

REC'D BY  
MMB

APR 18 2005

IN THE MATTER OF THE JOINT  
RESOLUTION OF THE TOWN OF  
HOLDING AND THE CITY OF  
HOLDINGFORD DESIGNATING AN  
UNINCORPORATED AREA AS IN NEED  
OF AN ORDERLY ANNEXATION AND  
CONFERRING JURISDICTION OVER  
SAID AREA TO THE STATE OF  
MINNESOTA, OFFICE OF  
ADMINISTRATIVE HEARINGS,  
PURSUANT TO MINN. STAT. § 414.0325

**JOINT RESOLUTION**  
**FOR ORDERLY ANNEXATION**

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The Town of Holding and the City of Holdingford hereby agree to the following:

1. That the following described area in Holding Township, Stearns County, Minnesota, is subject to an orderly annexation pursuant to Minn. Stat. § 414.0325, and the parties hereto designate this area for orderly annexation, to-wit:

The Northwest Quarter of the Northwest Quarter (NW ¼ NW ¼) of Section Twenty-one (21), together with the West 33 feet of the Southwest Quarter (SW ¼) of Section Seventeen (17), plus the East 33 feet of the Southeast Quarter (SE ¼) of Section Seventeen (17), and the East 33 feet of the Northeast Quarter of the Northeast Quarter (NE ¼ NE ¼) of Section Twenty (20), all being located in Township One Hundred Twenty-six (126), Range Thirty (30), Stearns County, Minnesota, and consisting of 40 acres.

2. That the Town Board of the Town of Holding and the City Council of the City of Holdingford, upon the passage and adoption of this Resolution and upon acceptance of the Office of Administrative Hearings for the State of Minnesota, confer jurisdiction upon the Office of Administrative Hearings for the State of Minnesota over the various provisions contained in this Agreement.

3. That the certain properties which abut the City of Holdingford are presently urban or suburban in nature or are about to become so. Further, the City of Holdingford is

capable of providing services to this area within a reasonable time and the annexation is in the best interest of the area proposed for annexation. Therefore, these properties will be immediately annexed to the City of Holdingford, to-wit:

The Northwest Quarter of the Northwest Quarter (NW  $\frac{1}{4}$  NW  $\frac{1}{4}$ ) of Section Twenty-one (21), together with the West 33 feet of the Southwest Quarter (SW  $\frac{1}{4}$ ) of Section Seventeen (17), plus the East 33 feet of the Southeast Quarter (SE  $\frac{1}{4}$ ) of Section Seventeen (17), and the East 33 feet of the Northeast Quarter of the Northeast Quarter (NE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ) of Section Twenty (20), all being located in Township One Hundred Twenty-six (126), Range Thirty (30), Stearns County, Minnesota, and consisting of 40 acres.

4. Upon annexation, the City shall zone said real estate as industrial and the same shall be utilized as an industrial park.

5. Fee title to said real estate located in the Northwest Quarter of the Northwest Quarter (NW  $\frac{1}{4}$  NW  $\frac{1}{4}$ ) of Section 21, Township 126, Range 30, Stearns County, Minnesota is owed by Scepaniak Properties, LLC. The remaining real estate consists of a County Road.

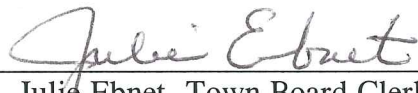
6. The Town of Holding and the City of Holdingford agree that no alteration of the stated boundaries of this Agreement is appropriate. Furthermore, each party agrees that no consideration by the Minnesota Office of Administrative Hearings is appropriate. Furthermore, each party agrees that no consideration by the Minnesota Office of Administrative Hearings is necessary. Upon receipt of this Resolution, passed and adopted by each party, the Minnesota Office of Administrative Hearings may review and comment, but shall, within 30 days, order the annexation in accordance with the terms of this Joint Resolution.

