

ORDERLY ANNEXATION AGREEMENT

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 "**Stewart Property**"

Town Resolution Number 2001 – 02-02
and
City Resolution Number 2001- 01-99

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, said Territory consisting of Parcel One and Parcel Two, and legally described as:

Phase One: (Stewart Property: Tract A, Tract B, and Tract C)

Tract A.

Registered Land Survey Number 32, Wright County, Minnesota, according to the files of the Registrar of Titles. (See Exhibit "A" attached)

Tract B.

That part of the West Half of the East Half of the Southeast Quarter of Section 30, Township 119, Range 24, Wright County, Minnesota, that lies North of the centerline of Maple Street and its Westerly extension, and South of the South line of the record plat of RIVER OAKS SECOND ADDITION.

Tract C.

That part of the Northwest Quarter of the Southeast Quarter of Section 30, Township 119, Range 24, Wright County, Minnesota, that lies Southerly of the Westerly extension of the South line of Lot 1, Block 1, RIVER OAKS according to the record plat thereof.

EXCEPT from the following two described parcels:

- 1) Commencing at the southeast corner of said Northwest Quarter of the Southeast Quarter; thence North 14 degrees 38 minutes 17 seconds East assuming that the East line of said West Half of the East Half of the Southeast Quarter which is also the West line of AUTUMN OAKS SEVENTH ADDITION, according to the record plat thereof bears South 00 degrees 32 minutes 34 seconds East, a distance of 64.66 feet to the point of beginning; thence North 02 degrees 39 minutes 28 seconds West, a distance of 205.30 feet; thence North 89 degrees 17 minutes 29 seconds West, a distance of 160.10 feet; thence North 02 degrees 27 minutes 22 seconds East, a distance of 68.60 feet; thence North 88 degrees 38 minutes 38 seconds West, a distance of 163.10 feet; thence South 06 degrees 45 minutes 28 seconds East, a distance of 300.50 feet; thence North 86 degrees 18 minutes 55 seconds East, a distance of 255.54 feet; thence North 86 degrees 19 minutes 29 seconds East, a distance of 39.43 to the point of beginning.

- 2) That part of said Northwest Quarter of the Southeast Quarter that lies South of the North bank of the Crow River.

Phase Two: (Linhart Trust)

That part of the West Half of the East Half of the Southeast Quarter, Section 30, Township 119, Range 24, Wright County, Minnesota lying northerly of the Crow River and southeasterly of the following described line:

Beginning at a point on the east line of said West Half of East Half distant 1620.75 feet southerly of the Northeast corner of said West Half of East Half, which point is also on the centerline of the public road; thence, along said centerline, southwesterly deflecting from said east line to the right 62 degrees 03 minutes 09 seconds a distance of 665.85 feet; thence continue southwesterly along said centerline, on a tangential curve, concave to the southeast, radius 200.00 feet, central angle 28 degrees 38 minutes 07 seconds a distance of 99.96 feet to the west line of said East Half of the Southeast Quarter and there terminating.

Also, that part of said East Half of Southeast Quarter described as follows:

Commencing at a point on East line of West one-half of East one-half of Southeast Quarter, 1630 feet South of Northeast corner of said West one-half of East one-quarter of Southeast one-quarter, said point being the center of the public highway, thence South on East line of said West one-half of East one-half of Southeast one-quarter, 820 feet to point on bank of Crow River, thence Easterly along the bank of said river to a point on a line 242 feet East of and parallel with said East line, thence North and 242 feet from and parallel to said East line of West one-half of East one-half of Southeast one-quarter aforesaid, 966.66 feet to point in center of public highway 273.5 feet to place of beginning.

Phase Three: (Joseph Wells)

That part of the Northwest Quarter of the Southeast Quarter and the West Half of the East Half of the Southeast Quarter, all in Section 30, Township 119, Range 24, Wright County, Minnesota, described as follows:

Commencing at the southeast corner of said Northwest Quarter of the Southeast Quarter, thence North 14 degrees 38 minutes 17 seconds East, assuming that the east line of said West Half of the East Half of the Southeast Quarter which is also the west line of AUTUMN OAKS SEVENTH ADDITION, according to the record plat thereof bears South 00 degrees 32 minutes 34 seconds East, a distance of 64.66 feet to the point of beginning, thence North 02 degrees 39 minutes 28 seconds West, a distance of 205.30 feet; thence North 89 degrees 17 minutes 29 seconds West, a distance of 160.10 feet, thence North 02 degrees 27 minutes 29 seconds West, a distance of 160.10 feet; thence North 02 degrees 27 minutes 22 seconds East, a distance of 60 feet, thence North 88

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degrees 38 minutes 38 seconds West, a distance of 163.10 feet; thence South 06 degrees 45 minutes 28 seconds East, a distance of 300.50 feet; thence North 86 degrees 18 minutes 55 seconds East, a distance of 255.54 feet; thence North 86 degrees 19 minutes 29 seconds East, a distance of 39.43 feet to the point of beginning

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, 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, 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 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 26 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 8 people.
5. The Territory shall be divided into three (3) Phases, which shall be separately annexed, as follows:
 - A. Phase One shall be annexed into the City immediately upon approval of this Agreement by Municipal Planning. As set forth in Minnesota Statutes § 414.0325, Subd. 5, the City of Rockford will govern planning issues for Parcel One as described above.

to the City, without further proceedings by the City or Township. The governance of planning issues will be the responsibility of Rockford Township, Wright County until such time Phase Two is annexed to the City of Rockford.

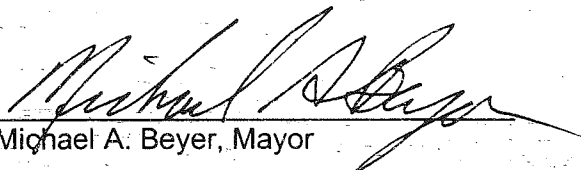
- C. Phase Three shall remain in the Township until such time as the owner of Phase Three makes a written request to the City for annexation. Upon receipt of the City's notice by Municipal Planning, Phase Three shall automatically be annexed to the City, without further proceedings by the City or Township. The governance of planning issues will be the responsibility of Rockford Township, Wright County until such time Phase Two is annexed to the City of Rockford
6. ***Upon annexation the property owner agrees to pay a flat fee of \$300 or five times the amount of the taxes the Township collected in the year of annexation from the annexed property, whichever is greater.***
7. Real estate taxes for Phase Two and Phase Three will be comparable to Item 6. above with the beginning year levy the same as the year of annexation.
8. The developer shall pay the Rockford Township attorney fees not to exceed \$250.00.

ADOPTED BY THE TOWN BOARD OF THE TOWN OF ROCKFORD THIS 26 DAY OF February, 2002.


Leander Wetter, Chair


Lori Bohall, Clerk

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


Michael A. Beyer, Mayor


Nancy L. Evers, Administrator

EXHIBIT "A"

REC'D BY
MMB APR 11 2002

304101

Tract (C)
304200

REGISTERED

LAND

SURVEY

NO. 32

TRACT

(A)

CROW

COUNTY

(A)

304200

Tract (B)

304400

