

RESOLUTION NO. 2005-005
JOINT RESOLUTION
OF
THE CITY OF FREEPORT AND THE TOWNSHIP OF OAK
REGARDING THE ORDERLY ANNEXATION
OF
PROPERTY FROM THE TOWN INTO THE CITY

WHEREAS, the Town of Oak ("Township") and the City of Freeport ("City") enter into this Resolution in the spirit of joint cooperation; and

WHEREAS, the real property consisting of approximately 57.00 acres and legally described in the attached **Exhibit A** ("Property") is located in the Township and is adjacent and contiguous to the current border of the City; and

WHEREAS, because of the Property's nature and quality, close proximity and contiguity with the City, and potential to be impacted by future growth, development, and urban expansion, the owners of the Property will benefit from, and enhance the City by, being members of, and participating in, the City; and

WHEREAS, the Township and the City agree that it is desirable that the Property be located within the City's municipal limits and that annexation by joint resolution is in the best interest of all parties involved,

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FREEPORT AND THE BOARD OF SUPERVISORS OF THE TOWN OF OAK THAT:

1. The Property as described in the attached **Exhibit A** is designated as being in need of orderly annexation under and pursuant to the provisions of Minnesota Statutes Chapter 414.0325, as amended. Pursuant to Minnesota Statutes Chapter 414, jurisdiction is hereby conferred to approve this agreement and annex the Property pursuant to this agreement.
2. The Township and the City mutually agree that no alteration of the boundaries of the orderly annexation area is necessary or appropriate.
3. The City and Township mutually agree that the Property should be immediately annexed to the City upon approval of this Resolution by both the City and the Township. No consideration of this Joint Resolution or the conditions of annexation by Minnesota Planning, Minnesota Boundary Adjustments is necessary. The Board

(Minnesota Planning) may review and comment, but shall, within 30 days, order the annexation of the Property in accordance with the terms of this Resolution.

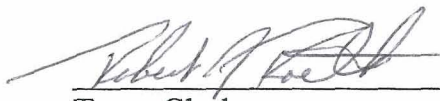
4. The Town and the City mutually agree that the reason for designating the Property for orderly annexation is that it has been found desirable, because of its nature and quality, as well as its close proximity to the City, that the owners of the Property should be afforded the opportunity to participate politically as members of the City, representing their own interests, which otherwise would not be considered in the course of the City's growth, development, and urban expansion.

Adopted by the Supervisors of the Town of Oak this 7th day of February, 2005.

Town of Oak

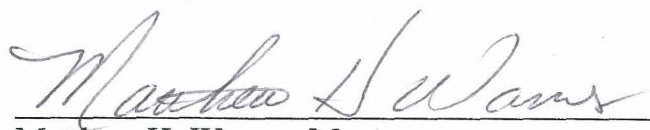

Chair

ATTEST:

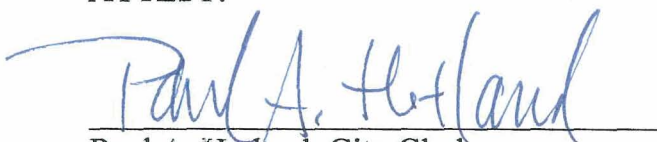

Town Clerk

Adopted by the Council of the City of Freeport this 4th day of February, 2005.

City of Freeport


Matthew H. Worms, Mayor

ATTEST:


Paul A. Hetland, City Clerk

REC'D BY
MMB

FEB 24 2005

Mr. Matt Worms
Mayor
City of Freeport
Freeport, MN 56331

February 3, 2005

Dear Mayor Worms:

We hereby request that our land be annexed into the City of Freeport. Legal description as follows:

The E1/2 of the W1/2 of the NE1/4 and the E1/2 of Government Lot No. 2 of Section 10, Township 125 North, Range 32 West, Stearns County, Minnesota. Containing 57.00 acres more or less. Subject to County Road No. 11 easements and right of way on record.

