

JOINT RESOLUTION

CITY OF MONTGOMERY
RESOLUTION NO. 22-2003

REC'D BY
MMB

FEB 18 2003

TOWNSHIP 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 MINNESOTA PLANNING, 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"; and,

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 owner of the property described in Paragraph Two has waived the provisions of M.S.A. 414.0325, Subdivision 1a 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 Minnesota Planning.

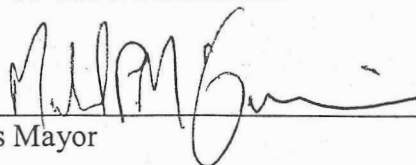
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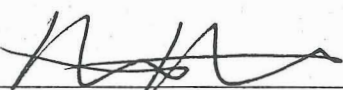
FEB 18 2003

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 Minnesota Planning.
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 2003 will be paid and delivered to the Township. That the real estate taxes due and payable in 2004 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 2004, 60% in 2005, 40% in 2006, 20% in 2007 in accordance with Minnesota Statutes Section 414.036.
9. That connection to the sewer system will be the responsibility of the City and will be conducted in accordance with the ordinances of the City as well as any State or Federal agency laws, rules or regulations.
10. That no abandoned wells are on the Property and no individuals reside on the Property.
11. That the owner of the Property has 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 used as a golf course.

AGREED TO AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MONTGOMERY THIS 10TH DAY OF FEBRUARY, 2003.

CITY OF MONTGOMERY

BY 
Its Mayor

BY 
Its City Administrator

AGREED TO AND APPROVED BY THE TOWN BOARD OF THE TOWNSHIP OF
MONTGOMERY THIS ~~10th~~ ^{6th} DAY OF February, 2003.

TOWNSHIP OF MONTGOMERY

DATED: 2-6-03

BY 
Its Chairman

DATED: 2-6-03

BY 
Its Clerk

**MONTGOMERY GOLF & RECREATION CLUB, INC. aka
MONTGOMERY GOLF AND RECREATION CLUB, INC.
LEGAL DESCRIPTION**

PARCEL NO. 1: The S $\frac{1}{2}$ of the NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 3-111-23, less railroad right-of-way and easements of record, and less the following five tracts of land lying and being in the County of Le Sueur and State of Minnesota, described as follows, to-wit:

TRACT #1: Beginning at the Northeast corner of the NW $\frac{1}{4}$ of Section 3-111-23, and running thence West 10 rods, thence South 16 rods, thence East 10 rods, thence North 16 rods to the place of beginning.

TRACT #2: Beginning at a point 16 rods South of the Northeast corner of the NW $\frac{1}{4}$ of Section 3-111-23, thence South 8 rods, thence West 10 rods, thence North 8 rods, thence East 10 rods to the place of beginning, Le Sueur County, Minnesota.

TRACT #3: Part of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 3-111-23, Le Sueur County, Minnesota, described as follows: Beginning at the Northwest corner of said NE $\frac{1}{4}$ of the NW $\frac{1}{4}$; thence on an assumed bearing of North 89 degrees 51 minutes 56 seconds East along the North line of said NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ 23.00 feet; thence South 00 degrees 22 minutes 17 seconds East 1044.30 feet; thence South 68 degrees 13 minutes 35 seconds West 29.57 feet to the West line of said NE $\frac{1}{4}$ of the NW $\frac{1}{4}$; thence North 00 degrees 07 minutes 32 seconds West along said West line 1055.19 feet to the point of beginning. This tract contains 0.61 acres of land and is subject to any and all easements of record.

