

Councilman Zabinski introduced the following resolution and moved for its adoption:

JOINT RESOLUTION

Grand Rapids Resolution No. 09-41

This Agreement is dated as of the 23rd day of March, 2009, by and among the City of LaPrairie, Minnesota ("LaPrairie"), the City of Grand Rapids, Minnesota ("Grand Rapids"), and the Township of Grand Rapids, Minnesota ("Grand Rapids Township").

WHEREAS, Grand Rapids Township and Grand Rapids have entered into a Joint Resolution No. 99-106 for orderly annexation of certain lands dated December 13, 1999, which Resolution did not expressly include the property legally described as follows:

See Exhibit A attached.

This Property is hereafter referred to as the "Highway 2 Property."

WHEREAS, Grand Rapids Township and LaPrairie subsequently entered into a Joint Resolution No. 4-02-22 for the orderly annexation of certain lands dated April 22, 2002, which Resolution did not expressly include the Highway 2 Property.

WHEREAS, by subsequent agreements and resolutions by and between LaPrairie and Grand Rapids it has been agreed that at the time of the orderly annexation on January 1, 2010, LaPrairie and not Grand Rapids will annex the Highway 2 Property.

NOW, THEREFORE, IT IS AGREED:

1. That Joint Resolution No. 99-106 by and between Grand Rapids Township and Grand Rapids is and the same hereby is amended to exclude the Highway 2 Property and that all other provisions of said Resolution shall remain in full force and effect.
2. That Joint Resolution No. 4-02-22 by and between Grand Rapids Township and LaPrairie be and the same hereby is amended to include the Highway 2 Property and that all other provisions of said Resolution shall remain in full force and effect.
3. That the Parties shall report these amendments to the State of Minnesota, Office of Administrative Hearings, Municipal Boundary Adjustment Unit for recording purposes.
4. All parties to this Joint Agreement also acknowledge the existence of Minn. Stat. 414.036 and understand the reimbursement provisions of said statute. Notwithstanding said statute, all parties hereby waive any right or claim to any such reimbursement from any other party.

WHEREFORE, the parties have entered into this agreement as of the date set forth above.

