

COUNCIL CHAMBERS

REC'D BY OCT 08 1993
MMR

Resolution No. 93167

City of Virginia, Minnesota September 14, 1993

Resolution Accepting Consolidation Proposal of the City of Franklin

Resolved by the city council of the City of Virginia, that

That the City of Virginia acknowledges the receipt of a Resolution passed by the City of Franklin dated September 2, 1993, a copy of which is attached hereto as Exhibit "A", and agrees to pursue consolidation of the two cities pursuant to Minnesota Statutes Chapter 414;

That, as additional conditions to the consolidation, the City of Virginia requests that all duly elected officials and administrative officers of the City of Virginia shall remain as the officials of the consolidated cities and any change in these officials shall be made in accordance with the Charter of the City of Virginia;

That, if the consolidation is not completed by the time the City of Virginia purchases the property in the City of Franklin from U.S.X. Corporation, the City of Virginia agrees to continue to lease the property until the consolidation is completed;

That, upon completion of the consolidation, the City of Virginia agrees to provide marketable title to the homeowners/property owners of the City of Franklin;

That the City of Virginia reserves the right to impose additional conditions and contingencies upon the consolidation process as the process proceeds in order that the legal rights and interests of the City of Franklin and the City of Virginia be protected.

Moved by Councillor Gentilini supported by Councillor Henderson

that the above resolution be adopted

Ayes: Councillor Gentilini, Teasck, Baribeau, Henderson, Hoff, Anderson,
President Lucarelli - 7

Nays: Councillor None

Adopted September 14, 1993

Approved September 20, 1993

RESOLUTION
CITY OF FRANKLIN

AT THE regular meeting of the City Council of the City of Franklin held on September 2, 1993, the following resolution was duly passed:

RESOLVED by the City Council of the City of Franklin that the City of Franklin approves the consolidation of the City of Franklin with the City of Virginia and further approves the commencement of the necessary proceedings pursuant to Minnesota Statutes Chapter 414 to accomplish said consolidation subject to agreement or in compliance with the following specific conditions:

A. That upon consolidation no liquor licenses will be issued for premises within the area of the City of Franklin.

B. That appropriate ordinances and regulations shall be enacted to protect the quiet enjoyment of the residential area of the City of Franklin including restriction upon heavy industry and commercial and industrial traffic within the City of Franklin.

C. That sufficient zoning and other regulations be enacted to assure sufficient buffer zone between any industrial or commercial zoned area and the existing residential area of the City of Franklin in order to maintain its residential character and the quiet enjoyment thereof by the residents of the City of Franklin.

D. That this resolution for consolidation is expressly contingent upon the current property owners resident within the City of Franklin receiving clear and marketable fee simple title to their existing leasehold properties for the consideration of One Dollar (\$1.00) each and that all parcels conveyed to the existing property owners within the City of Franklin be properly surveyed and platted pursuant to city and St. Louis County platting requirements and that each owner within the City of Franklin receive an Abstract of Title or, in the event that the property is registered under the torrens system, a Certificate of Title and Registered Property Abstract to document clear and marketable title in said owners and residents of the City of Franklin. The City of Virginia shall be responsible for all legal costs and expenses incurred in connection with the consolidation proceeding.

E. That the existing government of the City of Franklin be dissolved with the City of Virginia bearing all legal and financial responsibility for dissolution or other termination of the governing authority within the City of Franklin and that the existing city council of the City of Franklin shall thereupon have no further responsibility or authority in the governance of the area consolidated with the City of Virginia.

F. The City of Virginia shall take possession of all historical records and documents of the City of Franklin and shall assume responsibility therefor and shall maintain the same in accordance with applicable laws and regulations.

