

REC'D BY
MMB

SEP 28 2004

Municipal Boundary Adjustments Docket No.
City of Belle Plaine Resolution No. 04-109

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

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

WHEREAS, the City of Belle Plaine ("City") desires to annex certain property located with the orderly annexation agreement area with Belle Plaine Township, 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, 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. Upon receipt of the Resolution, Minnesota Planning may review and comment, but shall within 30 days of receipt, order the annexation in accordance with the terms and conditions of this 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 \$2,277.50.
5. 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.
6. Pursuant to Minnesota Statutes, Section 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.
7. This Resolution is made pursuant to, and shall be construed in accordance with the laws of the State of Minnesota.
8. The City shall pay all applicable filing fees and other costs necessary to have the Resolution filed with and approved by the Department of Administration, Municipal Boundary Adjustments.

Adopted by the City Council of the City of Belle Plaine, Scott County, Minnesota, this 16th day of August, 2004.

Maynard Harms

Maynard Harms
Mayor

Motion by: Lange
Second by: Trost

ATTEST:

David Murphy

David Murphy
City Administrator

Spalding: Aye
O'Brien: Aye
Trost: Aye
Meger: Aye
Lange: Aye
Harms: Aye

This document drafted by
City of Belle Plaine
420 East Main Street
P.O. Box 129
Belle Plaine, MN 56011

REC'D BY
M M B

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LEGAL DESCRIPTION FOR WILDFLOWER RIDGE NO. 3

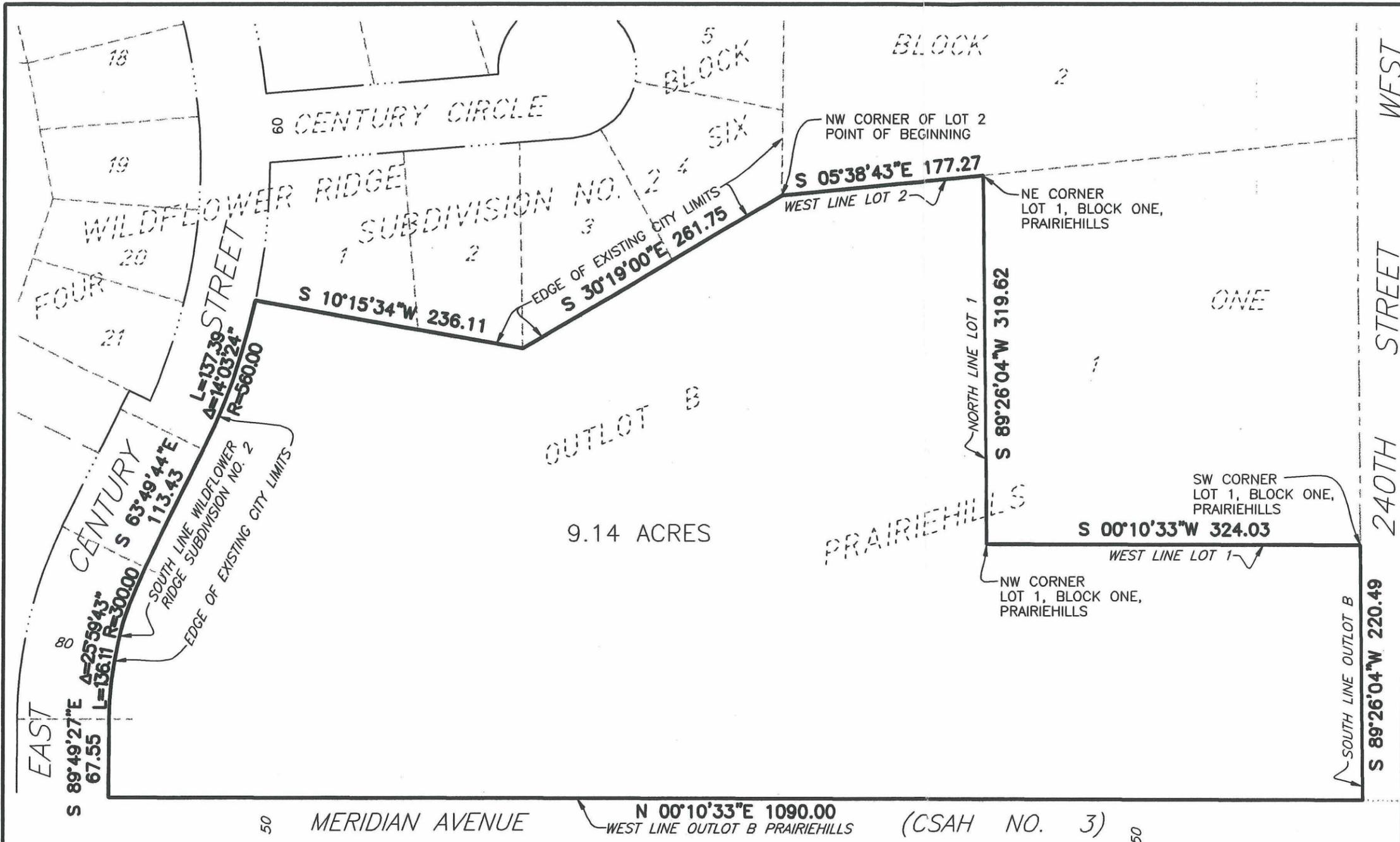
That part of Outlot B, Prairiehills, according to the recorded plat thereof, Scott County, Minnesota, described as follows: Beginning at the Northwest Corner of Lot 2, Block One, Prairiehills: thence South 05 degrees 38 minutes 43 seconds East on the West line of said Lot 2, a distance of 177.27 feet to the Northeast Corner of Lot 1, Block One, Prairiehills;

