

Municipal Boundary Adjustments Docket No. _____
City of Belle Plaine Resolution No. 06-116
Belle Plaine Township Resolution No. 90506-1

**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 Exhibit A, which is located within Belle Plaine Township; and

WHEREAS, the annexation of 20.28 acres is being sought by the petitioner for the purpose of future commercial and multi-family development and construction of a church; 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 Exhibit A 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 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, the property owner of the subject parcel shall reimburse the Township for the loss of taxes from the property so annexed in the amount of \$6,286.80.
5. No other reimbursement or taxes shall be owed to the Township from either the City or Northwestern District of The Christian and Missionary Alliance, with regard to the property described on attached Exhibit A.
6. Pursuant to Minnesota Statutes §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 Exhibit A 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.
7. This Joint 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 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 5 day of September, 2006.

BELLE PLAINE TOWNSHIP



Gary E. Schmitz, Chair



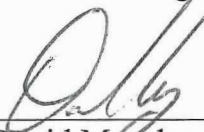
Jean McDermand, Clerk

PASSED, ADOPTED AND APPROVED by the Belle Plaine City Council, Scott County, Minnesota this 17th day of July, 2006.

CITY OF BELLE PLAINE



Thomas Meger, Mayor



David Murphy, City Administrator

Drafted by:
City of Belle Plaine
218 North Meridian Street
P.O. Box 129
Belle Plaine, MN 56011
(952) 873-5553

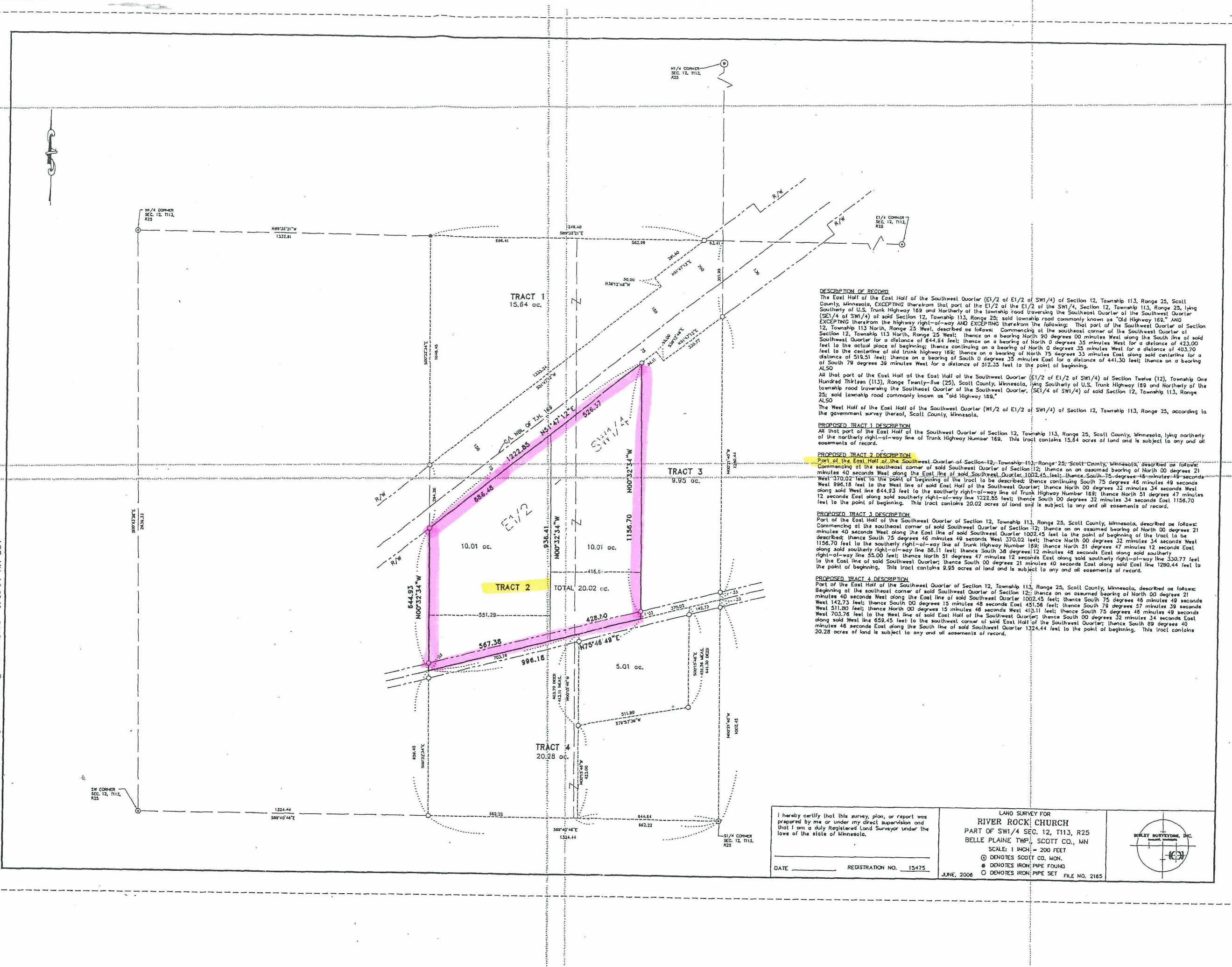
REC'D BY
M.M.B.

