

TOWN OF CHATHAM RESOLUTION  
CITY OF BUFFALO RESOLUTION

JOINT RESOLUTION FOR ORDERLY ANNEXATION BETWEEN THE TOWN OF CHATHAM  
AND THE CITY OF BUFFALO, MINNESOTA

WHEREAS, the Town of Chatham (hereinafter referred to as the "Town") and the City of Buffalo (hereinafter referred to as the "City"), both located entirely within Wright County, in the State of Minnesota, have agreed that there is a clear need for a cooperative future planning effort for the land governed by the two jurisdictions; and,

WHEREAS, to this end Town and City, have met in discussion and study of future planning issues regarding the orderly annexation of portions of Chatham Township and,

WHEREAS, the Town Board and City Council have expressed their desire to encourage future development of land near the City so as to avail such development of municipal services as much as is practical;

NOW, THEREFORE, BE IT RESOLVED, in consideration of the mutual terms and conditions that follow, that the City and Town enter into this Joint Resolution of Orderly Annexation.

1. Designation of Orderly Annexation Area. The Town and City desire to designate the area set forth on the map attached (Exhibit 1) and the legal descriptions attached (Exhibit 2) as subject to orderly annexation under and pursuant to Minnesota Statutes Section 414.0325.
2. Director of Minnesota Office of Strategic and Long Range Planning Jurisdiction. Upon approval by the Town Board and the City Council, this Joint Resolution shall confer jurisdiction upon the Director of Minnesota Office of Strategic and Long Range Planning (hereinafter referred to as "Director of Minnesota Planning") so as to accomplish said orderly annexations in accordance with the terms of this Joint Resolution.
3. No Alterations of Boundaries. The Town and City mutually agree and state that no alterations by the Director of Minnesota Planning of the stated boundaries of the area designated for orderly annexation is appropriate.
4. Review and Comment by the Director of Minnesota Planning. The Town and City mutually agree and state that this Joint Resolution and Agreement sets forth all the conditions for annexation of the areas designated, and that no consideration by the Director of Minnesota Planning is necessary. The Director of Minnesota Planning may review and comment, but shall, within thirty (30) days, order the annexation in accordance with the terms of this Joint Resolution.
5. Planning and Land Use Control Authority. The Town and City mutually agree and state that within thirty (30) days of the effective date of the Director of Minnesota Planning's order establishing the Orderly Annexation area, a board will be established to exercise planning

and land use control authority within the designated orderly annexation area pursuant to Minnesota Statutes, Section 414.0325, Subdivision 5c, in the manner prescribed by Minnesota Statutes 1976, Section 471.59, Subdivision 2 through 8, inclusive. Prior to annexation, the ordinances of the Town will control the properties in the area designated for orderly annexation; following annexation, the ordinances of the City shall control.

6. Municipal Reimbursement. The City and Town mutually agree and state that, pursuant to Minnesota Statutes 414.036, a reimbursement from the City to the Town shall occur for the land annexed into the City, according to the following conditions:

A. City will pay Township \$20 per acre upon annexation, per year for a period of 5 years for land which the parties have designated as undeveloped. (See exhibit 3 for a map describing that area).

B. The City will not pay any fee referred to in the preceding paragraph in the event the property annexed in an area designated by exhibit 3 as developed, or in the event the property is developed after this agreement is entered into. Development for purposes of this agreement shall involve all properties which have been designated as developed in exhibit 3 or where a building permit has been issued for that property since entry into this agreement by the parties.

7. Additional City Responsibility. The City agrees to reimburse the Township for maintenance of a quarter-mile of Baker Avenue at the rate of \$750 for ten years, or until the roadway is improved with bituminous surface. This payment shall be due on September 1 of each respective year this agreement is in effect.

8. Conditions for Orderly Annexation.

A. Unless a petition of property owners for annexation has been filed with the City, the City agrees not to petition for annexation of any area within this area for a period of ten (10) years, unless it is ordered to provide sanitary sewer and/or municipal water services to any areas in said zone by the MPCA or any other State or Federal regulatory agency.

B. Annexation Petition Requirements. In order to be considered for annexation, the owners of at least sixty (60) percent of the parcels of property in the affected area must petition.

If the owners of sixty (60) percent or more, but less than one hundred (100) percent of the parcels of property in the affected area petition for annexation, a joint hearing of both the Town Board and the City Council shall be called to consider the petition. The petition shall not be approved unless both the Town Board and the City Council, voting as separate bodies, approve the petition seeking annexation.



If the owners of one hundred (100) percent of the parcels of property in the affected area petition for annexation, the City Council will, as an agenda item at their next regular Council meeting, review the petition for consideration of annexation and the Township agrees to not oppose any such annexation request.

9. Authorization. The appropriate officers of the City and Town are hereby authorized to carry the terms of this Joint Resolution into effect.
10. Severability and Repealer. A determination that a provision of this Joint Resolution is unlawful or unenforceable shall not affect the validity or enforceability of the other provisions herein. Any prior agreement or joint resolution existing between the parties and affecting the property described in the attached Exhibits, shall be considered repealed upon the effective date of this Joint Resolution.
11. Effective Date. This Joint Resolution shall be effective upon adoption by the governing bodies of the City and Township and approval by the Director of the Minnesota Office of Strategic and Long Range Planning.

Approved the 1 day of October, 2001, by the Town Board of the Town of Chatham.

Clarence D Carlson  
Chair

Francis Munsterberg  
Clerk

Approved the 1<sup>st</sup> day of October, 2001, by the City Council of the City of Buffalo.

Shel Oakley  
Mayor

Glenn T. Reyer  
Clerk/Administrator



Chatham  
403 A.