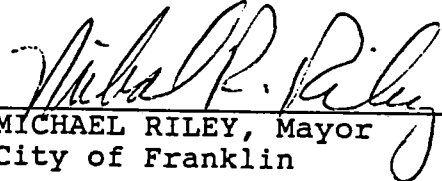
G. That the City of Franklin shall be entitled to honor all contracts for public improvements and development projects

within the City of Franklin entered into or contracted for prior to the effective date of consolidation and that necessary funds shall be segregated in order to pay for all such contracted for improvements in addition to any other funds determined by the City of Franklin as being necessary to carry out the contracts and legal obligations of the City of Franklin prior to the effective date of consolidation:


H. That the City of Franklin reserves the right to impose additional conditions and contingencies upon the consolidation process as the process proceeds in order that the legal rights and interests of the City of Franklin be protected in the consolidation process.

THE ABOVE RESOLUTION moved by Councilor Spolarich, seconded by Councilor Lustig and voted upon as follows:

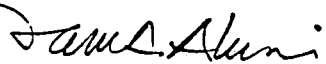
Spolarich	- Aye	Lustig	- Aye
Clerk Rathe	- Aye	Mayor Riley	- Aye
Cuoco	- Absent		


MICHAEL RILEY, Mayor
City of Franklin

Attest:


HARLAN RATHE, Clerk
City of Franklin

Approved:


SAM A. ALUNI, City Attorney
City of Franklin
TRENTI LAW FIRM
1000 Lincoln Building
P.O. Box 958
Virginia, MN 55792
(218) 749-1962

REC'D BY
MAR DEC 10 1993

ADDENDUM TO RESOLUTION FOR
CONSOLIDATION BETWEEN THE CITY OF
VIRGINIA AND THE CITY OF FRANKLIN

1. Name of the Municipalities: City of Virginia and City of Franklin. The name of the City is to be the City of Virginia.
2. Description of Boundaries: See Exhibit "A" attached hereto and made a part hereof by reference.
3. Reasons for Requesting the Consolidation: Both municipalities believe it is in the best interests of themselves and the citizens of the communities that they become one community. The City of Virginia and the City of Franklin abut one another. The City of Virginia provides services to the City of Franklin and the citizens of the City of Franklin do most of their shopping and other service needs in the City of Virginia. Because of the above factors both communities agree that a consolidation would be in the long-term best interests of both communities.
4. The names of all persons entitled to mailed notice:

City of Virginia

Elder E. Metsa, Mayor
P. O. Box 5
Virginia, Minnesota 55792

City Council -

Stan Anderson
1002 South 11th Avenue
Virginia, Minnesota 55792

Charles Baribeau
29 Telegraph Drive
Virginia, Minnesota 55792

Robert Henderson
5 Knob Hill Drive
Virginia, Minnesota 55792

Edwin Hoff
401 1/2 North 14th Street
Virginia, Minnesota 55792

Rocci Lucarelli
807 North 10th Street
Virginia, Minnesota 55792

Thomas Teasck
731 North 14th Street
Virginia, Minnesota 55792

Carolyn Gentilini
105 1/2 Fifth Street South
Virginia, Minnesota 55792

Planning and Zoning Commission -

Joseph Benkusky
1005 Third Street South
Virginia, Minnesota 55792

Paul Halenbeck
521 North 12th Street
Virginia, Minnesota 55792

4. (cont.)

Bill Culbert
601 Fifth Avenue South
Virginia, Minnesota 55792

Joseph Spolar
915 11th Street South
Virginia, Minnesota 55792

Arnold Leinonen
1701 Cottage Lane
Virginia, Minnesota 55792

City of Franklin

Michael Riley, Mayor
116 East Chestnut Street
Virginia, Minnesota 55792

City Council -

Cynthia Cuoco
205 East First Street
Virginia, Minnesota 55792

James Lustig
206 East Chestnut Street
Virginia, Minnesota 55792

John Spolarich
120 East Chestnut Street
Virginia, Minnesota 55792

City of Mt. Iron

William (Bud) Mattila, Mayor
Box 224
Mt. Iron, Minnesota 55768

City Council -

Pete Cerkvenik
Box 159
Mt. Iron, Minnesota 55768

Rod Erchul
5 Park Drive
Mt. Iron, Minnesota 55768

Ed Roskoski
105 North Court
Mt. Iron, Minnesota 55768

Allison Wiitala
Box 44
Mt. Iron, Minnesota 55768

Planning and Zoning Commission -

Ray Saari
Box 422
Mt. Iron, Minnesota 55768

Armiida Rudlong
Box 191
Mt. Iron, Minnesota 55768

Margaret Soyring
34 Fairview Lane
Mt. Iron, Minnesota 55768

Dave Skalbeck
Box 1262
Virginia, Minnesota 55792

4. (cont.)

