

REC'D BY
MMB

APR 17 2002

STATE OF MINNESOTA

OFFICE OF STRATEGIC AND LONG-RANGE PLANNING

IN THE MATTER OF THE JOINT RESOLUTION
OF THE CITY OF BENSON AND THE TOWN
OF TORNING DESIGNATING CERTAIN AREAS
AS IN NEED OF ORDERLY ANNEXATION
PURSUANT TO MINNESOTA STATUTES,
SECTION 414.0325

**JOINT RESOLUTION FOR
ORDERLY ANNEXATION**

WHEREAS, the Town of Torning ("Township") and the City of Benson ("City") have agreed to work cooperatively to accomplish the orderly annexation of the areas legally described herein; and

WHEREAS, the above-mentioned property is in need of annexation and extension of municipal services from the City since the property is in part already developed as a commercial/industrial area and the balance of the property is proposed for urban development for similar uses; and

WHEREAS, the present uses and future development of the above-mentioned property will require municipal services including municipal water and sewer and the City has available capacity to provide needed services to the above-mentioned property; and

WHEREAS, the City and Township agree that orderly annexation and extension of municipal services to the property legally described herein is in the best interest of the property owner and would benefit the public health, safety, and welfare of the community; and

WHEREAS, the City and Township agree that the property legally described herein is designated as in need of immediate orderly annexation; and

WHEREAS, the City and Township desire to accomplish the immediate orderly annexation of the property legally described herein without the need for a hearing.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Benson and the Town Board of Supervisors of the Town of Torning as follows:


1. The City and Township hereby designate the area described in Exhibit A attached hereto for immediate orderly annexation pursuant to Minnesota Statutes, Section 414.0325:
2. The City and Township agree that the area legally described herein and designated as in need of immediate orderly annexation is three hundred thirty-nine and 24/100 (339.24) acres.
2. A boundary map showing the area legally described herein is attached hereto as Exhibit B and incorporated herein by reference.
3. The City and Township agree that the population of the area legally described herein and designated as in need of immediate orderly annexation is 15.
4. The City and Township agree that while a portion of the property designated for orderly annexation does not abut current City limits, its close proximity to the City's current corporate limit line, the need for municipal services, and the proximity of the property to the City, make the property designated herein appropriate for immediate orderly annexation.
5. The City and Township agree that irregardless of the annexation of the above-mentioned property, the township road that runs north and south along the East boundary of the above-mentioned property (along the East boundary of Sections Five (5) and Eight (8) of Township One Hundred Twenty-one (121), Range Thirty-nine (39)) shall for all purposes remain a township road and the Township shall continue to be responsible for all maintenance and upkeep thereof.
6. Pursuant to Minnesota Statutes, section 414.0325, the City and Township agree that no alteration of the boundaries stated herein is appropriate, that all conditions for annexation of the area legally described herein are contained in this Joint Resolution, and that no consideration by Minnesota Planning is necessary. Upon the execution and filing of this Joint Resolution, Minnesota Planning may review and comment thereon, but shall, within 30 days of receipt of this Joint Resolution, order the annexation of the area legally described herein in accordance with the terms and conditions contained in this Joint Resolution.
7. The City and Township agree that upon adoption and execution of this Joint Resolution, the City shall file the same with the Minnesota Planning Municipal Boundary Adjustments Office.

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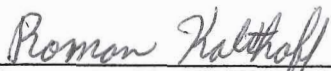
APR 17 2002

Passed, adopted, and approved by the Town Board of Supervisors of the Town of
Torning, Swift County, Minnesota, this 18th day of March, 2002.

TOWN OF TORNING


By: 
Allen Saunders, Chair

ATTEST:


Roman Kalthoff, Town Clerk

Passed, adopted, and approved by the City Council of the City of Benson, Swift County,
Minnesota, this 25th day of March 2002

CITY OF BENSON

By: 
Paul Kittelson, Mayor

ATTEST:



Glen Pederson, City Clerk

EXHIBIT A
Legal Description

South Half of the North Half (S $\frac{1}{2}$ -N $\frac{1}{2}$) of Section Seven (7), Township One Hundred Twenty-one (121), Range Thirty-nine (39)

AND

Northeast Quarter (NE $\frac{1}{4}$) of Section Eight (8), Township One Hundred Twenty-one (121), Range Thirty-nine (39)

