

**WOODLAND TOWNSHIP RESOLUTION
NO. 05-10**

**CITY OF WAVERLY RESOLUTION
NO. 05 – 02-1**

**JOINT RESOLUTION AND AGREEMENT FOR
ORDERLY ANNEXATION BETWEEN WOODLAND
TOWNSHIP AND THE CITY OF WAVERLY, MINNESOTA**

WHEREAS, the Woodland Township Board passed a resolution on October 11, 2005, approving the annexation to the City of Waverly of certain land owned by Creative Real Estate Development, Corp., a Minnesota Corporation subject to a Contract for Deed in favor of Veritas Development, Inc., a Minnesota Corporation (collectively "Property Owner") and legally described as follows:

The South 76 rods of the Southeast Quarter of Section 5, Township 118, Range 26, excepting therefrom the East 40 rods thereof, Wright County, Minnesota.

WHEREAS, the City Council of the City of Waverly agreed to the annexation of the above described parcel of land at its October 11, 2005 meeting; and

WHEREAS, the Woodland Township Board and the City Council for the City of Waverly have both determined that the annexation of a portion of the Township with the City is of mutual benefit to both parties and the residents there.

NOW, THEREFORE, BE IT RESOLVED by the Woodland Township Board and the City Council of the City of Waverly as follows:

1. **Designation of Merger Area.** Woodland Township (hereinafter "Township") and the City of Waverly (hereinafter "City") desire to designate, by joint resolution and agreement, the area encompassing the territory of the Township as described herein (the "Annexed Parcel") subject to merger and orderly annexation under and pursuant to Minnesota Statutes Section 414.0325.
2. **Agreement by Property Owner.**
 1. Property Owner has submitted a request for annexation to City, has agreed to pay Township \$13,250.00 (53 acres x \$250.00/acre) simultaneously with the approval of this Joint Resolution, and has agreed to

pay any deferred special assessments in full, with interest.

2. The property owner (developer) has agreed to upgrade that portion of 70th Street from CSAH 8 to Emerson Avenue to blacktop and will comply with engineering specifications for the project.

3. The property owner (developer) has agreed to enter into an escrow agreement with the City of Waverly to fund the future blacktopping of that portion of Emerson Avenue that borders the property being annexed which consists of an approximate distance of ¼ mile.

4. City of Waverly and Woodland Township have entered into an agreement for the maintenance of Emerson Avenue until such time as it is improved with blacktop and at the time of improvement, City of Waverly will take over jurisdiction of the road. The agreement will be reviewed and/or renewed 3 years from the date of the agreement.

3. **Population of Merger Area.**

(a) The Township and the City state that the population of the annexed area is approximately 0 persons.

(b) The 2000 census results of the population of the City of Waverly was 639 persons. Therefore, following the annexation, the estimated population of the City will increase by 0 persons.

4. **State Agency Jurisdiction.** Upon approval by the respective governing bodies of the Township and the City, this Joint Resolution and Agreement confers jurisdiction upon the office of Minnesota Planning to accomplish the orderly annexation in accordance with the terms of this Joint Resolution and Agreement.

5. **No Alterations of Boundaries.** City and Township mutually state that no alterations of the boundaries of the area designated herein for orderly annexation is appropriate.

6. **Property Taxes.** - Commencing in 2007, City shall receive the taxes collected. City shall make no payments to Township for taxes levied on the annexed parcel except as follows: City shall remit all delinquent taxes, charges and assessments collected from any portion of the annexed parcel if such taxes or charges were originally payable while the delinquent property remained in Township. Additionally, if the property no longer qualifies for

DEC 28 2005

special tax treatment through Green Acres or other applicable programs such as Ag Preserves, CRP, and This Old House, and taxes that were deferred under one of these programs are paid to City, City shall remit to Township the amount which was deferred during the time the property was in the township.

7. **Authorization.** The appropriate officers of the City and the Township are hereby authorized to carry out the terms of this Joint Resolution and Agreement into effect.

8. **Severability and Repealer.** Should any section of this Joint Resolution and Agreement be held by a court of competent jurisdiction to be unconstitutional or void, the remaining provisions will remain in full force and effect.

9. **Effective Date.** This Joint Resolution and Agreement is effective upon its adoption by the respective governing bodies of the Township and the City, as provided by law.

10. **Review and Comment by State Board.** The Township and the City mutually state that this Joint Resolution and Agreement sets forth all the conditions for the merger of the area designated herein for such merger and orderly annexation, and that no consideration by the office of Minnesota Planning is necessary. The office of Minnesota Planning may review, comment, but must, within thirty (30) days of receipt of this Joint Resolution and Agreement, order merger and orderly annexation in accordance with its terms and conditions.

Adopted by the Woodland Township Board this 1 day of Dec, 2005.

