

Municipal Boundary Adjustments Docket No. _____
City of Belle Plaine Resolution No. 04-010
Belle Plaine Township Resolution No. 30104

**CITY OF BELLE PLAINE
BELLE PLAINE TOWNSHIP
COUNTY OF SCOTT
STATE OF MINNESOTA**

**JOINT RESOLUTION OF THE CITY OF BELLE PLAINE AND BELLE
PLAINE TOWNSHIP AS TO THE ORDERLY ANNEXATION OF
PROPERTY**

WHEREAS, the City of Belle Plaine ("City") and Belle Plaine Township ("Township") desire to enter into an agreement allowing for the immediate orderly annexation of certain property, pursuant to Minnesota Statute 414.0325, Subdivision 1; and

WHEREAS, The City and the Township are in agreement as to the procedures and process for orderly annexation of certain lands described herein for the purpose of orderly, planned growth; and

WHEREAS, the City of Belle Plaine has received a request for annexation from the owner of real property legally described and graphically depicted on attached Exhibits A and B, which are located within Belle Plaine Township; and

WHEREAS, the annexation is being sought by the petitioner for the purpose of obtaining municipal water and sewer service; and

WHEREAS, it is in the best interest of the City, the Township and their respective residents to agree to orderly annexation in furtherance of orderly growth and the protection of the public health, safety and welfare; and

WHEREAS, the parties hereto desire to set forth the terms and conditions of such Orderly Annexation by means of this Joint Resolution.

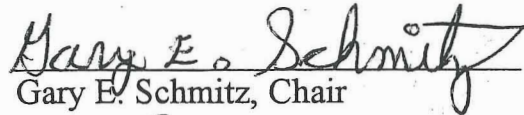
NOW, THEREFORE, BE IT RESOLVED by the City of Belle Plaine, Scott County, Minnesota and Belle Plaine Township, Scott County, Minnesota, as follows:

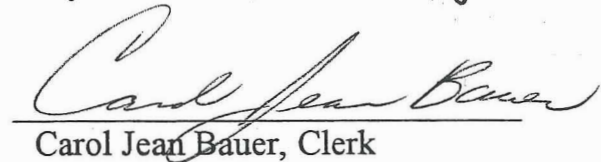
1. That the area described in the attached Exhibits A and B is immediately annexed from Belle Plaine Township into the municipal boundaries of the City of Belle Plaine.
2. Upon annexation of the parcel the City shall make a good faith effort to make municipal sanitary sewer service and municipal water service available to that parcel within three years from the effective date of the annexation.
3. The City and Township agree that no alteration of the stated boundaries as described in this resolution is appropriate, and that all the terms and conditions for annexation are provided for in this Joint Resolution unless otherwise noted. Upon receipt of the Joint Resolution, Department of Administration, Municipal Boundary Adjustments, may review and comment, but shall within 30 days of receipt, order the annexation in accordance with the terms and conditions of this Joint Resolution.
4. Prior to annexation of the parcel by the City, TDR, LLC, the developer of the subject parcel shall reimburse the Township for the loss of taxes from the property so annexed in the amount of \$105,750.00
5. Prior to annexation of the parcel by the City, all costs and disbursements incurred by the Township due to processing this annexation request shall be fully reimbursed by TDR, LLC, in the amount of \$137.50.
6. No other reimbursement or taxes shall be owed to the Township from either the City or TDR, LLC, with regard to the property described on attached Exhibits A and B.
7. Pursuant to Minnesota Statute §414.0325 the City and the Township agree that as all of the property owners of the parcel have petitioned for annexation, no hearing is required and the City may initiate annexation of the property described in Exhibits A and B by filing this resolution with the Department of Administration, Municipal Boundary Adjustments, or its successor agency, and the Township. The Township agrees not to object to or oppose any annexation undertaken pursuant to the terms and conditions contained in this Joint Resolution.
8. This Joint Resolution is made pursuant to, and shall be construed in accordance with the laws of the State of Minnesota.

9. The City shall pay all applicable filing fees and other costs necessary to have the Joint Resolution filed with and approved by the Department of Administration, Municipal Boundary Adjustments.

PASSED, ADOPTED AND APPROVED by the Belle Plaine Town Board of Supervisors, Scott County, Minnesota this 1 day of ~~January~~
March 2004.

