

County of McLeod
State of Minnesota

City of Hutchinson Resolution No. 11952

Township of Hassan Valley Resolution No.

**JOINT RESOLUTION OF THE CITY OF HUTCHINSON AND THE TOWNSHIP
OF HASSAN VALLEY AS TO THE ORDERLY ANNEXATION OF PROPERTY**

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

WHEREAS, the City and the Township are in agreement concerning the immediate annexation of the property identified in Exhibit A; and

WHEREAS, the City's current plan proposes to provide municipal waste water treatment, municipal storm sewer, municipal water service and municipal road to the area described on Exhibit A because of public health issues; and

WHEREAS, it is in the best interest of the City, the township and their respective residents do agree to an 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 Resolution;

NOW, THEREFORE, BE IT RESOLVED by the City of Hutchinson, McLeod County, Minnesota, that the following terms, conditions and agreements shall become binding upon the City and the Township:


1. Upon approval by the respective governing bodies of the City and the Township, this joint resolution shall confer jurisdiction upon Minnesota Planning – Municipal Boundary Adjustments (hereinafter "Minnesota Planning") to accomplish the orderly annexation of the lands described in the attached Exhibit A in accordance with the terms of this joint resolution.
2. Pursuant to Minnesota Statutes 414.0325, subdivision 1, the parties do hereby designate the area described in the attached Exhibit A as an Orderly Annexation Area in need of orderly annexation. The described Orderly Annexation Area consists of approximately 39.47 acres.

3. The parties acknowledge that, while the City is authorized to provide municipal waste water treatment services, municipal storm sewer services, road and municipal water services to the property described in Exhibit A, the timing, design and scope of such services remains within the sole discretion of the City.
4. The City covenants and agrees that it will preserve the drainage functions of all drain tiles located within the Orderly Annexation Area by designing and constructing a municipal storm sewer system and allocating the costs thereof as described in this resolution, to the extent that the future development of properties within the Annexation area shall not significantly adversely impact existing drainage in the areas of the Township outside the orderly Annexation Area as such drainage exists at the time of the signing of this agreement.
5. For all property annexed pursuant to this Joint Resolution, the City shall remit to the Township, property taxes as follows:
 - a. Property taxes payable on the annexed area for the year in which the annexation becomes effective shall be paid to the Township. Thereafter, property taxes shall be paid to the city but shall be apportioned as listed below, and the City shall make a cash payment to the Township yearly in the following amounts:
 1. In the first year following the year in which the land was annexed, 90% of the property taxes paid to the Township in the year the land was annexed;
 2. In the second year following the year in which the land was annexed, 70% of the property taxes paid to the Township in the year the land was annexed;
 3. In the third year following the year in which the land was annexed, 50% of the property taxes paid to the Township in the year the land was annexed;
 4. In the fourth year following the year in which the land was annexed, 30% of the property taxes paid to the Township in the year the land was annexed;

5. In the fifth year following the year in which the land was annexed, 10% of the property taxes paid to the Township in the year the land was annexed.
 - b. Thereafter all property taxes from the described property shall be paid to the City.
6. Section 414.0325, allows for and the City hereby stipulates the tax rate of the annexing municipality on the area annexed shall be increased in substantially equal proportions over six years to equality with the tax rate on the property already within the municipality.
7. This Joint Resolution may be amended from time to time by the City and the Township upon such terms as are mutually acceptable to the parties.
8. The City and the Township mutually state that no alteration by Minnesota Planning to the boundaries as described on Exhibit A ("the orderly annexation area") is appropriate or permitted.
9. Having designated the area described on Exhibit A as in need of orderly annexation, and having provided for all of the conditions of its annexation within this document, the parties to this agreement agree that no further consideration by Minnesota Planning is necessary. As such, Minnesota Planning may review and comment, but shall, within thirty (30) days of the date of receipt of this Joint Resolution for Orderly Annexation, order the immediate annexation of the properties and land described in the attached Exhibit A in accordance with the terms of this Joint Resolution.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF HUTCHINSON THIS
11th DAY OF June, 2002.


