

**TOWN OF EMPIRE
CITY OF FARMINGTON**

**IN THE MATTER OF THE JOINT
RESOLUTION OF THE TOWN OF
EMPIRE 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, POR MKR Real Estate, LLC is the sole owner of platted property currently located in Empire Township with an address at 21054 Chippendale Avenue, and legally described as stated in Attachment A; and

WHEREAS, the property is adjacent to land located within the City limits, is located along and to the east of Trunk Highway 3 in the northeasterly area of the City, is approximately 7.05 acres in size, and has no households or population but is improved with various buildings serving as storage and service facilities for commercial vehicles (buses); and

WHEREAS, POR MKR Real Estate POR MKR Real Estate has petitioned the City for annexation of its property for the purpose of receiving city services; and;

WHEREAS, the City of Farmington can provide the requested urban services to the property.

NOW, THEREFORE, the Township of Empire 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, for the property described above and as shown on the attached Exhibit B and legally described on Exhibit A
2. That the purpose of the annexation of the property involved in this annexation is to transfer jurisdiction over the property in order to provide urban

services including but not limited to sewer, water, refuse collection, police and fire protection from the City of Farmington.

3. That in order to accomplish this purpose, the property owned by POR MKR Real Estate, LLC described herein should be immediately annexed to and made part of the City of Farmington.

4. 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.

5. 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.

6. The City and Township agree that upon annexation all planning, official controls, and governmental services for the annexed area shall become the responsibility of the City, and 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 .

7. The City and the Township mutually state 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.

REC'D BY
MMB

JUN 01 2005

Approved and Adopted
this 10th day of MAY, 2005.

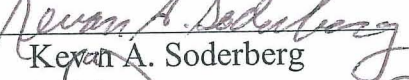
TOWN OF EMPIRE

BY: 
Its Town Board Chair

AND 
Its Town Board Clerk

Approved and Adopted
this 16th day of MAY, 2005.

CITY OF FARMINGTON

BY: 
Kevin A. Soderberg
Its Mayor

AND 
David M. Urbia
Its City Administrator

REC'D BY
MMB

JUN 01 2005

EXHIBIT A

Legal description of property subject to immediate annexation:

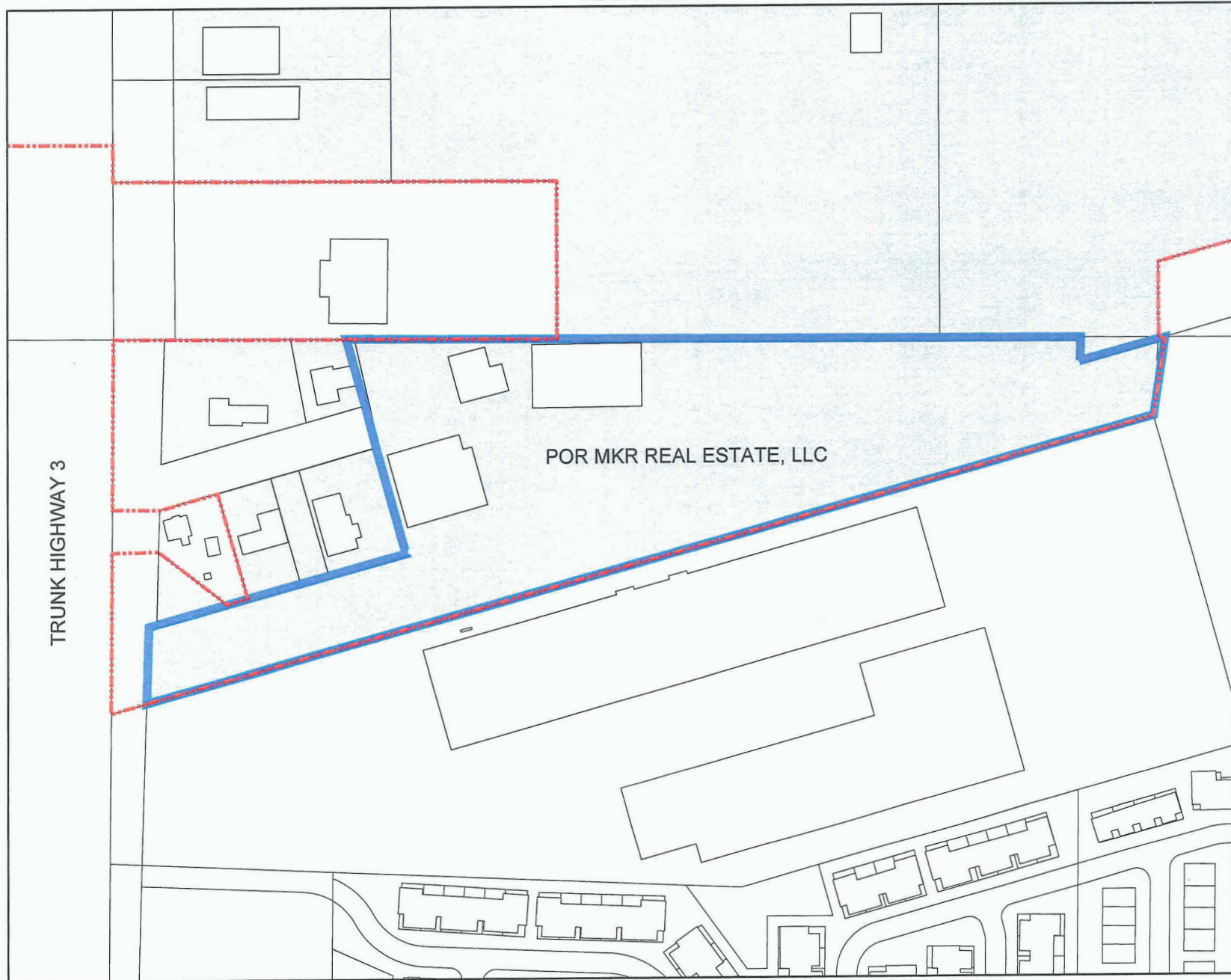
Lot One (1), Block One (1), Empire Liberty Addition, Dakota County, Minnesota

PIN 12-23900-010-01

EXHIBIT B




Map of property subject to immediate annexation showing existing corporate boundaries in the northeast area of the City.

EXHIBIT B



TRUNK HIGHWAY 3

POR MKR REAL ESTATE, LLC

-  City Boundary
-  City Property
-  Township Property

260 130 0 260 Feet

N

REC'D BY
MMB
JUN 01 2005