Thence South 89 degrees 26 minutes 04 seconds West on the North line of said Lot 1, a distance of 319.62 feet to the Northwest Corner of said Lot 1; thence South 00 degrees 10 minutes 33 seconds West on the West line of said Lot 1, a distance of 324.03 feet to the Southwest Corner of said Lot 1; thence South 89 degrees 26 minutes 04 seconds West on the South line of said Outlot B, 220.49 feet to the West line of said Outlot B; thence North 00 degrees 10 minutes 33 seconds East on said West line, 1090.00 feet to the South line of Wildflower Subdivision NO. 2, according to the recorded plat thereof; thence South 89 degrees 49 minutes 27 seconds East on said South line, 67.55 feet; thence easterly 136.11 feet on said South line on a tangent curve to the right having a radius of 300.00 feet and a central angle of 25 degrees 59 minutes 43 seconds; thence South 63 degrees 49 minutes 44 seconds East on said South line, 113.43 feet; thence easterly 137.04 feet on said South line on a tangent curve to the left having a radius of 560.00 feet and a central angle of 14 degrees 03 minutes 24 seconds to the Northwest Corner of Lot 1, Block six, Wildflower Ridge Subdivision NO.2; thence South 10 degrees 15 minutes 34 seconds West on the West line of said Block Six, 236.11 feet to the Southwest Corner of Lot 2, said Block Six, thence South 30 degrees 19 minutes 00 seconds East on the West line of said Block Six 261.75 feet to the point of beginning. Said parcel contains 9.14 acres of land being subject to and together with any and all easements of record.

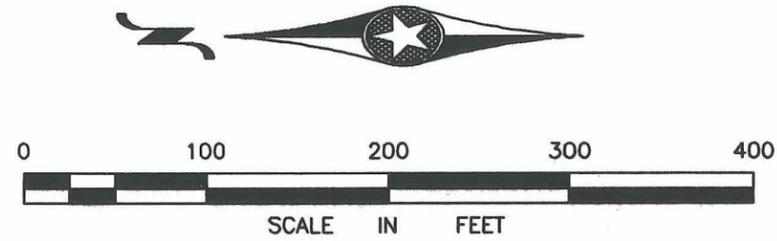
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PROPOSED ANNEXATION DESCRIPTION

That part of Outlot B, PRAIRIEHILLS, according to the recorded plat thereof, Scott County, Minnesota, described as follows: Beginning at the Northwest Corner of Lot 2, Block One, PRAIRIEHILLS; thence South 05 degrees 38 minutes 43 seconds East on the West line of said Lot 2, a distance of 177.27 feet to the Northeast Corner of Lot 1, Block One, PRAIRIEHILLS; thence South 89 degrees 26 minutes 04 seconds West on the North line of said Lot 1, a distance of 319.62 feet to the Northwest Corner of said Lot 1; thence South 00 degrees 10 minutes 33 seconds West on the West line of said Lot 1, a distance of 324.03 feet to the Southwest Corner of said Lot 1; thence South 89 degrees 26 minutes 04 seconds West on the South line of said Outlot B, 220.49 feet to the West line of said Outlot B; thence North 00 degrees 10 minutes 33 seconds East on said West line, 1090.00 feet to the South line of WILDFLOWER RIDGE SUBDIVISION NO. 2, according to the recorded plat thereof; thence South 89 degrees 49 minutes 27 seconds East on said South line, 67.55 feet; thence easterly 136.11 feet on said South line on a tangent curve to the right having a radius of 300.00 feet and a central angle of 25 degrees 59 minutes 43 seconds; thence South 63 degrees 49 minutes 44 seconds East on said South line, 113.43 feet; thence easterly 137.39 feet on said South line on a tangent curve to the left having a radius of 560.00 feet and a central angle of 14 degrees 03 minutes 24 seconds to the Northwest Corner of Lot 1, Block Six, WILDFLOWER RIDGE SUBDIVISION NO. 2; thence South 10 degrees 15 minutes 34 seconds West on the West line of said Block Six, 236.11 feet to the Southwest Corner of Lot 2, said Block Six; thence South 30 degrees 19 minutes 00 seconds East on the West line of said Block Six, 261.75 feet to the point of beginning. Said parcel contains 9.14 acres of land being subject to and together with any and all easements of record.



9.14 ACRES



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.

Janele Fowlds
Janele Fowlds

Date 9/13/04 License No. 26748

ANNEXATION SKETCH
CITY OF BELLE PLAINE, 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

PART OF OUTLOT B PRAIRIE HILLS
SCOTT COUNTY, MINNESOTA

FOR: FARMERS DEVELOPMENT