

BEFORE THE MUNICIPAL BOARD
OF THE STATE OF MINNESOTA

REC'D. BY AUG 18 1993
MMB

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 1993 of the tract of land described as follows, to-wit:

That part of Government Lot Two (2), Section Twenty-six (26), Township One Hundred Thirty-three (133) North, Range Forty-three (43) West, Otter Tail County, Minnesota, described as follows:

Commencing at the northwest corner of Government Lot One (1), said Section Twenty-six (26); thence on an assumed bearing of South along the east line of said Government Lot 2, a distance of 245.00 feet to the point of beginning of the tract to be described; thence continuing on a bearing of South, along the east line of said Government Lot 2, to the shoreline of Opperman Lake; thence northwesterly along the shoreline of Opperman Lake to the intersection with the line which bears South 31 degrees 41 minutes 14 seconds West from the point of beginning; thence North 31 degrees 41 minutes 14 seconds East to the point of beginning, containing 18,100 square feet, 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 19th day of July, 1993.

ATTEST: James L. Mitchell
City Administrator

APPROVED: Kell Fehr
Mayor

TOWNSHIP OF FERGUS FALLS

Passed and adopted by the Township of Fergus Falls, this 13th day of July, 1993.

ATTEST: Elaine M. Schenning
Township Clerk

APPROVED: Howard Soere
Chairman

bj1/CITY7

