

MAINE PRAIRIE RESOLUTION

NO. 04-04

REC'D BY  
MMB

AUG 20 2004

CITY OF KIMBALL RESOLUTION

NO. 04 - 071904

JOINT RESOLUTION AND AGREEMENT FOR  
ORDERLY ANNEXATION BETWEEN  
TOWNSHIP AND THE CITY OF KIMBALL, MINNESOTA

WHEREAS, the Maine Prairie Township Board passed a resolution on August 10, 2004, approving the annexation to the City of Kimball of certain land owned by Donald Stein and legally described as follows:

See attached Exhibit A

WHEREAS, the City Council of the City of Kimball agreed to the annexation of the above described parcel of land at its July 19, 2004 meeting; and

WHEREAS, the Maine Prairie Township Board and the City Council for the City of Kimball 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 Maine Prairie Township Board and the City Council of the City of Kimball as follows:

1. **Designation of Merger Area.** Maine Prairie Township (hereinafter "Township") and the City of Kimball (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. **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 Kimball was

639 persons. Therefore, following the annexation, the estimated population of the City will increase by 0 persons.

3. **Notice.** It shall be a condition of any plat approval that language, substantially similar to that set forth below be included in the Restrictive Covenants and/or other recorded document:

This property is located near Agricultural Zoned Areas. It is important to realize that at times, there may be noise, odor, or dust from agricultural operations including but not limited to: odor from livestock operations and manure applications, noise from farm equipment, and occasional soil, mud, or manure left on roads throughout the year.

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 2005, City shall receive the taxes collected and shall prorate the taxes between City and Township pursuant to the five year statutory distribution outlined in Minnesota Statutes § 414.033, subd. 12.
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.

AUG 20 2004

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 Maine Prairie Township Board this 10<sup>th</sup> day of August, 2004.

MAINE PRAIRIE TOWNSHIP

By James Untebuges  
Supervisor

Attest:

Beverly Adolph  
Town Clerk

Adopted by the City Council for the City of Kimball this 19<sup>th</sup> day of July, 2004.

CITY OF KIMBALL

By Karla Davis  
Karla Davis, Mayor

Attest:

Dianne Robinson  
Dianne Robinson, City Clerk

Exhibit A

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AUG 20 2004

The North 2091.99 feet of the South 2131.99 feet of the West 183.00 feet of the West Half of the Northwest Quarter of Section 2, Township 121, Range 29, Stearns County, Minnesota.

AND

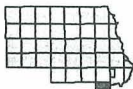
The South 2131.99 feet of the East Half of the East Half of the Northeast Quarter of Section 3, Township 121, Range 29, Stearns County, Minnesota except therefrom the West 10.00 feet of the South 516.00 feet of said East Half of the East Half of the Northeast Quarter.

AND

That part of the North 1029.48 feet of the South 1069.48 feet of the West Half of the Northwest Quarter of Section 2, Township 121, Range 28, ~~Wright~~ Stearns County, Minnesota, that lies East of the West 183.00 feet thereof and West of the Westerly right-of-way line of State Highway No. 15.

*Stearns*

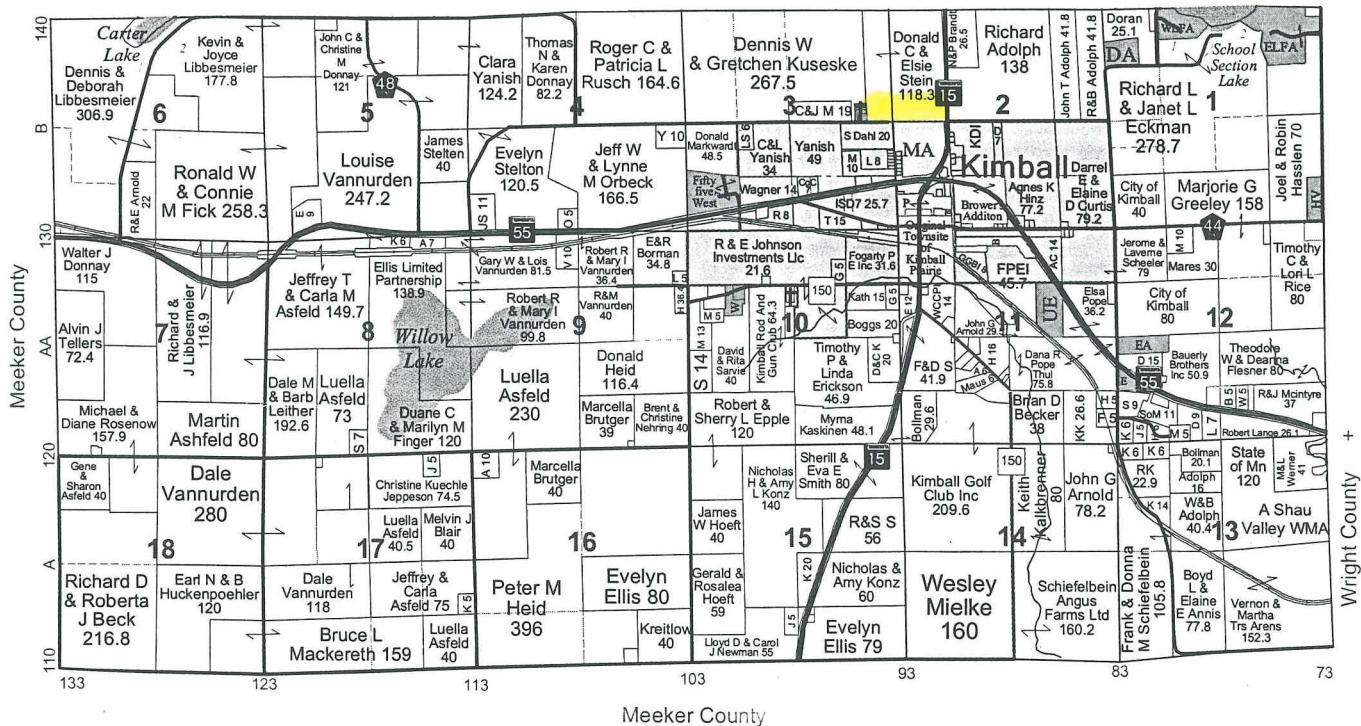
MAINE PRAIRIE (S)



REC'D BY  
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AUG 20 2004

T121N - R29W

See Maine Prairie (C) Page 48



See Fair Haven Page 24

MAINE PRAIRIE (S) STREET INDEX

Street Name	Location	Street Name	Location	Street Name	Location	Street Name	Location
100TH AVE.....	B/100	120TH ST .....	AA/118	137TH ST .....	B/79	ADAM RD .....	A/80
103RD AVE .....	A/103	123RD AVE .....	A/123	140TH ST .....	B/116	BADGER CT .....	B/79
108TH AVE.....	B/108	127TH ST .....	AA/104	73RD AVE .....	B/73	BADGER RD .....	B/80
113TH AVE.....	A/113	135TH ST .....	B/101	83RD AVE .....	AA/83	BALSAM RD .....	B/128
113TH AVE.....	B/113	135TH ST .....	B/86	ACORN RD .....	AA/81		