Marlin Torgerson
Mayor


Gary D. Plotz
City Administrator

ADOPTED BY THE HASSAN VALLEY TOWNSHIP BOARD THIS 13 DAY
OF June, 2002

Carl Runke
Carl Runke, Chair
Hassan Valley Township

Shirley Troska
Shirley Troska, Clerk
Hassan Valley Township

ANNEXATION DESCRIPTION FOR THE CITY OF HUTCHINSON

Tract T, REGISTERED LAND SURVEY NO. 1, McLeod County, Minnesota.

Also, Lot 12, Lot 13, Lot 14, Lot 15, Lot 16, Lot 17, Lot 18, Lot 19, Lot 20, Lot 21 and Lot 22, all in the AUDITOR'S PLAT OF LOT 15 OF THE AUDITOR'S PLAT OF SECTION 7, TOWNSHIP 116 NORTH, RANGE 29 WEST, according to the map on file and of record in the office of the County Recorder, McLeod County, Minnesota, except the following 3 described parcels:

Exception 1, That part of Lots 11 and 12 of said AUDITOR'S PLAT OF LOT 15 OF THE AUDITOR'S PLAT OF SECTION 7, TOWNSHIP 116 NORTH, RANGE 29 WEST, described as follows: Commencing at the Northwestern corner of Lot 10 of said AUDITOR'S PLAT OF LOT 15 OF THE AUDITOR'S PLAT OF SECTION 7, TOWNSHIP 116 NORTH, RANGE 29 WEST; thence South 23 degrees 18 minutes East a distance of 98.60 feet to the point of beginning of the tract herein described; thence North 72 degrees 14 minutes 30 seconds East a distance of 151.10 feet to the Westerly 33.0 foot Right of Way line of County Highway No. 25; thence along said Right of Way line South 17 degrees 45 minutes 30 seconds East a distance of 17.37 feet; thence South 20 degrees 49 minutes East a distance of 82.63 feet, the termination of Right of Way; thence South 69 degrees 11 minutes West a distance of 145.25 feet; thence North 23 degrees 18 minutes West a distance of 108.0 feet to the point of beginning.

Exception 2, That part of Lots 14 and 15 of said AUDITOR'S PLAT OF LOT 15 OF THE AUDITOR'S PLAT OF SECTION 7, TOWNSHIP 116 NORTH, RANGE 29 WEST, described as follows: Commencing at the Northwestern corner of said Lot 10; thence South 23 degrees 18 minutes East a distance of 305.90 feet to the beginning of the tract herein described; thence North 69 degrees 11 minutes East a distance of 140.70 feet to the westerly 33 foot right of way line of County Highway No. 25; thence along said right of way line South 20 degrees 49 minutes East a distance of 56.23 feet; thence South 23 degrees 01 minute East a distance of 43.77 feet, the termination of right of way; thence South 66 degrees 59 minutes West a distance of 137.85 feet; thence North 23 degrees 18 minutes West a distance of 106.0 feet to the point of beginning.

Exception 3, That part of Lots 15 and 16 of said AUDITOR'S PLAT OF LOT 15 OF THE AUDITOR'S PLAT OF SECTION 7, TOWNSHIP 116 NORTH, RANGE 29 WEST, described as follows: Commencing at the Northwestern corner of said Lot 10; thence South 23 degrees 18 minutes East a distance of 411.90 feet to the point of beginning of the tract herein described; thence North 66 degrees 59 minutes East a distance of 137.85 feet to the westerly 33 foot Right of Way line of County Highway No. 25; thence along said Right of Way line South 23 degrees 01 minute East a distance of 100.00 feet, the termination of Right of Way; thence South 66 degrees 59 minutes West a distance of 137.40 feet; thence North 23 degrees 18 minutes West a distance of 100.00 feet to the point of beginning.

