

**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**, American Legion Post 189 is the sole owner of unplatted property currently located in Empire Township, and legally described as stated in Attachment A, and;

**WHEREAS**, the property abuts land within the City limits, is located east of Trunk Highway 3, has access to 209<sup>th</sup> Street in the northeasterly area of the City, is approximately 4.75 acres in size, and has no households, population or improved structures; and

**WHEREAS**, American Legion Post 189 has petitioned the City for annexation of its property for the purpose of developing the property for residential use; 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 American Legion Post 189 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.

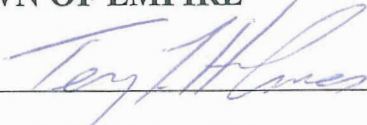
7. The City and the Township mutually state that the annexation of the property will not result in any change of electrical service and will not require joint planning since upon final approval of this joint resolution and issuance of the annexation order by the Director the property will immediately 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.

JUN 01 2005

Approved and Adopted  
this 10<sup>th</sup> day of MAY, 2005.

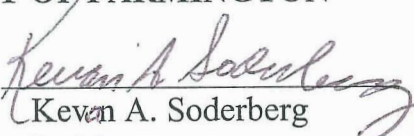
**TOWN OF EMPIRE**


BY:   
Its Town Board Chair

AND   
Its Town Board Clerk

Approved and Adopted  
this 16<sup>th</sup> day of MAY, 2005.

**CITY OF FARMINGTON**

BY:   
Kevin A. Soderberg  
Its Mayor

AND   
David M. Urbia  
Its City Administrator



**EXHIBIT A**

Legal description of property subject to immediate annexation:

Commencing at the Southwest corner of Section 29, Township 114, Range 19, West of the Fifth Principal Meridian; thence North along and parallel with Section line 665 feet; thence East and parallel with Section line 1828.3 feet; thence South and parallel with Section line 554 feet to the Chicago, Milwaukee, and St. Paul Right of Way; thence Westerly along said right of way to the intersection of the Section line along the South side of said Section 29; thence West and parallel with Section line to the place of beginning and containing 27.50 acres, more or less, all in the South Half (S  $\frac{1}{2}$ ) of the Southwest Quarter (SW  $\frac{1}{4}$ ) of Section 29, Township 114, Range 19 West of the Fifth Principal Meridian, according to the Government Survey thereof,

EXCEPTING THEREFROM the East 699.6 feet of the North 190 feet of the West 1828.3 feet thereof; and also excepting therefrom the East 310 feet of the West 1062.7 feet of the North 190 feet thereof; and also excepting the East 80.0 feet of the North 190.0 feet of the West 739.2 feet of the South 665.0 feet of the South Half of the Southwest Quarter (S  $\frac{1}{2}$  of SW  $\frac{1}{4}$ ) of Section 29, Township 114, Range 19, according to the Government Survey thereof, also excepting the East 96.2 feet of the West 449.2 feet of the North 190 feet thereof;

ALSO EXCEPTING THEREFROM the West 353 feet of the North 155 feet of the South 665 feet thereof;

ALSO EXCEPTING THEREFROM the West 605 feet of the South 216 feet of the Southwest Quarter (SW  $\frac{1}{4}$ ) all in Section 29, Township 114, Range 19, according to the Government Survey thereof,

ALSO EXCEPTING THEREFROM the East 80.0 feet of the North 190.0 feet of the West 529.2 feet of the South 665.0 feet of the South Half of the Southwest Quarter (S  $\frac{1}{2}$  of SW  $\frac{1}{4}$ ),

AND ALSO EXCEPTING THEREFROM the East 60.0 feet of the North 190.0 feet of the West 589.2 feet of the South 665.0 feet of the South Half of the Southwest Quarter (S  $\frac{1}{2}$  of SW  $\frac{1}{4}$ ), Section 29, Township 114, Range 19, according to the Government Survey thereof,

ALSO EXCEPTING THEREFROM the East 699.6 feet of the West 1828.3 feet of the South 475 feet of that part of the S  $\frac{1}{2}$  of the SW  $\frac{1}{4}$  lying Northerly of the right of way line of the Chicago, Milwaukee and St. Paul Railroad in Section 29, Township 114 North, Range 19 West, Dakota County, Minnesota,



ALSO EXCEPTING THEREFROM part of the Southwest Quarter (SW  $\frac{1}{4}$ ) of Section 29, Township 114 North, Range 19 West, Dakota County, Minnesota, described as follows: Beginning at the intersection of the West line of the said Southwest Quarter with the North line of the South 356 feet of said Southwest Quarter; thence North along the West line of the said Southwest Quarter 154 feet; thence East, parallel with the South line of the said Southwest Quarter 353 feet; thence South, parallel with the West line of the said Southwest Quarter 35 feet; thence East, parallel with the South line of the said Southwest Quarter 27 feet; thence South, parallel with the West line of the said Southwest Quarter 119 feet, more or less, to the North line of the South 356 feet of said Southwest Quarter; thence West, along said North line of the South 356 feet, a distance of 380 feet to the point of beginning,

