

OCT 7 1974

September 24, 1974

0A112

JOINT RESOLUTION AS TO ORDERLY ANNEXATION

City of Northfield, Minnesota - Township of Bridgewater, Rice County, Minnesota

Whereas, the Municipal Commission of the State of Minnesota, presently has before it a petition for hearing and consideration of the matter of annexing certain portions of Bridgewater Township to the City of Northfield, and

Whereas, the Township of Bridgewater, hereinafter referred to as Township, and the City of Northfield, hereinafter referred to as City, are parties to the said hearing, and

Whereas, there is a basis for agreement between the parties to this action upon which the matters presently before the Minnesota Municipal Commission can be settled, and the parties hereto desire to set forth such terms of settlement by means of this resolution.

Now therefore, be it resolved by the Township and the City, as follows:

1. That the following described area in the Township is properly subject to orderly annexation under and pursuant to the Minnesota Statutes 414.032, and the parties hereto do hereby designate this area as in need of orderly annexation as provided by statute:

★ All that part of Sections 1, 2, 11 and 12 of the Township described as follows:

Use this description

A tract of land, bounded on the North by the City limits of said City; bounded on the South by the City limits of the City of Dundas, Minnesota, bounded on the East by the by the easterly right of way line of Minnesota Trunk Highway No. Three (3); bounded on the West by the westerly right of way line of Rice County Highway Seventy Eight (78). All in Township 111 North, Range 20 West, Bridgewater Township, Rice County, Minnesota.

that the Township does upon the passage of this resolution and its adoption by the Council of the City, confer jurisdiction upon the Minnesota Municipal Commission so as to accomplish said orderly annexation immediately in accordance with the terms of this resolution.

2. Any lands annexed to the City pursuant to Paragraph #1 of this agreement, shall receive a "tax break". Said "tax break" shall consist of a staged graduated increase in mil rate from the town rate to the City rate over a five (5) year period: i.e. an increase of twenty percent (20%) of the differential in rates per year, each year for five (5) years to reach the city mil rate.

(1)

2. Cont.

SCHEDULE OF TAXATION:

1975	20% payable in 1976
1976	40% payable in 1977
1977	60% payable in 1978
1978	80% payable in 1979
1979	100% payable in 1980

Lands annexed pursuant to paragraph #1 above shall be classified as Rural Service District under Northfield City Ordinance #242, provided such lands otherwise qualify for said classification; and lands so annexed which do not qualify for such classification shall not receive such classification.

3. The town will not object to the immediate annexation of those remaining portions of Section 12 and 1 of the Reuben Koester farm, i.e. Jefferson Park in the City: The south 25 acres of the following described tract:

a-2580
All that part lying Southerly and Easterly of Rice County Highway No. 28 of: The East one-half ($E\frac{1}{2}$) of the Northwest Quarter ($NW\frac{1}{4}$) of Section 12, and the West One-Half ($W\frac{1}{2}$) of the Northeast Quarter ($NE\frac{1}{4}$) of Section 12, and the Southwest Quarter ($SW\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) of Section 1, and the Southeast Quarter ($SE\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$) of Section One (1), in Township One Hundred Eleven 111 North, Range Twenty (20) West, Subject to public roads Subject to easements of record - containing 25 acres more or less.

4. The town will not object to the petition for annexation of the Rock property, petition submitted by chairman and clerk of Independent School District No. 659 and that said instrument and description of parcel was received by Joel Schilling, clerk of said town and is hereby attached, Exhibit No. I.
5. Whereas, the City of Northfield and the City of Dundas have separately passed resolutions applying for Joint Water/Sewer aid the M.P.C.A./E.P.A. authorized representatives and both cities have authorized Peter Stolley, Northfield's City Administrator to act as the single representative of the two cities to the M.P.C.A./E.P.A. in and for Step One.

Planning Improvement - Exhibits II, III, & IV.

Now therefore, the town Board of the Township of Bridgewater requests the trunk sewer line between the City of Northfield and the City of Dundas be placed in the most feasible, economical and advantageous location consistent with the use of parties and land owners it purports to serve.

