

BEFORE THE MUNICIPAL BOARD
OF THE STATE OF MINNESOTA

Kenneth F. Sette, Chir
Shirley J. Mihelich, Vice-Chir
John W. Carey, Commissioner

IN THE MATTER OF THE ORDERLY ANNEXATION
AGREEMENT BETWEEN THE CITY OF FERGUS FALLS
AND THE TOWN OF FERGUS FALLS PURSUANT TO
MINNESOTA STATUTES 414.0325, SUBD. 1

JOINT RESOLUTION OF THE CITY OF FERGUS
FALLS AND THE TOWN OF FERGUS FALLS

WHEREAS, a Joint Resolution for Orderly Annexation was adopted by the City of Fergus Falls on July 17, 1974, and by the Township of Fergus Falls on July 8, 1974, and duly accepted by the Minnesota Municipal Board; and,

WHEREAS, the City of Fergus Falls has received a Petition for Annexation of certain lands located in the Town of Fergus Falls which are included in and subject to said Orderly Annexation Agreement; and,

WHEREAS, the City of Fergus Falls and the Town of Fergus Falls have met and have negotiated an amicable agreement as it relates to said request for annexation; and,

WHEREAS, Minnesota Statutes 414.0325, Subd. 1, provides, in part, as follows:

"...thereafter, an annexation of any part of the designated area may be initiated by submitting to the executive director a resolution of any signatory to the joint resolution or by the board on its own motion..."

NOW, THEREFORE, the City of Fergus Falls and the Town of Fergus Falls propose that the following Joint Resolution as to the annexation of a part of the orderly annexation area be adopted:

RESOLVED by the City of Fergus Falls and the Town of Fergus Falls as follows:

1. The City of Fergus Falls hereby petitions to the Minnesota Municipal Board and the Township of Fergus Falls will not object to the annexation during 1987 of the tracts of land described as follows, to-wit:

Lots One (1) and Two (2), Block One (1); Lot One (1), Block Two (2); and Reserve Lot A of Diamond Center Business Park, a plat on file and of record in the office of the County Recorder, Otter Tail County, Minnesota.

That part of the Northwest Quarter (NW $\frac{1}{4}$) of Section Thirty-two (32), Township One Hundred Thirty-three (133), Range Forty-three (43), Otter Tail County, Minnesota, described as follows: Commencing at a point on the northerly right of way line of Highway 210-36 distant 731 feet West of the East line of said Northwest Quarter (NW $\frac{1}{4}$), thence at right angles northerly 1253 feet to the point of beginning, thence at right angles westerly 432 feet, thence at right angles northerly 366 feet, thence at right angles easterly 550 feet, thence at right angles southerly 366 feet, thence westerly to the point of beginning.

That part of the Northwest Quarter (NW $\frac{1}{4}$) of Section Thirty-two (32), Township One Hundred Thirty-three (133), Range Forty-three (43), Otter Tail County, Minnesota, described as follows: A tract of land 33.00 feet in width and lying within 16.50 feet on both sides of the following described centerline: Beginning at a point on the North line of State Trunk Highway Number 210-36 located 747.50 feet West from the East line of said Northwest Quarter (NW $\frac{1}{4}$); thence North 1296.00 feet and there terminating.

The above tracts of land contain approximately 22.89 acres.

-AND-

A strip of land 33 feet wide (north-south) located north of and adjacent to a portion of the south line of Section Twenty-eight (28) and Twenty-nine (29), Township One Hundred Thirty-three (133) North, Range Forty-three (43); said south line of which is further described as follows: Beginning on the south line of Section 29 at a point which is 1000 feet west of the southeast corner of Section 29; thence easterly along the south line of said Sections 29 and 28 to the south quarter corner of Section 28 and there terminating.

The above description represents the north one-half of an existing Fergus Falls Township Road.

2. The Town and City agree that the area of land described in paragraph 1 shall be annexed without the necessity of conducting the hearings specified in Minnesota Statutes 414.0325 for the reason that the parties are satisfied that the statutory criteria to be determined as a result of said hearing have in fact been met to the satisfaction of both parties and therefore there is no need to subject the taxpayers to the expense of conducting such a hearing.

3. The Town and City agree that because of the Joint Resolution herein an annexation election is not required to be held by the Minnesota Municipal Board.

4. That upon annexation of the property described in paragraph 1 above, the mill levy of the City of Fergus Falls shall apply on the property herein described and shall be increased to equality with the mill levy of the property already within the City of Fergus Falls.

CITY OF FERGUS FALLS

Passed and adopted by the City of Fergus Falls, this
7th day of December, 1987.

ATTEST: James L. Ahlhal
City Administrator

APPROVED: Karl F. Egan
Mayor

TOWNSHIP OF FERGUS FALLS

Passed and adopted by the Township of Fergus Falls, this
10 day of Nov., 1987.

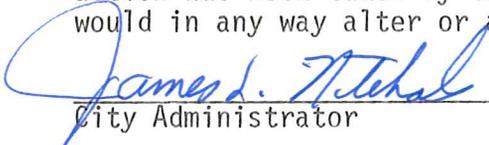
ATTEST: Elaine M. Schoening
Township Clerk

APPROVED: Howard L. Loe
Chairman

REC'D. BY DFC 17 1987

I, James L. Nitchals, City Administrator of the City of Fergus Falls, Minnesota, do hereby certify the following:

This Joint Resolution is a true and correct copy of a resolution on file and of record in the office of the City Administrator, which resolution was adopted by the City Council at the meeting held on December 7, 1987. Said meeting was a regular meeting of the City Council, was open to the public, and was held at the time and place at which meetings of the City Council are regularly held. The above resolution is in full force and effect and no action has been taken by the City Council of the city of Fergus Falls which would in any way alter or amend the above.



City Administrator



Date

