

RECEIVED

By: OAH on September 8, 2023

**AMENDED
RESOLUTION 23-08
TO CORRECT LEGAL DESCRIPTION
A RESOLUTION TO ANNEX CERTAIN LANDS INTO THE CITY OF BLUE EARTH
FROM BLUE EARTH CITY TOWNSHIP PURSUANT TO THE ORDERLY
ANNEXATION AGREEMENT DATED DECEMBER 29, 1976**

WHEREAS, the City of Blue Earth and Blue Earth City Township have adopted a Joint Resolution for Orderly Annexation dated December 29, 1976, designating certain lands in said Township for future orderly annexation by said City; and

WHEREAS the City of Blue Earth now desires to annex into the City the following described real property:

All of that part of the South Half of Section Six (6), Township One Hundred Two (102) North, Range Twenty-Seven (27) West, Faribault County, Minnesota, lying East of the Blue Earth River;

AND

All of that portion of the Southwest Quarter of Section Five (5), Township One Hundred Two (102) North, Range Twenty-Seven (27) West, Faribault County, Minnesota, now lying outside of the Corporate limits of the City of Blue Earth;

AND

All that portion of the North Half of Section Seven (7), Township One Hundred Two (102) North, Range Twenty-Seven (27) West, Faribault County, Minnesota, now lying North and East of the Blue Earth River;

AND

All that part of the Northwest Quarter of Section Eight (8), Township One Hundred Two (102) North, Range Twenty-Seven (27) West, Faribault County, Minnesota, lying East of the Blue Earth River and now lying outside of the Corporate limits of the City of Blue Earth.

WHEREAS, the parcels located within the legal description above herein are also within the Land areas designated for orderly annexation in the agreement of December 29, 1976, between said township and said City, a copy of which is attached hereto as Exhibit "A"; and

WHEREAS, the City of Blue Earth, by vote of its City Council, now desires to annex into the City the real property legally described above herein; and

WHEREAS, the City Council of the City of Blue Earth hereby finds that the real property legally described above herein is now or is about to become urban or suburban in character and that the City of Blue Earth has available and is capable of providing municipal services such as water, sanitary sewer and storm sewer to said described property at this time.

NOW THEREFORE, the City Council of the City of Blue Earth does hereby resolve: That the following described real property is hereby annexed into the City of Blue Earth:

All of that part of the South Half of Section Six (6), Township One Hundred Two (102) North, Range Twenty-Seven (27) West, Faribault County, Minnesota, lying East of the Blue Earth River;

AND

All of that portion of the Southwest Quarter of Section Five (5), Township One Hundred Two (102) North, Range Twenty-Seven (27) West, Faribault County, Minnesota, now lying outside of the Corporate limits of the City of Blue Earth;

AND

All that portion of the North Half of Section Seven (7), Township One Hundred Two (102) North, Range Twenty-Seven (27) West, Faribault County, Minnesota, now lying North and East of the Blue Earth River;


AND

All that part of the Northwest Quarter of Section Eight (8), Township One Hundred Two (102) North, Range Twenty-Seven (27) West, Faribault County, Minnesota, lying East of the Blue Earth River and now lying outside of the Corporate limits of the City of Blue Earth.

1. That a five-year progressive phasing implementation of the City property tax rate shall be implemented for all parcels located within the real property hereby annexed into the City of Blue Earth with no increase being more than 20% of the rate increase between the City and Township rate per year. Said implementation of the phasing in of the City tax rates shall begin in the 2024 tax year.
2. That any parcels within the designated annexation real property herein that are agricultural land shall retain such agricultural classification until the use thereof becomes urban or suburban in nature and such agricultural portion of the tax revenues produced by said agricultural lands received by the City of Blue Earth shall be repaid to Blue Earth City Township.

Passed and adopted by the City Council of the City of Blue Earth on this 5th day of September, 2023.

ATTEST:



Mary Kennedy
City Administrator



Richard Scholtes
Mayor

Seal

EXHIBIT "A"

COPY

JAN 24 1977

JOINT RESOLUTION FOR ORDERLY ANNEXATION

WHEREAS, the Township of Blue Earth City and the City of Blue Earth have heretofore discussed a procedure for orderly annexation of certain areas lying adjacent to the corporate limits of City of Blue Earth which may in the future become suitable to urban use; and,

WHEREAS, it is the mutual desire of both parties hereto that such annexations be accomplished when and if feasible and necessary in an orderly manner and with proper notice to all parties concerned.

NOW THEREFORE,

I.

BE IT RESOLVED, by the Township of Blue Earth City and the City of Blue Earth, Minnesota, as follows:

A. That the following described area in Blue Earth Township is properly subject to orderly annexation under and pursuant to Minnesota Statutes 414.032 and acts amendatory and supplementary thereto, to wit:

The South half of Sections Five (5) and Six (6), and all those portions of Sections Seven (7) and Eight (8) of the North half of Section Twenty (20), the Northeast Quarter of Section Nineteen (19) and the East half of Section Eighteen (18); now outside of the corporate limits of the City of Blue Earth all in Township One Hundred Two (102) Range Twenty-seven (27) West of the Fifth Principle Meridian, Faribault County, Minnesota.

B. That the Township of Blue Earth City does by the passage of this resolution and its adoption by the Council of the City of Blue Earth confer jurisdiction upon the Minnesota Municipal Commissions so far as necessary to accomplish said orderly annexation in accordance with the terms of this resolution.

C. No annexations will take place anywhere within the area designated as a need of orderly annexation unless the area

involved is or is about to become urban or suburban in character and unless the City has available and is capable of providing municipal services such as water, sewer, sanitary sewers, and storm sewers.

D. It is further agreed that the annexation may be accomplished in a manner so that the property owners in the area annexed should have a progressively increasing mill rate, if necessary, to equalize the mill rate between the township and the city at a rate not in excess of 20% per year. The land owners would have a full five year period before they would be taxed at the full city rate if such disparity exists.

E. Any lands annexed to the City under the Orderly Annexation Agreement which are classified as agricultural land should retain such classification and such portion of the tax revenues as is produced by taxation upon land used solely for agricultural purposes should be repaid to the Township from that portion of taxes received by the city.

F. There will be no apportionment of taxes for the year in which annexation takes place.

BE IT FURTHER RESOLVED, That this joint resolution shall be effective upon adoption by both the Township of Blue Earth City and the City of Blue Earth.

Passed and adopted by the Township of Blue Earth City this 29 day of December 1976.

Attest

Harold D. Robinson Jr.
Township Clerk

Township of Blue Earth City

By Quentin Strack
Its Chairman

Passed and adopted by the City of Blue Earth this 21st day of December, 1976

Attest

Fred J. Kraft
City Clerk

City of Blue Earth

By Edward Leand
Its Mayor

STATE OF MINNESOTA
COUNTY OF FARIBAULT SS
TOWNSHIP OF BLUE EARTH

The undersigned, clerk of the Township of Blue Earth, certifies that he is the custodian of the records of said Town and that the above is a true and correct copy of a joint resolution adopted by the Board of Supervisors of said Township on this 29 day of December 1976.

Harold O. Oghurskog
Clerk

STATE OF MINNESOTA
COUNTY OF FARIBAULT SS
CITY OF BLUE EARTH

The undersigned, clerk of the City of Blue Earth, states that he is the custodian of the records of said city and that the above is a true and correct copy of a joint resolution adopted by the Council of said city on this 21st day of December, 1976.

Fred J. Kraft
Clerk