

REC'D BY  
MMB

DEC 20 2002

## JOINT RESOLUTION

CITY OF MONTGOMERY  
RESOLUTION NO. 64-2002TOWNSHIP OF MONTGOMERY  
RESOLUTION

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 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 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.

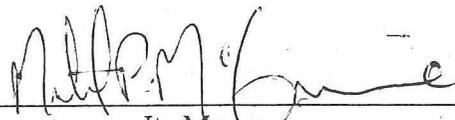
NOW, THEREFORE, BE IT RESOLVED AND AGREED between the City of Montgomery and the Township of Montgomery as follows:

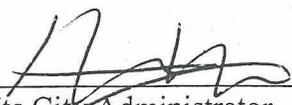
1. That the City of Montgomery (hereinafter "City") is a city pursuant to the laws of the State of Minnesota and that the Township of Montgomery (hereinafter "Township") is a township pursuant to the laws of the State of Minnesota, and that both parties are fully authorized and empowered to enter into 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 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 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 a multi-family housing development site

AGREED TO AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MONTGOMERY THIS 16 DAY ~~of~~ December OF 2002.

CITY OF MONTGOMERY

BY:   
Its Mayor

BY:   
Its City Administrator

REC'D BY  
MMB

DEC 20 2002

AGREED TO AND APPROVED BY THE TOWN BOARD OF THE TOWNSHIP OF  
MONTGOMERY THIS 5 DAY OF December 2002.

TOWNSHIP OF MONTGOMERY

BY *Hans Krauthamer*  
Its Chairman

BY *Don J. DeDevi*  
Its Clerk

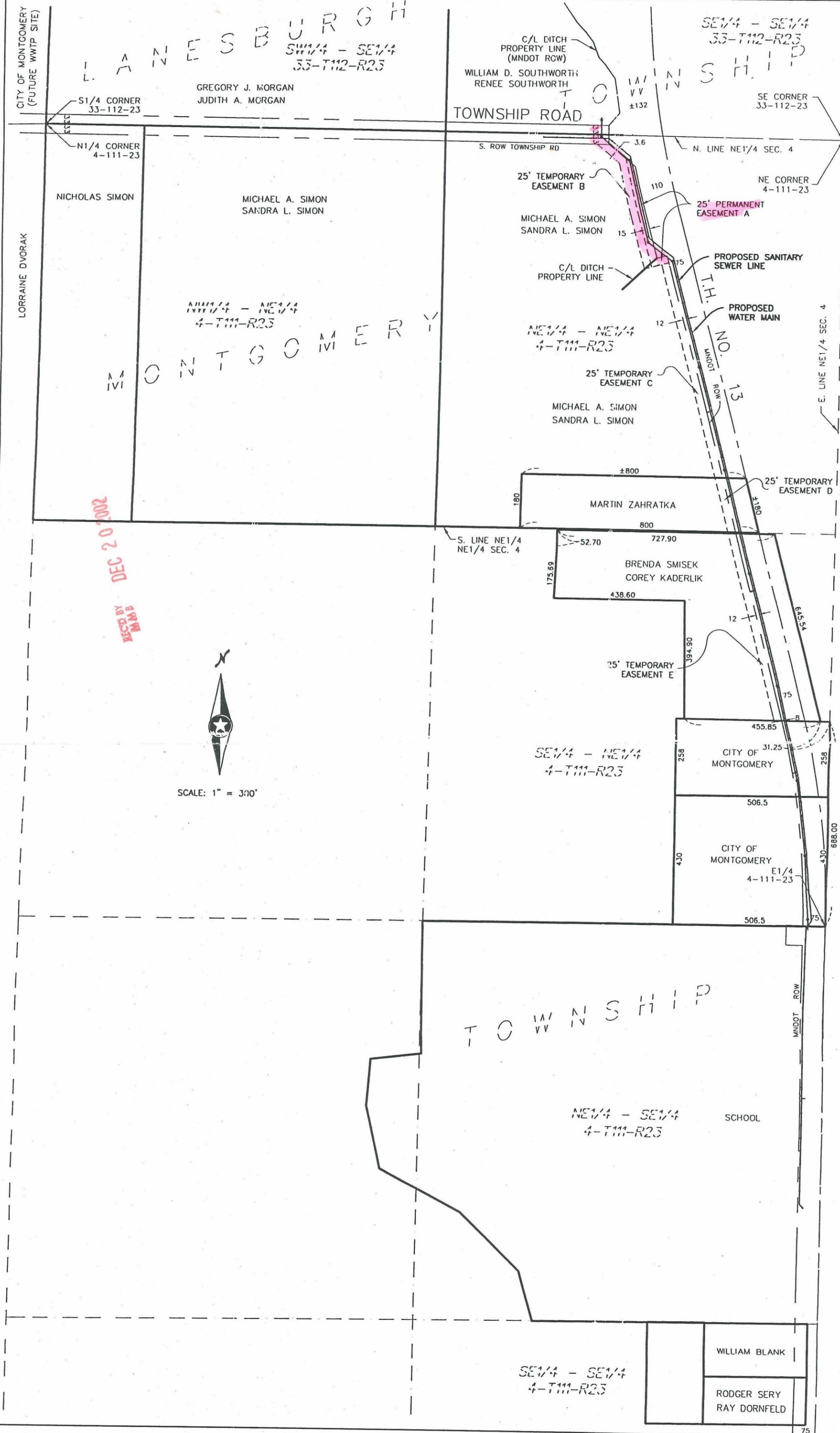
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EXHIBIT A