Official



EXHIBIT 2EXHIBIT A

That part of the Northeast Quarter of Section 24, Township 120, Range 26, Wright County, Minnesota, that lies southwesterly of the right of way of the Burlington Northern and Santa Fe Railroad.

also

The Northwest Quarter of the Northwest Quarter, the Northeast Quarter of the Northwest Quarter, the Southeast Quarter of the Northwest Quarter, that part of the east 6.50 feet of the Southwest Quarter of the Northwest Quarter that lies south of the north 653.29 feet thereof, and that part of the Southwest Quarter of the Northwest Quarter that lies south of the north 653.29 feet thereof and west of the east 579.71 feet thereof, and the east 579.71 feet of the north 653.29 feet of the Southwest Quarter of the Northwest Quarter, all in Section 24, Township 120, Range 26, Wright County, Minnesota.

also

The Southwest Quarter of Section 24, Township 120, Range 26, Wright County, Minnesota, excepting the south 1200.00 feet of the west 726.00 feet thereof.

Containing 393 acres more or less.

EXHIBIT B

That part of the Northwest Quarter of Section 25, Township 120, Range 26, Wright County, Minnesota described as follows:

Commencing at the northeast corner of said Northwest Quarter; thence South 3 degrees 03 minutes 33 seconds East, assuming the north line of said Northwest Quarter bears north 86 degrees 51 minutes 18 seconds East, along the east line of said Northwest Quarter, as established by monumentation in the plats of Davis Third Addition and Ridge Haven, according to the recorded plats thereof, said Wright County, a distance of 793.50 feet to the northerly line of that parcel described in Book 188 of Deeds, page 259, said Wright County, thence South 88 degrees 11 minutes 27 seconds West, along said northerly line of said parcel, a distance of 348.10 feet to the northwesterly line of said parcel; thence South 48 degrees 09 minutes 28 seconds West along said northwesterly line, a distance of 405.74 feet to the point of beginning; thence continuing South 48 degrees 09 minutes 28 seconds West, along said northwesterly line, a distance of 254.16 feet to the westerly line of said parcel; thence South 15 degrees 45 minutes 32 seconds East along said westerly line, a distance of 326.10 feet to a southwesterly line of said parcel; thence South 46 degrees 23 minutes 33 seconds East along said southwesterly line, a distance of 185.10 feet to the southeasterly line of said parcel; thence North 49 degrees 40 minutes 28 seconds East along said southeasterly line, a distance of 170.80 feet to a southwesterly line of said parcel; thence South 74 degrees 24 minutes 32 seconds East along last described southwesterly line, a distance of 266.70 feet; thence South 33 degrees 04 minutes 26 seconds East along said southwesterly line, a distance of 70.88 feet; thence South 32 degrees 28 minutes 43 seconds East along said southwesterly line, a distance of 15.44 feet to the northwesterly line of Wright County Highway Right of Way Plat No. 5, according to the recorded plat thereof, said Wright County; thence South 54 degrees 19 minutes 57 seconds West along last described northwesterly line, a distance of 926.84 feet, a distance of 196.85 feet to the east line of that parcel described in Book 296 of

Deeds, page 855, said Wright County; thence North 09 degrees 08 minutes 48 seconds West, along said east line, a distance of 175.61 feet to the north line of said parcel described in Book 296 of Deeds, page 855; thence South 88 degrees 18 minutes 12 seconds West along said north line of that parcel described in Book 296 of Deeds, page 855, the north line of that parcel described in Book 327 of Deeds, page 640, said Wright County and the north line of that parcel described in Document No. 575511; said Wright County, a distance of 700.81 feet to the west line of said parcel described in Document No. 575511; thence South 2 degrees 23 minutes 00 seconds East along said west line of that parcel described in Document No. 575511, a distance of 612.86 feet to the south line of said Northwest Quarter; thence South 87 degrees 18 minutes 30 seconds West along said south line, a distance of 408.54 feet to the east line of Lot B of the Southwest Quarter of the Northwest Quarter of Section 25, Township 120, Range 26, according to the recorded Sectional Plat thereof, said Wright County; thence North 3 degrees 05 minutes 56 seconds West along said east line of said Lot B, a distance of 211.82 feet to the northeasterly line of said Lot B; thence North 60 degrees 46 minutes 48 seconds West along said northeasterly line, a distance of 598.14 feet to the west line of said Northwest Quarter; thence North 2 degrees 28 minutes 26 seconds West along said west line of the Northwest Quarter, a distance of 1052.86 feet to a point 1039.13 feet south of the northwest corner of said Northwest Quarter, as measured along said west line; thence North 86 degrees 51 minutes 18 seconds East, parallel to said north line of the Northwest Quarter, a distance of 1978.58 feet to the point of beginning. Containing 54.5 acres more or less.

Together with:

That part of Government Lot 3, Section 25, Township 120, Range 26, Wright County, Minnesota, described as follows: Commencing at the northeast corner of "Buffalo Highview", plat of record, thence North 57 degrees 30 minutes East along the center of County Road Number 35, 196.85 feet for a point of beginning of herein described tract; thence continuing along last described course 232.85 feet to the northwest corner of a certain tract of land conveyed to the State of Minnesota and described in Book V of Miscellaneous on page 236; thence South 46 degrees 30 minutes East along the southwesterly line of said tract of land, 382.0 feet to the shore line of Buffalo Lake; thence southwesterly along said shoreline 425.1 feet; thence North 27 degrees 50 minutes West, 549.6 feet more or less to the point of beginning. Containing 3.5 acres more or less.