OCT 03 2006

EXHIBIT A
ANNEXATION DESCRIPTION

PID Number and Legal Description

S:\Land Projects\2165\dwg\2165-2.dwg 6/5/2006 10:18:04 AM CDT



DESCRIPTION OF RECORD
The East Half of the East Half of the Southwest Quarter (E1/2 of E1/2 of SW1/4) of Section 12, Township 113, Range 25, Scott County, Minnesota, EXCEPTING therefrom that part of the E1/2 of the E1/2 of the SW1/4, Section 12, Township 113, Range 25, lying South of U.S. Trunk Highway 169 and North of the township road traversing the Southwest Quarter of the Southwest Quarter (SE1/4 of SW1/4) of said Section 12, Township 113, Range 25; said township road commonly known as "Old Highway 169," AND EXCEPTING therefrom the highway right-of-way AND EXCEPTING therefrom the following: That part of the Southwest Quarter of Section 12, Township 113, Range 25 West, described as follows: Commencing at the southeast corner of the Southwest Quarter of Section 12, Township 113, Range 25 West; thence on a bearing North 90 degrees 00 minutes West along the South line of said Southwest Quarter for a distance of 644.54 feet; thence on a bearing of North 0 degrees 35 minutes West for a distance of 423.00 feet to the actual place of beginning; thence continuing on a bearing of North 0 degrees 35 minutes West for a distance of 403.70 feet to the centerline of old Trunk Highway 169; thence on a bearing of North 75 degrees 33 minutes East along said centerline for a distance of 519.51 feet; thence on a bearing of South 0 degrees 35 minutes East for a distance of 441.30 feet; thence on a bearing of South 79 degrees 39 minutes West for a distance of 512.35 feet to the point of beginning.
ALSO
All that part of the East Half of the East Half of the Southwest Quarter (E1/2 of E1/2 of SW1/4) of Section Twelve (12), Township One Hundred Thirteen (113), Range Twenty-five (25), Scott County, Minnesota, lying South of U.S. Trunk Highway 169 and North of the township road traversing the Southwest Quarter of the Southwest Quarter (SE1/4 of SW1/4) of said Section 12, Township 113, Range 25; said township road commonly known as "Old Highway 169."
ALSO
The West Half of the East Half of the Southwest Quarter (W1/2 of E1/2 of SW1/4) of Section 12, Township 113, Range 25, according to the government survey thereof, Scott County, Minnesota.

PROPOSED TRACT 1 DESCRIPTION
All that part of the East Half of the Southwest Quarter of Section 12, Township 113, Range 25, Scott County, Minnesota, lying north of the north-south right-of-way line of Trunk Highway Number 169. This tract contains 15.64 acres of land and is subject to any and all easements of record.

PROPOSED TRACT 2 DESCRIPTION
Part of the East Half of the Southwest Quarter of Section 12, Township 113, Range 25, Scott County, Minnesota, described as follows: Commencing at the southeast corner of said Southwest Quarter of Section 12; thence on an assumed bearing of North 00 degrees 21 minutes 40 seconds West along the East line of said Southwest Quarter 1002.45 feet to the point of beginning of the tract to be described; thence South 75 degrees 46 minutes 49 seconds West 370.02 feet; thence North 00 degrees 32 minutes 34 seconds West 1156.70 feet to the southerly right-of-way line of Trunk Highway Number 169; thence North 51 degrees 47 minutes 12 seconds East along said southerly right-of-way line 1222.85 feet; thence South 00 degrees 32 minutes 34 seconds East 1156.70 feet to the point of beginning. This tract contains 20.02 acres of land and is subject to any and all easements of record.

PROPOSED TRACT 3 DESCRIPTION
Part of the East Half of the Southwest Quarter of Section 12, Township 113, Range 25, Scott County, Minnesota, described as follows: Commencing at the southeast corner of said Southwest Quarter of Section 12; thence on an assumed bearing of North 00 degrees 21 minutes 40 seconds West along the East line of said Southwest Quarter 1002.45 feet to the point of beginning of the tract to be described; thence South 75 degrees 46 minutes 49 seconds West 370.02 feet; thence North 00 degrees 32 minutes 34 seconds West 1156.70 feet to the southerly right-of-way line of Trunk Highway Number 169; thence North 51 degrees 47 minutes 12 seconds East along said southerly right-of-way line 1222.85 feet; thence South 00 degrees 32 minutes 34 seconds East 1156.70 feet to the point of beginning. This tract contains 9.95 acres of land and is subject to any and all easements of record.

PROPOSED TRACT 4 DESCRIPTION
Part of the East Half of the Southwest Quarter of Section 12, Township 113, Range 25, Scott County, Minnesota, described as follows: Beginning at the southeast corner of said Southwest Quarter of Section 12; thence on an assumed bearing of North 00 degrees 21 minutes 40 seconds West along the East line of said Southwest Quarter 1002.45 feet; thence South 75 degrees 46 minutes 49 seconds West 142.73 feet; thence South 00 degrees 32 minutes 34 seconds West 451.58 feet; thence South 79 degrees 37 minutes 39 seconds West 703.76 feet to the West line of said East Half of the Southwest Quarter; thence South 00 degrees 32 minutes 34 seconds East along said West line 658.45 feet to the southwest corner of said East Half of the Southwest Quarter; thence South 89 degrees 40 minutes 46 seconds East along the South line of said Southwest Quarter 1324.44 feet to the point of beginning. This tract contains 20.28 acres of land and is subject to any and all easements of record.

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the state of Minnesota.	
DATE	REGISTRATION NO. 15475
LAND SURVEY FOR RIVER ROCK CHURCH PART OF SW1/4 SEC. 12, T113, R25 BELLE PLAINE TWP., SCOTT CO., MN SCALE: 1 INCH = 200 FEET ● DENOTES SCOTT CO. MON. ● DENOTES IRON PIPE FOUND ○ DENOTES IRON PIPE SET JUNE, 2006 FILE NO. 2165	