TRACT #4: Part of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 3-111-23, Le Sueur County, Minnesota, described as follows: Commencing at the West one quarter corner of said Section No. 3; thence on an assumed bearing of North 00 degrees 15 minutes 04 seconds West along the West line of said NW $\frac{1}{4}$ 952.11 feet to a point on the Easterly line of the M. & St. L. R.R. right-of-way, said point being the point of beginning of the tract to be described; thence continuing North 00 degrees 15 minutes 04 seconds West along said West line of the NW $\frac{1}{4}$ 358.94 feet to the Northwest corner of said SW $\frac{1}{4}$ of the NW $\frac{1}{4}$; thence North 89 degrees 42 minutes 18 seconds East along the North line of said SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ 666.12 feet; thence South 68 degrees 13 minutes 35 seconds West 235.00 feet; thence South 42 degrees 38 minutes 08 seconds West 593.18 feet to said Easterly right-of-way line of the M. & St. L. R.R.; thence North 15 degrees 26 minutes 28 seconds West along said right-of-way 167.22 feet to the point of beginning.

TRACT #5: Beginning at the center of Section 3-111-23, Le Sueur County, Minnesota; thence West on the centerline 837.00 feet to the northeast corner of Lot 5, Block 1, Sunset View Addition to the City of Montgomery; thence North 33 feet; thence East 100 feet; thence North 150 feet; thence East 94 feet, 3 inches; thence northeasterly to a point 94 feet, 3 inches East of the last given point and 207.00 feet North of the centerline of Section 3; thence North 489.50 feet; thence East to the East line of the NW $\frac{1}{4}$; thence South 696.50 feet to the point of beginning. All of said exception being located in the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 3-111-23, Le Sueur County, Minnesota. Said exception contains 9.64 acres, more or less.

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PARCEL NO. 2: Part of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 3-111-23, Le Sueur County, Minnesota, described as follows: Commencing at the Northwest corner of said NE $\frac{1}{4}$ of the NW $\frac{1}{4}$; thence on an assumed bearing of North 89 degrees 51 minutes 56 seconds East along the North line of said NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ 23.00 feet; thence South 00 degrees 22 minutes 17 seconds East 1044.30 feet to the point of beginning; thence South 68 degrees 13 minutes 35 seconds West 29.57 feet to the West line of said NE $\frac{1}{4}$ of the NW $\frac{1}{4}$; thence South 00 degrees 07 minutes 32 seconds East along said West line 260.00 feet to the South line of said NE $\frac{1}{4}$ of the NW $\frac{1}{4}$; thence North 89 degrees 42 minutes 18 seconds East along said South line 40.25 feet; thence North 02 degrees 49 minutes 30 seconds West 271.09 feet to the point of beginning.

PARCEL NO. 3: Part of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 3-111-23, Le Sueur County, Minnesota, described as follows: Commencing at the West one quarter corner of said Section No. 3; thence on an assumed bearing of North 00 degrees 15 minutes 04 seconds West along the West line of said NW $\frac{1}{4}$ 1311.05 feet to the Southwest corner of said NW $\frac{1}{4}$ of the NW $\frac{1}{4}$; thence North 89 degrees 42 minutes 18 seconds East along the South line of said NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ 666.12 feet to the point of beginning of the tract to be described; thence continuing North 89 degrees 42 minutes 18 seconds East along said South line 660.00 feet to the Southeast corner of said NW $\frac{1}{4}$ of the NW $\frac{1}{4}$; thence North 00 degrees 07 minutes 32 seconds West along the East line of said NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ 260.00 feet; thence South 68 degrees 13 minutes 35 seconds West 710.08 feet to the point of beginning, Le Sueur County, Minnesota.

PARCEL NO. 4: The West 500.00 feet of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 3-111-23, Le Sueur County, Minnesota.

PARCEL NO. 5: Part of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 3-111-23, Le Sueur County, Minnesota, described as follows: Commencing at the North one quarter corner of said Section No. 3; thence on an assumed bearing of South 00 degrees 00 minutes 00 seconds West along the West line of said NE $\frac{1}{4}$ 1311.48 feet to the Southwest corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$; thence North 89 degrees 44 minutes 06 seconds East along the South line of said NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ 1320.05 feet to the Southwest corner of said NE $\frac{1}{4}$ of the NE $\frac{1}{4}$, said point being the point of beginning of the tract to be described; thence North 00 degrees 00 minutes 43 seconds East along the West line of said NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ 323.32 feet; thence South 77 degrees 43 minutes 26 seconds East 153.44 feet; thence South 00 degrees 00 minutes 00 seconds West 290.00 feet to the South line of said NE $\frac{1}{4}$ of the NE $\frac{1}{4}$; thence South 89 degrees 44 minutes 06 seconds West along said South line 150.00 feet to the point of beginning, Le Sueur County, Minnesota.