6. At the discretion of the Minnesota Municipal Commission, areas to be served by utilities shall be included in the annexed area. This exception is granted in order that the City would be enabled to lay any necessary water pipes or storm sewers at the same time that the sanitary sewer collection system is constructed in the interests of economy. Property will be specially assessed for benefits only where improvements, are ordered by appropriate authorities or requested. However, it is understood that where the City deems it necessary to extend sanitary sewers or interceptor sewers and in doing so passes through agricultural land, the city agrees to compensate for damages caused to the landowners so affected.
7. The city agrees to defer any assessments for a trunk sanitary sewer system built by federal grants in aid or other municipal improvements against agricultural land involved as long as it remains agricultural, or up to ten (10) years, which ever is sooner. Agriculture shall be defined as the art of science of cultivating the ground, including the harvesting of crops, and in a broad sense, the science or art of production of plants and animals useful to man, including in a variable degree, the preparation of these products for man's use. In the broad sense, it includes farming, horticulture, forestry, together with such subjects as butter, cheese, making sugar, etc. on a tract of not less than ten (10) acres.
8. In all annexations within the orderly annexation area the parties agree to the following division of financial assets and obligations:

A. Property Taxes:

The real estate tax income for the year in which the annexation takes place shall be divided on the basis of the decimal fraction of the assessed value of the area to be annexed as opposed to the township's total assessed valuation as a whole. This ratio would be further modified by the proportion of the year remaining in which the annexation takes place. For example: If the area to be annexed consisted of 30% of the township's total assessed valuation and eight (8) months were remaining in the year at the date of the annexation, the amount of property tax revenue forwarded to the City would be 30% times 8/12 of 20% of the township's total real estate tax revenues for the year during which the annexation takes place. The town agrees to forward the indicated amount of tax revenue due to the City within fifteen (15) days of the annexation order. The town would then retain all rights to receive these tax refunds as they become payable from the County Treasurer, thereby reimbursing itself for any payments to the City. In all subsequent years, the City shall receive 100% of the tax revenues from the annexed property.

8. Cont.

B. Aids to Local Governments:

The Municipal Commission shall determine the ratio of the population annexed to the total population of the town on the date of its order. This ratio will be further modified by the proportion of the year remaining in which the annexation takes place (as explained above with regard to property taxes).

The County Auditor will apply this modified ratio to all quarterly or other subsequent payments of state per capita aids to the town and divide the payments accordingly.

Per capita aids received by the town in the year of annexation, prior to the date of annexation, would be shared by the same modified ratio as explained above.

C. Town General Fund and Other Assets:

The City agrees not to apply for any division of the Town's General Funds or other assets.

9. All lands annexed to the City pursuant to this agreement shall continue to have the same lawful uses, permits, licenses and zoning provisions as were in effect upon such lands at the time of such annexation unless and until such uses and zoning are changed by legal procedures, including public hearings where required. If there is any gravel to be mined, it shall be done in a reasonable manner and restoration shall be consistent with good conservation practices.
10. The existing private building or sanitary sewer systems in the area will not be required to connect to municipal sewer so long as they do not endanger public health. All new buildings or complexes will be required to hook onto the municipal systems where available and they will be assessed according to benefits. If existing buildings or complexes are to be hooked onto the sewer in the future, they will pay the established rate at the time of hook up. Lateral lines will be paid 100% by the benefited users, according to standard assessment policies of the City. All other assessments shall be as per state law and the City of Northfield Assessment Policy.
11. The City shall add to its Planning Commission one land owner from the annexed area, to be named by the board of supervisors of the township, and this member shall be an ex-officio member of the Planning Commission.
12. The parties hereto have engaged in negotiations for an orderly annexation agreement upon an area of approximately 1,800 acres, including the area encompassed in this agreement. The parties agree that following the execution of this agreement, they shall resume negotiations in good faith to complete such agreement. (During the two year term until October 1, 1976, or until further annexation agreements between the parties are executed, Northfield agrees not to attempt any further annexations with Bridgewater Township, unless there is a legal majority of the landowners involved in a petition for annexation.)

