

RESOLUTION NO. 285

REC'D BY
MMB

APR 02 2002

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, Loren Westphal and Nancy Westphal are the sole owners of the areas as shown on the attached Exhibit A, and

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 Exhibit A.

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 12th day of February, 2002.

LYND TOWNSHIP

By: Michael Buecing
Its: Chairman

By: Doug Kleime
Its: Clerk

Approved by the City of Lynd this 12th day of February, 2002.

CITY OF LYND

By: LeRoy Sik
Its: Mayor

By: Faye Angrimson
Its: City Clerk

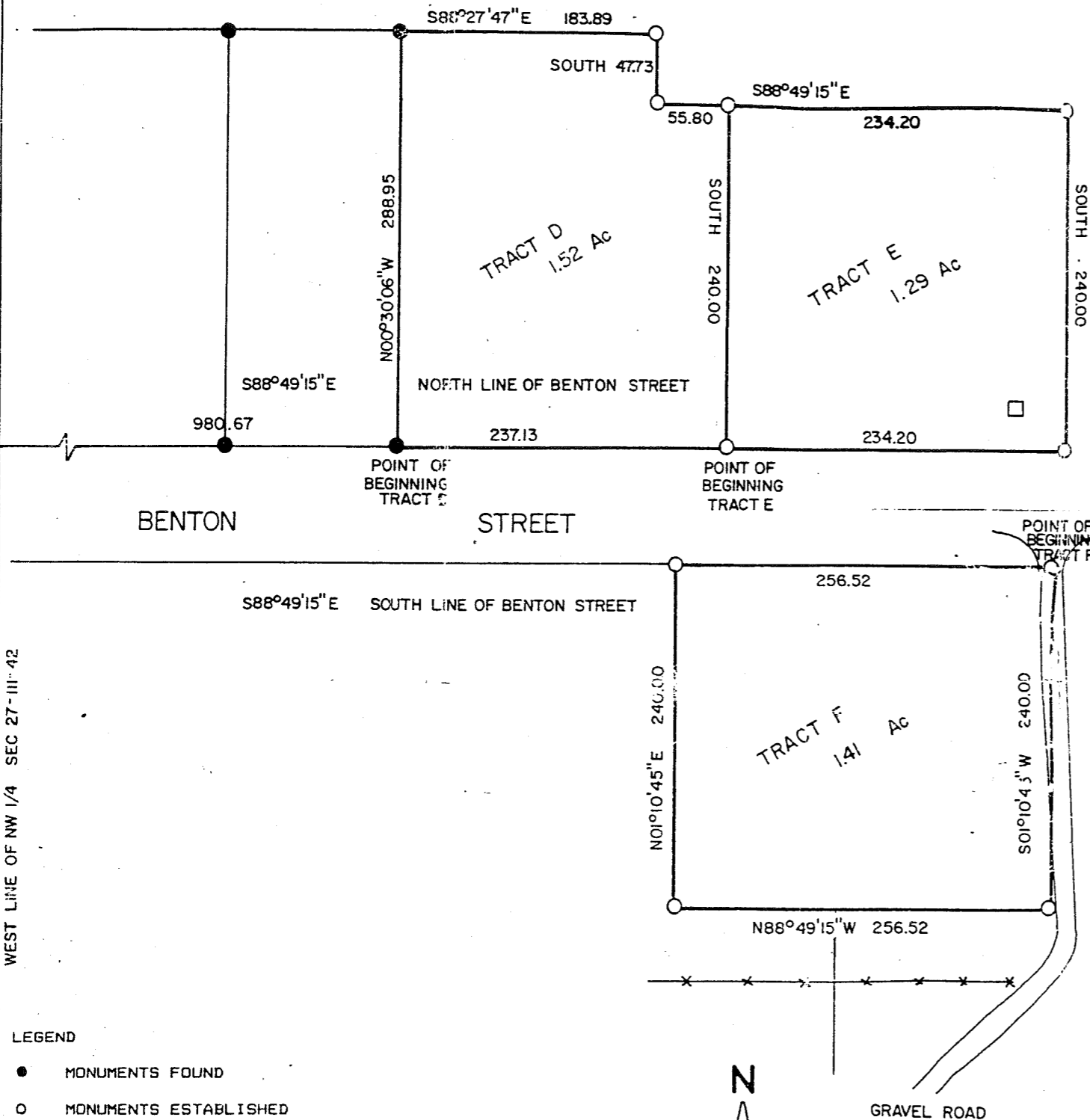
The forgoing Annexation Agreement is approved by the landowners.

Loren Westphal
Loren Westphal
Nancy Westphal
Nancy Westphal

EXHIBIT A**LEGAL DESCRIPTION
ORDERLY ANNEXATION CITY OF LYND AND LYND TOWNSHIP
REAL ESTATE OWNED BY LOREN WESTPHAL AND NANCY WESTPHAL**

That part of the South Half of the Northwest Quarter (S1/2NW1/4) of Section Twenty-seven (27), Township One Hundred Eleven (111) North, Range Forty-two (42), West of the Fifth Principal Meridian, Lyon County, Minnesota, described as follows:

Commencing at the Southwest Corner of the NW1/4 of Said Section 27; thence North (assumed bearing), along the west line of said NW1/4 to the North line of Benton Street; thence South 88°49'15" East, along the North right of way line of Benton Street, a distance of 860.67 feet to the point of beginning; thence North 00°00'00" East a distance of 289.63 feet; thence South 88°27'47" East a distance of 301.37 feet; thence South a distance of 47.73 feet; thence South 88°49'15" East a distance of 55.80 feet; thence South a distance of 240.00 feet, to the North right of way line of Benton Street; thence West a distance of 357.13 feet to the point of beginning.