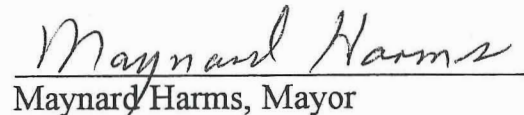
BELLE PLAINE TOWNSHIP

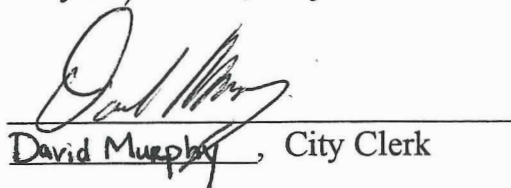

Gary E. Schmitz, Chair


Carol Jean Bauer, Clerk

PASSED, ADOPTED AND APPROVED by the Belle Plaine City Council, Scott County, Minnesota this 20th day of January 2004.

CITY OF BELLE PLAINE


Maynard Harms, Mayor


David Murphy, City Clerk

APPENDIX A

LEGAL DESCRIPTION

TDR LLC

EARL STIER PROPERTY

The East 43 1/3 acres of the Northwest Quarter (NW1/4), of Section 8, Township 113, Range 24.

AND

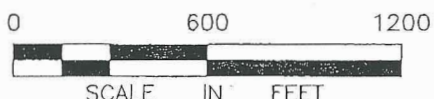
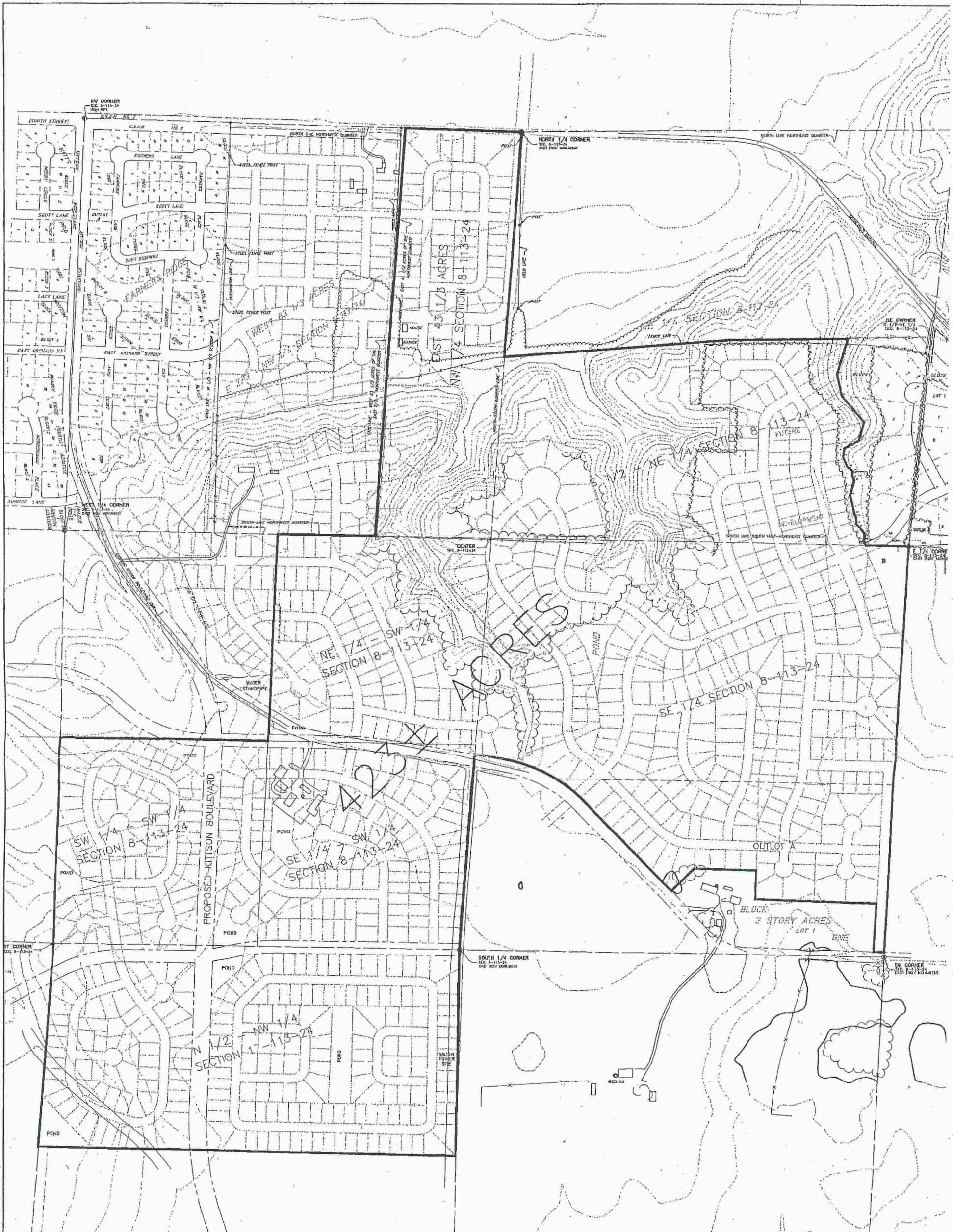
All that part of the South Half of the Northeast Quarter (S1/2 of NE1/4) of Section 8, of Township 113 North of Range 24 West of the 5th Principal Meridian described as follows, to-wit: Commencing at the east one-fourth corner of said Section 8, thence running north along the East line of said Section 8 a distance of 1341.5 feet to the Northeast corner of said S1/2 of the NE1/4, thence southwesterly along the now existing fence a distance of 2730.2 feet to a point on the north and south center line of Section 8 which point is 1152.0 feet north of the center of said Section 8, thence south along the West line of said S1/2 of the NE1/4 a distance of 1152.0 feet to the center of said Section 8; thence East along the East and West center line of said Section 8 a distance of 2729.4 feet to the East Quarter corner, the place of beginning. Excepting there from the following described parcel of land: That part of the Northeast Quarter of Section 8, Township 113 North, Range 24 West, Scott County, Minnesota described as, beginning at the East Quarter Corner of said Section 8; thence North 05 degrees 58 minutes 26 seconds East, on the East line of said Section 8, a distance of 1340.97 feet to the Northeast Corner of the South Half of the Northeast Quarter of said Section 8; thence South 88 degrees 55 minutes 43 seconds West, along an existing fence line, 521.84 feet; thence South 16 degrees 25 minutes 19 seconds West, 239.97 feet; thence South 13 degrees 14 minutes 15 seconds East, 137.20 feet; thence South 40 degrees 35 minutes 15 seconds East, 213.41 feet; thence South 14 degrees 17 minutes 27 seconds West, 126.46 feet; thence South 60 degrees 57 minutes 24 seconds West, 106.20 feet; thence South 07 degrees 42 minutes 05 seconds West, 56.70 feet; thence South 24 degrees 42 minutes 53 seconds East, 169.70 feet; thence South 14 degrees 47 minutes 55 seconds West, 96.44 feet; thence South 11 degrees 38 minutes 07 seconds East, 183.37 feet; thence South 40 degrees 04 minutes 53 seconds East, 78.22 feet; thence South 03 degrees 37 minutes 12 seconds West, 45.13 feet; thence South 22 degrees 52 minutes 27 seconds East, 34.55 feet to the South line of the South Half of the Northeast Quarter of said Section 8; thence South 89 degrees 07 minutes 06 seconds East, on said South line, 267.21 feet to the point of beginning.