AND

That part of the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ -SE $\frac{1}{4}$) of Section Five (5), Township One Hundred Twenty-one (121), Range Thirty-nine (39) lying south of the right of way of U.S. Highway No. 12

AND

Beginning at a point which is 214.5 feet East and 20 feet South of the Northwest corner of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ -SE $\frac{1}{4}$), Section Five (5), Township One Hundred Twenty-one (121), Range Thirty-nine (39); thence South a distance of 201.3 feet; thence East a distance of 195 feet; thence South a distance of 922.5 feet to the Northerly right-of-way line of Minnesota Trunk Highway No. 12 as it now exists; thence Southeasterly along said Northerly right-of-way line a distance of 168.6 feet; thence Northerly 150 feet; thence Easterly a distance of 100 feet; thence Northerly a distance of 1029 feet more or less, to a point 20 feet South of the North line of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ -SE $\frac{1}{4}$) of Section Five (5), Township One Hundred Twenty-one (121), Range Thirty-nine (39); thence Westerly and parallel with said North line a distance of 450.8 feet to the place of beginning, containing 7.4 acres, more or less, and being in the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ -SE $\frac{1}{4}$), Section Five (5), Township One Hundred Twenty-one (121), Range Thirty-nine (39). The grantors do furthermore grant and convey to the grantees an easement of ingress and egress over and across the South 40 feet of the North 60 feet of the East 653.5 feet of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ -SE $\frac{1}{4}$) of Section Five (5), Township One Hundred Twenty-one (121), Range Thirty-nine (39)

AND

The South 40 feet of the North 60 feet of the East 653.5 feet of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ -SE $\frac{1}{4}$) of Section Five (5), Township One Hundred Twenty-one (121), Range Thirty-nine (39)

AND

That part of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ -SE $\frac{1}{4}$) of Section Five (5), Township One Hundred Twenty-one (121), Range Thirty-nine (39) described as follows: Beginning at a point on the East line of Section Five (5), Township One Hundred Twenty-one (121), Range Thirty-nine (39), 671.7 feet North from the Southeast corner thereof; thence West at a right angle to the aforementioned line a distance of 643.5 feet; thence North at a right angle to the last mentioned line 588.3 feet more or less to a point 60 feet South of the North line of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ -SE $\frac{1}{4}$) of said Section Five (5); thence East on a line parallel to the North line of said Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ -SE $\frac{1}{4}$) of Section Five (5) to the East line of Section Five (5); thence South along the East line of said Section Five (5) a distance of 588.3 feet more or less to the point of beginning

