

**JOINT RESOLUTION****CITY OF MONTGOMERY  
RESOLUTION NO. 19-2004****TOWNSHIP OF MONTGOMERY  
RESOLUTION**

A JOINT RESOLUTION OF THE CITY OF MONTGOMERY AND THE TOWNSHIP OF MONTGOMERY DESIGNATING AN UNINCORPORATED AREA AS IN NEED OF ORDERLY ANNEXATION AND CONFERRING JURISDICTION OVER THE AREA TO THE MONTGOMERY MUNICIPAL BOUNDARY ADJUSTMENT BOARD, PURSUANT TO MINNESOTA STATUTES SECTION 414.0325.

WHEREAS, the City of Montgomery and the Township of Montgomery have met, conferred, considered and reached agreement relating to the annexation of an area located in the Township of Montgomery; and,

WHEREAS, the area proposed for annexation is owned by those individuals as shown in the Petition for Annexation (~~attached as Exhibit A~~), hereinafter "Owners"; and,

WHEREAS, the City of Montgomery and the Township of Montgomery desire to designate a certain unincorporated area as in need of orderly annexation pursuant to Minnesota Statutes Section 414.0325 and have agreed upon certain terms and conditions relating to the annexation of said property; and,

WHEREAS, the owners of the property described above have waived the provisions of Minnesota Statutes Section 414.0325(1a) regarding electrical utility service.

NOW, THEREFORE, BE IT RESOLVED AND AGREED between the City of Montgomery and the Township of Montgomery as follows:

1. That the City of Montgomery (hereinafter "City") is a city pursuant to the laws of the State of Minnesota and that the Township of Montgomery (hereinafter "Township") is a township pursuant to the laws of the State of Minnesota, and that both parties are fully authorized and empowered to enter into this resolution.
2. That the following unincorporated area is in need of orderly annexation, lies wholly within Montgomery Township, Le Sueur County, Minnesota, and is described as follows: see Exhibit A attached hereto and incorporated herein (hereinafter "the Property") and no alteration of its stated boundaries is appropriate.
3. That jurisdiction over annexation within the Property and over the various provisions contained in this Resolution is hereby conferred upon the Minnesota Department of Administration (hereinafter "Department").

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4. That the property does about the City and is, or is about to become, urban or suburban in character.
5. That the Property will be immediately annexed to the City upon the adoption of this Resolution and the Order of the Department.
6. No consideration by the Department is necessary, the Department may review and comment, but shall within 30 days order the annexation in accordance with the terms of this Resolution.
7. That the real estate taxes collected from the Property due and payable in 2003 will be paid and delivered to the Township. That the real estate taxes due and payable in 2004 and for all years thereafter will be paid and delivered to the City.
8. That there will be reimbursement by the City to the Township for tax revenues lost of 80% in 2004, 60% in 2005, 40% in 2006 and 20% in 2007 in accordance with Minnesota Statutes Section 414.036.
9. That connection to the sewer system will be the responsibility of the Owners and will be conducted in accordance with the ordinances of the City as well as any State or Federal agency laws, rules or regulations.
10. That the Owners of the Property have waived the provisions of Minnesota Statutes Section 414.0325(1a), relative to notice of the costs of electric utility service.
11. That every provision of this Resolution will be and hereby is declared severable, and if any part or portion is held invalid, it will not affect or invalidate the remaining parts or portions of the Resolution.
12. That the Property annexed will be, and hereby is, appropriately zoned for the Owners to use as a Residential development site.

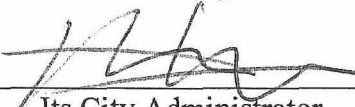
AGREED TO AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MONTGOMERY THIS 20<sup>th</sup> DAY OF January, 2004.

CITY OF MONTGOMERY

BY

  
Its Mayor

BY

  
Its City Administrator



AGREED TO AND APPROVED BY THE TOWN BOARD OF THE TOWNSHIP OF  
MONTGOMERY THIS 8 DAY OF JANUARY, 2004.