Carolyn Olsen
5430 Giorgi Road
Mt. Iron, Minnesota 55768

Larry Lindholm
2416 Centennial Drive
Mt. Iron, Minnesota 55768

Jerry Kujala, Zoning Administrator
4951 Spirit Lake Road
Mt. Iron, Minnesota 55768

City of Eveleth

W. Tom Coombe, Mayor
620 Summit
Eveleth, Minnesota 55734

City Council -

Phillip Landborg
506 Roosevelt Avenue
Eveleth, Minnesota 55734

Michael Lenich
314 Norman Avenue
Eveleth, Minnesota 55734

William Matos
706 Douglas Avenue
Eveleth, Minnesota 55734

Clifford Tuuri
203 Hayes Street
Eveleth, Minnesota 55734

Planning and Zoning Commission -

Edward Primozich
405 1/2 Garfield Street
Eveleth, Minnesota 55734

John Horoshak
302 Van Buren Avenue
Eveleth, Minnesota 55734

Kenneth Lahti
307 Van Buren Avenue
Eveleth, Minnesota 55734

James Perpich
807 Adams Avenue
Eveleth, Minnesota 55734

William O'Neal
620 Jones Street
Eveleth, Minnesota 55734

Nick Tuskan, Jr.
414 Fayal Avenue
Eveleth, Minnesota 55734

Michael Wudinich, Sr.
426 Jackson Street
Eveleth, Minnesota 55734

City of Gilbert

Karl Oberstar, Jr., Mayor
Box 548
Gilbert, Minnesota 55741

4. (cont.)

City Council -

Marco Biondich
411 Indiana Avenue West
Gilbert, Minnesota 55741

Todd Devich
619 Dakota Avenue West
Gilbert, Minnesota 55741

Joseph Gentile
4 Forest Ridge
Gilbert, Minnesota 55741

Anthony Kochevarm
114 Louisiana Avenue East
Gilbert, Minnesota 55741

Planning and Zoning Commission -

Donovan Goblirsch
4 Court Street
Gilbert, Minnesota 55741

Paul Nordland
116 East Louisiana Avenue
Gilbert, Minnesota 55741

Louis Jagunich
110 West Louisiana Avenue
Gilbert, Minnesota 55741

Helen Skalko
235 Highway 37
Gilbert, Minnesota 55741

Mark St. Lawrence
Dakota Avenue West
Gilbert, Minnesota 55741

Wuori Township

Scott Block, Chairman
6979 Beach Road
Virginia, Minnesota 55792

Brian Lahti
6668 Trillium Road
Virginia, Minnesota 55792

Francis Hietala, Jr.
6789 Tamarack Road
Virginia, Minnesota 55792

St. Louis County Commissioners

Will Mattson
100 North 5th Avenue W., #208
Duluth, Minnesota 55802-1292

Marilyn Krueger, Chairperson
100 North 5th Avenue W., #208
Duluth, Minnesota 55802-1292

William Kron
100 North 5th Avenue W., #208
Duluth, Minnesota 55802-1292

Herb Lamppa
118 South 4th Avenue East
Ely, Minnesota 55731-1402

Martin Lepak
100 North 5th Avenue W., #208
Duluth, Minnesota 55802-1292

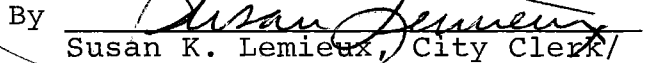
Liz Prebich
300 South Fifth Avenue
Virginia, Minnesota 55792