Also, that part of Lot 23 of said AUDITOR'S PLAT OF LOT 15 OF THE AUDITOR'S PLAT OF SECTION 7, TOWNSHIP 116 NORTH, RANGE 29 WEST, described as follows:

Commencing at the northwest corner of Lot 22 of said AUDITOR'S PLAT OF LOT 15 OF THE AUDITOR'S PLAT OF SECTION 7, TOWNSHIP 116 NORTH, RANGE 29 WEST; thence East, assumed bearing, along the north line of said Lot 22 a distance of 144.00 feet; thence South 15 degrees 00 minutes East 124.23 feet to the north line of said Lot 23 and the point of beginning of the land to be described; thence continuing South 15 degrees 00 minutes East 93.18 feet; thence East to the easterly line of said Lot 23; thence northwesterly along said easterly line, to the northeast corner of said Lot 23; thence westerly, along the north line of said Lot 23, to the point of beginning.

Also, that part of Lot 24 of said AUDITOR'S PLAT OF LOT 15 OF THE AUDITOR'S PLAT OF

SECTION 7, TOWNSHIP 116 NORTH, RANGE 29 WEST, described as follows:

Commencing at the Northeast corner of said Lot 24; thence West, along the North line of said Lot 24, a distance of 547.0 feet; thence South 150.0 feet; thence East, parallel with said North line of Lot 24, a distance of 613.0 feet to the Easterly line of said Lot 24; thence Northwesterly, along the Easterly line of Lot 24, to the place of beginning.

Also, Lot 1, Block 1, PETERSON ESTATES, according to the recorded plat thereof. Also, Jefferson Street (County Highway No. 25) as dedicated by said PETERSON ESTATES.

Also, Lot 1, Lot 2, Lot 3, Lot 4, and Lot 5, all in Block 1, HANSON'S SUBDIVISION OF PETERSON ESTATES, according to the recorded plat thereof. Also, Jefferson Court (Kahl Circle) as dedicated by said HANSON'S SUBDIVISION OF PETERSON ESTATES.

Also, that part of Lot 3, Lot 4, Lot 5, Lot 6, Lot 7, Lot 8 and Lot 9, all in the AUDITOR'S PLAT OF SECTION 7, TOWNSHIP 116 NORTH, RANGE 29 WEST, according to the map on file and of record in the office of the County Recorder, McLeod County, Minnesota, lying southerly of a line described as follows:

Commencing at a point on the center line of McLeod County S.A.R. No. 25, said point being South 16 degrees 44 minutes East 1170 feet from the intersection of the north line of said Section 7 and the center line of said S.A.R. No. 25; thence North 74 degrees 35 minutes East 337 feet, more or less to the westerly shore line of Crow River; thence southerly along said shore line, to the north line of the southerly 86.6 feet of Lot 3 of said AUDITOR'S PLAT OF SECTION 7, TOWNSHIP 116 NORTH, RANGE 29 WEST and the beginning of the line to be described; thence westerly, along said north line, to a point 170.00 feet easterly from the westerly line of said Lot 3; thence northerly parallel with said westerly line, 13.50 feet; thence westerly, parallel with the south line of said Lot 3, to the center line of said S.A.R. No. 25 and said line there terminating.

