

CITY OF NORTHFIELD, MINNESOTA
RESOLUTION #2002-357

TO THE OFFICE OF MINNESOTA PLANNING A JOINT RESOLUTION OF THE CITY OF NORTHFIELD AND THE TOWNSHIP OF NORTHFIELD ANNEXING AN UNINCORPORATED AREA TO THE CITY OF NORTHFIELD FROM NORTHFIELD TOWNSHIP PURSUANT TO JOINT RESOLUTION #2001-318 (OA-805) AND CONFERRING JURISDICTION OVER SAID AREA ON THE OFFICE OF MINNESOTA PLANNING PURSUANT TO MINN. STAT. 414.0325

WHEREAS, the City of Northfield and the Township of Northfield desire to accommodate growth in the most orderly fashion; and

WHEREAS, the City of Northfield and the Township of Northfield adopted Resolution #2001-318 (OA-805), which is a Joint Resolution for Orderly Annexation between the City of Northfield and Northfield Township establishing a master annexation agreement between the City and the Township; and

WHEREAS, the City of Northfield seeks to annex a previously unannexed portion of right-of-way for Spring Creek Road in order to be able to manage and plan for the future improvement of Spring Creek Road; and

WHEREAS, the portion of property the City seeks to annex is 0.30 acres in size; and

WHEREAS, the land proposed for annexation is adjacent and abutting to the corporate limits of the City of Northfield; and

WHEREAS, the land proposed for annexation is governed by Resolution #2001-318 (OA-805), the Joint Resolution for Orderly Annexation between the City of Northfield and Northfield Township establishing the master annexation agreement between City and the Township; and

WHEREAS, the proposed annexation is consistent with Resolution #2001-318 (OA-805), the Joint Resolution for Orderly Annexation between the City of Northfield and Northfield Township; and

WHEREAS, since the property to be annexed is existing right-of-way for Spring Creek Road, staff recommends that the annexation requirements of the City of Northfield's annexation policy as defined in City Code Section 34 Article III be waived; and

WHEREAS, the Parties hereto desire to enter into a binding contract which encompasses the terms of this Joint Resolution;

NOW, THEREFORE, BE IT RESOLVED by the City of Northfield (sometimes hereinafter referred to as "the City") that the annexation requirements of the City of Northfield's annexation policy as defined in City Code Section 34 Article III for the annexation of the proposed 0.30 acres of right-of-way for Spring Creek Road are hereby waived.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the City of Northfield (sometimes hereinafter referred to as "the City") and the Township of Northfield (sometimes hereinafter referred to as "the Township") that the property described herein is designated for orderly annexation by the City of Northfield and shall be annexed subject to the following terms and conditions:

1. The City of Northfield and the Township of Northfield hereby agree that the following described property, which is included within the orderly annexation area described in Resolution #2001-318 (OA-805), be immediately annexed to the City of Northfield:

The easterly 33 feet of the North 390 feet of the East 225 feet of the Northeast Quarter of the Northeast Quarter of Section 7, Township 111 North, Range 19 West, Rice County, Minnesota. (the "Property")

(Total acreage is approximately 0.30 acres)

2. Pursuant to Resolution #2001-318 (OA-805), the City of Northfield may annex up to 160 acres of land in each of the following five (5) year time periods, with no more than eighty (80) acres of land to be annexed in any one calendar year:
 - a. January 1, 2002 through December 31, 2006
 - b. January 1, 2007 through December 31, 2011
 - c. January 1, 2012 through December 31, 2016
 - d. January 1, 2017 through December 31, 2021

Any unused acreage from any five (5) year period shall not accumulate and shall not be carried forward to another five (5) year period.

The following is an accounting of the annexations accomplished pursuant to Resolution #2001-318 (OA-805):

1. Resolution #2002- 67	79.08 acres
2. 2002 - Proposed in this Resolution	<u>0.30 Acres</u>
TOTAL	79.38 acres

Subsequent to the annexation proposed in this Resolution, the City of Northfield will have annexed 79.38 acres within the 160 acres allowed pursuant to Paragraph 3 of Resolution

#2001-318 for the time period of January 1, 2002 through December 31, 2006. Therefore, the City of Northfield will have 80.62 acres remaining that may be annexed pursuant to Resolution #2001-318 (OA-805) prior to December 31, 2006.

