374.00 feet southwesterly of the intersection of said northwesterly right-of-way line and said east line of the Northeast Quarter; thence northwesterly at right angles to the intersection with a line parallel with and 66.00 feet northwesterly of said northwesterly right-of-way line; thence northeasterly along said parallel line to the point of beginning.

lyndcity.leg

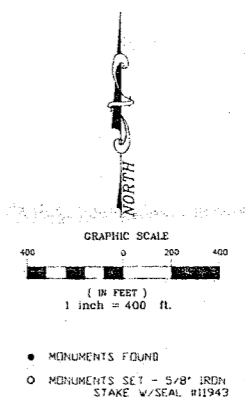
revised 9/20/2001





LINE TABLE

LINE	DIRECTION	DISTANCE
L1	S 57°28'30" E	276.00'
L2	N 67°50'11" E	94.00'
L3	S 32°11'00" E	108.00'
L4	S 83°31'55" E	88.69'
L5	N 50°36'18" E	196.43'
L6	N 63°06'36" E	210.31'
L7	S 87°27'4" E	174.84'
L8	S 32°37'31" E	30.00'
L9	N 80°44'35" E	68.83'
L10	N 04°51'45" W	255.60'
L11	N 57°46'21" E	256.52'
L12	N 89°42'29" E	57.82'
L13	S 63°21'41" E	73.31'
L14	N 73°32'09" E	119.21'
L15	N 89°42'30" E	85.02'
L16	S 13°06'11" E	67.72'
L17	N 00°17'43" W	200.00'
L18	N 89°38'55" E	80.00'
L19	N 00°21'05" W	53.70'
L20	N 51°14'30" W	188.69'
L21	N 57°40'14" W	199.58'



SURVEYOR'S NOTES

1. THE BEARING BASE ALONG THE SOUTH LINE OF THE NE1/4 OF SECTION 27 IS 00°09'02" DIFFERENT THAN THAT USED IN THE EXCEPTIONS THE ANGLES BETWEEN THE BEARINGS ARE THE SAME.

Lynd OA-788-1



REVISED AUGUST 15, 2001  
REVISED JULY 20, 2001

**TED ANDERSON**