

SOUTHSIDE TOWNSHIP RESOLUTION
NO. 2005-26

CITY OF ANNANDALE RESOLUTION
NO. 2005-22

JOINT RESOLUTION FOR ORDERLY ANNEXATION BETWEEN
SOUTHSIDE TOWNSHIP AND THE CITY OF ANNANDALE

WHEREAS, the Southside Township Board of Supervisors passed a resolution on _____ June 7, 2005, approving the annexation to the City of Annandale of certain land owned by David and Patricia Nusbaum and legally described in the attached Exhibit A.

WHEREAS, the City Council of the City of Annandale agreed to the annexation of the above described parcel of land at its June 6, 2005 meeting; and

WHEREAS, the Southside Township Board and the City Council for the City of Annandale have both determined that the annexation of a portion of the Township with the City is of mutual benefit to both parties and the residents thereof;

NOW, THEREFORE, BE IT RESOLVED by the Southside Township Board and the City Council of the City of Annandale as follows:

1. **Designation of Annexation Area.** The Southside Township (hereinafter "Town") and the City of Annandale (hereinafter "City") designate the area legally described in Exhibit A and shown on the map attached as Exhibit B (Adesignated property@) as subject to merger and orderly annexation pursuant to Minnesota Statutes ' 414.0325.

2. **Population of Merger Area.**

- (a) The Township and the City state that the population of the annexed area is approximately 0 persons.
- (b) The 2004 census results of the population of the City of Annandale was 2712 persons. Therefore, following the annexation, the estimated population of the City will increase by 0 persons.

3. **Municipal Boundary Adjustments Jurisdiction.** Upon approval by the Town Board and City Council, this Joint Resolution shall confer jurisdiction upon the Minnesota Office of Strategic and Long Range Planning to approve annexation of the designated property pursuant to Minnesota Statutes ' 414.0325.

4. **No Alteration of Boundaries.** The Town and City agree and state that no alterations by the Minnesota Office of Strategic and Long Range Planning of the designated property=s stated boundaries is appropriate.

5. **Payment In Lieu of Taxes.** Emmerich Development agrees to pay Southside Township the sum of \$1,537.90 as full payment for 10 years of the Township's lost tax revenues as a result of this annexation.

6. **Zoning.** Upon annexation, the property shall be zoned Residential and shall be a part of the City's approved Planned Unit Development for Southbrook Development.

7. **Municipal Boundary Adjustments Review and Comment.** The Town and City agree and state that this Joint Resolution sets forth all the conditions for annexation of the designated property, and no consideration by the Minnesota Office of Strategic and Long Range Planning is necessary. The Minnesota Office of Strategic and Long Range Planning may review and comment, but shall order the annexation of the designated property according to this Joint Resolution's terms within 30 days of the Minnesota Office of Strategic and Long Range Planning receipt of this Joint Resolution.

8. **Planning and Land Use Control Authority.** Upon the annexation=s effective date, the City's zoning regulations and land use controls shall govern the designated property.

9. **Acreage** The designated property consists of 5 acres.

10. **Authorization.** The Town and City have authorized the appropriate officers to carry this Joint Resolution's terms into effect.

11. **Severability.** A determination by any court of competent jurisdiction that any provision of this Joint Resolution is invalid, illegal or unenforceable shall not affect the validity of this Joint Resolution's other provisions. If any of this Joint Resolution's provisions is inapplicable to any person or circumstance, it shall still remain applicable to all other persons or circumstances.

12. **Effective Date.** This Joint Resolution shall be effective from the date of the Office of Strategic and Long Range Planning's order calling for the designated property=s annexation to the City.

13. **Governing Law.** Minnesota law will govern this Agreement.

The Southside Township Board of Supervisors adopts this Joint Resolution on

June 7, 2005.

SOUTHSIDE TOWNSHIP

By Shelly Latour - Chairman

REC'D BY
MMB

JUN 30 2005

Board of Supervisors Chairperson

ATTEST:

Caiter Merrill
Town Clerk

The Annandale City Council adopts this Joint Resolution on June 6, 2005.

CITY OF ANNANDALE

By Marian Harmoning
Marian Harmoning, Mayor

ATTEST:

Mark Casey
Mark Casey
City Administrator/Clerk

EXHIBIT A

REC'D BY
MMB

JUN 30 2005

Legal Description:

A tract of land in the Northeast Quarter of the Northwest Quarter of Section 36, Township 121, Range 28 described as follows: Commencing at the Northeast corner of the Northeast Quarter of the Northwest Quarter of Section 36, Township 121, Range 28; thence run South along the East line 46 rods to an iron post for the beginning; thence run West 32 rods; thence South 25 rods; thence east 32 rods to the East line thereof; thence North 25 rods to the point of beginning.

