

CITY OF NORTHFIELD, MINNESOTA
RESOLUTION #2003-122

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, Arcon Development and Vern Koester, hereinafter referred to as Developers, have made application to the City of Northfield for annexation of 78.7 acres of land to the City of Northfield; and

WHEREAS, the information submitted by the Developer is consistent with the City of Northfield's annexation policy as defined in City Code Section 1340:00; and

WHEREAS, pursuant to Resolution #2002-338, the City Council approved the Conceptual Development Plan for Annexation for the proposed development; and

WHEREAS, pursuant to Resolution #2003-058, the City Council is the responsible governmental unit for the purpose of completing an Environmental Assessment Worksheet (EAW); and

WHEREAS, the City has determined that an Environment Impact Statement (EIS) is not required for the development;

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, 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") 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 North Half of the Southwest Quarter of Section 7, Township 111 North,
Range 19 West, Rice County, Minnesota. (the "Property")
(Total acreage is approximately 78.7 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 - 357	0.30 Acres
3. 2003 - Proposed in this Resolution	<u>78.70 acres</u>
TOTAL	158.08 acres

Subsequent to the annexation proposed in this Resolution, the City of Northfield will have annexed 159.08 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 1.92 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). *check*
- 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 13th day of May, 2003.

TOWNSHIP OF NORTHFIELD

By: Willard Estrom
Town Board Chair

By: Mayaia Sandell
Town Board Clerk

Approved by the City of Northfield this 5th day of May, 2003.

CITY OF NORTHFIELD

By: Keith Covey
Mayor

By: Kris L. Vols
Council Member

By: Don Bond
Council Member

ATTEST:

[Signature]
Finance Director/ City Clerk

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

DEVELOPER: 69.0 ACRES
OWNER: 9.7 ACRES

DEVI LAND USE AREAS:
BACK JACK TOWNHOMES: 10.6 ACRES
ROW TOWNHOMES: 16.6 ACRES
SINGLE FAMILY: 11.8 ACRES
POND: 2.0 ACRES
PUBLIC RIGHT-OF-WAY: 13.1 ACRES
PARK: 13.2 ACRES
GREENWAY: 1.7 ACRES



WEST OF GREENWAY:
ROW TOWNHOME UNITS: 88
BACK TO BACK TOWNHOME UNITS: 98
SINGLE FAMILY LOTS: 44
TOTAL UNITS: 230

EAST OF GREENWAY:
TOTAL ROW TOWNHOME UNITS: 56
BACK TO BACK TOWNHOME UNITS: 30
SINGLE FAMILY LOTS: 10
TOTAL UNITS: 96

TOTAL UNITS ON DEVELOPERS SITE: 326

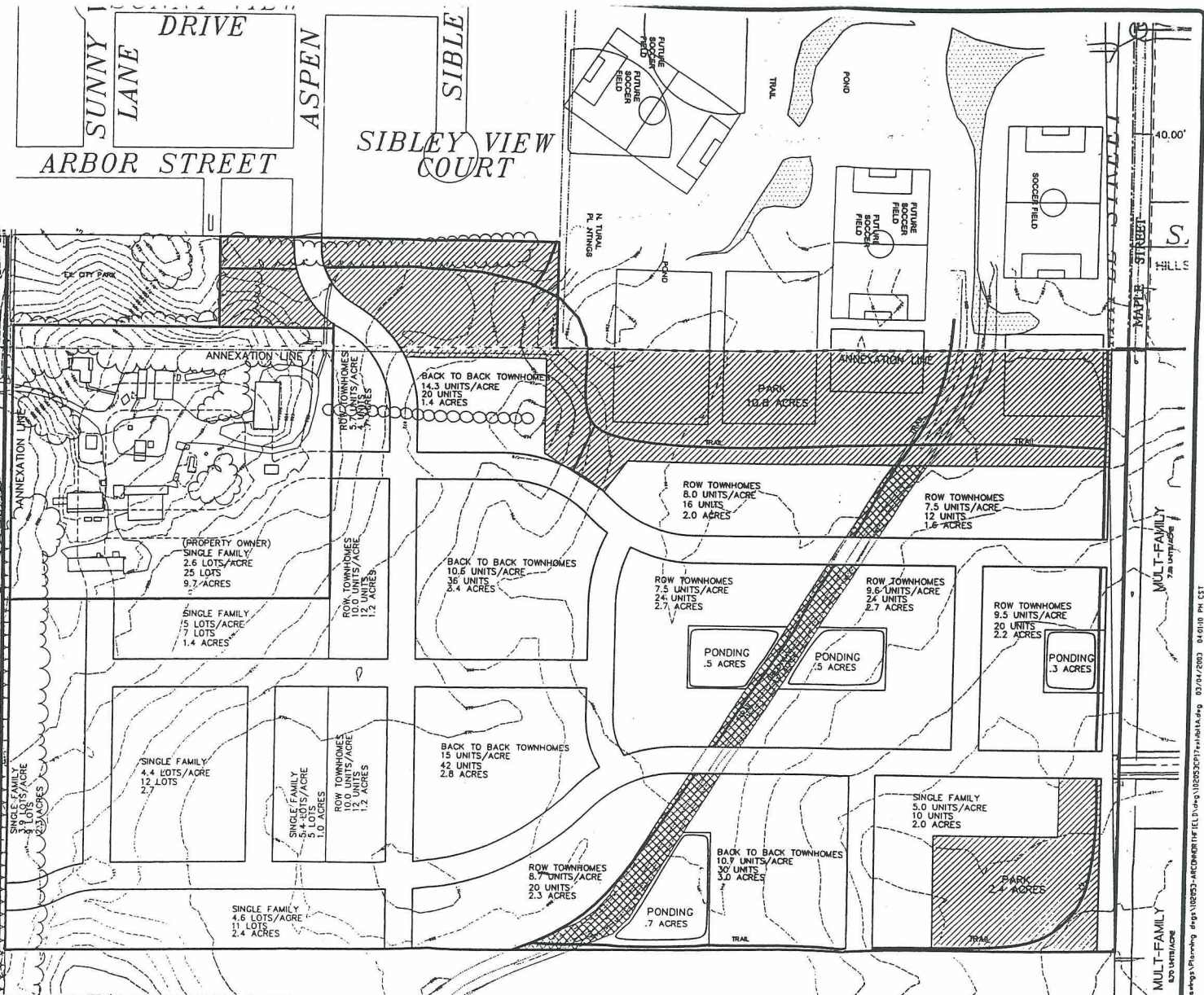
PROPERTY OWNER LAND USE AREA:
SINGLE FAMILY: 9.7 ACRES
SINGLE FAMILY LOTS: 25

TOTAL DEVELOPER AND
PROPERTY OWNER SITES: 351

 PROPOSED PARK
 EXISTING GRASSED WATERWAY



0 50 100 200
GRAPHIC SCALE IN FEET



PIONEER engineering

2500 University Ave
St. Paul, MN 55112
Tel: 612-761-1111
Fax: 612-761-1112

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly registered Landscape Architect under the laws of the State of Minnesota.

Name: _____ Date: _____
Reg. No. _____

Date: 7/25/03
Drawing: 30
Drawn: JLP

SHEET TITLE: EXHIBIT C
OWNER: ARCON DEVELOPMENT

PROJECT: KOESTER PROPERTY
NORTHFIELD, MINNESOTA
SHEET: 01 OF 02 SHEETS

REC'D BY
MMB
MAY 22 2003

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