

Minnesota Planning Docket No. _____
City of Montrose Resolution No. 2002-10
Marysville Township Resolution No. _____

**CITY OF MONTROSE
MARYSVILLE TOWNSHIP
COUNTY OF WRIGHT
STATE OF MINNESOTA**

**JOINT RESOLUTION OF THE CITY OF MONTROSE AND
MARYSVILLE TOWNSHIP AS TO THE ORDERLY ANNEXATION OF
PROPERTY**

WHEREAS, the City of Montrose ("City") and Marysville Township ("Township") desire to enter into an agreement allowing for the immediate orderly annexation of certain property, pursuant to Minnesota Statute 414.0325, Subdivision 1; and

WHEREAS, The City and the Township are in agreement as to the procedures and process for orderly annexation of certain lands described herein for the purpose of orderly, planned growth; and

WHEREAS, the City of Montrose has received a request for annexation from the owner of real property described in the attached Exhibits A and B, which are located within Marysville Township and abuts the City of Montrose; and

WHEREAS, the annexation is being sought by the petitioner for the purpose of obtaining municipal water and sewer service; and

WHEREAS, it is in the best interest of the City, the Township and their respective residents to agree to orderly annexation in furtherance of orderly growth and the protection of the public health, safety and welfare; and

WHEREAS, the parties hereto desire to set forth the terms and conditions of such Orderly Annexation by means of this Joint Resolution.

NOW, THEREFORE, BE IT RESOLVED by the City of Montrose, Wright County, Minnesota and Marysville Township, Wright County, Minnesota, as follows:

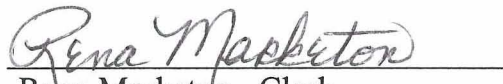
1. That the area described in the attached Exhibits A and B are immediately annexed from Marysville Township into the municipal boundaries of the City of Montrose.
2. Upon annexation of the parcel the City shall make a good faith effort to make municipal sanitary sewer service and municipal water service available to that parcel within three years from the effective date of the annexation.
3. The City and Township agree that no alteration of the stated boundaries as described in this resolution is appropriate, and that all the terms and conditions for annexation are provided for in this Joint Resolution unless otherwise noted. Upon receipt of the Joint Resolution, Minnesota Planning may review and comment, but shall within 30 days of receipt, order the annexation in accordance with the terms and conditions of this Joint Resolution.
4. Prior to annexation of the parcel by the City, LandMark Group LTD, the developer of the subject parcel, shall reimburse the Township for the loss of taxes from the property so annexed in accordance with the Township's Annexation Compensation Policy. Pursuant to the Annexation Compensation Policy, LandMark Group LTD has agreed to pay to the Township \$15,350 (\$250 per acre x 61.40 acres). No other reimbursement or taxes shall be owed to the Township from either the City or LandMark Group with regard to the properties described on Exhibit B.
5. Prior to annexation of the parcel by the City, LandMark Group shall reimburse the Township for the costs associated with the Special Emergency Meeting on April 2, 2002 in the amount of \$250.
6. Pursuant to Minnesota Statutes, Section 414.0325, the City and the Township agree that as all of the property owners of the parcel have petitioned for annexation, no hearing is required and the City may initiate annexation of the property described in Exhibits A and B by filing this resolution with Minnesota Planning, or its successor agency, and the Township. The Township agrees not to object to or oppose any annexation undertaken pursuant to the terms and conditions contained in this Joint Resolution.
7. This Joint Resolution is made pursuant to, and shall be construed in accordance with the laws of the State of Minnesota.

8. All costs and disbursements incurred by the Township due to processing this annexation shall be fully reimbursed by the City. The city shall pay all applicable filing fees and other costs necessary to have the Joint Resolution filed with and approved by State Planning.

PASSED, ADOPTED AND APPROVED by the Marysville Town Board of Supervisors, Wright County, Minnesota this 28th day of May, 2002.

MARYSVILLE TOWNSHIP


Augie Riebel, Chair


Rena Marketon, Clerk

PASSED, ADOPTED AND APPROVED by the Montrose City Council, Wright County, Minnesota this 10 day of June, 2002.

