

REC'D BY  
MMB  
DEC 02 2002

JOINT RESOLUTION

CITY OF MONTGOMERY  
RESOLUTION NO. 48-2002

TOWNSHIP OF LANESBURGH  
RESOLUTION

A JOINT RESOLUTION OF THE CITY OF MONTGOMERY AND THE TOWNSHIP OF LANESBURGH 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 Lanesburgh have met, conferred, considered and reached agreement relating to the annexation of an area located in the Township of Lanesburgh; and,

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

WHEREAS, the City of Montgomery and the Township of Lanesburgh 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 Lanesburgh as follows:

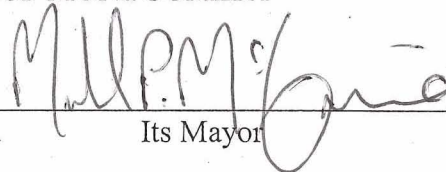
1. That the City of Montgomery (hereinafter "City") is a city pursuant to the laws of the State of Minnesota and that the Township of Lanesburgh (hereinafter "Township") is a township pursuant to the laws of the State of Minnesota, and that both parties are fully authorized and empowered to enter into this resolution.
2. That the following unincorporated area is in need of orderly annexation, lies wholly within Lanesburgh 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 does not abut the City and 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 no reimbursement by the City to the Township for tax revenues lost. However, the City will reimburse the Township an amount of \$100.
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 a public facilities site

AGREED TO AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MONTGOMERY THIS 25<sup>th</sup> DAY November OF 2002.

CITY OF MONTGOMERY

BY:

  
Its Mayor

BY:

  
Its City Administrator

REC'D BY  
MMB

DEC 02 2002

AGREED TO AND APPROVED BY THE TOWN BOARD OF THE TOWNSHIP OF  
LANESBURGH THIS 11 DAY OF Nov 2002.

TOWNSHIP OF LANESBURGH

BY Don Eiden  
Its Chairman

BY Leland Berg  
Its Clerk

298374

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DEC 02 2002

EXHIBIT

Split 07.933.5600

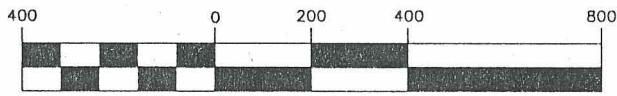
That part of the Southeast Quarter of the Southeast Quarter of Section 33, Township 112, Range 23, Le Sueur County, Minnesota, described as follows:

Commencing at the southeast corner of said Section 33; thence on an assumed bearing of North 89 degrees 06 minutes 15 seconds West along the south line of said Southeast Quarter of Section 33 a distance of 782.39 feet to the west right-of-way line of Trunk Highway No. 13, also being the point of beginning of the tract to be described; thence continuing along said south line of the Southeast Quarter of Section 33 a distance of 100.00 feet; thence North 00 degrees 00 minutes 00 seconds West 120.00 feet; thence North 90 degrees 00 minutes 00 seconds East 129.46 feet to a point on said west right-of-way line of Trunk Highway No. 13; thence South 08 degrees 17 minutes 16 seconds East along said west right-of-way line of Trunk Highway No. 13 a distance of 47.44 feet; thence South 41 degrees 23 minutes 09 seconds West along said west right-of-way line of Trunk Highway No. 13 a distance of 55.45 feet to a point on the north right-of-way line of a Township road; thence South 00 degrees 36 minutes 07 seconds East along said west right-of-way line of Trunk Highway No. 13 a distance of 33.01 feet to the point of beginning.

This tract contains 0.33 acres of land and is subject to right-of-way in existing Township road and any and all easements of record.

REC'D BY MMB DEC 02 2002

GRAPHIC SCALE



( IN FEET )

BOOK SEE FILE NO. MONT0003.03	DATE 11/14/02	FILE PAGE
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ANNEXATION AREAS

CITY OF MONTGOMERY,  
MN



PH 800.838.8666  
310 MAIN AVE. WEST  
P.O. BOX 76  
CAYLOR, MN 55334

I hereby certify that this survey, sketch, description, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the state of Minnesota.

Signature: Thomas J. Sifers  
Lic. No. 18379  
Date: 11/14/02  
Printed Name: Thomas J. Sifers

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NO.	BY	DATE	REVISIONS

