

WOODLAND TOWNSHIP RESOLUTION
NO. 05 - 10 -

CITY OF WAVERLY RESOLUTION
NO. 05 - 10-2

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 Oct 10, 2005, approving the annexation to the City of Waverly of certain land owned by WDD Properties I, a limited partnership, and WDD Properties II, a limited partnership, (collectively "Property Owner") and legally described as follows:

See Exhibit A attached.

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.** Property Owner has submitted a request for annexation to City, has agreed to pay Township \$59,920.95 (232.8 unimproved acres x \$250.00/acre = \$58,200.00 plus 1 improved acre with yearly taxes of \$344.19 x 5 years = \$1,720.95 for a total of \$59,920.95) simultaneously with the approval of this Joint Resolution, and has agreed to pay any deferred special assessments in full, with interest.

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 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. Road Maintenance. City and Township will negotiate a maintenance agreement for the gravel portion of 70th Street extending to Dempsey Avenue.
8. Street Improvements. The property owner (developer) has agreed to upgrade that portion of 70th Street adjacent to the property located east of CSAH 8. This section of 70th Street is approximately $\frac{3}{4}$ mile in distance. The developer will upgrade this portion of road to blacktop and will comply with engineering specifications for the project.
9. 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.

10. **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.
11. **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.
12. **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.

2005
i. 5d
K. G.
Adopted by the Woodland Township Board this 3 day of February,

WOODLAND TOWNSHIP

By Kenneth Powell
Supervisor

Attest: Gloria Janikula
Town Clerk

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

CITY OF WAVERLY

By Charles Bush
Charles Bush, Mayor

Attest: Deborah Ryks
Deborah Ryks, City Clerk

EXHIBIT A

The East 50 acres, of North Half of Southwest Quarter (N ½ of SW 1/4); South Half of Southwest Quarter (S 1/2 of SW 1/4) and North Half of the Southeast Quarter (N 1/2 of SE 1/4), all in Section Four (4), Township One Hundred Eighteen (118) North, Range Twenty-six (26) West, excluding: That part of the South Half of the Southwest Quarter (S 1/2 of SW 1/4) of Section Four (4), Township One Hundred Eighteen (118) North, Range Twenty-six (26) West, Wright County, Minnesota, described as follows: Commencing at the northwest corner of said South Half of the Southwest Quarter (S 1/2 of SW 1/4), thence on an assumed bearing of S 89 degrees 20 minutes 56 seconds East along the north line of said South Half of the Southwest Quarter (S 1/2 of SW 1/4), a distance of 984.88 feet; thence S 0 degrees 03 minutes 22 seconds East, a distance of 812.62 feet; thence S 89 degrees 54 minutes 58 seconds W, a distance of 743.73 feet; thence N 0 degrees 39 minutes 32 seconds W, a distance of 599.24 feet; thence S 89 degrees 43 minutes 43 seconds W, a distance of 234.74 feet to the West line of said South Half of the Southwest Quarter (S 1/2 of SW 1/4); thence N 0 degrees 03 minutes 56 seconds W along said West line, a distance of 226.81 feet to the point of beginning.

AND

The Southwest Quarter of the Southeast Quarter (SW 1/4 of SE 1/4) of Section Four (4), Township One Hundred Eighteen (118) North, Range Twenty-Six (26) West, containing forty acres, more or less, AND the Northwest Quarter of the Northeast Quarter (NW 1/4 of NE 1/4) of Section Nine (9), Township One Hundred Eighteen (118) North, Range Twenty-six (26) West, containing forty acres, more or less.