WOODLAND TOWNSHIP

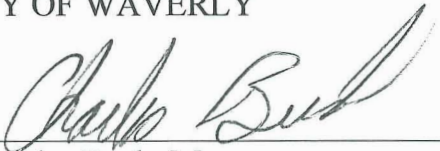
By Kenneth Jawell
Supervisor

Attest:


Gloria Jankula
Town Clerk

Adopted by the City Council for the City of Waverly this 11th day of October, 2005.

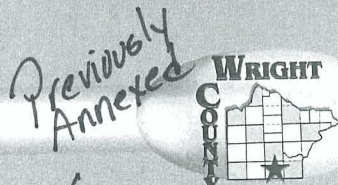
CITY OF WAVERLY

By 
Charles Bush, Mayor

Attest:


Deborah Ryks, City Clerk

REC'D BY
MMP DEC 28 2005

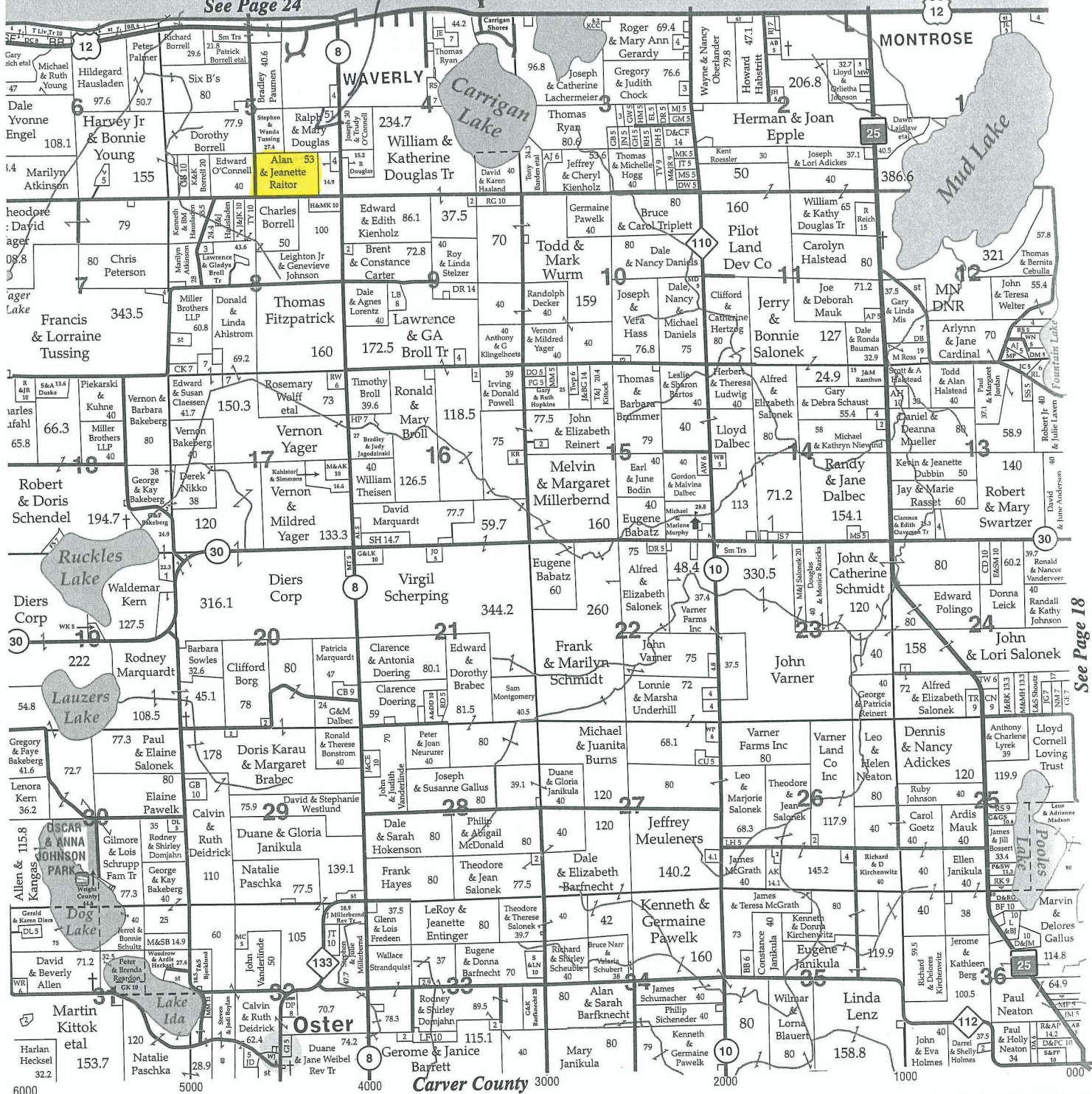


Woodland

T.118N. - R.26W.

©2001 Cloud Cartographics, Inc. St. Cloud, MN 56301

See Page 24



See Page 18

Wright SOIL AND WATER Conservation District

Mapping Resources -
1991 Aerial Photo

306C Brighton AV • Buffalo, MN 55313
(763) 682-1970