3. The Property being annexed to the City of Northfield is being requested by 100% of the landowners owning 100% of the property.
4. The City of Northfield and the Township of Northfield agree the Property being annexed to the City is being annexed consistent with the terms of the Resolution #2001-318 (OA-805) the Joint Resolution for Orderly Annexation between the City of Northfield and the Township of Northfield.
5. The City of Northfield and the Township of Northfield agree that the Property proposed for annexation is within the orderly annexation area defined in Paragraph 1 of Resolution #2001-318.
6. The parties hereby confer jurisdiction on the Office of Minnesota Planning over annexation of the Property and over the various provisions of this Agreement. The Property is adjacent to the City of Northfield.
7. All annexation within the Property will be consistent with the City's policies concerning the extension of municipal utilities.
8. The City of Northfield will construct and provide water, sanitary sewer, storm sewer and street improvements to the Property as requested by the owner, pursuant to state and local law, in the discretion of the City and based on the policies of the City then in effect.
9. For each annexation that occurs under this Agreement, the electric utility service notice as required by Minnesota Statutes Section 414.0325, Subd. 1a, will be satisfied.
10. The parties agree to the division of tax revenues from the Property and payment of special assessments for local improvements to the Property shall be consistent with Paragraph 10 of Resolution #2001-318 (OA-805).
11. The Property shall be zoned according to normal zoning procedures established in the Northfield Zoning Ordinance. The City of Northfield Comprehensive Plan shall guide the City in arriving at the appropriate zoning of the Property. When the Property is annexed to the City, it will be zoned Agricultural.
12. The City of Northfield and the Township of Northfield agree that no alteration of the stated boundaries of the Property is appropriate. Furthermore, the parties agree that no consideration by the Office of Minnesota Planning is necessary. Upon receipt of this resolution, passed and adopted by each party, the Office of Minnesota Planning may review

and comment, but shall, within thirty (30) days, make an order, including the immediate annexation stated in paragraph 1, in accordance with the terms of this joint resolution. ✓

This Resolution is being submitted to the Office of Minnesota Planning from the City and the Township pursuant to Paragraph 13 of Resolution #2001-318 (OA-805). There is no disagreement between the City and the Township as to the Property proposed for annexation under the terms of this Resolution.

13. Tax payments due to the Township will be made pursuant to Paragraph 10 of Resolution #2001-318 (OA-805).
14. This Resolution shall be a binding contract upon the Parties herein, and may be enforced in either Law or Equity, notwithstanding future amendments in Minnesota Statutes, except as specifically provided otherwise in this Agreement.

Approved by the Township of Northfield this 18th day of MARCH, 2002.3

TOWNSHIP OF NORTHFIELD

By: Willard Eastman
Town Board Chair

By: Margie Randolph
Town Board Clerk

Approved by the City of Northfield this 16th day of December, 2002.

CITY OF NORTHFIELD

By: Keith Corey
Mayor

MAY 22 2003

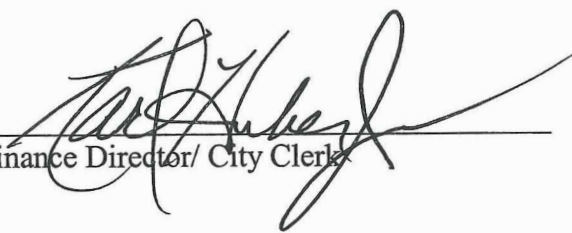
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Council Member

