BUFFALO TOWNSHIP RESOLUTION NO. 10-01
CITY OF BUFFALO RESOLUTION
MUNICIPAL BOUNDARY ADJUSTMENTS DOCKET NO. _____

JOINT RESOLUTION FOR FOR THE ORDERLY ANNEXATION OF
CERTAIN LAND BETWEEN THE TOWN OF BUFFALO
AND THE CITY OF BUFFALO, MINNESOTA

WHEREAS, the City of Buffalo (hereinafter referred to as the "City") and Buffalo Township (hereinafter referred to as the "Town or Township"), both located entirely within Wright County, in the State of Minnesota desire to accommodate growth in the most orderly fashion; and

WHEREAS, a joint orderly annexation agreement between the parties is currently on file with the Office of Administrative Hearings, Municipal Boundary Adjustment ("the MBA"), document OA-1002 ("Agreement") which provides the guidelines under which such annexations shall take place; and

WHEREAS, pursuant to Section 2 of the Agreement the Township joins the City in this Joint Resolution requesting the immediate orderly annexation of the property legally described herein; and

NOW, THEREFORE, BE IT RESOLVED, pursuant to the terms of the Agreement the property herein described is proposed to be annexed by the City of Buffalo and shall be annexed subject to the following terms and conditions:

1. **Orderly Annexation Area Subject to Resolution.**

The area to be annexed purusant to this Resolution is legally described in Exhibit A and graphically depicted on attached Exhibit B which are both incorporated herein by reference.

The Township and City agree that the area legally described in Exhibit A and designated for orderly annexation pursuant to Minnesota Statutes, Section 414.0325 is approximately .59 acres and has a population of zero.

2. **Department of Administration, Municipal Boudary Adjustments.**

Upon approval by the Town Board and the City Council, this Joint Resolution shall confer jurisdiction upon the MBA or its successor pursuant to the terms of this Joint Resolution.

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3. **No Alterations of Boundaries**.

The Town and City mutually agree and state that no alterations by the MBA of the stated boundaries of the area designated for orderly annexation is appropriate. Any alterations of boundaries may only be made upon the joint agreement of the Town and City.

4. **Review and Comment by Boundary Adjustments**.

Pursuant to Minnesota Statutes, Section 414.0325, the Township and City agree that no alteration of the boundaries stated herein is appropriate, that all conditions for annexation of the Subject Area legally described in Exhibit A are contained in this Joint Resolution, and that no consideration by the MBA is necessary. Upon the execution and filing of this Joint Resolution, the MBA may review and comment thereon, but shall, within 30 days of receipt of this Joint Resolution, order the annexation of the Subject Area legally described in Exhibit A in accordance with the terms and conditions contained in this Joint Resolution.

5. **No Public Hearing Required**.

The Township and City agree that no public hearing is required as the Subject Area legally described in Exhibit A is to be immediately annexed to the City in accordance with the terms and conditions contained in this Agreement.

6. **Taxation Reimbursement**.

Tax reimbursement shall be pursuant to Section 8 of the Agreement which is incorporated herein by reference.

7. **Conditions for Orderly Annexation**.

The City and the Town mutually state that properties in the areas as legally described on attached Exhibit A and shown on attached Exhibit B, shall be annexed to the City by the MBA upon receipt of the City's resolution. Annexation of the property shall be initiated by resolution of the City upon the term and conditions specified below. The City may pass a resolution annexing areas within the Orderly Annexation Area when all of the following conditions are met: 1) the property must be within the above described area legally described on attached Exhibit A; and 2) the City shall receive a petition requesting annexation signed by the owners of the land legally described on attached Exhibit A.

8. **Expenses Relating to Filing This Agreement**.

The Township and City agree that upon adoption and execution of this Joint Resolution, the City shall file the   same with the Department of Administration Municipal Boundary Adjustments Office and shall pay all applicable filing fees.

9.   **Prior Orderly Annexation Agreement.**

Except as stated in this Joint Resolution, the Township and City agree that nothing in this Agreement shall affect the Orderly Annexation Agreement on file with the Department of Administration Municipal Boundary Adjustments Office as OA1002.

10.   **Legal Description and Mapping.**

The Township and City agree that in the event there are errors, omissions or any other problems with the legal description provided in Exhibit A or mapping provided in Exhibit B in the judgment of the Department of Administration, the City and Township agree to make such corrections and file any additional documentation, including a new Exhibit A or Exhibit B making the corrections requested or required by the Department of Administration as necessary to make effective the annexation of said area in accordance with the terms of this Joint Resolution.

Passed, adopted, and approved by the Town Board of Supervisors of Buffalo Township, Wright County, Minnesota, this _2nd_ day of _March_, 2010.

BUFFALO TOWNSHIP

By: _Donald M Schmidt_
     Chairman

ATTEST:

Ruth A. Gans
Town Clerk

Passed, adopted, and approved by the City Council of the City of Buffalo, Wright County, Minnesota, this _5th_ day of _April_, 2010.