Woodland

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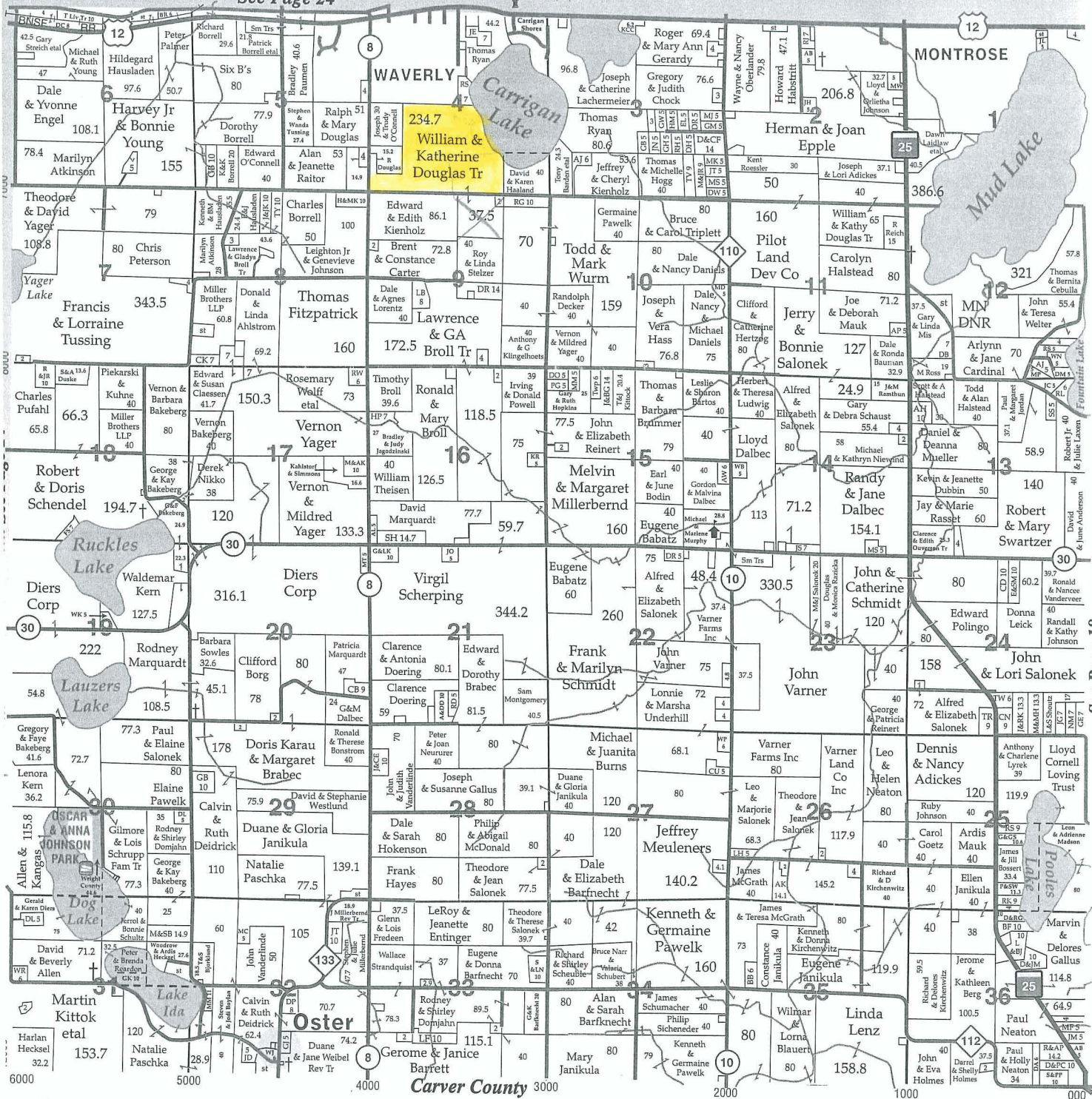
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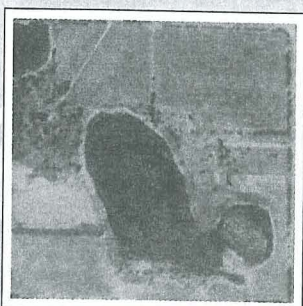
APR 24 2006

T.118N. - R.26W.

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Wright SOIL AND WATER Conservation District

Mapping Resources -
1991 Aerial Photo
"birds eye view"

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