

REC'D BY
MMB

JUL 01 2002

JOINT RESOLUTION

CITY OF MONTGOMERY
RESOLUTION NO. 20-2007

TOWNSHIP OF MONTGOMERY
RESOLUTION NO. _____

A JOINT RESOLUTION OF THE CITY OF MONTGOMERY AND THE TOWNSHIP OF MONTGOMERY DESIGNATING AN UNINCORPORATED AREA AS IN NEED OF ORDERLY ANNEXATION AND CONFERRING JURISDICTION OVER THE AREA TO THE MINNESOTA MUNICIPAL BOUNDARY ADJUSTMENT BOARD, PURSUANT TO MINNESOTA STATUTES SECTION 414.0325.

WHEREAS, the City of Montgomery and the Township of Montgomery have met, conferred, considered and reached agreement relating to the annexation of an area located in the Township of Montgomery; and,

WHEREAS, the area proposed for annexation is owned by those individuals named in the Petition for Annexation (Attached as Exhibit A), hereinafter, "Owners";

WHEREAS, the City of Montgomery and the Township of Montgomery desire to designate a certain unincorporated area as in need of orderly annexation pursuant to Minnesota Statutes Section 414.0325 and have agreed upon certain terms and conditions relating to the annexation of said property; and,

WHEREAS, the owners of the property described in Paragraph Two has waived the provisions of M. S.A. 414.0325, Subdivision I a regarding Electrical Utility Service.

NOW, THEREFORE, BE IT RESOLVED AND AGREED between the City of Montgomery and the Township of Montgomery as follows:

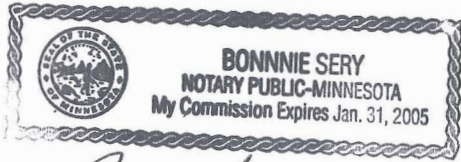
1. That the City of Montgomery (hereinafter "City") is a city pursuant to the laws of the State of Minnesota and that the Township of Montgomery (hereinafter "Township") is a township pursuant to the laws of the State of Minnesota, and that both parties are fully authorized and empowered to enter into this resolution.
2. That the following unincorporated area is in need of orderly annexation, lies wholly within Montgomery Township, Le Sueur County, Minnesota, and is described as follows: see Exhibit B attached hereto and incorporated herein ("The Property") and no alteration of its stated boundaries is appropriate.

3. That jurisdiction over annexation within the Property and over the various provisions contained in this Resolution is hereby conferred upon the Minnesota Municipal Boundary Adjustment Board (hereinafter "Board").
4. That the property is, or is about to become, urban or suburban in character.
5. That the Property will be immediately annexed to the City upon the adoption of this Resolution and the Order of the Board.
6. No consideration by the Board is necessary, the Board may review and comment, but shall within 30 days order the annexation in accordance with the terms of this Resolution.
7. That the real estate taxes collected from the Property due and payable in 2002 will be paid and delivered to the Township. That the real estate taxes due and payable in 2003 and for all years thereafter will be paid and delivered to the City.
8. That there will be reimbursement by the City to the Township for tax revenues lost of 80% in 2003, 60% in 2004, 40% in 2005, 20% in 2006 in accordance with Minnesota Statutes Section 414.036.
9. That connection to the sewer system will be the responsibility of the Owners and will be conducted in accordance with the ordinances of the City as well as any State or Federal agency laws, rules or regulations.
11. That the Owners of the Property have waived the provisions of M. S.A. Section 414.0325, Subdivision 1a relative to notice of the costs of electric utility service.
12. That every provision of this Resolution will be and hereby is declared severable, and if any part or portion is held invalid, it will not affect or invalidate the remaining parts or portions of the Resolution.
13. That the Property annexed will be, and hereby is, appropriately zoned for the Owners to use as multi- and single-family housing development sites.

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AGREED TO AND APPROVED BY THE CITY COUNCIL OF THE CITY OF
MONTGOMERY THIS 17th DAY June OF 2002.



