

Rec'd: 5/9/77

JOINT ANNEXATION RESOLUTION;
BRainerd-Crow Wing Township

WHEREAS, the Municipal Commission of the State of Minnesota presently has before it for hearing and consideration the matter of annexing certain portions of Crow Wing Township to the City of Brainerd (Docket Nos. A-2991 and A-3122); and,

WHEREAS, the Township of Crow Wing and the City of Brainerd are parties to the said hearings; and,

WHEREAS, there is a basis for agreement between the parties to this action upon which the matters presently before the Minnesota Municipal Commission be settled, and the governmental parties hereto desire to set forth such terms of settlement by means of this resolution,

NOW, THEREFORE, BE IT RESOLVED by the Township of Crow Wing and the City of Brainerd, as follows:

1. That the Township of Crow Wing does upon passage of this resolution and its adoption by the Council of the City of Brainerd, withdraw its opposition to the pending annexation hearings (Municipal Commission Docket Numbers A-2991 and A-3122) and joins with the city in requesting that the Municipal Commission issue an order annexing certain properties to the City of Brainerd.
2. That, in addition to the properties involved in the present annexation proceedings, the Township of Crow Wing does hereby agree to permit the City of Brainerd to annex additional properties. The legal description for all of the properties to be annexed by the City of Brainerd pursuant to this Resolution are as follows:

All of the NE $\frac{1}{4}$ and SE $\frac{1}{4}$, of Section 1, Township 44, Range 31, lying Northerly and Westerly of the Easterly and/or Southerly right-of-way for T.R. No. 371 except the part of said NE $\frac{1}{4}$ lying Westerly of the Westerly right-of-way for said highway which lies South of the North 520 feet thereof and which lies East of the West five (5) acres of said NE $\frac{1}{4}$, and,

All that part of the South 335 feet of the SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of Section 36, Township 45, Range 31, which lies Westerly of the Easterly right-of-way for the Burlington Northern Railroad right-of-way and which lies Easterly of the Westerly right-of-way line for the T. E. No. 371, Crow Wing County, Minnesota.

3. The Municipal Commission may issue an order immediately annexing the above described realty to the City of Brainerd with the exception of the following described property:

That part of the South 284 feet of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 36, Township 45 North, Range 31 West of the Fourth Principal Meridian in Crow Wing County, Minnesota, described as follows: Commencing at the SW corner of Erickson Addition to the City of Brainerd according to the plat thereof on file in the office of the County Recorder for said county, said point being at the intersection of the South line of Wright Street and the Easterly right-of-way line for State Highway Number 371; thence South 0 degrees 01 minute 11 seconds West, assumed bearing, 1743.11 feet along said highway right-of-way line, and said right-of-way line extended to the North line of said "South 284 feet"; thence East 200 feet along said North line to the point of beginning; thence South 0 degrees 01 minute 11 seconds West 284 feet to the South line of said Section 36; thence East along said South line to the Westerly right-of-way line for the Burlington Northern Railroad; thence Northerly along said railroad right-of-way line to a point 649 feet East of the point of beginning; thence West 395 feet, more or less, to the point of beginning, subject to the right-of-way for the county highway across the Southerly portion of said tract.

As to the realty described in the exception, the City of Brainerd is authorized to annex said realty by ordinance without notice to the Township of Crow Wing one year from the date of this Resolution.

4. In consideration of the foregoing, the City of Brainerd agrees to pay to the Township of Crow Wing the ad valorem taxes levied on the annexed property payable in 1978, an amount equal to the total taxes levied by the township on such property in 1976, payable in 1977. Said payments shall be made for a period of five years -- 100 percent in 1978; 80 percent in 1979, 60 percent in 1980, 40 percent in 1981 and 20 percent in 1982. The city agrees to make such payments within thirty days of receipt of the taxes attributable to the annexed property on a quarterly basis.

5. As to the property described in Paragraph 3, the City of Brainerd agrees to pay to the Township of Crow Wing the ad valorem taxes levied on said property payable in 1979, 80 percent of the total taxes levied by the Township on such property in 1976, payable in 1977. Said payments shall be made for a period of four years, that is - - 80 percent in 1979, 60 percent in 1980, 40 percent in 1981 and 20 percent in 1982. The City agrees to make such payments within 30 days of receipt of the taxes attributable to the said property on a quarterly basis of each stated year.
6. That the ad valorem taxes levied by the Township in 1976, payable in 1977, are the property of and shall be paid to the Township of Crow Wing.
7. That the City of Brainerd will incur increased costs for services to the annexed areas and, therefore, it is agreed between the parties hereto that the Minnesota Municipal Commission may include in its Order for Annexation, without further hearing, an increase of the leviable amount by the City of Brainerd over and above its present levy limitations for five years in amounts as follows:

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|------|-----|-------------|
| 1978 | --- | \$ 425.00 |
| 1979 | --- | \$ 1,775.00 |
| 1980 | --- | \$ 1,875.00 |
| 1981 | --- | \$ 2,000.00 |
| 1982 | --- | \$ 2,100.00 |

8. It is further agreed that future petitions for annexation shall be held in abeyance pending the completion of a study of growth trends in the Township of Crow Wing and adjacent townships by the Region 5 Development Commission. This limitation, however, shall not exceed a period of one year from the date of this Resolution.

CITY OF BRAINERD

Passed and adopted by the City of Brainerd this 2nd day of May, 1977.

By: C. ELMER ANDERSON
Mayor

Attest: RICHARD M. JOHNSON
City Clerk

TOWNSHIP OF CROW WING

Passed and adopted by the Township of Crow Wing this 2nd day of May, 1977.

By: _____
Its Chairman

Attest: _____
Township Clerk