(5)

THE TOWN BOARD OF BRIDGEWATER TOWNSHIP

Chairman:

Harold J. Little
Harold J. Little

Supervisor:

Claude E. Brown
Claude Brown

Supervisor:

James F. Bull
James F. Bull

Treasurer:

Thomas A. Peterson
Thomas A Peterson

Clerk:

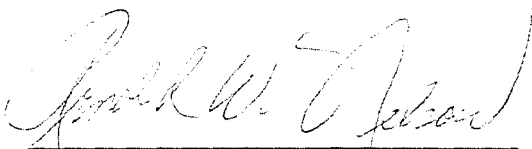
Joel Schilling
Joel Schilling

Dated this 4th day of Oct, 1974.

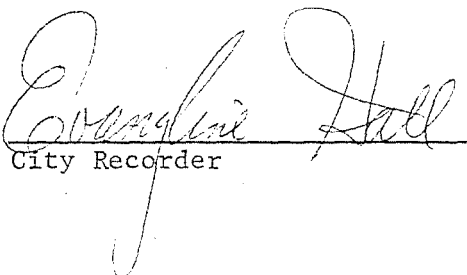
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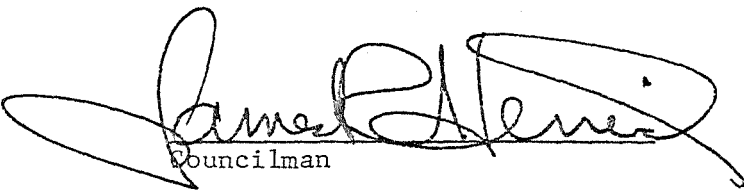
Passed by the City Council of the City of Northfield this 4 day
of October, 1974.


Mayor


Councilman

ATTEST:


City Recorder


Councilman

TO THE CITY COUNCIL OF THE CITY OF NORTHFIELD MINNESOTA: OCT 7 1974

We, the undersigned, being all of the owners of the territory described below, hereby request the City Council of the City of Northfield, Minnesota to annex this territory to the City of Northfield and to extend the City boundaries to include the same, and for that purpose respectfully state:

1. The territory to be annexed consists entirely of lands which are unplatted. All of these lands lie entirely within the County of Rice, State of Minnesota, and the description of such lands is as follows:

Q 2686
 The North One-Half (N $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section 12, Township 111 North, of Range 20 West of the Fifth Principal Meridian, Rice County, Minnesota. Except that part described as beginning at a point on the East line of said North One-Half (N $\frac{1}{2}$) distant 310 Feet South of the Northeast Corner of said North One-Half (N $\frac{1}{2}$); thence Westerly at a right angle to said East line 175.00 Feet; thence Southerly, at a right angle, 130.00 Feet; thence Easterly, at a right angle, 175.00 Feet to the East line of said North One-Half (N $\frac{1}{2}$); thence Northerly along said East line 130.00 Feet to the point of beginning. Subject to Minnesota Trunk Highway No. 246 over and across the Easterly side thereof.

Subject to an Easement running in favor of Northwestern Bell Telephone Company, as recorded in the Office of the Register of Deeds, Rice County, Minnesota in Book 33 of Miscellaneous Records, pages 249-250.

2. The territory described above is less than 200 acres, abuts on the City Limits at the South boundary thereof and none of it is presently included within the corporate limits of any incorporated City, Village or borough.
3. All of this territory is, or is about to become urban or suburban in character.

LAMPA, FOSTUM, JACOBSON & BORENS

ATTORNEYS-AT-LAW

BOX 240

311 SOUTH WATER STREET

NORTHFIELD, MINNESOTA 55057

By: Louise C. Wright
Its ChairmanBy: Hilbert N. Reese
Its ClerkSTATE OF MINNESOTA)
) ss
COUNTY OF RICE)

OCT 7 1974

On this 24 day of June, 1974, before me a Notary Public within and for said County, personally appeared Louise C. Wright and Hilbert N. Reese, to me personally known, who being each duly sworn did say they are respectively the Chairman and the Clerk of Independent School District No. 659 named in the foregoing instrument, and that said instrument was signed and sealed on behalf of said Independent School District No. 659 by authority of its Board of Directors and said Louise C. Wright and Hilbert N. Reese acknowledged said instrument to be the free act and deed of said School District.

