

**A RESOLUTION ANNEXING PROPERTY (THOMAS & MARY HEENAN)
FROM THE TOWN OF HASSAN INTO THE CITY OF ROGERS
(MBA DOCKET OA-992)**

WHEREAS, the City of Rogers ("City") and the Town of Hassan ("Hassan"), have entered into an orderly annexation agreement entitled, "Agreement between the Town of Hassan and the City of Rogers for Growth Management, Orderly Annexation and the Exercise of Joint Powers for the Extension of Municipal Services and Transportation Improvements" identified as MBA Docket No. OA-992; and

WHEREAS, said Agreement constitutes a "Joint Resolution" between the City and the Town authorized by Minn. Statutes §414.0325; and

WHEREAS, said Agreement designates the land shown on the attached map and legally described in Exhibit A as Phase II property and which may be annexed only in a contiguous manner to the City during the period of January 1, 2004 and August 15, 2010 (said described land is so contiguous) and provides for annexation of said land; and

WHEREAS, pursuant to said Annexation Agreement between the City and the Township (Docket No. OA-992), the City of Rogers states:

1. That the following described property in Hassan Township is subject to annexation pursuant to Minnesota State Statutes 414.0325 and the said "Joint Resolution" and hereby requests annexation of the following described properties to wit:

SEE ATTACHED EXHIBIT A

2. That the annexation as contemplated herein pursuant to subparagraph 4.02(c) of the Joint Resolution has been triggered by all the landowner(s) filing a petition with the City for annexation and connection with the City municipal sewer and water services and the City filing this Resolution with the Department of Administration and Municipal Boundary Adjustments following receipt of such Petition.
3. Said Joint Resolution provides that the City may execute a resolution for annexation of property and file the same with the Department of Administration, Municipal Boundary Adjustments, or its successors upon the occurrence of any event triggering annexation as provided in said Joint Resolution.

4. Upon receipt of this Resolution from the City providing for annexation of a designated area and a copy of the initial Joint Resolution, the Department of Administration and Municipal Boundary Adjustments pursuant to Minnesota Statutes 414.0235, may review and comment, but shall, within 30 days of receipt of this Resolution order the annexation of the area designated therein in accordance with the terms and conditions of the Joint Resolution.
5. The City acknowledges that after annexation of any portion of Phase II, pursuant to the terms of the Joint Resolution, the City shall provide municipal governmental services to such area, and the parcels therein shall then be required to connect to municipal sewer and water services as directed by the City from time to time.
6. Pursuant to paragraph 5.01 of the Joint Resolution, the City of Rogers' portion of the property taxes for these properties is phased over a five year period.

NOW, THEREFORE, be it resolved by the City Council of the City of Rogers, that:

- A. The recitals set forth above are incorporated herein.
- B. The City of Rogers has approved the proposed annexation of the aforementioned property of Hassan Township in the City of Rogers.
- C. The staff is hereby directed to forward this Resolution to Minnesota Municipal Boundary Adjustments for review and comment.

Moved by Councilmember Grimm, seconded by Councilmember Adams

The following voted on favor of said Resolution: Adams, Grimm, Jakel, Stanley

The following voted against the same: None

Whereupon said Resolution was declared carried.
Dated this 24th day of May, 2005.


Mayor

ATTEST:


City Clerk

(SEAL)

EXHIBIT ALEGAL DESCRIPTION

Part of Title Commitment No. 1272
Part of Heenan Parcel
P.I.D. No. 21-120-23-13-0003

That part of Government Lot 2, Section 21, Township 120, Range 23, Hennepin County, Minnesota, described as follows: Commencing at the southwest corner of said Government Lot 2; thence South 89 degrees 48 minutes 24 seconds East, assumed bearing, along the south line of said Government Lot 2, a distance of 438.00 feet to the point of beginning; thence North 0 degrees 13 minutes 06 seconds East, parallel with the west line of said Government Lot 2, a distance of 874.50 feet; thence South 89 degrees 48 minutes 24 seconds East, a distance of 57.00 feet; thence North 0 degrees 13 minutes 06 seconds East, a distance of 891 feet, more or less, to the shoreline of Cowley Lake; thence northeasterly along said shoreline, a distance of 1043 feet, more or less, to the east line of said Government Lot 2; thence South 0 degrees 20 minutes 20 seconds West along said east line, a distance of 698 feet, more or less, to a point which is 1604.32 feet north of the southeast corner of said Government Lot 2, as measured along said east line; thence North 89 degrees 39 minutes 40 seconds West, a distance of 154.63 feet; thence South 22 degrees 32 minutes 57 seconds West, a distance of 930.19 feet; thence South 0 degrees 13 minutes 06 seconds West, a distance of 744.43 feet to the south line of said Government Lot 2; thence North 89 degrees 48 minutes 24 seconds West along said south line, a distance of 387.00 feet to the point of beginning.

and

That part of Government Lot 2, Section 21, Township 120, Range 23, Hennepin County, Minnesota, described as follows: Commencing at the southeast corner of said Government Lot 2; thence North 0 degrees 20 minutes 20 seconds East, assumed bearing, along the east line of said Government Lot 2, a distance of 1604.32 feet; thence North 89 degrees 39 minutes 40 seconds West, a distance of 154.63 feet; thence South 22 degrees 32 minutes 57 seconds West, a distance of 930.19 feet; thence South 0 degrees 13 minutes 06 seconds West, a distance of 744.43 feet to the south line of said Government Lot 2; thence South 89 degrees 48 minutes 24 seconds East along said south line, a distance of 504.68 feet to the point of beginning.

and

That part of the north 75.00 feet of the west 75.00 feet of the Northeast Quarter of the Southeast Quarter of Section 21, Township 120, Range 23, Hennepin County, Minnesota lying north of the centerline of 129th Avenue North.

and

The south 33.00 feet of the west 33.00 feet of the Southeast Quarter of the Northeast Quarter of Section 21, Township 120, Range 23, Hennepin County, Minnesota.

REC'D BY
MMA

JUN 16 2005

