

BEFORE THE MUNICIPAL BOARD
OF THE STATE OF MINNESOTA

Kenneth F. Sette	Chairman
Richard A. Sand	Vice Chairman
Shirley J. Mihelich	Commissioner

IN THE MATTER OF THE JOINT)	
RESOLUTION BETWEEN THE CITY OF)	
MONTICELLO AND THE TOWN OF)	<u>AMENDED</u>
MONTICELLO FOR THE ORDERLY)	<u>FINDINGS OF FACT</u>
ANNEXATION OF CERTAIN LAND TO)	<u>CONCLUSIONS OF LAW</u>
THE CITY OF MONTICELLO)	<u>AND ORDER</u>

WHEREAS, the City of Monticello and the Town of Monticello signed a joint agreement for orderly annexation on June 4, 1974; and

WHEREAS, the Minnesota Municipal Board issued an order dated September 19, 1974: annexing certain property to the City of Monticello; making provision for an annual payment from the City to the Town; and retaining jurisdiction for the purpose of readjusting assets and obligations in the event of unforeseen and extraordinary circumstances; and

WHEREAS, the City of Monticello and the Town of Monticello have signed a Stipulation dated October 15, 1985, requesting the Municipal Board to Amend said Municipal Board Order, a copy of which is attached hereto;

IT IS HEREBY ORDERED: that the Municipal Board Order dated September 19, 1974, be amended by deleting the

portion thereof which specifies the formula for determining the annual payments to be made by the City to the Town from the proceeds of its ad valorem tax and substituting therefor the payment schedule agreed to in the Stipulation dated October 15, 1985 - to wit:

I.

The City Shall pay the Town the sum of \$36,000.00, representing the Town's fair and equitable share of 1984 gross ad valorem taxes collected by the City.

II.

The City shall pay to the Town the additional sum of \$36,000.00, representing the Town's fair and equitable share of the 1985 gross ad valorem taxes collected by the City.

III.

The said two sums, totalling \$72,000.00, shall be paid as soon as may be reasonably accomplished, but in any event no later than the 15th day of November, 1985.

IV.

Beginning with the calendar year 1986 the City shall annually pay to the Town the sum of \$27, 500.00. The said annual payment of \$27,500.00 shall continue to be paid through the year 1995.

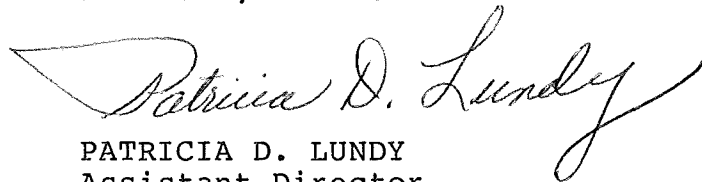
The said sum shall be paid by the City to the Town as soon as may be reasonably done each year after the City receives payment for its ad valorem taxes, and in no event later than thirty (30) days after such receipt by the City.

IT IS FURTHER ORDERED: that the Town expend the amounts received hereunder to defray expenses in the operation of the Monticello Orderly Annexation Area, as contemplated by the aforesaid Stipulation.

IT IS FURTHER ORDERED: that the effective date of this order is

Dated this 20th day of December, 1985.

MINNESOTA MUNICIPAL BOARD
165 Metro Square Building
St. Paul, MN 55101



PATRICIA D. LUNDY
Assistant Director

City of Monticello
Town of Monticello

BEFORE THE MUNICIPAL BOARD
OF THE STATE OF MINNESOTA

IN THE MATTER OF THE RESOLUTION FOR)
THE ORDERLY ANNEXATION OF CERTAIN)
LAND TO THE CITY OF MONTICELLO)

Stipulation to Amend Findings
of Fact, Conclusions of Law
and Order for Judgment dated
September 19, 1974

THIS STIPULATION made and entered into this 15th day of October, 1985,
between the CITY OF MONTICELLO, State of Minnesota, a municipal corporation,
herein referred to as City, and the TOWN OF MONTICELLO, a body corporate and
politic of the County of Wright and State of Minnesota, herein referred to as
Town.

RECITALS

WHEREAS, the City and the Town, through their respective city council and
town board, after full consideration and deliberation, in a spirit of
cooperative effort in the governmental operation of the Monticello Orderly
Annexation Area, are desirous of entering into a mutually satisfactory
stipulation in writing, documenting a fair and equitable division of the
expenditures of the Town of Monticello in the Orderly Annexation Area and the
gross ad valorem taxes collected annually by the City of Monticello; and

WHEREAS, pursuant to an order of the Minnesota Municipal Board dated and
entered the 19th day of September, 1974; and

WHEREAS, pursuant to the Monticello Orderly Annexation Area agreement entered
into by the City of Monticello and the Town of Monticello on January 1, 1976;
and

WHEREAS, the above-mentioned order dated September 19, 1974, calls for an
annual payment from the City to the Town based on a formula that is no longer

appropriate due to changes in the intergovernmental transfers (Federal Revenue Sharing and Per Capita Aids); and

WHEREAS, various expenses have been made and will continue to be made in the operation of the said Monticello Orderly Annexation Area;

NOW THEREFORE, IT IS STIPULATED AND AGREED AS FOLLOWS:

1. The City Shall pay the Town the sum of \$36,000.00, representing the Town's fair and equitable share of 1984 gross ad valorem taxes collected by the City.

2. The City shall pay to the Town the additional sum of \$36,000.00, representing the Town's fair and equitable share of the 1985 gross ad valorem taxes collected by the City.

3. The said two sums, totalling \$72,000.00, shall be paid as soon as may be reasonably accomplished, but in any event no later than the 15th day of November, 1985.


4. Beginning with the calendar year 1986 the City shall annually pay to the Town the sum of \$27,500.00. The said annual payment of \$27,500.00 shall continue to be paid through the year 1995.

The said sum shall be paid by the City to the Town as soon as may be reasonably done each year after the City receives payment for its ad valorem taxes, and in no event later than thirty (30) days after such receipt by the City.

5. The City and the Town recognize the continuing jurisdiction of the Minnesota Municipal Board for the purpose of adjusting the apportionment of assets and obligations herein, pursuant to the said Order dated the 19th day of September, 1974.


6. The parties hereto shall do and perform their respective obligations under this agreement at all times and in such manner so as not to delay or interfere with the intent of this agreement.

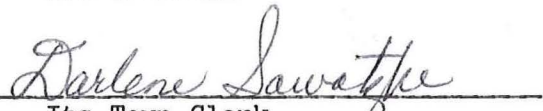
CITY OF MONTICELLO, STATE OF MINNESOTA

By 
Its Mayor

and 
Its City Clerk

TOWN OF MONTICELLO, STATE OF MINNESOTA

By 
Its Chairman

and 
Its Town Clerk

APPROVED BY:

MINNESOTA MUNICIPAL COMMISSION

By _____

Its _____