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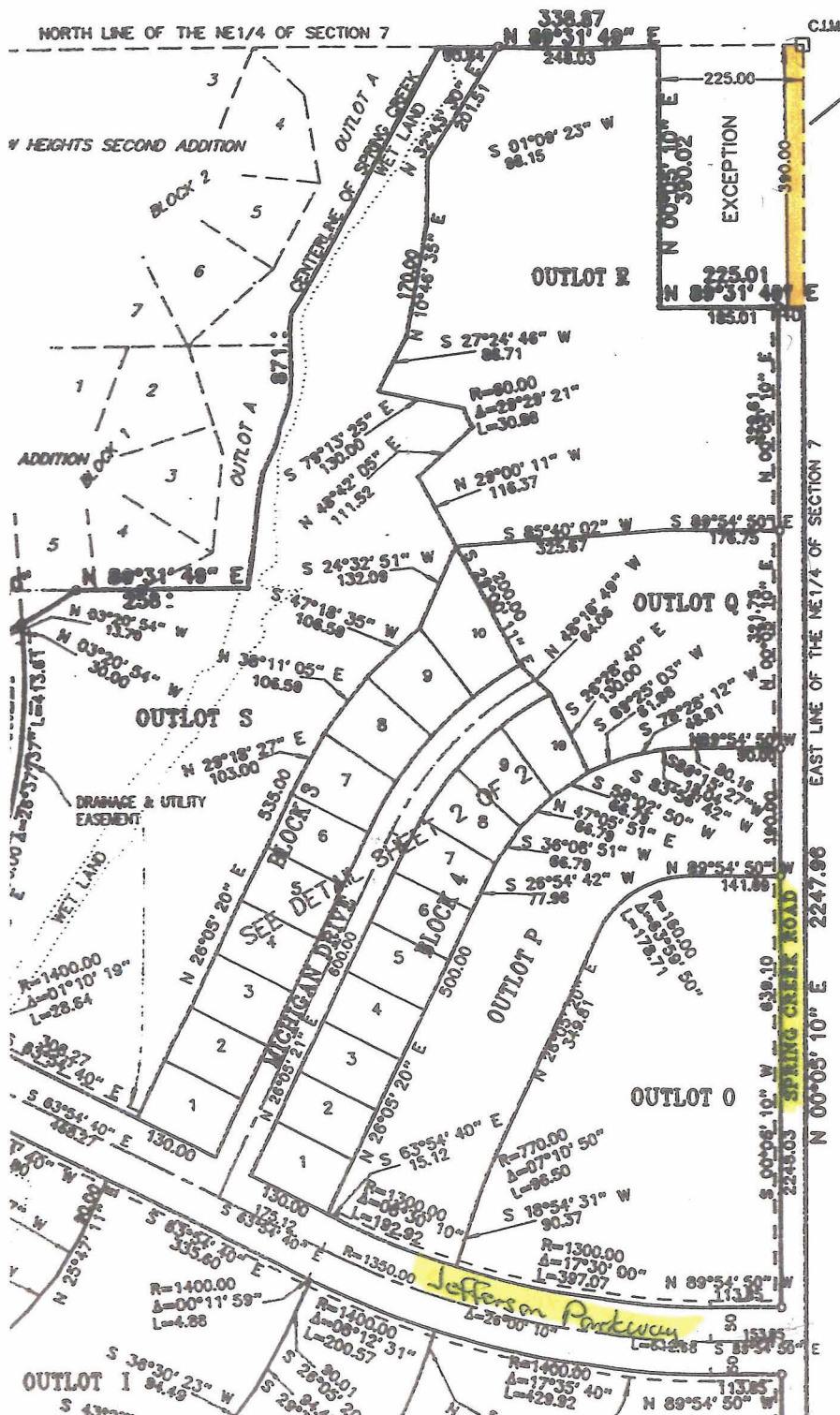

Council Member

ATTEST:

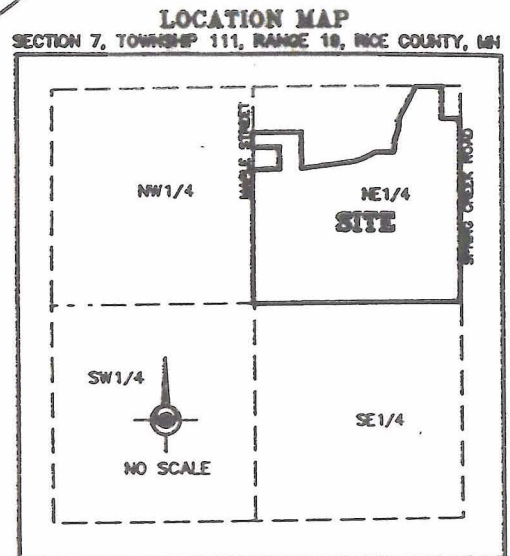

Finance Director/ City Clerk

VOTE: Y BOND Y COVEY Y GRAHAM Y MALECHA Y LINSTROTH
Y POKORNEY Y VOHS

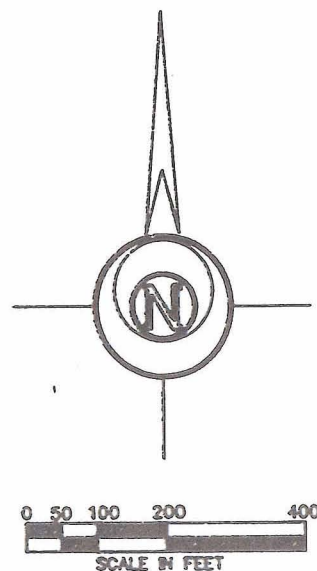
LOCATION MAP PROPOSED RIGHT-OF-WAY FOR SPRING CREEK ROAD TO BE ANNEXED TO THE CITY OF NORTHFIELD FROM NORTHFIELD TOWNSHIP



Right-of-Way to be Annexed



DRAINAGE & UTILITY EASEMENTS ARE 10 FEET
IN WIDTH AND ADJOINING STREET LINES,
UNLESS OTHERWISE SHOWN.



KEY MAP

PROPOSED RIGHT-OF-WAY FOR SPRING CREEK ROAD TO BE ANNEXED TO THE CITY OF NORTHFIELD FROM NORTHFIELD TOWNSHIP

REC'D BY
MMB

MAY 22 2003