7. The Town of Holding and the City of Holdingford further agree that the real estate taxes paid to the City and/or Township shall be divided as follows for the years specified: (a) 2006 - City of Holdingford: 25%; Township of Holdingford: 75%; (b) 2007 - City of Holdingford: 50%; Township of Holdingford: 50%; (c) 2008 - City of Holdingford: 75%; Township of Holdingford: 25%; (d) 2009 forward - City of Holdingford: 100%

Approved by the Town of Holding this 5<sup>th</sup> day of April 2005,  
2005.

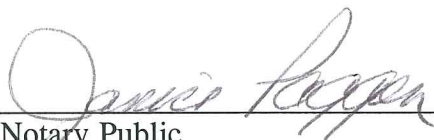
TOWN OF HOLDING

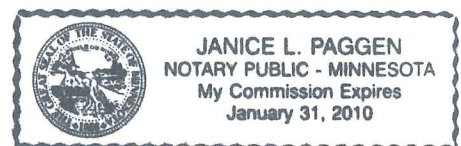
By:   
Mark Stai, Town Board  
Chairperson

By:   
Julie Ebnet, Town Board Clerk

STATE OF MINNESOTA )  
 ) ss.  
COUNTY OF )

On this 7 day of April, 2005, before me a Notary Public, within and for said Stearns County, personally appeared Mark Stai and Julie Ebnet, to me personally known, who being each by me duly sworn did say that they are respectively the Chairperson and Clerk of the Township of Holding, named in the foregoing instrument and that said instrument was signed and sealed on behalf of said Township by authority of its Town Board and said Mark Stai and Julie Ebnet acknowledged said instrument to be the free act and deed of said Township.

  
Notary Public



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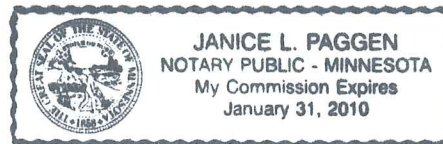
Approved by the City of Holdingford this 14 day of March,  
2005.

CITY OF HOLDINGFORD

By: Ernie Schmit  
Ernie Schmit, Mayor

By: Victoria Statz  
Victoria Statz, City Clerk

STATE OF MINNESOTA )  
 ) ss.  
COUNTY OF Stearns )



On this 30 day of March, 2005, before me a Notary Public, within and for said Stearns County, personally appeared Ernie Schmit and Victoria Statz, to me personally known, who being each by me duly sworn did say that they are respectively the Mayor and Clerk of the City of Holdingford, the municipal corporation named in the foregoing instrument and that said instrument was signed and sealed on behalf of said municipal corporation by authority of its City Council and said Ernie Schmit and Victoria Statz acknowledged said instrument to be the free act and deed of said City.

Janice Paggen  
Notary Public



## CONSENT TO ANNEXATION BY PROPERTY OWNERS

The undersigned, being the fee title owners of the Northwest Quarter of the Northwest Quarter of Section 21, Township 126, Range 30, Stearns County, Minnesota hereby consent to the above-described annexation.

FEE TITLE OWNER  
SCEPANIAC PROPERTIES, LLC

By: William Scepaniak

By: Joseph Scepaniak

STATE OF MINNESOTA    )  
  )ss.  
COUNTY OF Stearns    )

On this 9 day of April, 2005 before me a Notary Public, within and for said County, personally appeared William Scepaniak and Joseph Scepaniak, to me personally known, who being each by me duly sworn did say that they are respectively the chief officer and partner of the limited liability company named in the foregoing instrument and that said instrument was signed and sealed on behalf of said limited liability company and said William Scepaniak and Joseph Scepaniak acknowledged said instrument to be the free act and deed of said limited liability company.



JANICE L. PAGGEN  
NOTARY PUBLIC - MINNESOTA  
My Commission Expires  
January 31, 2010

Janice Paggen  
Notary Public

REC'D BY  
MMB

APR 18 2005