TOWNSHIP OF MONTGOMERY

BY Gare Krauthamer  
Its Chairman

BY Don J. Budin  
Its Clerk

EXHIBIT A

RECORDED BY  
MMB

JAN 26 2004

The S  $\frac{1}{2}$  of the NW  $\frac{1}{4}$ , Section 2-111-23, containing 80 acres more or less according to the U.S. Government Survey thereof, Le Sueur County, Minnesota.

and

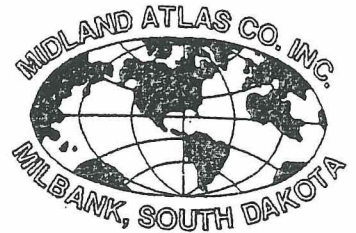
All that part of the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 2-111-23, Le Sueur County, Minnesota, described as follows: Beginning at the southeast corner of said NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ ; thence North 00 degrees 39 minutes 33 seconds East on an assumed bearing along the east line of said NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  300.00 feet; thence North 89 degrees 24 minutes 04 seconds West, 600.00 feet; thence South 00 degrees 39 minutes 33 seconds West, 150.00 feet; thence southerly to a point on the south line of said NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  620.00 feet westerly from said southeast corner of the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ ; thence South 89 degrees 24 minutes 04 seconds East along said south line 620.00 feet to the point of beginning.