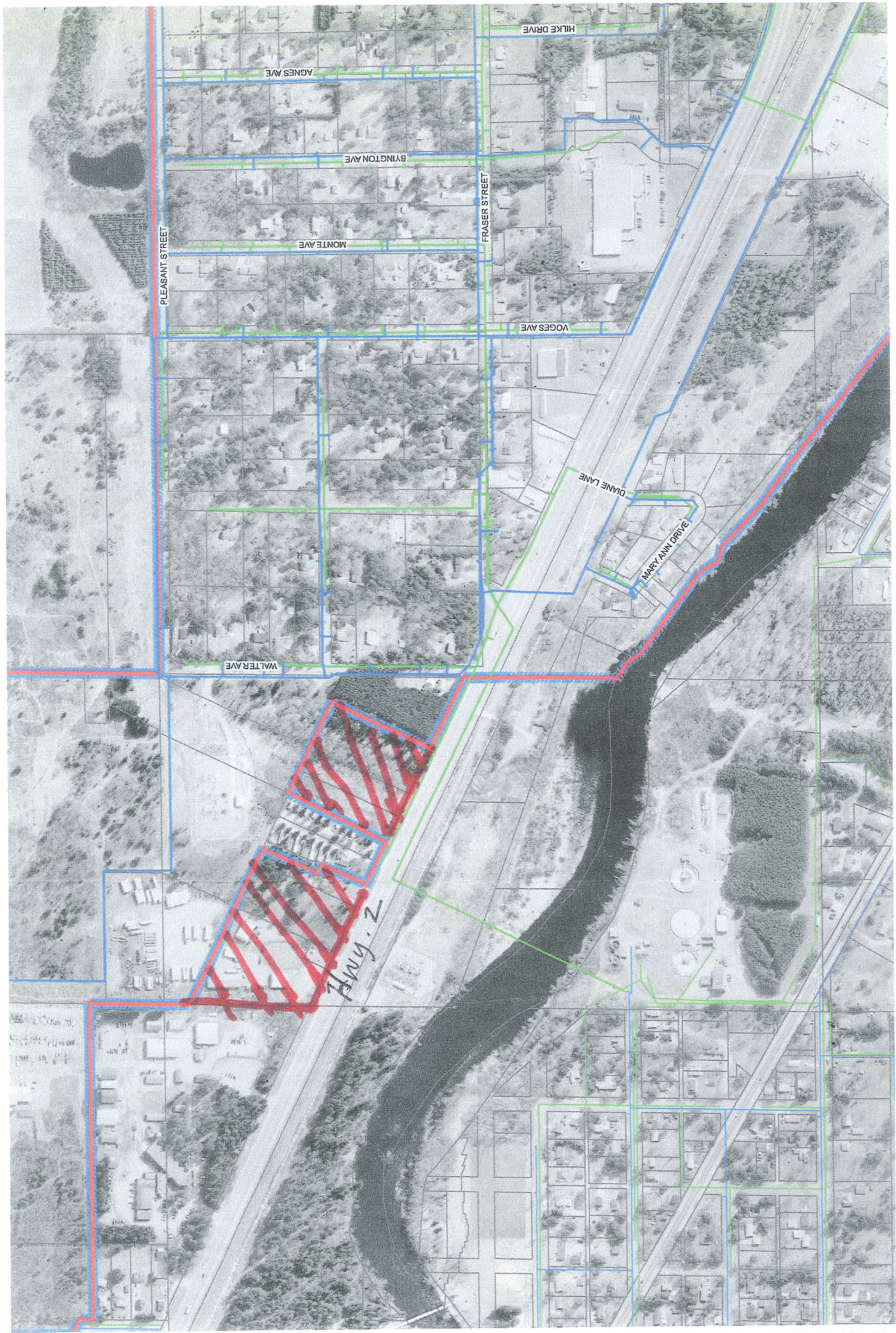
COPY

RECORDED BY
MMA

JUN 15 2009

EXHIBIT A

Lots One (1) through Lot Six (6), and the West one-half (W ½) of Lot Seven (7), Hoolihan's Second Addition to Grand Rapids, according to the plat thereof on file and of record in the office of the County Recorder of the County of Itasca, State of Minnesota.