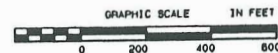
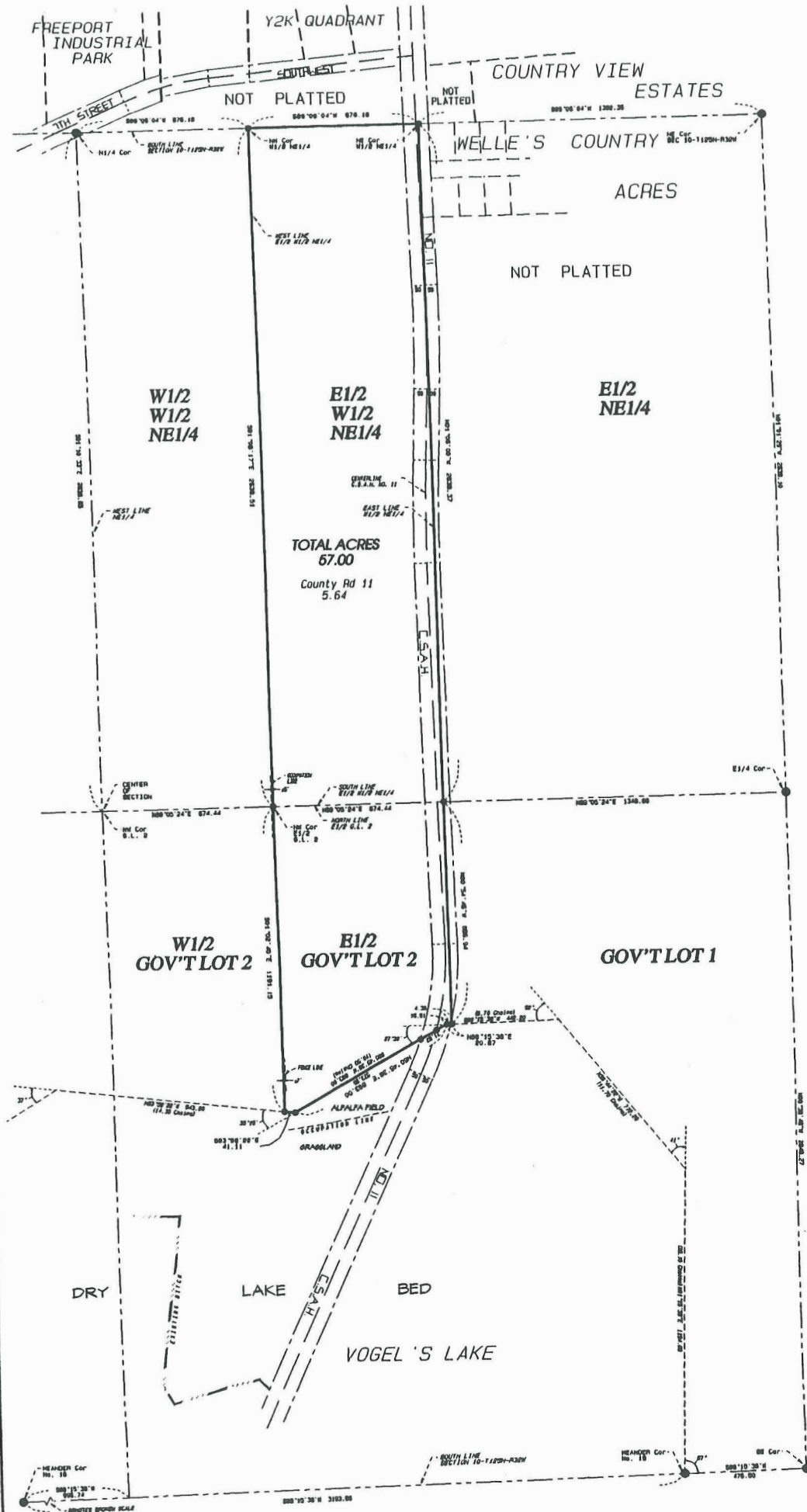
Sincerely,


Neil Middendorf


Mark Middendorf


Kathleen F. Middendorf

EXHIBIT A

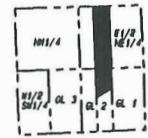


- DENOTES COUNTY CAST IRON MONUMENT
- DENOTES IRON PIPE PLACED THIS SURVEY CAPPED PLS NO. 13334
- DENOTES IRON PIPE FOUND THIS SURVEY

REC'D BY MMB FEB 24 2005

LEGAL DESCRIPTION:
The E1/2 of the W1/2 of the NE1/4 and the E1/2 of Government Lot No. 2 of Section 10, Township 125 North, Range 32 West, Stearns County, Minnesota.
Containing 67.00 acres, more or less.
Subject to County Road No. 11 easements and right of way on record.

SEC 10-1125N-R32W



VICINITY MAP

I HEREBY CERTIFY THAT THIS SURVEY WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

5-24-04 *Ronald Engel*
DATE
Registered Professional Land Surveyor
Minnesota Registration No. 13334

Engelmeyer Surveying P.A.	
PREPARED FOR: PILOT LAND DEVELOPMENT CO.	
Certificate of Survey	
FILE: pilot-d.pro	Job No: 98-04 dlk
Date: 5-24-04	P-3-1809 FB: 123-50
ENGELMEYER SURVEYING P. A. 307A EAST MAIN STREET MELROSE, MN 56355 PHONE: (320) 256-7298 FAX: (320) 256-5151 email: engel@engelmeyersurveying.com	