AND

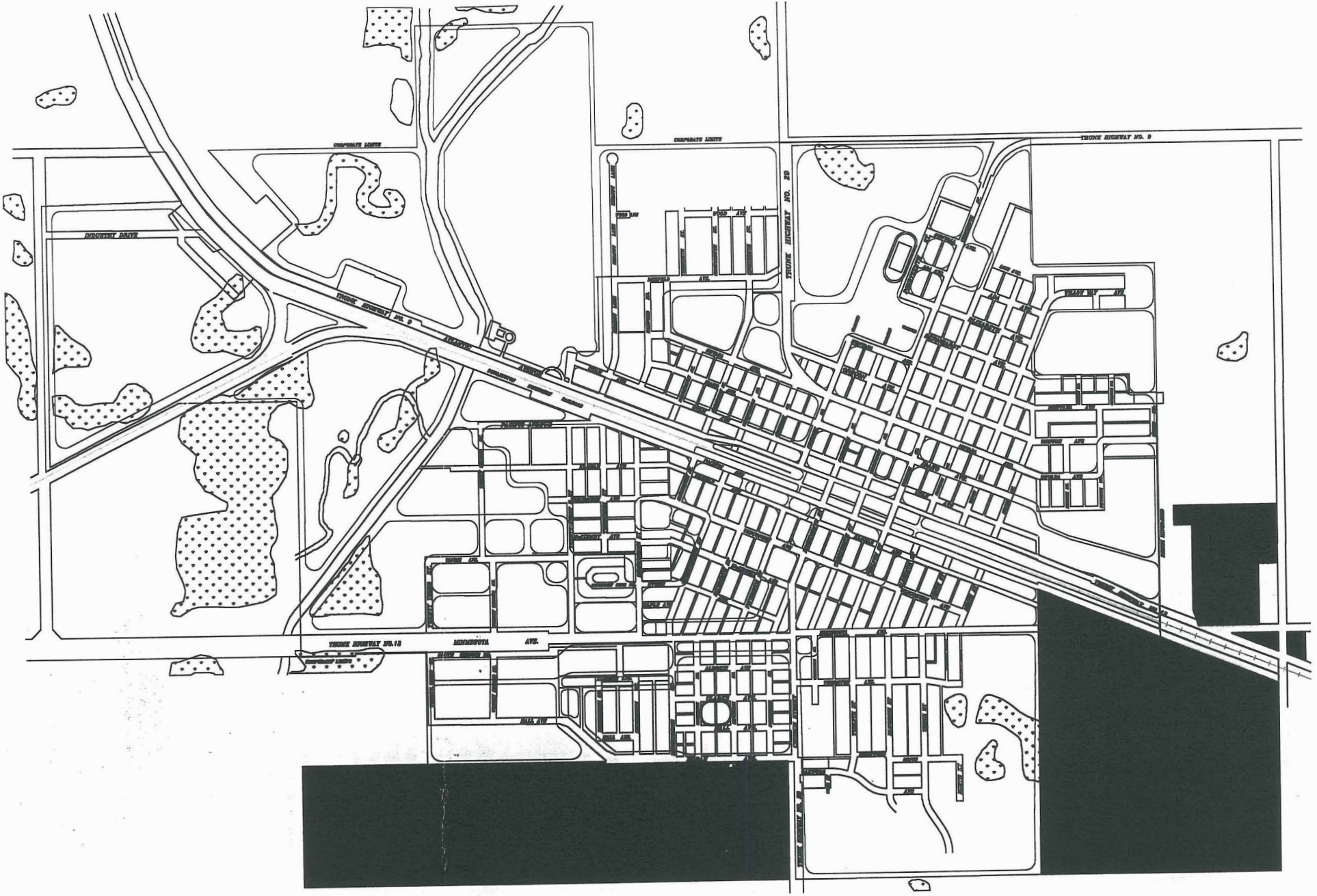
Part of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ -SE $\frac{1}{4}$) of Section Five (5), Township One Hundred Twenty-one (121), Range Thirty-nine (39) described as follows: Beginning at a point which is 33 feet North and 653.5 feet West of the Southeast corner of Section Five (5), Township One Hundred Twenty-one (121), Range Thirty-nine (39) where the right-of-way line of County Aid Road "E" intersects the North right-of-way line of Minnesota Trunk Highway No. 12; thence Northwesterly along the North right-of-way line of said Minnesota Trunk Highway No. 12 a distance of 108 feet; thence North a distance of 150 feet; thence East a distance of 100 feet; thence South a distance of 190.7 feet to the point of beginning, all being in the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ -SE $\frac{1}{4}$) of Section Five (5), Township One Hundred Twenty-one (121), Range Thirty-nine (39) and containing .4 acres more or less

AND

Part of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ -SE $\frac{1}{4}$) of Section Five (5), Township One Hundred Twenty-one (121), Range Thirty-nine (39) described as follows: Beginning 200 feet West of the Southeast corner of Section Five (5); thence Northerly on a line parallel to the East boundary line of said Section Five (5) 671.5 feet; thence Westerly 443.5 feet; thence Southerly a distance of 671.5 feet to the South boundary line of said Section Five (5); thence East along the South line of said Section Five (5) a distance of 453.5 feet to the point of beginning, all being a part of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ -SE $\frac{1}{4}$) of Section Five (5), Township One Hundred Twenty-one (121), Range Thirty-nine (39) and containing 6.92 acres more or less

AND

That part of the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ -NW $\frac{1}{4}$) of Section Nine (9), Township One Hundred Twenty-one (121), Range Thirty-nine (39) described as beginning at the Northwest corner of the said Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ -NW $\frac{1}{4}$) of said Section Nine (9); running thence East along the North line of said Section Nine (9) a distance of 250 feet; thence South and parallel to the West line of said Section Nine (9) to the North right-of-way line of Minnesota Trunk Highway No. 12; thence Northwesterly along the said North right-of-way line of said Minnesota Trunk Highway No. 12 to the West line of said Section Nine (9); thence North along the West line of said Section Nine (9) to the Northwest corner thereof and being the point of beginning



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