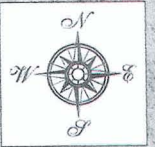
2009 Early Annexation

REC'D BY
M M B

JUN 29 2009

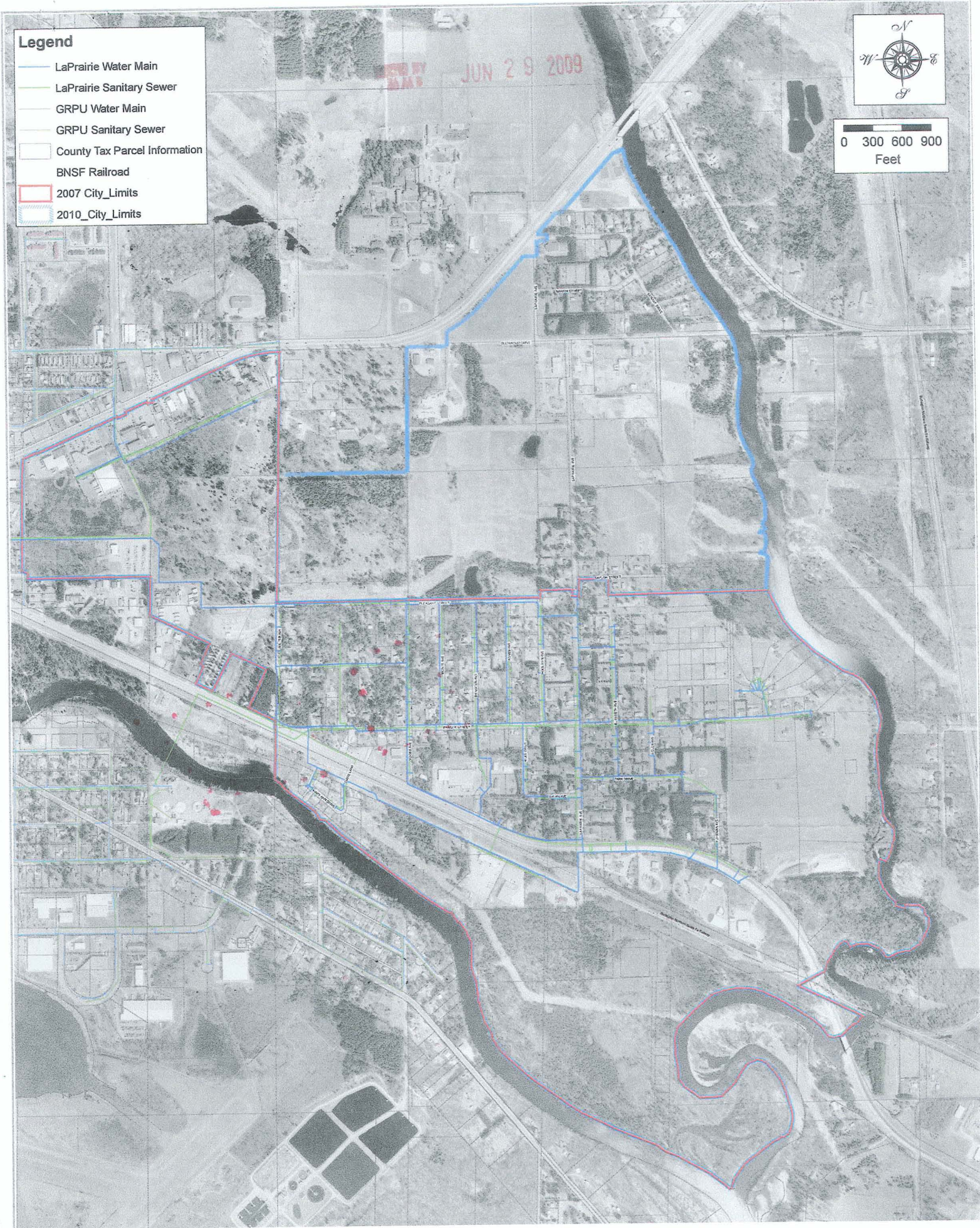
Legend

- LaPrairie Water Main
- LaPrairie Sanitary Sewer
- GRPU Water Main
- GRPU Sanitary Sewer
- County Tax Parcel Information
- BNSF Railroad
- 2007_City_Limits
- 2010_City_Limits