That part of the Northeast Quarter of the Northeast Quarter of Section 4, Township 111, Range 23, Le Sueur County, Minnesota, lying westerly of the west right-of-way line of Trunk Highway No. 13. Said property being contiguous with and 25.00 feet to the right of the following described line:

Commencing at the northeast corner of said Section 4; thence on an assumed bearing of North 89 degrees 06 minutes 15 seconds West along the north line of said Northeast Quarter of Section 4 a distance of 782.39 feet to said west right-of-way line of Trunk Highway No. 13; 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 a point on the south right-of-way line of a Township road; thence South 50 degrees 02 minutes 58 seconds East along said west right-of-way line of Trunk Highway No. 13 a distance of 116.48 feet to the point of beginning of the line to be described; thence continuing along said west right-of-way line of Trunk Highway No. 13 southeasterly 160.81 feet along a non-tangential curve concave to the northeast having a radius of 2974.79 feet and a central angle of 03 degrees 05 minutes 50 seconds, the chord of said curve bears South 13 degrees 15 minutes 54 seconds East 160.79 feet; thence continuing along said west right-of-way line of Trunk Highway No. 13 South 14 degrees 48 minutes 52 seconds East along tangent 152.49 feet; thence North 75 degrees 11 minutes 08 seconds East along said west right-of-way line of Trunk Highway No. 13 a distance of 35.00 feet, and said line there terminating. The sideline of said easement is prolonged or shortened to terminate on said west right-of-way line of Trunk Highway No. 13.

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split / 09.004.2500



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SCALE: 1" = 300'

PAGE 1	
BOOK 1	FILE NO. 000012222.06
DATE 05/22/02	
PROPERTY OWNERS & PROPOSED EASEMENTS	
CITY OF MONTGOMERY MN	
 PH 800.838.8666 310 MAIN AVE. WEST CATLORD, 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: _____	Lic. No. _____
Printed Name: _____	Date: _____
© SHORT ELLIOTT HENDRICKSON INC. 2002. ANY USE OR REUSE OF THIS PLAN/DRAWING AND THE CORRESPONDING COMPUTER AIDED DESIGN/DRAFTING FILES WITHOUT THE EXPRESS WRITTEN CONSENT OF SEH, IS PROHIBITED. SEH SHALL NOT BE RESPONSIBLE FOR ANY UNAUTHORIZED USE OR REUSE OF THE MATERIALS, OR DAMAGES RESULTING THEREFROM.	
DRAWN BY: T.J.T.	ADDED CITY OF MONTGOMERY PARCELS
CHECKED BY: T.J.L.	1 T.J.T. 06/10/02
SURVEYOR: _____	2 T.J.T. 07/23/02
	ADDED PROPOSED SANITARY SEWER LINE
	REVISIONS
	NO. BY DATE
	1 WILLIAM BLANK
	2 RODGER SERY
	RAY DORNFELD