

BEFORE THE MUNICIPAL BOARD  
OF THE STATE OF MINNESOTA

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 entered into agreements dated November 18, 1987, and May 6, 1991, relating to 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 requests 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 1992 of the tracts of land described as follows, to-wit:

Part of the Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$  of NE $\frac{1}{4}$ ) of Section Thirty-one (31), Township One Hundred Thirty-three (133) North, Range Forty-three (43) West, Otter Tail County, Minnesota, described as follows: Beginning on the South line of said Northeast Quarter (NE $\frac{1}{4}$ ) of Section Thirty-one (31) located West 1540.00 feet from the East quarter section corner of said Section Thirty-one (31); thence North 04 degrees 42 minutes East 390.50 feet, more or less, to the southerly right-of-way of the Burlington Northern Railway; thence North 71 degrees 53 minutes 20 seconds West 394.18 feet along said right-of-way line; thence South 16 degrees 58 minutes 40 seconds West 535.00 feet; thence East 498.90 feet along the quarter section line to the point of beginning.

All that part of the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$  of SE $\frac{1}{4}$ ) together with a part of Government Lots One (1) and Two (2) and all of Government Lot Three (3) in Section Thirty-one (31), Township One Hundred Thirty-three (133) North, Range Forty-three (43) West, Otter Tail County, Minnesota, including the Otter Tail River, bounded by the following described line: Beginning at the Southeast corner of said Section Thirty-one (31); thence South 89 degrees 52 minutes 10 seconds West 1818.26 feet to a point on the township line North 89 degrees 52 minutes 10 seconds East 825.0 feet from the South quarter corner of said Section Thirty-one (31); thence North 00 degrees 08 minutes 39 seconds East 2629.39 feet to a point on the quarter section line 825.0 feet easterly from the Northwest corner of said Government Lot Two (2); thence South 89

degrees 28 minutes 22 seconds East 905.86 feet along the quarter section line; thence South 89 degrees 28 minutes 20 seconds East 905.86 feet to the East quarter corner of said Section Thirty-one (31); thence South 2608.57 feet along the section line to the point of beginning. Excepting therefrom: the West 200 feet of that portion lying North of the Pelican River; and that portion of said Government Lot One (1) included in the plat of River Oaks, containing 105 acres.

All of the State Highway #210 and Burlington Northern Railroad right-of-ways located in the Northwest Quarter (NW $\frac{1}{4}$ ) of Section Thirty-two (32), Township One Hundred Thirty-three (133) North, Range Forty-three (43) West, Otter Tail County, Minnesota, containing 10.2 acres.

All of the Southwest Quarter (SW $\frac{1}{4}$ ) of Section Thirty-two (32), Township One Hundred Thirty-three (133) North, Range Forty-three (43), Otter Tail County, Minnesota, except Government Lot Four (4) and Government Lot Seven (7), containing 64.3 acres.

All of that portion of the West Half (W $\frac{1}{2}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) of Section Thirty-two (32), Township One Hundred Thirty-three (133) North, Range Forty-three (43) West, Otter Tail County, Minnesota, lying West of the existing City Limits in the Interstate Highway 94 right-of-way, except any part of Government Lot Three (3), containing 45 acres.

The above tracts contain approximately 229 acres more or less.

2. The Town and City agree that the area of lands described in paragraph 1 shall be annexed without the necessity of conducting the hearing 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 tax capacity of the City of Fergus Falls shall apply on the property herein described and shall be increased to equality with the tax capacity of the property already within the City of Fergus Falls.

CITY OF FERGUS FALLS

Passed and adopted by the City of Fergus Falls, this 18th day of May, 1992.