NORTH (ASSUMED BEARING) 392.83
WEST LINE OF NW 1/4 SEC 27-III-42


DESCRIPTION

THAT PART OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 111 NORTH, RANGE 42 WEST OF THE FIFTH. PRINCIPAL MERIDIAN, LYON COUNTY, MINNESOTA. DESCRIBED AS FOLLOWS:

TRACT D

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 27; THENCE NORTH (ASSUMED BEARING), ALONG THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 392.83 FEET; THENCE SOUTH 88 DEGREES 49 MINUTES 15 SECONDS EAST, ALONG THE NORTH RIGHT OF WAY LINE OF BENTON STREET, A DISTANCE OF 980.67 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00 DEGREES 30 MINUTES 06 SECONDS WEST A DISTANCE OF 288.95 FEET; THENCE SOUTH 88 DEGREES 27 MINUTES 47 SECONDS EAST A DISTANCE OF 183.89 FEET; THENCE SOUTH A DISTANCE OF 47.73 FEET; THENCE SOUTH 88 DEGREES 49 MINUTES 15 SECONDS EAST A DISTANCE OF 55.80 FEET; THENCE SOUTH A DISTANCE OF 240.00 FEET, TO SAID NORTH RIGHT OF WAY LINE OF BENTON STREET; THENCE NORTH 88 DEGREES 49 MINUTES, 15 SECONDS WEST A DISTANCE OF 237.13 FEET ALONG SAID NORTH LINE OF BENTON STREET, TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 1.52 ACRES AND IS SUBJECT TO EASEMENTS OF RECORD, IF ANY.

TRACT E

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 27; THENCE NORTH (ASSUMED BEARING), ALONG THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 392.83 FEET; THENCE SOUTH 88 DEGREES 49 MINUTES 15 SECONDS EAST, ALONG THE NORTH RIGHT OF WAY LINE OF BENTON STREET, A DISTANCE OF 1217.80 FEET TO THE POINT OF BEGINNING; THENCE NORTH A DISTANCE OF 240.00 FEET TO A 5/8" IRON STAKE PLACED; THENCE SOUTH 88 DEGREES 49 MINUTES 15 SECONDS EAST A DISTANCE OF 234.20 FEET; THENCE SOUTH A DISTANCE OF 240.00 FEET TO SAID NORTH RIGHT OF WAY OF BENTON STREET; THENCE NORTH 88 DEGREES 49 MINUTES 15 SECONDS WEST, ALONG SAID NORTH RIGHT OF WAY OF BENTON STREET, A DISTANCE OF 234.20 FEET TO THE POINT OF BEGINNING, EXCEPT FOR AREA DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SECTION 27, TOWNSHIP 111 NORTH OF RANGE 42 WEST; THENCE SOUTHERLY ALONG THE WEST LINE OF SAID SECTION 27 A DISTANCE OF 2312.65 FEET; THENCE EASTERLY AT A DEFLECTION ANGLE OF 88 DEGREES 56 MINUTES LEFT 1413 FEET; THENCE NORTHERLY AT RIGHT ANGLES 24 FEET TO THE TRUE PLACE OF BEGINNING; THENCE EASTERLY AT RIGHT ANGLES 10 FEET; THENCE NORTHERLY AT RIGHT ANGLES 10 FEET; THENCE WESTERLY AT RIGHT ANGLES 10 FEET; THENCE SOUTHERLY 10 FEET TO THE TRUE PLACE OF BEGINNING. SAID TRACT CONTAINS 1.29 ACRES AND IS SUBJECT TO EASEMENTS OF RECORD, IF ANY.

TRACT F

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 27; THENCE NORTH (ASSUMED BEARING), ALONG THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 392.83 FEET; THENCE SOUTH 88 DEGREES 49 MINUTES 15 SECONDS EAST, ALONG THE NORTH RIGHT OF WAY LINE OF BENTON STREET, A DISTANCE OF 1445.00 FEET; THENCE SOUTH 01 DEGREES 10 MINUTES 45 SECONDS WEST, AT A RIGHT ANGLE TO SAID NORTH RIGHT OF WAY LINE OF BENTON STREET, A DISTANCE OF 80.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 01 DEGREES 10 MINUTES 45 SECONDS WEST A DISTANCE OF 240.00 FEET TO A 5/8" IRON STAKE PLACED; THENCE NORTH 88 DEGREES 49 MINUTES 15 SECONDS WEST A DISTANCE OF 256.52 FEET TO A 5/8" IRON STAKE PLACED; THENCE NORTH 01 DEGREE 10 MINUTES 45 SECONDS EAST A DISTANCE OF 240.00 FEET TO A 5/8" IRON STAKE PLACED ON THE SOUTH RIGHT OF WAY LINE OF BENTON STREET; THENCE SOUTH 88 DEGREES 49 MINUTES 15 SECONDS EAST, ALONG SAID SOUTH RIGHT OF WAY LINE OF BENTON STREET, A DISTANCE OF 256.52 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 1.41 ACRES AND IS SUBJECT TO EASEMENTS OF RECORD, IF ANY.

SURVEY FOR CITY OF LYND

LYND MN

LOCATION NW 1/4 SEC 27-III-42

REASON STAKE & DESCRIBE TRACTS

SURVEY NO. 90-03S BY SBK

DATE 2/16/90 SCALE 1" = 100'

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Registered Professional Engineer under the laws of the State of Minnesota.

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

C. M. Puggioni Date 2/16/90 Reg. No. 6700