Bonnie Sery
6-17-02

CITY OF MONTGOMERY

BY: *N. P. McGhie*
Its Mayor

BY: *[Signature]*
Its City Administrator

AGREED TO AND APPROVED BY THE TOWN BOARD OF THE TOWNSHIP OF
MONTGOMERY THIS 6 DAY OF JUNE 2002.

TOWNSHIP OF MONTGOMERY

BY: *Hone Krauthamer*
Its Chairman

BY: *Don Budin*
Its Clerk

ATTN: Tim

DESCRIPTION

Lots 1, 5 and 7 and part of Lot 6, all in Auditor's Plat of part of N.E. 1/4 of 9-111-23-5 P.M., and Lot 1, Block Two, Oakwood Addition to Montgomery, according to the plats thereof on file and on record with the LeSueur County Record, described as:

Beginning at the most southerly corner of Lot 1, Block Two, Oakwood Addition to Montgomery; thence North 34 degrees 35 minutes 12 seconds East, (assumed bearing), along the southeasterly line of said Lot 1 a distance of 410.74 feet; thence North 62 degrees 54 minutes 24 seconds East, along said southeasterly line, 394.51 feet; thence North 36 degrees 18 minutes 24 seconds East, along said southeasterly line, 31.65 feet; thence North 89 degrees 51 minutes 00 seconds East, along said line, 41.79 feet; thence North 10 degrees 28 minutes 42 seconds East, along said southeasterly line, 30.52 feet to the northeasterly corner of said Lot 1, the same being the southeasterly corner of Lot 1, Auditor's Plat of part of N.E. 1/4 of 9-111-23-5 P.M.; thence continuing North 10 degrees 28 minutes 42 seconds East, along the easterly line of said Lot 1, Auditor's Plat of part of N.E. 1/4 of 9-111-23-5 P.M., a distance of 30.52 feet; thence South 89 degrees 51 minutes 00 seconds West, along said line, 12.60 feet; thence North 38 degrees 16 minutes 00 seconds East, along said easterly line, 268.00 feet; thence North 32 degrees 55 minutes 00 seconds East, along said easterly line and along the easterly line of Lot 5, Auditor's Plat of part of N.E. 1/4 of 9-111-23-5 P.M., a distance of 200.00 feet; thence North 36 degrees 17 minutes 00 seconds East, along the easterly line of said Lot 5 a distance of 200.00 feet; thence North 28 degrees 41 minutes 00 seconds East, along said easterly line, 251.40 feet to the northeasterly corner of Lot 5, Auditor's Plat of part of N.E. 1/4 of 9-111-23-5 P.M.; thence North 66 degrees 22 minutes 00 seconds West; along the northerly line of said Lot 5 and along the northerly line of Lot 6, Auditor's Plat of part of N.E. 1/4 of 9-111-23-5 P.M., a distance of 543.84 feet; thence North 78 degrees 17 minutes 00 seconds West, along said northerly line, 150.00 feet; thence South 89 degrees 02 minutes 43 seconds West, along the north line of said Lot 6 a distance of 308.17 feet to a point distant 210.43 feet easterly of the northwest corner of said Lot 6 as measured along the north line of said Lot 6; thence South 00 degrees 57 minutes 17 seconds East, 183.00 feet; thence South 89 degrees 02 minutes 43 seconds West, 212.73 feet to a point on the west line of said Lot 6; thence South 00 degrees 14 minutes 00 seconds East, along said west line, and along the west line of Lot 7, Auditor's Plat of part of N.E. 1/4 of 9-111-23-5 P.M. and along the west line of Lot 1, Block Two, Oakwood Addition to Montgomery, a distance of 1420.36 feet to the point of beginning.

Said parcel contains 23.98 acres, subject to any and all easements of record.