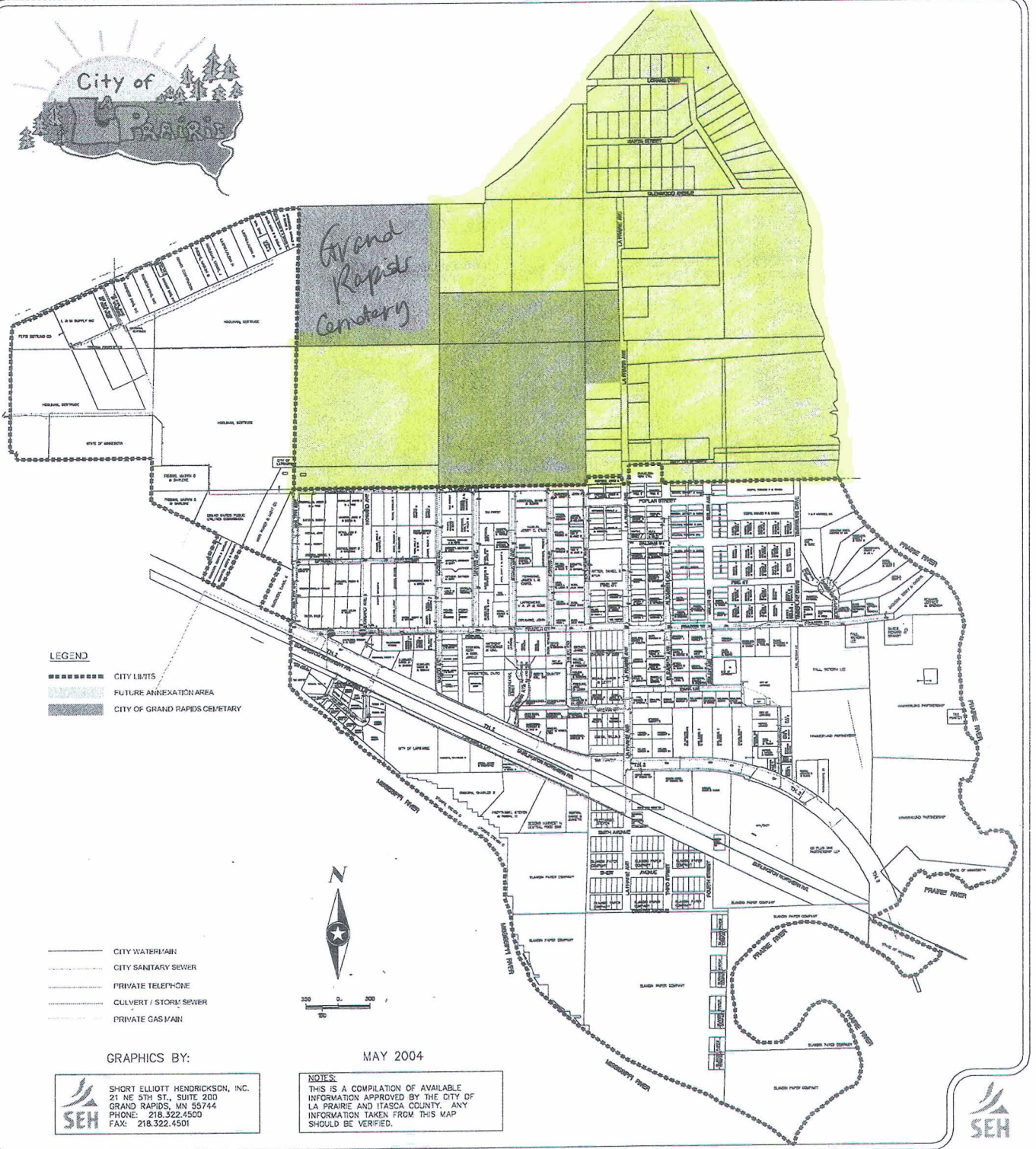
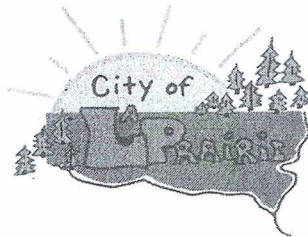
0 300 600 900
Feet

RECEIVED BY
JUN 29 2009



2010 Annexed Area

REC'D BY
M.M.B. JUN 14 2009



Joint Agreement

This Agreement is dated as of the 23 day of APRIL, 2007, by and among the City of LaPrairie, Minnesota ("LaPrairie"), the City of Grand Rapids, Minnesota ("Grand Rapids"), and the Township of Grand Rapids, Minnesota ("Grand Rapids Township").

Whereas, Grand Rapids Township and Grand Rapids have entered into a Joint Resolution No. 99-106 for orderly annexation of certain lands dated December 13, 1999, which Resolution did not include the cemetery property legally described as follows:

The Northwest Quarter of the Northeast Quarter (NW1/4 NE1/4) of Section Twenty-two (22), Township Fifty-five (55), Range Twenty-five (25).

This Property is hereafter referred to as the "Cemetery Property".

Whereas, Grand Rapids Township and LaPrairie subsequently entered into a Joint Resolution No. 4-02-22 for the orderly annexation of certain lands dated April 22, 2002, which Resolution did include the Cemetery Property.

Whereas, by subsequent agreements and resolutions by and between LaPrairie and Grand Rapids it has been agreed that at the time of the orderly annexation at July 1, 2010, Grand Rapids and not LaPrairie will annex the Cemetery Property.

NOW, THEREFORE, IT IS AGREED

1. That Joint Resolution No. 99-106 by and between Grand Rapids Township and Grand Rapids be and the same hereby is amended to include the Cemetery Property and that all other provisions of said Resolution shall remain in full force and effect.
2. That Joint Resolution No. 4-02-22 by and between Grand Rapids Township and LaPrairie be and the same hereby is amended to delete the Cemetery Property and that all other provisions of said Resolution shall remain in full force and effect.
3. That the Parties shall report these amendments to the State of Minnesota, Office of Administrative Hearings, Municipal Boundary Adjustment Unit for recording purposes.

WHEREFORE, the Parties have entered into this agreement as of the date set forth above.

Agreed to by the Town Board of Supervisors for the Town of Grand Rapids the 2nd
day of July, 2007.

