

R107-05  
TOWN OF CASTLE ROCK  
CITY OF FARMINGTON

IN THE MATTER OF THE JOINT  
RESOLUTION OF THE TOWN OF  
CASTLE ROCK AND THE CITY  
OF FARMINGTON, DESIGNATING  
AN UNINCORPORATED AREA AS  
IN NEED OF ORDERLY ANNEXATION  
AND CONFERRING JURISDICTION  
OVER SAID AREA TO THE DEPARTMENT  
OF ADMINISTRATION, BOUNDARY  
ADJUSTMENT OFFICE, PURSUANT TO  
M.S. §414.0325

JOINT RESOLUTION

WHEREAS, by previous joint resolution and agreement entered into between the City and Township in August 2002, the properties legally described below were included in the designated orderly annexation area but were not made subject to immediate annexation, and;

WHEREAS, the owners of property legally described on the attached Exhibit A previously petitioned the City for connection to City-provided sanitary sewer and water services and annexation to the City and the City and Township by Joint Resolution R68-04 agreed to and processed the annexation of the petitioned properties, and;

WHEREAS, the approved Joint Resolution (OA-1100-1) contained an accurate map of the properties to be annexed but an inaccurate legal description which resulted in two parcels intended by all the parties to be annexed not being included in the Order (November 10, 2004, subsequently amended July 29, 2005), and;

WHEREAS, the City of Farmington has reviewed and approved a final plat for the affected area, and;

WHEREAS, the owner of the subject property and the City and Township desire to correct the previous error and provide for the immediate platting and annexation of the properties.

NOW, THEREFORE, the Township of Castle Rock and the City of Farmington jointly agree to the following:

1. The Township and City hereby establish an Orderly Annexation Area ("OAA") as authorized by Minnesota Statute §414.0325, Subdivision 1, as shown on the attached Exhibit B and legally described on Exhibit A, and have determined that the area of the property involved in this annexation is approximately 10 acres and the population of the area is currently zero.

2. That the purpose of the annexation of the property involved in this annexation is to facilitate the development of the property to urban densities and to provide urban services, including city sewer and water services.
3. That in order to facilitate the construction and financing of the improvements necessary for development that is urban or suburban in character and the efficient delivery of governmental services, all of the properties should be immediately annexed to and made part of the City of Farmington.
4. The City and Township agree that upon execution of this Joint Resolution for Orderly Annexation all planning, official controls, and governmental services for the annexed area shall become the responsibility of the City, and that final plat for the Farmington Business Park approved by the City of Farmington is hereby ratified and approved for filing and recording with Dakota County without further review and approval by the City or Township.
5. The City and Township also agree that the provisions of Minn. Stat. §§414.035 and 414.036 authorizing differential taxation and municipal reimbursement for the annexed property will not be applied in this proceeding. Upon approval by the respective governing bodies of the City and the Township, this joint resolution and agreement shall confer jurisdiction upon the Director of the Office of Strategic and Long-range Planning (or his or her successor designee responsible for administering Minnesota Statutes Chapter 414) so as to immediately annex the lands described in the attached Exhibit A in accordance with the terms of this joint resolution and agreement without need for any subsequent resolution(s) of the parties.
6. The City and the Township mutually state that no alteration by the director to the OAA boundaries, as illustrated on Exhibit B and described in Exhibit A, is appropriate or permitted.
7. That the annexation of the property will not result in any change of electrical service and will not require joint planning since upon final approval of this joint resolution and issuance of the annexation order by the Director the property will immediately be fully subject to the official controls and other ordinances of the City of Farmington, including all land use controls. Further, that differential taxation under M.S. §414.035, or reimbursement under M.S. §414.036 is not required.
8. Having designated the area illustrated on Exhibit B and described in Exhibit A as in need of orderly annexation, and having provided for all of the conditions of its annexation within this document, the parties to this agreement agree that no consideration by the director is necessary. The director may review and comment but shall within thirty (30) days order the annexation in accordance with the terms of this Resolution.

Approved and Adopted  
this 13 day of Sept, 2005.

TOWN OF CASTLE ROCK

BY: Randy Becker  
Its Town Board Chair

AND Marilyn Rether  
Its Town Board Clerk

Approved and Adopted  
this 16<sup>th</sup> day of Sept, 2005.

CITY OF FARMINGTON

BY: Kevin B. Schneider  
Its Mayor

AND Bob Lofd  
Its City Administrator

EXHIBIT A

Legal description of property subject to immediate annexation:

Parcel 1: PID 07.00500.080.35

That part of the West 453.75 feet of the East 853.75 feet of the Northeast Quarter of the Northwest Quarter of Section 5, Township 113, Range 19, Dakota County, Minnesota, lying south of the North 825.00 feet thereof.

Parcel 2: PID 07.00500.051.35

That part of the East 400.00 feet of the Northeast Quarter of the Northwest Quarter of Section 5, Township 113, Range 19, Dakota County, Minnesota, lying South of the North 858.01 feet thereof, except that part to Castle Rock Township for road purposes.

# Exhibit "B"

REC'D BY  
MMB

SEP 16 2005

Highway 50

Highway 3

Canton Court

225th Street

1  
2  
05035 05135

 Subject Properties

 City Boundary



300 0 300 600 Feet