MAP OF

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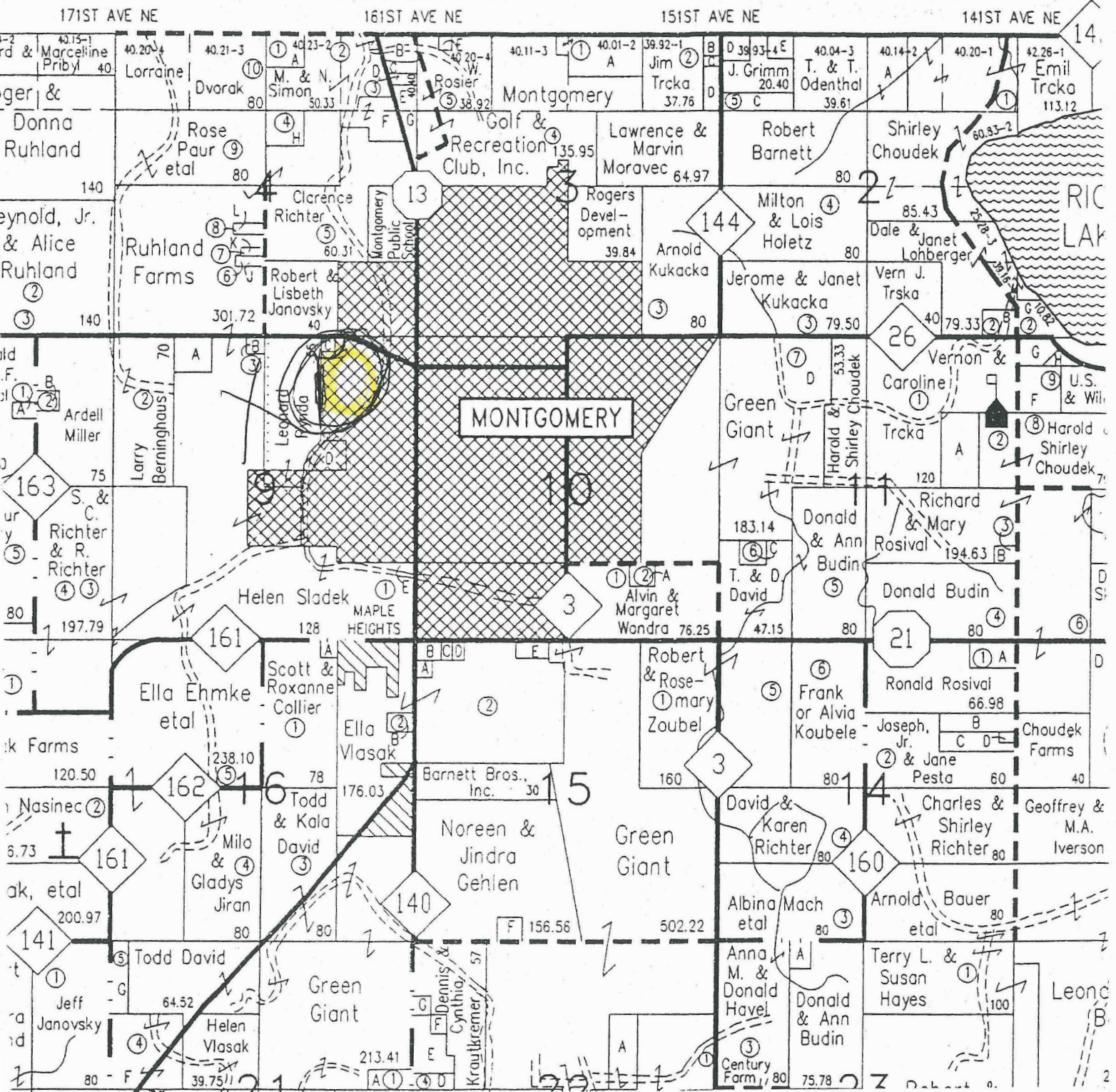
MONTGOMERY