ATTEST:

Mark Boslorice

Town Clerk

Approved as to form:

[Signature]

Town Attorney

Barbara M. Sanders

Chairman

Dorothy Staceand

Town Board Member

Raymond Johnson

Town Board Member

Agreed to by the City Council for the City of Grand Rapids the 23 day of
April, 2007.

J.C. Miller

Mayor

Gregory Andrews

City Clerk Interim City Administrator

Agreed to by the City Council for the City of LaPrairie the 4th day of June,
2007.

[Signature]

Mayor

Marilyn Carlson

City Clerk

REC'D BY
MMB

MAY 06 2002

IN THE MATTER OF THE JOINT
RESOLUTION OF THE CITY OF
LaPRAIRIE AND THE TOWN
OF GRAND RAPIDS DESIGNATING
A CERTAIN AREA AS IN NEED OF
ORDERLY ANNEXATION PURSUANT
TO MINNESOTA STATUTES § 414.0325

JOINT RESOLUTION FOR ORDERLY ANNEXATION

04-02-22

WHEREAS, the City of LaPrairie (hereinafter the "City") and the Town of Grand Rapids (hereinafter the "Town") have agreed to the orderly annexation of Town lands described herein for the purpose of orderly, planned growth; and

WHEREAS, orderly annexation will be of mutual benefit to the Town and the City and the respective residents thereof; and

WHEREAS, the Town and City agree that orderly annexation and extension of municipal services to the areas designated herein for orderly annexation would benefit the public health, safety and welfare of the entire community;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD AND THE CITY COUNCIL AS FOLLOWS:

1. **Area Designated for Orderly Annexation:** The following legally described areas in Grand Rapids Township, (that being Township Fifty-five (55) North, Range Twenty-five (25) West of the Fourth Principal Meridian), are subject to orderly annexation pursuant to Minnesota Statutes Sec. 414.0325, and the parties hereto designate these areas as in need of orderly annexation as follows:

- A. The Northeast Quarter (NE ¼) of Section Twenty-two (22);
- B. That portion of the Northwest Quarter (NW ¼) of Section Twenty-three (23) lying and being West of the Prairie River;
- C. That portion of the Section Fifteen (15) lying and being south and east of State Highway 169;
- D. That portion of the Southwest Quarter (SW ¼) of Section Fourteen (14) lying and being west of the Prairie River and South and East of State Highway 169.

Attached hereto as Exhibit 'A' is a map of the area subject to this agreement.

2. **State Agency Jurisdiction:** Upon approval by the Town Board and the City Council, this Joint Resolution for Orderly Annexation confers jurisdiction upon the Minnesota Planning Office of Strategic and Long-Range Planning (hereinafter "Minnesota Planning") or its successor so as to accomplish the orderly annexation of the areas designated in Paragraph No. 1 in accordance with the terms of this Joint Resolution for Orderly Annexation.

3. **Actions of Minnesota Planning:** For all annexations provided for in this Joint Resolution for Orderly Annexation, the Town and City agree that no alteration of the stated boundaries of the orderly annexation areas designated in this Joint Resolution for Orderly Annexation is appropriate, that no consideration by Minnesota Planning or its successor is necessary and that all terms and conditions for annexation of said area designated herein are provided for in this Joint Resolution for Orderly Annexation. Pursuant to Minnesota Statutes Section 414.0325, upon receipt of this Joint Resolution for Orderly Annexation, or upon receipt of a subsequent resolution from either the Town or the City submitted in accordance with an event triggering annexation as provided in Paragraph No. 5 herein, Minnesota Planning or its successor may review and comment thereon, but shall, with thirty (30) days of receipt of the resolution, order the annexation of the area designated in the resolution in accordance with the terms and conditions of this Joint Resolution for Orderly Annexation.

4. **Triggering of Annexation:** The City of Grand Rapids and the Town of Grand Rapids

have entered into an Orderly Annexation agreement contemplating the eventual merger of the City and Township, with the final annexation contemplated by that agreement is currently scheduled to occur on July 1, 2010. Under certain conditions, however, said final annexation and merger may occur at an earlier date. 076

The property described in this agreement was specifically excluded from the Orderly Annexation Agreement between the City of Grand Rapids and the Town of Grand Rapids with the intent the above described area be annexed by the City of LaPrairie.