PARCEL NO. 6: Part of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 3-111-23, Le Sueur County, Minnesota, described as follows: Commencing at the North one quarter corner of said Section No. 3; thence on an assumed bearing of South 00 degrees 00 minutes 00 seconds West along the West line of said NE $\frac{1}{4}$ 600.00 feet to the point of beginning of the tract to be described; thence continuing South 00 degrees 00 minutes 00 seconds West along said West line 711.48 feet to the Southwest corner of said NW $\frac{1}{4}$ of the NE $\frac{1}{4}$; thence North 89 degrees 44 minutes 06 seconds East along the South line of said NW $\frac{1}{4}$ of the

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NE $\frac{1}{4}$ 1320.05 feet to the Southeast corner of said NW $\frac{1}{4}$ of the NE $\frac{1}{4}$; thence North 00 degrees 00 minutes 43 seconds East along the East line of said NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ 323.32 feet; thence North 77 degrees 43 minutes 26 seconds West 675.53 feet; thence North 70 degrees 08 minutes 15 seconds West 701.74 feet to the point of beginning, Le Sueur County, Minnesota.

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MAP OF



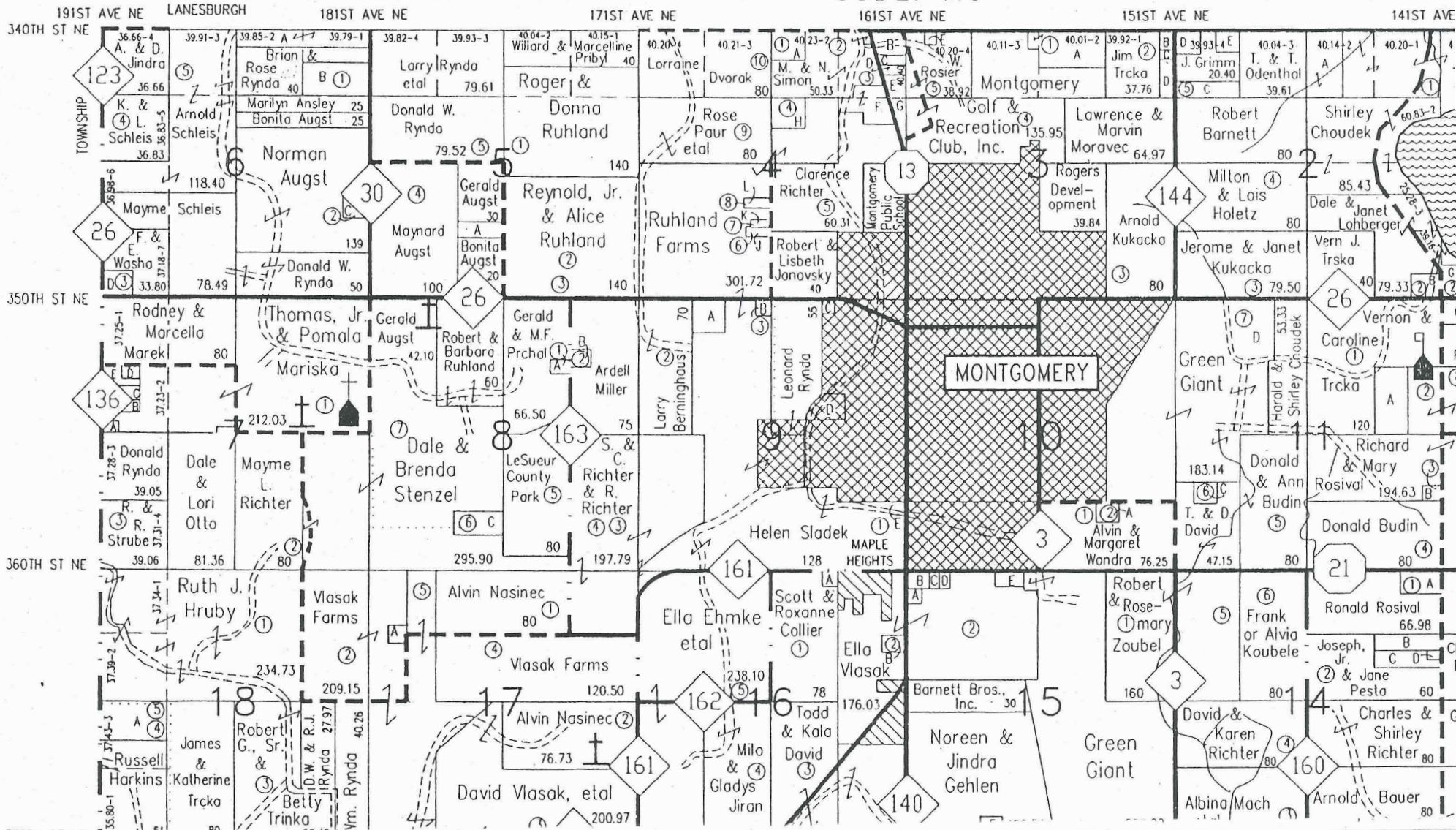
MONTGOMERY

TOWNSHIP: 111 N

MIDLAND ATLAS CO. INC. COPYRIGHT 1999

RANGE: 23