MIDLAND ATLAS CO. INC. COPYRIGHT 1999

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RANGE: 23 W

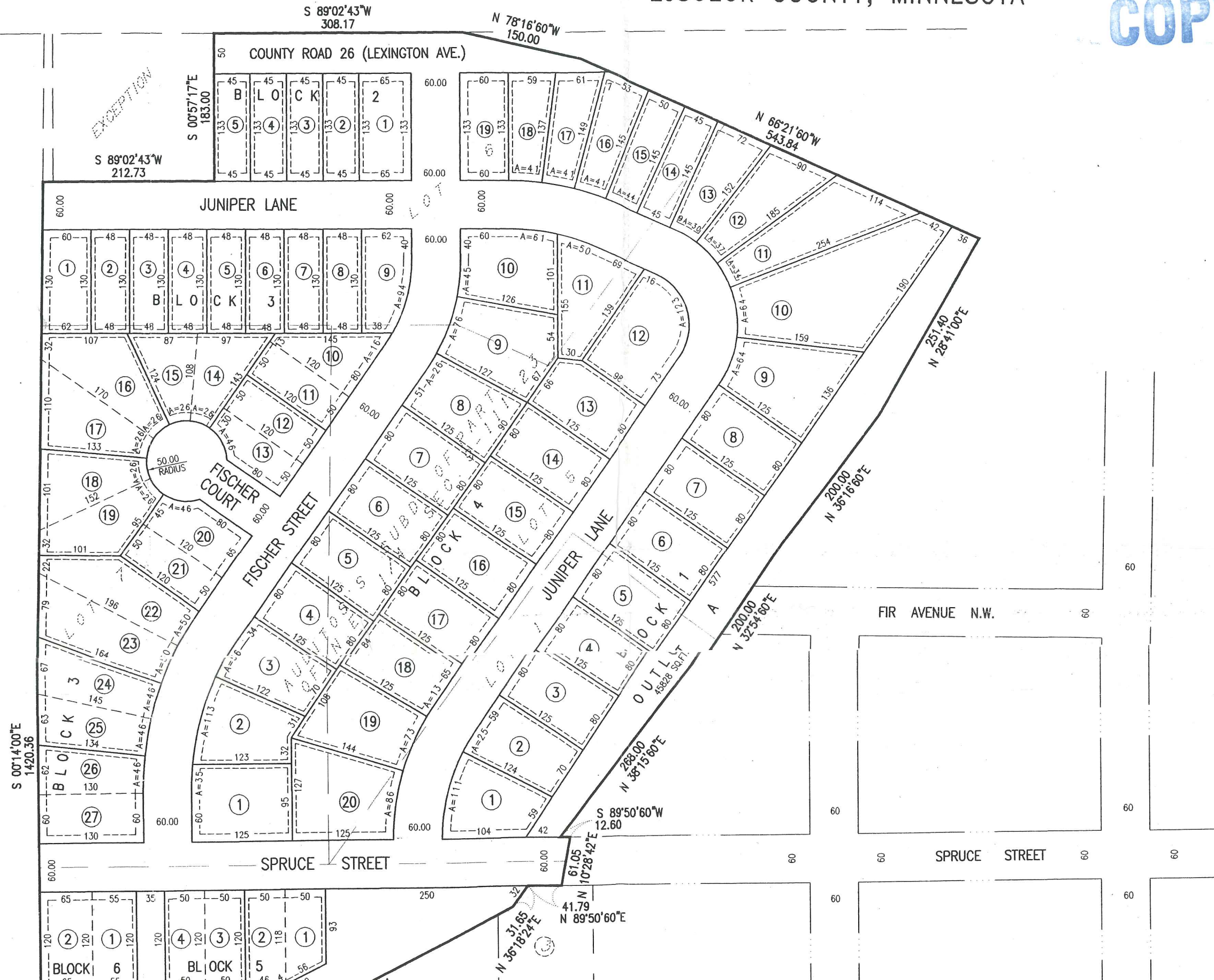
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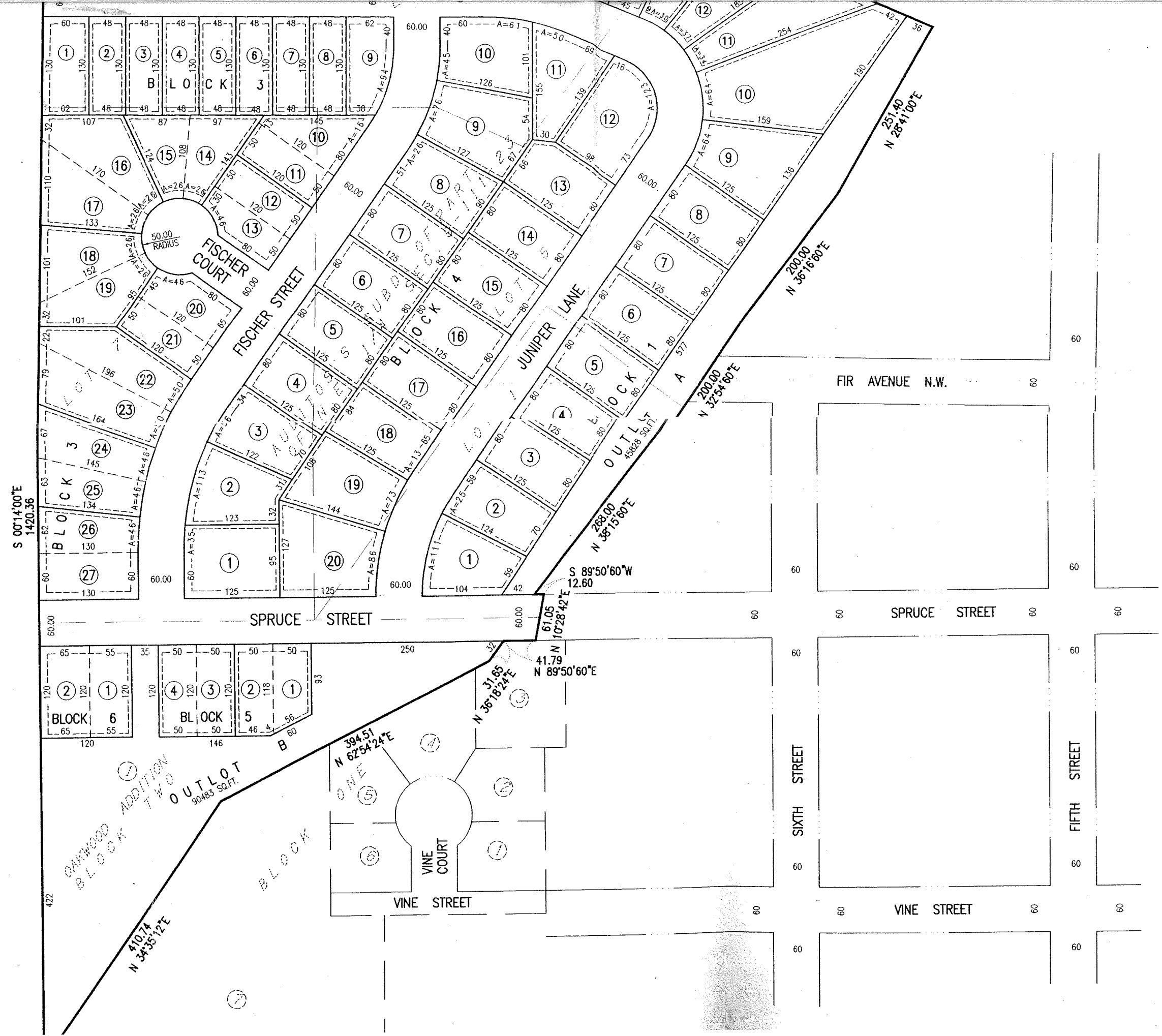


FISCHER ESTATES

CITY OF MONTGOMERY
LeSUEUR COUNTY, MINNESOTA

COPY





S 00°14'00"E
1420.36

OAKWOOD
BLOCK
ADDITION
TWO
OUTLET
90483 SQ. FT.

410.74
N 34°35'12"E

ONE
394.51
N 62°54'24"E

41.79
N 89°50'60"E

61.05
N 10°28'42"E

288.00
N 36°15'60"E

200.00
N 32°54'60"E

200.00
N 36°16'60"E

251.40
N 26°41'00"E

