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ORDERLY ANNEXATION AGREEMENT
(In preparation of Eminent Domain)

A Joint Resolution and Agreement of the Town of Rockford
and the City of Rockford as to the Orderly Annexation of Territory
known as the "**Morley Property**". Within the framework and authority set forth
in Minnesota Statutes Section 40A, and Minnesota Statutes Section 117.

Town Resolution Number 2001 - 2
and
City Resolution Number 2001- 100

WHEREAS, the Town of Rockford ("Township") and the City of Rockford ("City") desire to enter into a Joint Resolution and Agreement for the orderly annexation of certain Territory, pursuant to Minnesota Statutes § 414.0325, Subdivision 1, and with reference and regard to Minnesota Statutes Section 40A.121, said Territory consisting of Parcel One and Parcel Two, and legally described as:

Parcel One:

That part of the East Half of the Northeast Quarter of Section 30, Township 119, Range 24, Wright County, Minnesota, lying Southerly of the southerly right of way of the Minneapolis, St. Paul and Sault Ste. Marie Railroad, EXCEPT Parcel Two described below, containing 63.64 acres.

Parcel Two:

The North 323.84 feet of the South 1130.00 feet of the East 200.00 feet of the West 310.00 feet of the East Half of the Northeast Quarter of Section 30, Township 119, Range 24, Wright County, Minnesota. Containing 2.5; and,

WHEREAS, the Township and the City are in agreement as to the orderly annexation is in advance of and in preparation for a subsequent action of Eminent Domain to be initiated by the City against the Territory pursuant to Minnesota Statutes Section 117, for a public purchase as set for in that statute, and with reference to Minnesota Statutes Section 40A.122; and

WHEREAS, the Township and the City are in agreement as to the orderly annexation of the Territory for the purpose of facilitating the provision of municipal sewer service to the property currently within the Township; and

WHEREAS, the subject Territory lies within the Comprehensive Land Use Plan of the City of Rockford; and

WHEREAS, three-fourths of the boundaries of the subject Territory are within the jurisdiction and control of the City; and

WHEREAS, Minnesota Planning may review and comment, but shall, within 30 days, order the agreed upon annexation in accordance with the terms of the joint resolution; and

WHEREAS, the owner of the subject Territory has made timely action to terminate said Territory from the zone as required under Section 40A.11 (SEE EXHIBIT "A"); and because of

the size, tax base, population or other relevant factors, the township would not be able to provide normal governmental functions and services; and

WHEREAS, the Township and City are in agreement for the purpose of providing for comprehensive planning, development similar to and consistent with those activities in the surround properties and within the scope and authority of the City as conferred by Minnesota Statutes; and

WHEREAS, this agreement pertains to all lands as described above which fall within the Territory; and

WHEREAS, it is in the best interest of the Township and the City to agree to an orderly annexation in furtherance of the protection of the public health, safety and welfare; and

WHEREAS, the parties hereto desire to set forth the terms and conditions of such orderly annexation by means of this Joint Resolution and Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Town of Rockford, Wright County, Minnesota, and the City of Rockford, Wright County, Minnesota, as follows:

1. That upon approval by the respective governing bodies of the Township and the City, this Joint Resolution and Agreement shall confer jurisdiction upon Municipal Planning ("Municipal Planning" a division of the Minnesota Department of Strategic and Long Range Planning) so as to establish the orderly annexation area ("OAA") consisting of the Territory described above, and to provide for its orderly annexation in accordance with the terms of this Joint Resolution and Agreement.
2. The Territory described above is properly subject to orderly annexation pursuant to Minnesota Statutes § 414.0325, Subd. 1. The parties hereto do hereby designate this Territory as in need of orderly annexation as provided by Statute. The Territory to be annexed consists of approximately 66.14 acres. The Township and the City mutually state that no alteration by Municipal Planning to the OAA boundaries as described above is appropriate or permitted.
3. This Joint Resolution and Agreement shall be effective on the day this Agreement is approved by Municipal Planning.
4. The population residing on the Territory is 0 people.
5. The Territory shall be divided into two Parcels, which shall be separately annexed, as follows:
 - A. Parcel One shall be annexed into the City immediately upon approval of this Agreement by Municipal Planning.
 - B. Parcel Two shall remain in the Township until such time as the owner of Parcel Two makes a written request to the City for annexation. Parcel Two shall automatically be annexed to the City, without further proceedings by the City or Township.

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- 6. Real estate taxes due and payable 2002 shall be the property of Rockford Township; any taxes due and payable after December 31, 2002 shall belong entirely to the City of Rockford and shall not be shared with the Township.
- 7. Upon passage of a resolution by the Township requesting that Parcel Two be annexed into the City, the City shall join with the Township in executing all documents necessary to immediately annex said property to the City.
- 8. City shall pay Township's attorney's fees for processing this matter, said fees not to exceed \$250.00.

ADOPTED BY THE TOWN BOARD OF THE TOWN OF ROCKFORD THIS 25th DAY OF SEPTEMBER, 2001.

Leander Wetter
Leander Wetter, Chair

Lori Bohall
Lori Bohall, Clerk

ADOPTED BY THE CITY COUNCIL OF THE CITY OF ROCKFORD THIS 24th DAY OF July, 2001.

Michael A. Beyer
Michael A. Beyer, Mayor

Nancy L. Evers
Nancy L. Evers, Administrator

Morley Annexation City Resolution #01-100

REC'D BY MMB OCT 04 2001



City of ROCKFORD