John E. Hally
Notary Public, Rice County,
My Commission Expires 3-29

OCT 7 1974

RESOLUTION

RESOLUTION FOR JOINT APPLICATION BY CITY OF DUNDAS/CITY OF NORTHFIELD
FOR JOINT WATER/SEWER PLANNING AID.

BE IT RESOLVED, By the City Council of the City of Dundas that:

1. The City of Dundas shall make joint application with the City of Northfield for Joint Sewer Facilities P.C.A./E.P.A. Step One Planning Improvement.
2. The City of Dundas the City of Northfield shall authorize Peter Stolley, Northfield's City Administrator, to act as the single representative of the two cities to the P.C.A./E.P.A.
3. The City of Dundas and the City of Northfield have reached a cost sharing agreement for the two cities for Step One Planning Improvement.

This resolution shall be fully effective upon delivery of this resolution, and a like resolution of the City of Northfield, to the authorized representatives of the P.C.A./E.P.A.

Adopted by the City Council of the City of Dundas this 20 day of August, 1974.

W. E. Wauer
City Clerk

James W. Lehman Mayor
Richard O. Bulke Council
Lyb E. Kuester "
J. A. McKinnon "

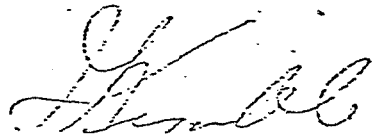
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RESOLUTION

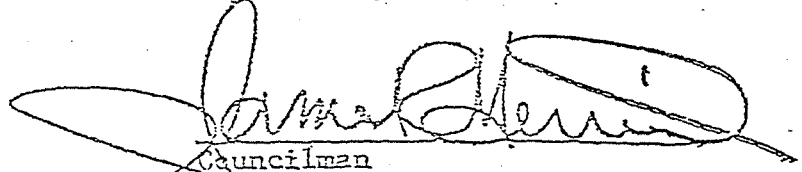
WHEREAS, the City of Northfield feels it is economical to pay for the first phase of the PCA/EPA Grant.

NOW THEREFORE, BE IT RESOLVED, that the City of Northfield will pay for 100% of such expenses that have been incurred by the City of Dundas as of August 16, 1974, not to exceed \$3,000.

Passed by the City Council of the City of Northfield this 16 day of August, 1974.

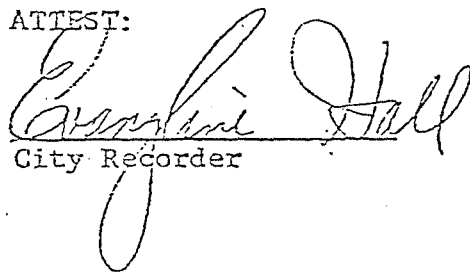


Mayor

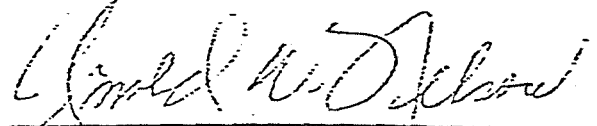


Councilman

ATTEST:



City Recorder



Councilman

OCT 7 1974

RESOLUTION

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This resolution shall be fully effective upon delivery of this resolution, and a like resolution of City of Dundas, to the authorized representatives of the P.C.A./E.P.A.

Adopted by the City Council of the City of Northfield this 16 day of November, 1974.

/s/ G. Kimble

Mayor

/s/ Arnie Nelson

Councilman

ATTEST:

/s/ Evangline Hall

City Recorder

/s/ Otto Pankow

Councilman

STATE OF MINNESOTA }
COUNTY OF DICE

CITY OF NORTHFIELD

I, Evangline Hall, Recorder of the City of Northfield, do hereby certify that I have compared the above copy with the original resolution that was passed by the City Council of the City of Northfield on the 16 day of November, 1974, and the resolution is a true and correct copy of the original resolution which was so passed.

Dated this 21 day of November, 1974.

Evangline Hall
City Recorder, Northfield, Minnesota