ATTEST: James L. Mitchell APPROVED: Karl Fegen  
City Administrator Mayor

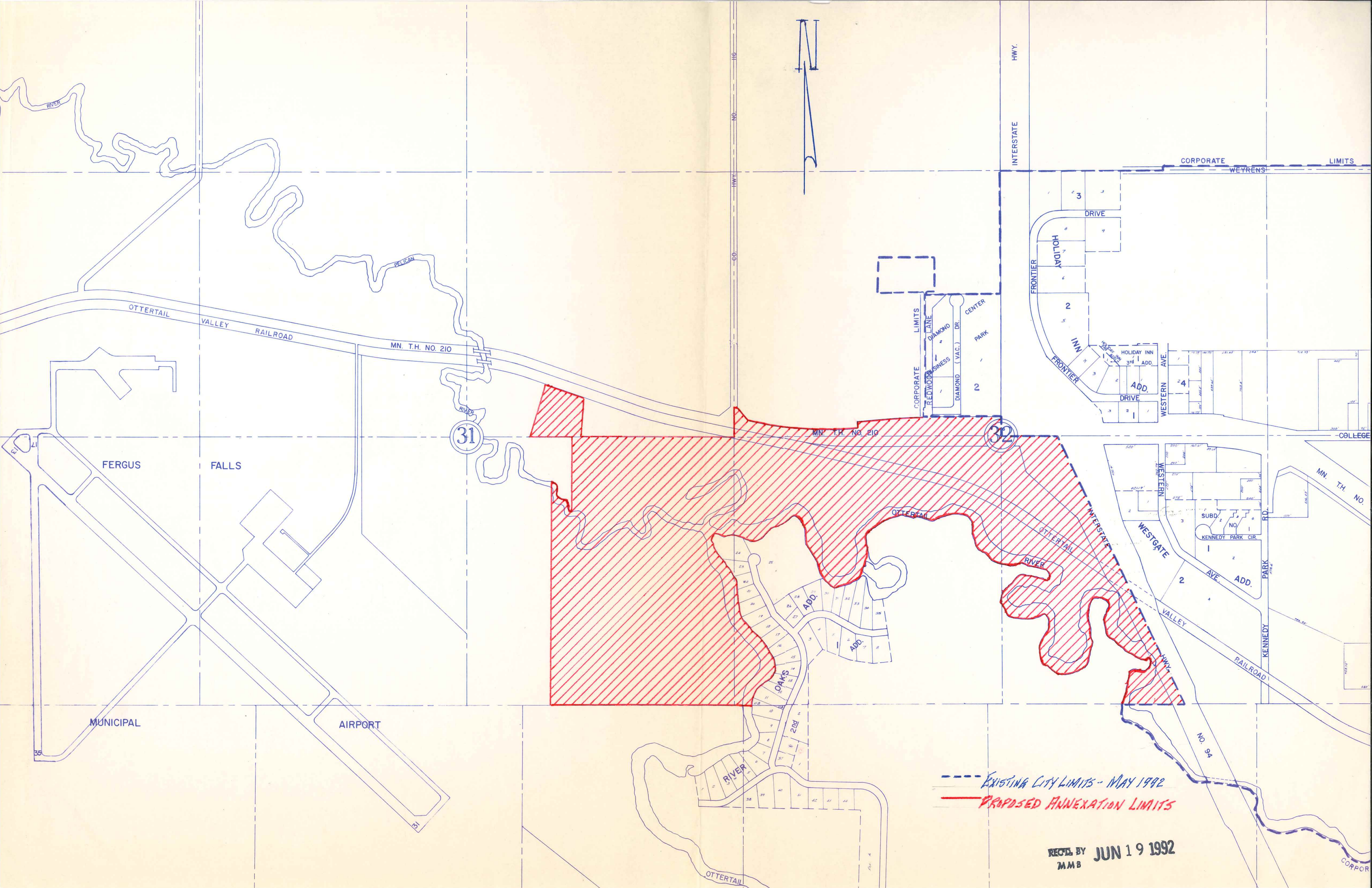
TOWNSHIP OF FERGUS FALLS

Passed and adopted by the Township of Fergus Falls, this 12<sup>th</sup> day of May, 1992.

ATTEST: Elaine Schoening APPROVED: Howard Soere  
Township Clerk Chairman

bj1/CITY6





--- EXISTING CITY LIMITS - MAY 1992  
--- PROPOSED ANNEXATION LIMITS

REC'D BY JUN 19 1992  
MMB