REC'D BY  
MMB

JAN 26 2004

# MAP OF MONTGOMERY

MIDLAND ATLAS CO. INC. COPYRIGHT 1999



RANGE: 23 W

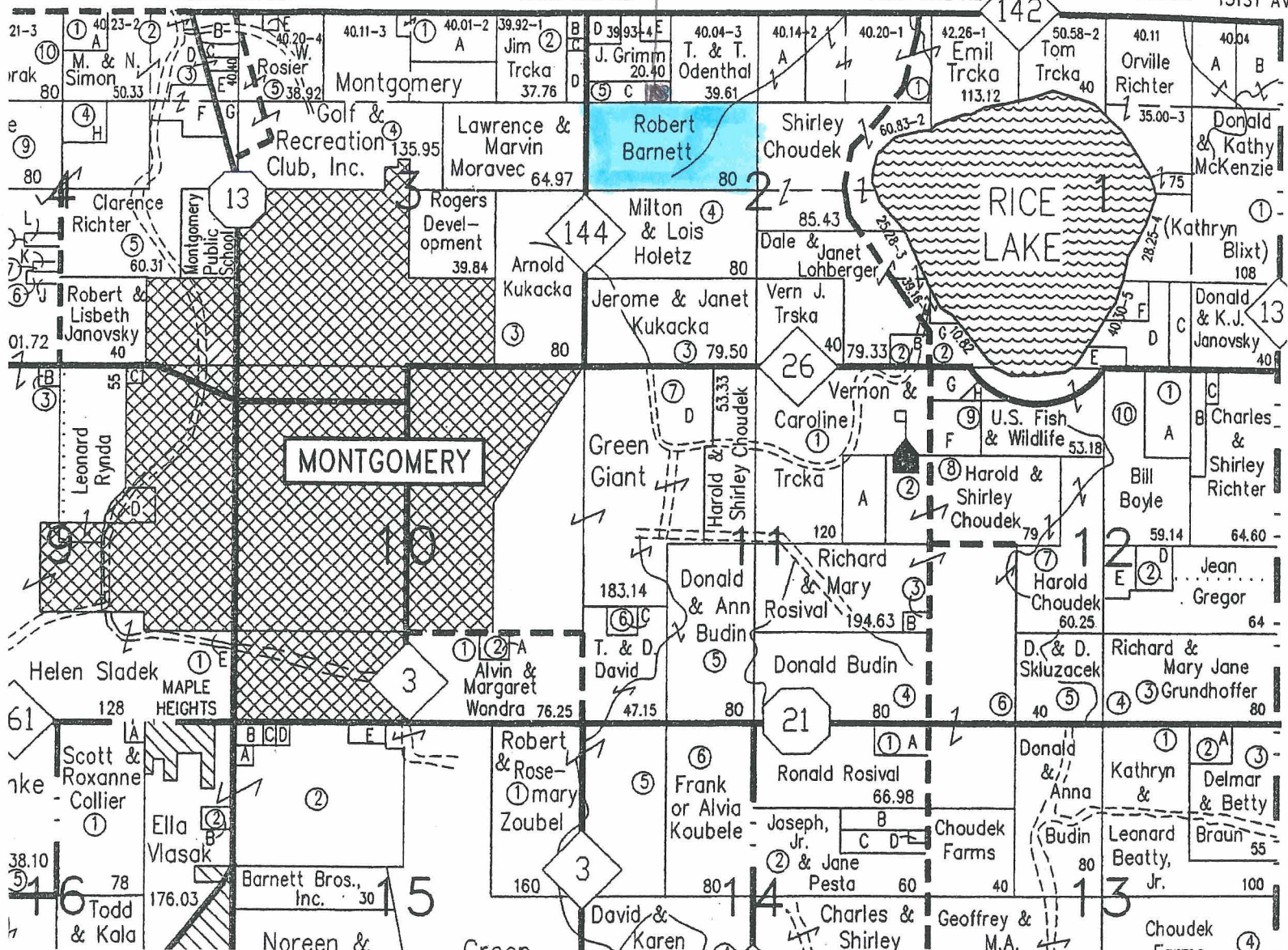
CODE: MO

161ST AVE NE

151ST AVE NE

141ST AVE NE

TOWNSHIP 131ST AV



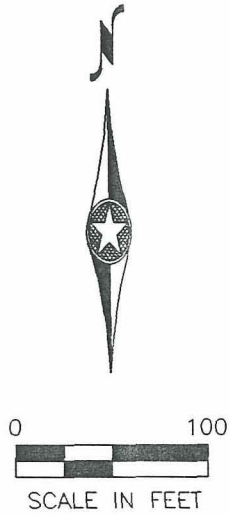


PROPOSED LEGAL DESCRIPTION:

All that part of the Northwest Quarter of the Northwest Quarter of Section 2, Township 111, Range 23, Le Sueur County, Minnesota, described as follows:

Beginning at the southeast corner of said Northwest Quarter of the Northwest Quarter; thence North 00 degrees 39 minutes 33 seconds East on an assumed bearing along the east line of said Northwest Quarter of the Northwest Quarter 300.00 feet; thence North 89 degrees 24 minutes 04 seconds West, 600.00 feet; thence South 00 degrees 39 minutes 33 seconds West, 150.00 feet; thence southerly to a point on the south line of said Northwest Quarter of the Northwest Quarter 620.00 feet westerly from said southeast corner of the Northwest Quarter of the Northwest Quarter; thence South 89 degrees 24 minutes 04 seconds East along said south line 620.00 feet to the point of beginning.

REC'D BY  
MMB JAN 26 2004



NW 1/4 OF THE NW 1/4

N89°24'04"W 600.00

S00°39'33"W 150.00  
S08°15'10"W 151.35

4.16 ACRES

EAST LINE OF THE NW 1/4 OF THE NW 1/4  
N00°39'33"E 300.00

SOUTH LINE OF THE NW 1/4 OF THE NW 1/4

N89°24'04"W 620.00

SE COR. NW 1/4  
OF THE NW 1/4 OF  
SEC. 2, T. 111, R. 23

I hereby certify that this survey was prepared by me or under my direct supervision and that I am a duly licensed land surveyor under the laws of the State of Minnesota.

Richard J. Williams, Jr.  
Date 01-06-04 License No. 19840

LEGAL DESCRIPTION EXHIBIT  
MONTGOMERY, MINNESOTA



**BOLTON & MENK, INC.**  
Consulting Engineers & Surveyors  
1515 EAST HIGHWAY 13, BURNSVILLE, MN 55337 (952) 890-0509  
MANKATO, MN FAIRMONT, MN SLEEPY EYE, MN WILLMAR, MN  
BURNSVILLE, MN CHASKA, MN AMES, IA LIBERTY, MO

Part of the Northwest Quarter of the Northwest Quarter of Section 2, Township 111, Range 23, Le Sueur County, Minnesota

FOR: Robert Barnett