

MAR 5 1975

OA-114

JOINT RESOLUTION AS TO ORDERLY ANNEXATION:
LITTLE FALLS CITY AND TOWNSHIP

WHEREAS, the Municipal Commission of the State of Minnesota presently has before it for hearing and consideration the matter of annexing certain portions of Little Falls Township to the City of Little Falls; and

WHEREAS, the Township and City of Little Falls 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 City of Little Falls as follows:

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

The North 754 feet of the East 750 feet of that part of the East half of South-west quarter ($E\frac{1}{2} SW\frac{1}{4}$) of Section Nine (9), Township Forty (40), Range Thirty-two (32), lying South of the right of way of Trunk Highway No. 27.

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

2. That, subject to Number 3 below, if city zoning or other ordinances are adopted or enforced during the next five years without the consent of the property owner so as to prevent the continuation of the existing cement manufacture and sales business on the

above described property; then and in that event, both parties hereby agree to the immediate detachment of the property pursuant to Minnesota Statutes 414.06.

3. a. That it being the intent of the parties to prevent the existing property owner's business from being terminated by City action for five years; the provisions of Number 2 above shall not be operative in the event that the business is expanded in violation of City ordinances; moved from said location or terminated.

b. This resolution is not intended to limit the legal rights, including the grandfather rights, except as provided by law or City ordinance, of the property owners, their heirs, personal representatives or assigns, nor is it the intent of the governing bodies by adopting this resolution to require the property owners, their heirs, personal representatives or assigns, to terminate the existing business after the five year term hereinbefore provided for.

4. That both parties agree to dismiss the pending annexation petition (MMC Docket Number A-2694).

Attested:

CITY OF LITTLE FALLS

James L. Mitchell
City Administrator

By Jay J. Calhoun
Council President

Approved this 3rd day of March, 1975.

W. J. Ables
Mayor of Said City

Attested:

TOWN OF LITTLE FALLS

Lawrence Boisvert
Town Clerk

By Eugene Young
Chairman of Town Board

(SEAL)