It is therefore the intention of the City of LaPrairie and the Town of Grand Rapids that the annexations contemplated under this agreement occur concurrently with the final annexation by the City of Grand Rapids, or at a sooner point in time as may be agreed by the parties to this agreement, and that the parties to this agreement shall at that time submit to Minnesota Planning a joint resolution affecting the annexation pursuant to Paragraph 3 of this agreement.

5. **Property Owner Initiated Annexation:** The parties agree that circumstances may arise which will make it necessary or desirable for a property owner with land located within a designated orderly annexation area to seek annexation to the City of LaPrairie prior to the respective dates stated in Paragraph No. 4. Therefore, the parties agree that a property owner may petition for early annexation of property, prior to the applicable date stated in Paragraph No. 4 above, upon a showing of need for municipal services, upon a request for municipal sanitary sewer, water or storm water services, upon said land being proposed to be platted or subdivided for urban development greater than a density of one dwelling unit, building or structure per 40 acres, or other reason deemed sufficient and necessary by the City Council. In such events, the City may designate said land as in need of orderly annexation and annex the same in accordance with Paragraph No. 3 of this Joint Resolution for Orderly Annexation.

6. **Service Extension Required by State Agency or Court Order:** Notwithstanding Paragraph No. 3, the Town and City agree that if a state agency or court orders the City to extend any municipal service to any unincorporated area designated herein for orderly annexation, the service area provided in the state agency or court order and any intervening land between the area ordered to be served and the corporate limits of the City is designated as in need of immediate orderly annexation, and the City may, at any time after the date of this state agency or court order, annex such property in accordance with Paragraph No. 3 of this Joint Resolution for Orderly Annexation.

7. **City Owned and Completely Surrounded Property:** Notwithstanding Paragraph No.

3, the Town and City agree that any unincorporated land wholly owned by the City and located within any area designated herein for orderly annexation, or any unincorporated land which is completely surrounded by land within City limits is, during the term of this Joint Resolution for Orderly Annexation, designated as in need of immediate orderly annexation, and the City may at any time annex such property in accordance with Paragraph No. 3 of this Joint Resolution for Orderly Annexation.

8. **Zoning, Subdivision and Land Use:** Areas annexed to the City of LaPrairie pursuant to this Joint Resolution for Orderly Annexation shall become subject to City of LaPrairie ordinances as such ordinances exist at the time of annexation or as such ordinances may from time to time thereafter be amended by the City Council. The town and City agree that all land use controls within the areas designated herein for orderly annexation shall be consistent with City ordinances and give full effect to the terms and conditions provided for in this Joint Resolution for Orderly Annexation. The Town and City agree that enforcement of official land use controls within all designated areas for orderly annexation shall be by the City.

9. **Building Permit Review:** The Town and City agree that the City shall be responsible as of the date of execution of this Joint Resolution for Orderly Annexation, for reviewing and making recommendations to the Town regarding the proposed issuance of all building permits within the Town. The Town agrees that no building permit shall be issued which is inconsistent with this Joint Resolution for Orderly Annexation and applicable ordinances.

10. **Municipal Services:** The City shall provide municipal services to annexed areas covered by this Joint Resolution for Orderly Annexation immediately upon annexation. Prior thereto, the City and Town may enter into contractual agreements for services.

The intent of the parties is that services shall be provided by the City consistent with sound financial management and taking into consideration the City's debt obligations in addition to any other factors the City Council deems necessary or appropriate. Annexation does not guarantee extension of all municipal services nor does this Joint Resolution for Orderly Annexation prevent the City from extending services on an accelerated or emergency basis to annexed areas. The extension of municipal services to annexed areas shall remain in the exclusive discretion of the City Council as the City Council deems necessary or desirable.

Street construction shall be undertaken as deemed necessary by the City Council following annexation of an area and the costs thereof shall be specially assessed to benefiting properties in accordance with City assessment policies.

11. **Differential Taxation:** Minnesota Planning or its successor shall, subject to the provisions of Minnesota Statutes Sec. 414.035, and subject to Paragraph No. 13 of this Joint Resolution for Orderly Annexation, in its order annexing an area designated for orderly annexation as provided in Paragraph No. 1, provide that the tax rate on an annexed area shall be increased in substantially equal portions over a period of five (5) years to equalize the tax rate on the property already within the City of LaPrairie.

