

County of McLeod
State of Minnesota

City of Hutchinson Resolution No. 11994
and
Township of Hutchinson

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

WHEREAS, the City of Hutchinson ("City") and the Township of Hutchinson ("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 and municipal water service; 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:

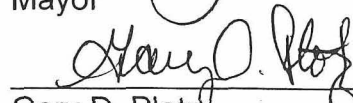
1. Upon approval by the respective governing bodies of the City and the Township, this joint resolution shall confer jurisdiction upon Minnesota Planning – Municipal Boundary Adjustments (hereinafter "Minnesota Planning") to accomplish the orderly annexation of the lands described in the attached Exhibit 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 one acre.


3. The parties acknowledge that, while the City is authorized to provide municipal waste water treatment services and municipal water services to the property described in Exhibit A, the construction would be at the owners expense.
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.

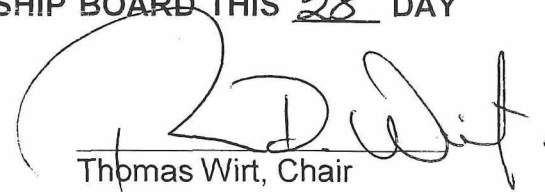
- b. Thereafter all property taxes from the described property shall be paid to the City.
6. This Joint Resolution may be amended from time to time by the City and the Township upon such terms as are mutually acceptable to the parties.
7. The City and the Township mutually state that no alteration by Minnesota Planning to the boundaries as described on Exhibit A ("the orderly annexation area") is appropriate or permitted.
8. 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.

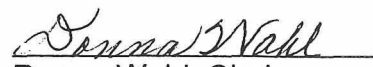
ADOPTED BY THE CITY COUNCIL OF THE CITY OF HUTCHINSON THIS
27th DAY OF August, 2002.


Marlin Torgerson
Mayor


Gary D. Plotz
City Administrator


ADOPTED BY THE ~~HASSAN VALLEY~~ ^{Hutchinson} TOWNSHIP BOARD THIS 28th DAY
OF August, 2002


Thomas Wirt, Chair
Hutchinson Township


Donna Wahl, Clerk
Hutchinson Township

REC'D BY
MMB

AUG 30 2002

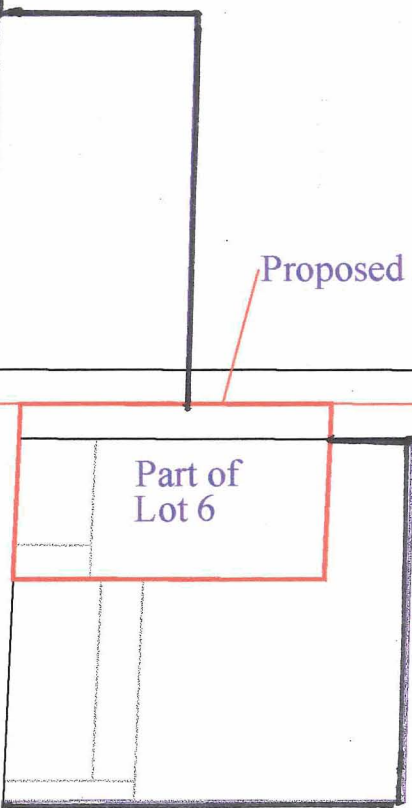
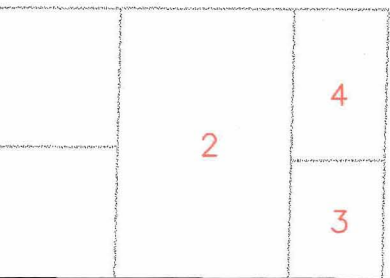
Exhibit "A"

ANNEXATION DESCRIPTION FOR THE CITY OF HUTCHINSON

That part of Lot 6, Auditor's Plat of the South Half of Section 30 and the North Half of Section 31, Township 117 North, Range 29 West, according to the map on file and of record in the office of the County Recorder, McLeod County, Minnesota, described as follows:

Beginning at the northwest corner of said Lot 6; thence easterly, along the north line of said Lot 6 a distance of 334.00 feet; thence southerly, parallel with the west line of said Lot 6 a distance of 169.00 feet; thence westerly, parallel with said north line 334.00 feet to said west line; thence northerly, along said west line 169.00 feet to the point of beginning.

PELLINEN LAND SURVEYING
August 28, 2002



Proposed Annexation

Existing City Limits

REC'D BY
MMB
AUG 30 2002