CITY OF BUFFALO

By: _Fred Naaktgeboren_
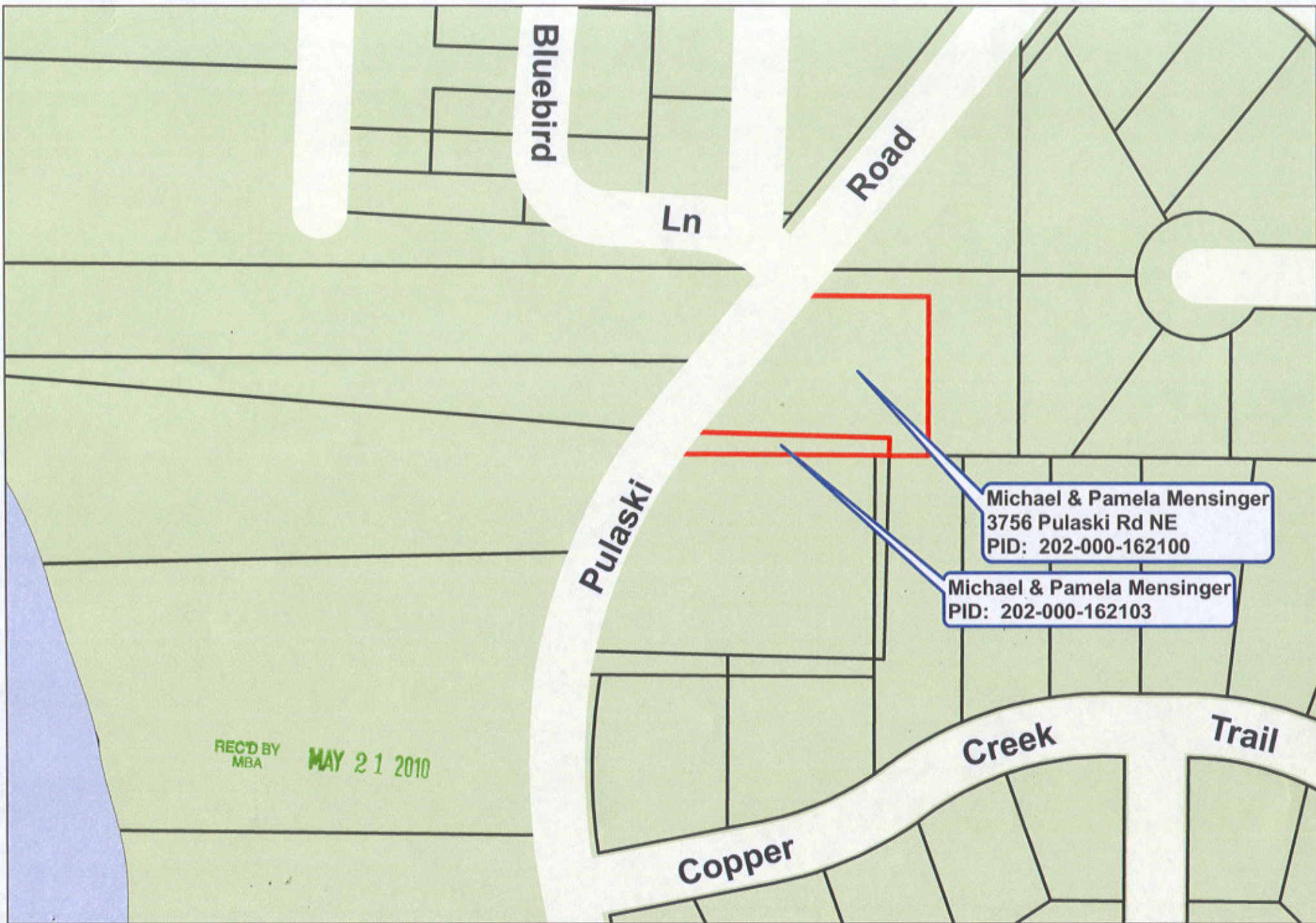   Mayor

3

ATTEST:

City Administrator

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EXHIBIT A

The south 150 feet of Government Lot 1, Section 16, Township 120, Range 25, lying East of County Road No. 114 except therefrom the East 190.00 feet, Wright County, Minnesota.
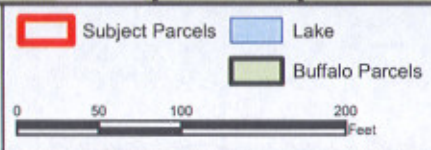
EXHIBIT B

The municipal boundary map referenced in the attached Joint Resolution, showing the current City of Buffalo and its relation to the Subject Area to be annexed legally described in Exhibit A, is attached hereto.

C:\Bob\Towns\Buffalo\Annexation Agreement Draft dated March 2, 2010.DOC

Bluebird

Ln

Road

Pulaski

Michael & Pamela Mensinger
3756 Pulaski Rd NE
PID: 202-000-162100

Michael & Pamela Mensinger
PID: 202-000-162103

REC'D BY
MBA

MAY 2 1 2010

Creek

Trail

Copper

N
W E
S

FEBRUARY 1, 2010
CITY COUNCIL
MENSINGER PROPERTY

Buffalo
CITY OF BUFFALO, MINNESOTA

Subject Parcels
Buffalo Parcels

Lake

0   50   100   200
Feet

GIS data is data generated by a computer database or system that is designed to electronically capture, organize, store, update, manipulate, analyze, and display all forms of geographically referenced information that is compiled, from private or public sources, either alone or in cooperation with other public or private entities, for use by a municipality. GIS data is accurate for its intended use by a municipality and may be inaccurate for other uses.

Sheet No.
1 of 1
January 25, 2010

RESOURCES:

Prepared By: CRAIG BOEVE

COORDINATE SYSTEM:
NAD 1983 HARN ADJ
MN WRIGHT FEET
DATA SOURCE:
WRIGHT COUNTY, MN DNR
CITY OF BUFFALO ENGINEERING

Energy Conservation Program