The tax capacity rate to be applied to an annexed area shall be called the "Differential Tax Capacity Rate". For each tax year from the year of annexation through five years thereafter, the Itasca County Auditor shall determine the difference between the City's Tax Capacity Rate and the Township's Tax Capacity Rate, and calculate the "Differential Tax Capacity Rate" as follows:

Year of Annexation	Township's Tax Capacity Rate + 20% of the Difference
1 Year after Annexation	Township's Tax Capacity Rate + 40% of the Difference
2 Years after Annexation	Township's Tax Capacity Rate + 60% of the Difference
3 Years after Annexation	Township's Tax Capacity Rate + 80% of the Difference
4 Years after Annexation	Township's Tax Capacity Rate + 100% of the Difference

In subsequent years thereafter, the annexed areas shall continue to be taxed at the rate of the City of LaPrairie.

12. **Exceptions to Differential Taxation Schedule:** Notwithstanding Paragraph 11, an annexed property shall be immediately taxed at the tax capacity rate of the City of LaPrairie upon the City providing all municipal services which are available to all other areas of the City.

13. **Capital Improvements:** Township agrees that after execution of this Agreement, it will consult with City prior to initiating any capital improvements within that area of the Township proposed for orderly annexation into the City. The purpose of this consultation will be to assure that the contemplated capital improvement is consistent with the City's long term capital improvement plans and City design standards.

14. **Authorization:** The appropriate officers of the City and the Town are hereby authorized to execute this Joint Resolution for Orderly Annexation so to legally bind the City and Town, respectively and are authorized to carry the terms of this Joint Resolution for Orderly Annexation into effect.

15. **Severability and Repealer:** All prior resolutions and ordinances of the Town and the City, or portions of resolutions and ordinances in conflict herewith, are hereby repealed. Should any section of this Joint Resolution for Orderly Annexation be held by a court of competent jurisdiction to be unconstitutional or void, the remaining provisions will remain in full force and effect.

16. **Effective Date:** This Joint Resolution for Orderly Annexation is effective upon its adoption by the respective governing bodies of the Town and the City.

17. **Governing Law:** This Joint Resolution for Orderly Annexation shall be governed by the laws of the State of Minnesota.

18. **Modification or Amendment:** This Joint Resolution for Orderly Annexation shall be deemed final and binding upon the Town and City, respectively upon initial approval and execution by the Town Board and the City Council. Thereafter, any amendment or modification of this Joint Resolution for Orderly Annexation shall not be effective unless made in writing and duly executed and approved by both the Town Board and the City Council.

19. **Adoption of Regulations:** The parties agree to enact, adopt, and strictly enforce those necessary regulations or ordinances giving full effect to the terms of this Joint Resolution for Orderly Annexation.

20. **Entire Agreement:** The terms, covenants, conditions and provisions of this Joint Resolution for Orderly Annexation, including the present and all future exhibits, shall constitute the entire agreement between the parties hereto, superseding all prior agreements and negotiations. This Joint Resolution for Orderly Annexation shall be binding upon and inure to the benefit of the respective successors and assigns of the City and Township.

21. **Exhibits:** The Exhibit referred to in this Joint Resolution for Orderly Annexation is made a part hereof and incorporated herein by reference as fully and completely as if set forth herein verbatim.

22. **Headings and Captions:** Headings and captions are for convenience only and are not intended to alter any of the provisions of this Joint Resolution for Orderly Annexation.

REC'D BY
MMB

MAY 06 2002

Adopted by Resolution of the Town Board of Supervisors for the Town of Grand Rapids
the 22nd day of April, 2002.

Lorinda L. Pelland

Chairman

Attest:

Eugenia Peavey

Town Clerk

Approved as to form:

[Signature]

Town Attorney

Adopted by Resolution of the City Council of the City of LaPrairie this 22 day of
April, 2002.