LABBS PROPERTY

Outlot A of 2 Story Acres according to the recorded plat thereof, Scott County, Minnesota, and that part of the Southeast Quarter of Section 8, Township 113 North Range 24 West, Scott County, Minnesota lying North of the centerline of Kittson Boulevard, and North of Outlot A, of 2 Story Acres, according to the recorded plat thereof. Said parcel contains 120.33 acres of land more or less.

LATZKE PROPERTY

The Northeast Quarter of the Southwest Quarter, the Southeast Quarter of the Southwest Quarter, and the Southwest Quarter of the Southwest Quarter, in Section 8, and the North Half of the Northwest Quarter of Section 17, all in Township 113 North, Range 24 West, Scott County, Minnesota.



REC'D BY MMB APR 16 2004

ANNEXATION SKETCH
SCOTT COUNTY MINNESOTA

BOLTON & MENK, INC.
Consulting Engineers & Surveyors
1960 PREMIER DRIVE, MANKATO, MN 56001 (507) 625-4171
MANKATO, MN FAIRMONT, MN SLEEPY EYE, MN WILLMAR, MN
BURNSVILLE, MN CHASKA, MN AMES, IA LIBERTY, MO

PART OF SECTION 8 & 17-113-13

FOR: GONYEA DEVELOPMENT