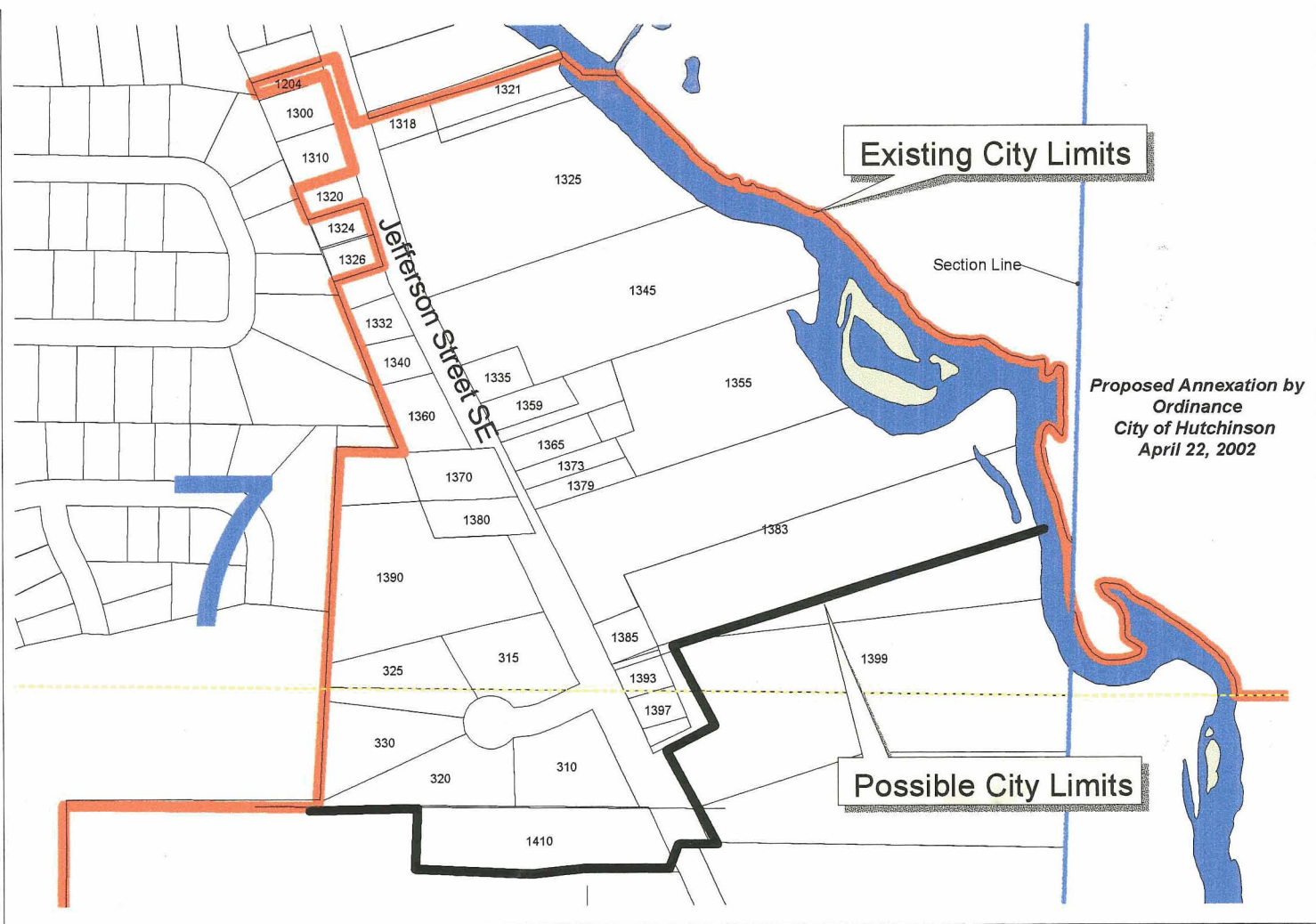
And lying northerly of the northerly line of HOUK'S SUBDIVISION, according to the recorded plat thereof.

Also, the 60.00 foot right of way of County Highway No. 25 as dedicated by said HOUK'S SUBDIVISION.

Also, That part of Northwest Quarter of Section 8, Township 116 North, Range 29 West, McLeod County, Minnesota, described as follows:

Beginning at a point on the West boundary line of said Section 8 which is 58.2 feet north of the southeast corner of Lot 8 of the AUDITOR'S PLAT OF SECTION 7, TOWNSHIP 116 NORTH, RANGE 29 WEST, according to the map on file and of record in the office of the County Recorder, McLeod County, Minnesota; thence running South 44 degrees 39 minutes East 213 feet; thence running South 52 degrees 44 minutes East 262 feet; thence running South 17 degrees 44 minutes East 123.6 feet to the South boundary line of the Northwest Quarter of said Section 8; thence running Westerly along the South boundary line of said Northwest Quarter to the Southwest corner of said Northwest Quarter; thence running Northerly along the West boundary line of said Section 8 to the point of beginning.

PELLINEN LAND SURVEYING
HUTCHINSON MN
JOB NO. 02116



RECD BY
M.M.B.
JUN 25 2002