[Signature]

Mayor / [Signature]

Marilyn Carlson

City Clerk

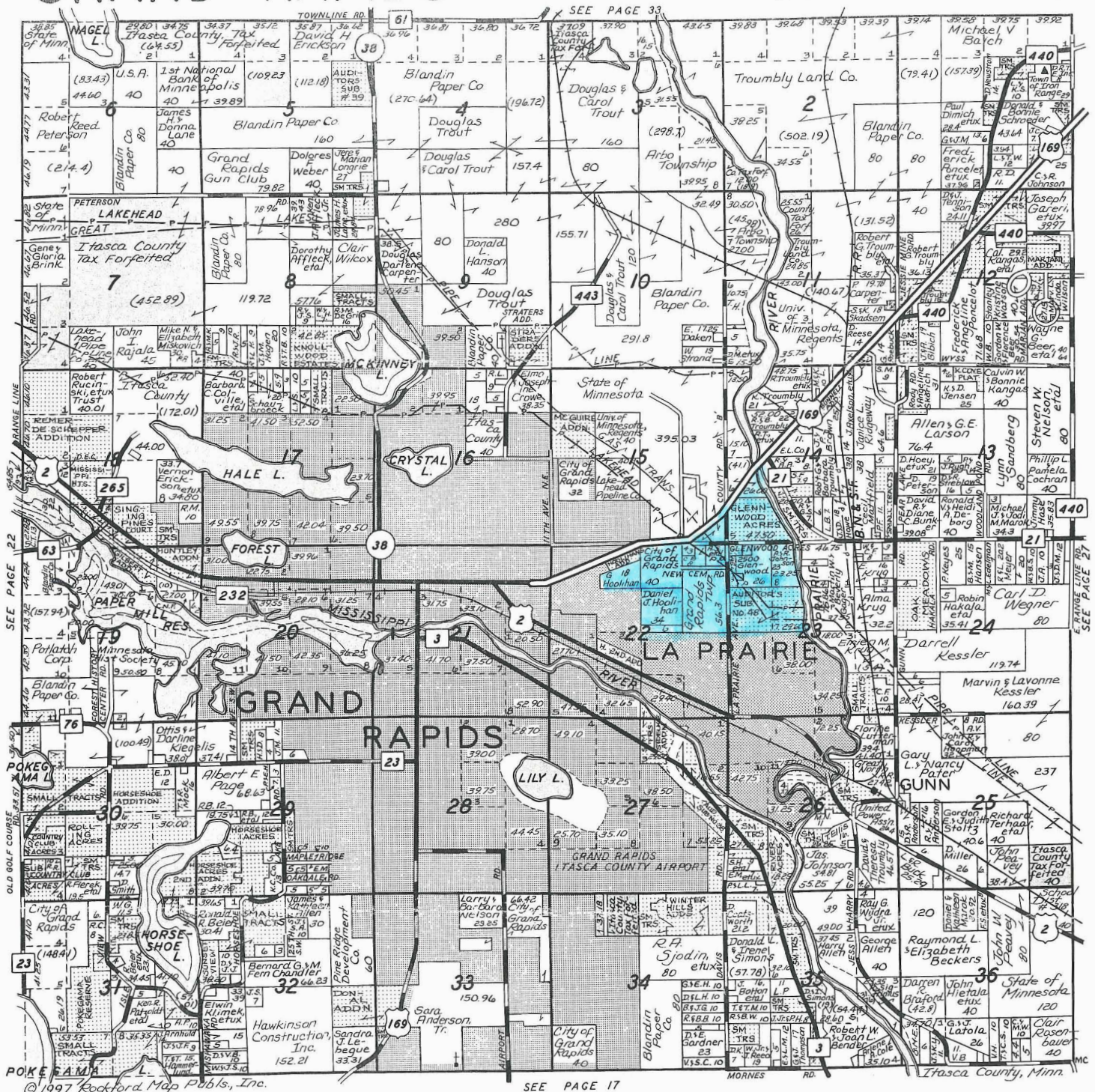
Approved as to form:

[Signature]

City Attorney

GRAND RAPIDS

T.55N-R.25W.



GRAND RAPIDS TOWNSHIP BOARD

Supervisor - Dorothy Pollard
 Supervisor - Charles Lutterman
 Supervisor - Brian Carlson
 Clerk - Virginia Peavey
 Treasurer - Dianne Johnson
 PHONE: (218) 327-1875