CITY OF MONTROSE


Charles Nelson, Mayor



Barbara Swanson, City Clerk

EXHIBIT A

That part of the Southeast Quarter and that part of the South Half of the Northeast Quarter of Section 26, Township 119, Range 26, Wright County, Minnesota, described as follows: Commencing at the southeast corner of said South Half of the Northeast Quarter; thence on an assumed bearing of North 2 degrees 07 minutes 17 seconds West along the east line of said South Half of the Northeast Quarter, a distance of 100.00 feet; thence North 88 degrees 43 minutes 14 seconds West, parallel with the south line of said South Half of the Northeast Quarter, a distance of 500.00 feet; thence North 2 degrees 07 minutes 17 seconds West, parallel with the east line of said South Half of the Northeast Quarter, a distance of 501.10 feet; thence North 88 degrees 43 minutes 14 seconds West, parallel with the south line of said South Half of the Northeast Quarter, a distance of 403.40 feet to the point of beginning; thence continue North 88 degrees 43 minutes 14 seconds West, a distance of 791.00 feet; thence South 1 degree 24 minutes 20 seconds West, parallel with the west line of said Southeast Quarter, a distance of 3283.89 feet to the south line of said Southeast Quarter; thence South 89 degrees 08 minutes 54 seconds East along the south line of said Southeast Quarter, a distance of 791.04 feet to a line bearing South 1 degree 24 minutes 20 seconds West from the point of beginning; thence North 1 degree 24 minutes 20 seconds East along said line, a distance of 3277.98 feet to the point of beginning.

EXHIBIT B

That part of the Southeast Quarter and that part of the South Half of the Northeast Quarter of Section 26, Township 119, Range 26, Wright County, Minnesota, described as follows: Commencing at the southeast corner of said South Half of the Northeast Quarter; thence on an assumed bearing of North 2 degrees 07 minutes 17 seconds West along the east line of said South Half of the Northeast Quarter, a distance of 100.00 feet; thence North 88 degrees 43 minutes 14 seconds West, parallel with the south line of said South Half of the Northeast Quarter, a distance of 500.00 feet; thence North 2 degrees 07 minutes 17 seconds West, parallel with the east line of said South Half of the Northeast Quarter, a distance of 501.10 feet; thence North 88 degrees 43 minutes 14 seconds West, parallel with the south line of said South Half of the Northeast Quarter, a distance of 1194.40 feet to the point of beginning; thence continue North 88 degrees 43 minutes 14 seconds West, a distance of 184.00 feet to a point 660.00 feet east of the west line of said South Half of the Northeast Quarter; thence South 1 degree 24 minutes 20 seconds West, parallel with the west line of said South Half of the Northeast Quarter, a distance of 150.00 feet; thence North 88 degrees 55 minutes 31 seconds West, parallel with the north line of said South Half of the Northeast Quarter, a distance of 379.00 feet; thence South 1 degree 24 minutes 20 seconds West, parallel with the west line of said Southeast Quarter, a distance of 3136.73 feet to the south line of said Southeast Quarter; thence South 89 degrees 08 minutes 54 seconds East along the south line of said Southeast Quarter, a distance of 563.03 feet to a line bearing South 1 degree 24 minutes 20 seconds West from the point of beginning; thence North 1 degree 24 minutes 20 seconds East along said line, a distance of 3283.89 feet to the point of beginning.

AND

That part of the Southeast Quarter and that part of the South Half of the Northeast Quarter of Section 26, Township 119, Range 26, Wright County, Minnesota, described as follows: Commencing at the southeast corner of said South Half of the Northeast Quarter; thence on an assumed bearing of North 2 degrees 07 minutes 17 seconds West along the east line of said South Half of the Northeast Quarter, a distance of 100.00 feet; thence North 88 degrees 43 minutes 14 seconds West, parallel with the south line of said South Half of the Northeast Quarter, a distance of 500.00 feet; thence North 2 degrees 07 minutes 17 seconds West, parallel with the east line of said South Half of the Northeast Quarter, a distance of 501.10 feet; thence North 88 degrees 43 minutes 14 seconds West, parallel with the south line of said South Half of the Northeast Quarter, a distance of 1378.40 feet to a point 660.00 feet east of the west line of said South Half of the Northeast Quarter; thence South 1 degree 24 minutes 20 seconds West, parallel with the west line of said South Half of the Northeast Quarter, a distance of 150.00 feet; thence

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North 88 degrees 55 minutes 31 seconds West, parallel with the north line of said South Half of the Northeast Quarter, a distance of 379.00 feet to the point of beginning; thence continue North 88 degrees 55 minutes 31 seconds West, a distance of 281.00 feet to the west line of said South Half of the Northeast Quarter; thence South 1 degree 24 minutes 20 seconds West along the west line of said South Half of the Northeast Quarter, a distance of 447.69 feet to the southwest corner of said South Half of the Northeast Quarter; thence South 1 degree 24 minutes 20 seconds West along the west line of said Southeast Quarter, a distance of 2690.14 feet to the southwest corner of said Southeast Quarter; thence South 89 degrees 08 minutes 54 seconds East along the south line of said Southeast Quarter, a distance of 281.01 feet to a line bearing South 1 degree 24 minutes 20 seconds West from the point of beginning; thence North 1 degree 24 minutes 20 seconds East along said line, a distance of 3136.73 feet to the point of beginning.