Steve Raukar
1810 12th Avenue East
Hibbing, Minnesota 55746

4. St. Louis County Planning and Zoning
222 East Superior Street
Duluth, Minnesota 55802-2134

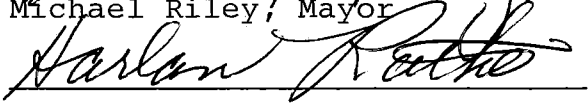
CITY OF VIRGINIA

By 
Elder E. Metsa, Mayor

By 
Susan K. Lemieux, City Clerk/
Finance Director

CITY OF FRANKLIN

By 
Michael Riley, Mayor

By 

Section 2 - Boundaries of City - The territory constituting the City of Virginia, and the said limits and boundaries thereof, lying within the following described boundary shall be as follows: Beginning at the Northeast corner of Section One (1) T58N R17W proceed westerly along the north boundary line of Section One (1) T58N R17W to the Northwest corner of Section One (1) T58N R17W; thence proceed westerly along the southern boundaries of Sections 35, 34, 33, 32, 31 T59N R17W to the Southwest Corner of Section Thirty One (31) T59N R17W constituting the north boundary; thence southerly along the east boundary line of Section One (1) T58N R18W according to the U. S. Government Survey thereof by Allen in 1882, to the Northeast corner of Section 2, T58N R18W, thence southerly along the east line of said Section 2 to the south line of Section Six (6) T58N R17W; thence proceed westerly along the south boundary line of Section Six (6) T58N R17W to the Southwest corner of Section Six (6) T58N R17W; thence proceed westerly on the projection of the south boundary line of Section Six (6) T58N R17W to the easterly right of way line of the D.W. & P. ry.; thence proceed southerly along the east right of way of the D.W. & P. ry. to the north right of way line of Highway #169 West; thence proceed easterly along the north right of way line of Highway #169 to the east boundary line of Section Twelve (12) T58N R18W, according to the U. S. Govn't Survey thereof by Allen in 1882; thence proceed southerly along the east boundary line of Section Twelve (12) T58N R18W to the Southeast corner of Section Twelve (12) T58N R18W; thence continue southerly along the east boundary line of Section Thirteen (13) T58N R17W to the east 1/4 Corner of Section Thirteen (13) T58N R18W; thence westerly along the East-West 1/4 line of Section Thirteen (13) T58N R18W to the east right of way line of the D.W. & P. Ry.; thence southerly along the east right of way of

the D. W. & P. Ry. to a point on the north boundary line of the S 1/2 of the SE 1/4 of Section Thirteen (13) T58N R18W; thence westerly along the north boundary line of the S 1/2 of the SE 1/4 of Section Thirteen (13) T58N R18W to the Northwest corner of the S 1/2 of the SE 1/4 Section Thirteen (13) T58N R18W; thence southerly along the North-South 1/4 line to the S 1/4 corner of Section Thirteen (13) T58N R18W; thence easterly along the south boundary line Section Thirteen (13) T58N R18W to the Southeast corner of the SW 1/4 of the SE 1/4 of Section Thirteen (13) T58N R18W; thence southerly along the west boundary line of the NE 1/4 of NE 1/4 Section Twenty-Four (24) T58N R18W to the Southwest corner of the NE 1/4 of NE 1/4 Section Twenty-Four (24) T58N R18W; thence proceed easterly along the south boundary line of the NE 1/4 of NE 1/4 Section Twenty-Four (24) T58N R18W to the Southeast corner of the NE 1/4 of the NE 1/4 Section Twenty-Four (24) T58N R18W; thence southerly along the east boundary line of Section Twenty-Four (24) T58N R18W to the Southeast corner of Section Twenty-Four (24) T58N R18W; thence easterly along the south boundary line of Sections Nineteen (19) and Twenty (20) T58N R17W to the South 1/4 corner of Section Twenty (20) T58N R17W; thence southerly along the North-South 1/4 line of Section Twenty-Nine (29) T58N R17W to the center of Section Twenty-Nine (29) T58N R17W; thence easterly along the East-West 1/4 line of Section Twenty-Nine (29) T58N R17W to the east 1/4 corner of Section Twenty-Nine (29) T58N R17W; thence proceed southerly along the west boundary line of Section Twenty-Eight (28) T58N R17W to the Southwest corner of Section Twenty-Eight (28) T58N R17W; thence proceed easterly along the south boundary line of Section Twenty-eight (28) T58N R17W to the Southeast corner of Section Twenty-Eight (28) T58N R17W; thence proceed northerly along the east boundary line of Section Twenty-Eight (28) T58N R17W to the