CODE: MO



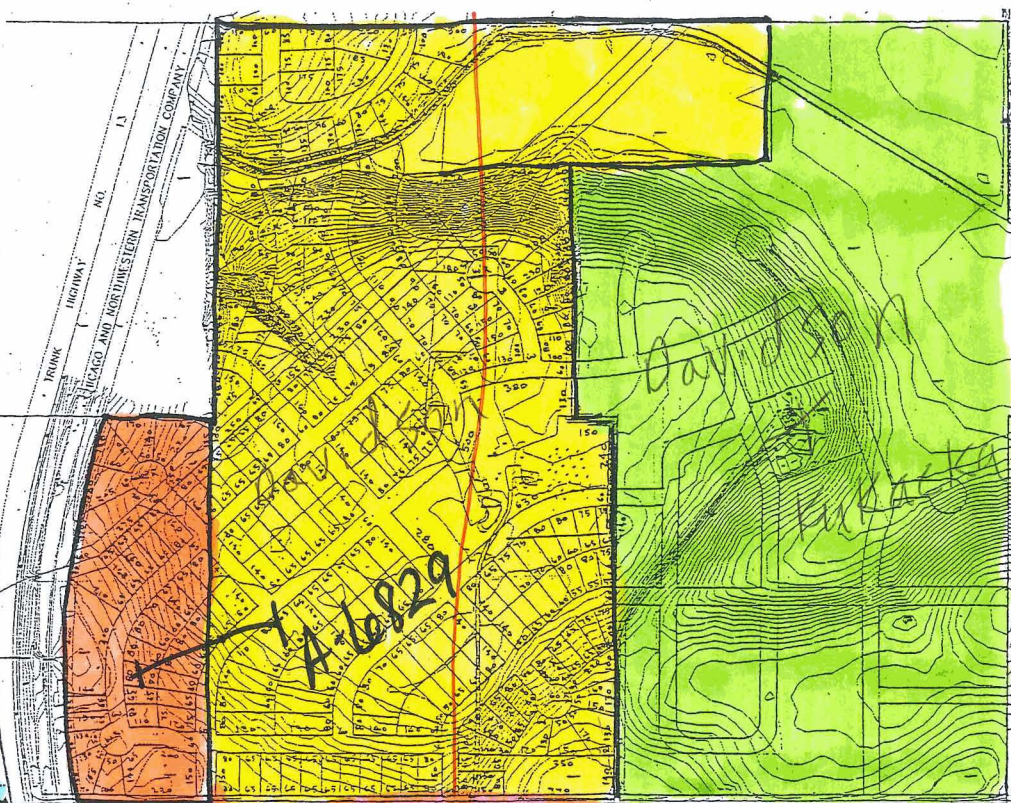
Lanesburgh

LIFT STATION

CR 142

Montgomery

Red from
PUS 104



→ kukucka 7 acres

SCALE: 1" = 300'

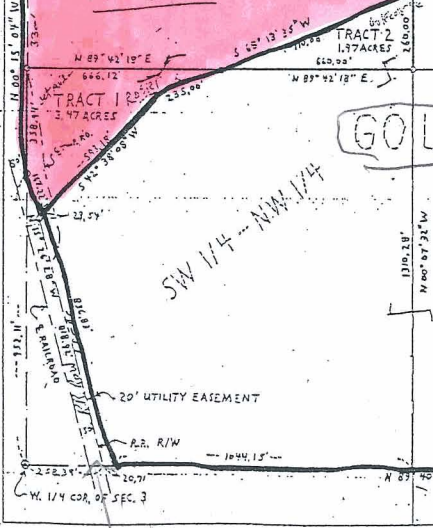
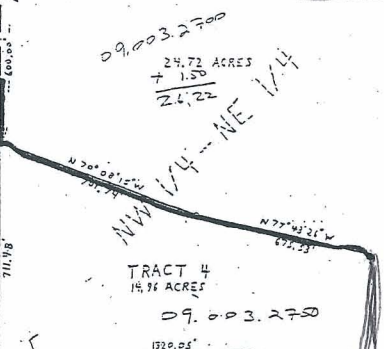
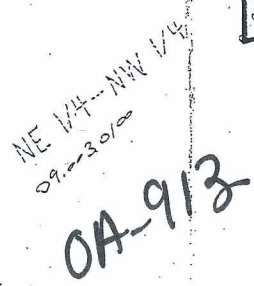
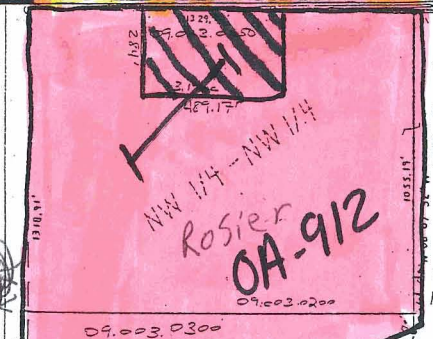
- Rosier Annexation ^{by ordinance}
- Davidson Annexation
- Potential Annexation
- Rosier Montgomery Twp.
- City Jurisdiction
- Marauck

NEW CONCEPT #2
1/8/03

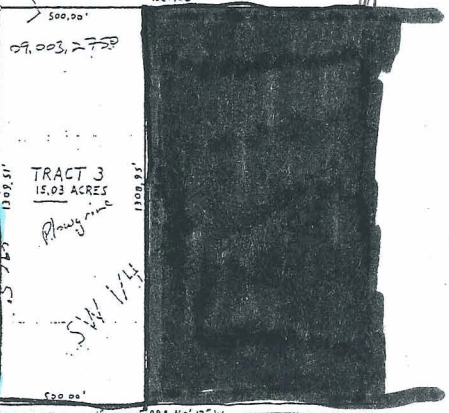
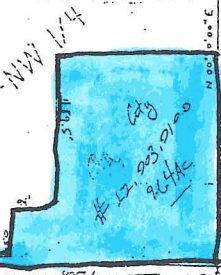
Lanesburgh Twnshp

CR 142

montgomery twnsHP



GOLF COURSE



WT 1/4 COR. OF SEC. 3 CENT. OF SEC. 3