ALSO EXCEPTING the West 380 feet of the North 140 feet of the South 356 feet of the Southwest Quarter (SW  $\frac{1}{4}$ ) of Section 29, Township 114, Range 19,

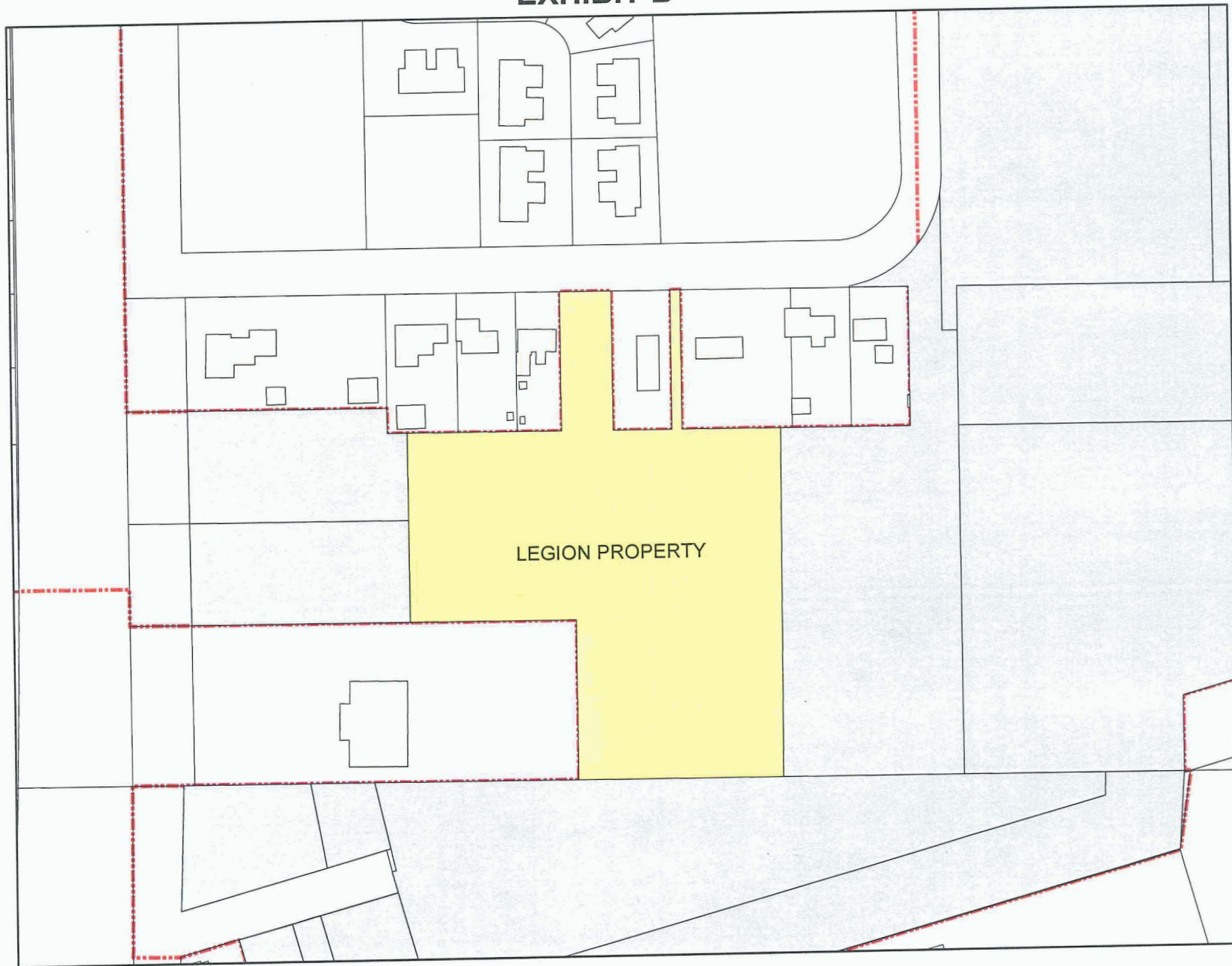
ALL IN the County of Dakota, State of Minnesota.




(PIN 12-02900-010-58)

#### **EXHIBIT B**

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

# EXHIBIT B



-  City Boundary
-  City Property
-  Township Property

250 125 0 250 Feet



RECD BY  
M.A.B.  
JUN 01 2005