Northeast corner of Section Twenty-Eight (28) T58N R17W; thence proceed easterly along the south boundary line of Section Twenty-Two (22) T58N R17W to the South 1/4 corner of Section Twenty-Two (22) T58N R17W; thence proceed northerly along the North-South 1/4 line of Section Twenty-Two (22) T58N R17W to the center of Section Twenty-Two (22) T58N R17W; thence easterly along the East-West 1/4 line of Section Twenty-Two (22) T58N R17W to the East 1/4 corner of Section Twenty-Two (22) T58N R17W; thence proceed northerly along the east boundary lines of Sections Twenty-Two (22), Fifteen (15) and Ten (10) T58N R17W to the Northeast corner of Section Ten (10) T58N R17W; thence proceed easterly along the south boundary lines of Sections Two (2) and One (1) T58N R17W to the Southeast Corner of Section One (1) T58N R17W; thence proceed northerly along the east boundary line of Section One (1) T58N R17W to the Northeast corner of Section One (1) T58N R17W and the point of beginning and including a parcel of land described as follows: Starting at a point one hundred (100) feet east and forty (40) feet south of the center point of Section Eight (8) T58N R17W thence east one hundred (100) feet, thence south one hundred and twenty (120) feet, thence west one hundred (100) feet, thence north one hundred and twenty (120) feet, to the point of beginning and excluding the City of Franklin lying within the above described boundary and consisting of the following described boundary: Beginning at the Southeast corner of Section Nine (9) T58N R17W proceed north along the east boundary line of Section Nine (9) T58N R17W to the Northeast corner of the SE 1/4 of SE 1/4 of Section Nine (9) T58N R17W; thence proceed westerly along the north boundary line of the SE 1/4 of SE 1/4 Section Nine (9) T58N R17W to the Northwest corner of the SE 1/4 of SE 1/4 Section Nine (9) T58N R17W; thence proceed northerly along this sixteenth line to the Northeast corner of the NW 1/4 of the NE 1/4 of Section Nine (9) T58N R17W;

thence proceed westerly along the north boundary line of Section Nine (9) T58N R17W to the North 1/4 corner of Section Nine (9) T58N R17W; thence proceed Northerly along the North-South 1/4 line of Section Four (4) T58N R17W to the Northeast corner of the S 1/2 of the NW 1/4 of Section Four (4) T58N R17W; thence westerly along the north boundary lines of the S 1/2 of the NW 1/4 of Section Four (4) T58N R17W thence continue westerly along the north boundary line of the S 1/2 of the NE 1/4 of Section Five (5) T58N R17W, to the Northwest corner of the S 1/2 of the NE 1/4 of Section Five (5) T58N R17W; thence southerly along the North-South 1/4 lines of Sections Five (5) and Eight (8) T58N R17W to the South 1/4 corner of Section Eight (8) T58N R17W; thence proceed easterly along the south boundary line of Section Eight (8) T58N R17W to the Southeast corner of Section Eight (8) T58N R17W; thence continue easterly along the south boundary line of Section Nine (9) T58N R17W to the Southeast corner of Section Nine (9) T58N R17W and the point of beginning and excluding a parcel of land described as follows: Starting at a point one hundred (100) feet east and forty (40) feet south of the center point of section eight (8) T58N R17W thence east one hundred (100) feet, thence south one hundred and twenty (120) feet, thence west one hundred (100) feet, thence north one hundred and twenty (120) feet, to the point of beginning.

CHAPTER TWO

Powers of the City

Section 3 - General Powers of the City - The City of Virginia shall have and use its present seal, and may alter it at its pleasure; may contract, and be contracted with; may take by purchase, condemnation or otherwise, and hold, lease, sell, or convey all such real and