EXHIBIT B

REC'D BY
MMB

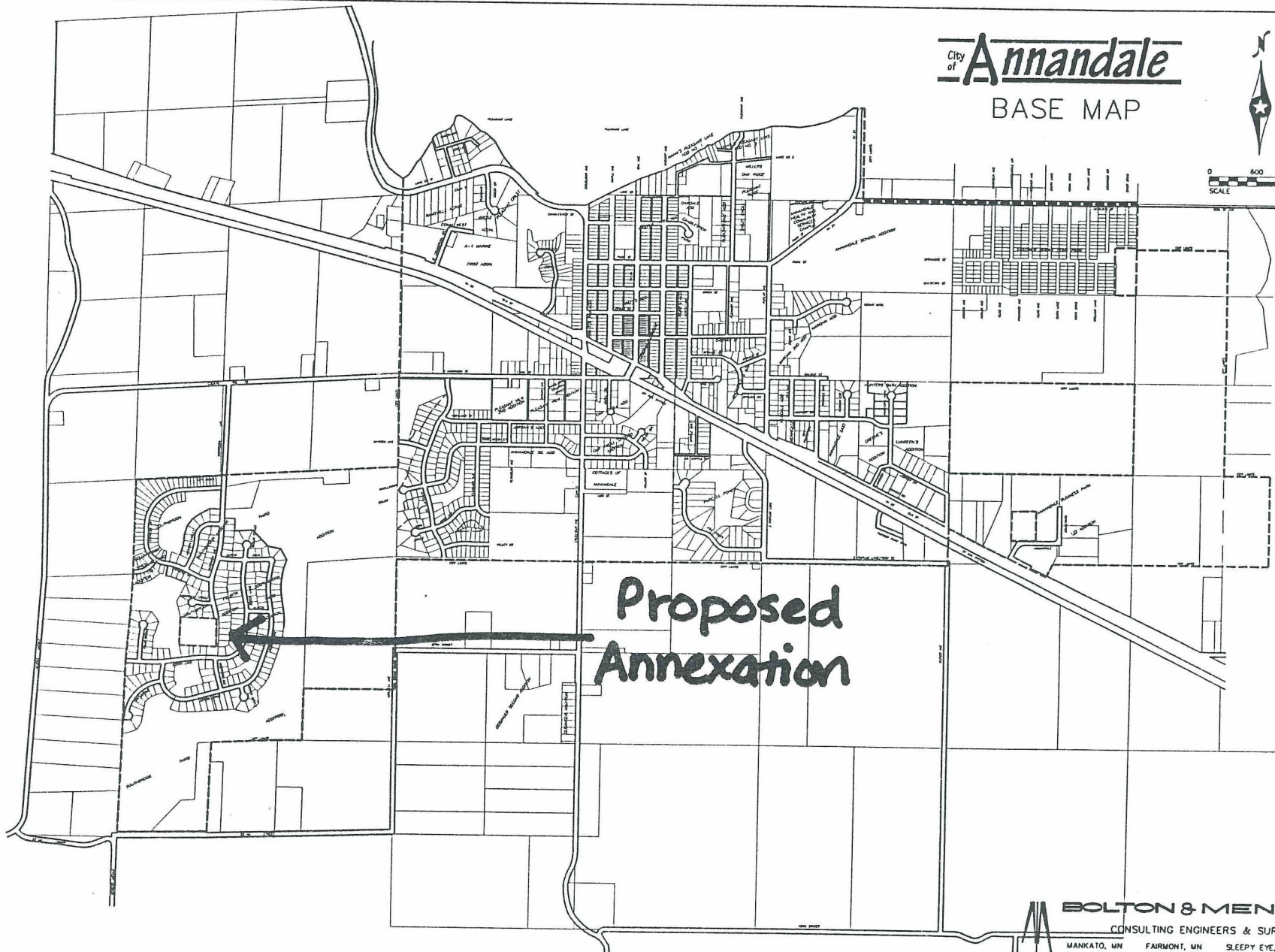
JUN 30 2005

Map

City of **Annandale**
BASE MAP



0 600 1200
SCALE FEET



REC'D BY
M.M.B.

JUN 30 2005



BOLTON & MENK, INC

CONSULTING ENGINEERS & SURVEYORS

MANKATO, MN FAIRMONT, MN SLEEPY EYE, MN WILLMAR, MN
BURNSVILLE, MN CHASKA, MN AMES, IA LIBERTY, MO