

R86-05
**TOWN OF EMPIRE
CITY OF FARMINGTON**

REC'D BY
MMB

AUG 31 2005

**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, Michael and Eileen Devney are the sole owners of unplatted property currently located in Empire Township described in Exhibit "A" and depicted in Exhibit "B"; and

WHEREAS, the property abuts land within the City limits, is generally located south of 210th Street east of the current municipal boundary, is approximately 13.40 acres in size, and has zero households with a population of zero people; and

WHEREAS, Michael and Eileen Devney have petitioned the City for annexation of their property for the purpose of connecting to City-provided sanitary sewer and water services; and

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

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 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 Michael and Eileen Devney 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 Administrative Hearings, Municipal Boundary Adjustment Unit (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 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 Resolutions.

Approved and Adopted
this 28 day of June, 2005.

Approved and Adopted
this 18th day of July, 2005.

TOWN OF EMPIREBY: 

Its Town Board Chair

AND 

Its Town Board Clerk

CITY OF FARMINGTONBY: 

Its Mayor

AND 

Its City Administrator

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EXHIBIT A

PIN of parcel subject to this joint resolution: 12-03200-014-01

Legal description of property subject to immediate annexation:

The North Half of the Northeast Quarter of Section 32, Township 114, Range 19,
Excluding the East 33 feet of the North 66 feet and Excluding the West 2,200 feet.
Containing 13.40 acres

SITE MAP

PROPERTY ID NUMBER: 12-03200-014-01

FEE OWNER: MICHAEL J & EILEEN M DEVNEY
5810 212TH ST W
FARMINGTON MN 55024-9621

PAYABLE 2005 TAXES

NET TAX: 191.32
SPECIAL ASSESSMENTS: 0.00
TOTAL TAX & SA: 191.32

PAYABLE 2006 ASMNT USAGE: AG-GREEN ACRES

2005 ESTIMATED MARKET VALUES (PAYABLE 2006)

LAND: 86,200 LOT SIZE
BUILDING: 86,200
TOTAL: 86,200 583,775 TOTAL SQ FT
13.40 TOTAL ACRES
13,536 ROAD R/W SQ FT

SCHOOL DISTRICT: 192

LOCATION: NE1/4 NE1/4 SECTION 32-114-19

PAYABLE 2006 HOMESTEAD STATUS: FULL HOMESTEAD

WATERSHED DISTRICT: VERMILLION RIVER

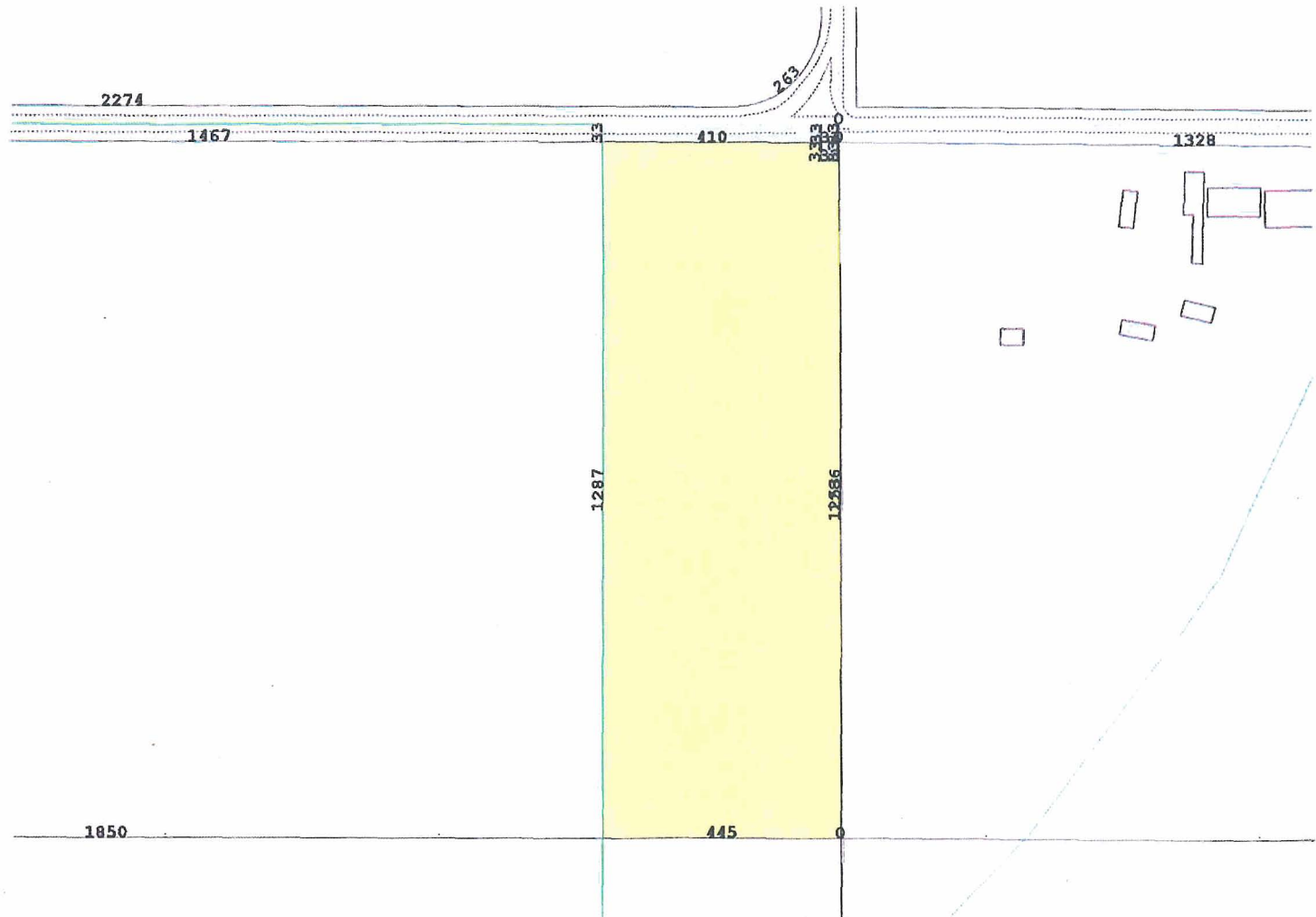
LAST QUALIFIED SALE:
DATE: AMOUNT:

2005 BUILDING INFORMATION (PAYABLE 2006):

NO DATA AVAILABLE

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NOTE: Dimensions rounded to nearest foot.

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This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, information and data located in various city, county, and state offices and other sources, affecting the area shown, and is to be used for reference purposes only. Dakota County is not responsible for any inaccuracies herein contained. If discrepancies are found, please contact Dakota County Survey and Land Information Department.

Map Date: June 21, 2005 Parcels Updated: 8/16/2005 Aerial Photography: 2002

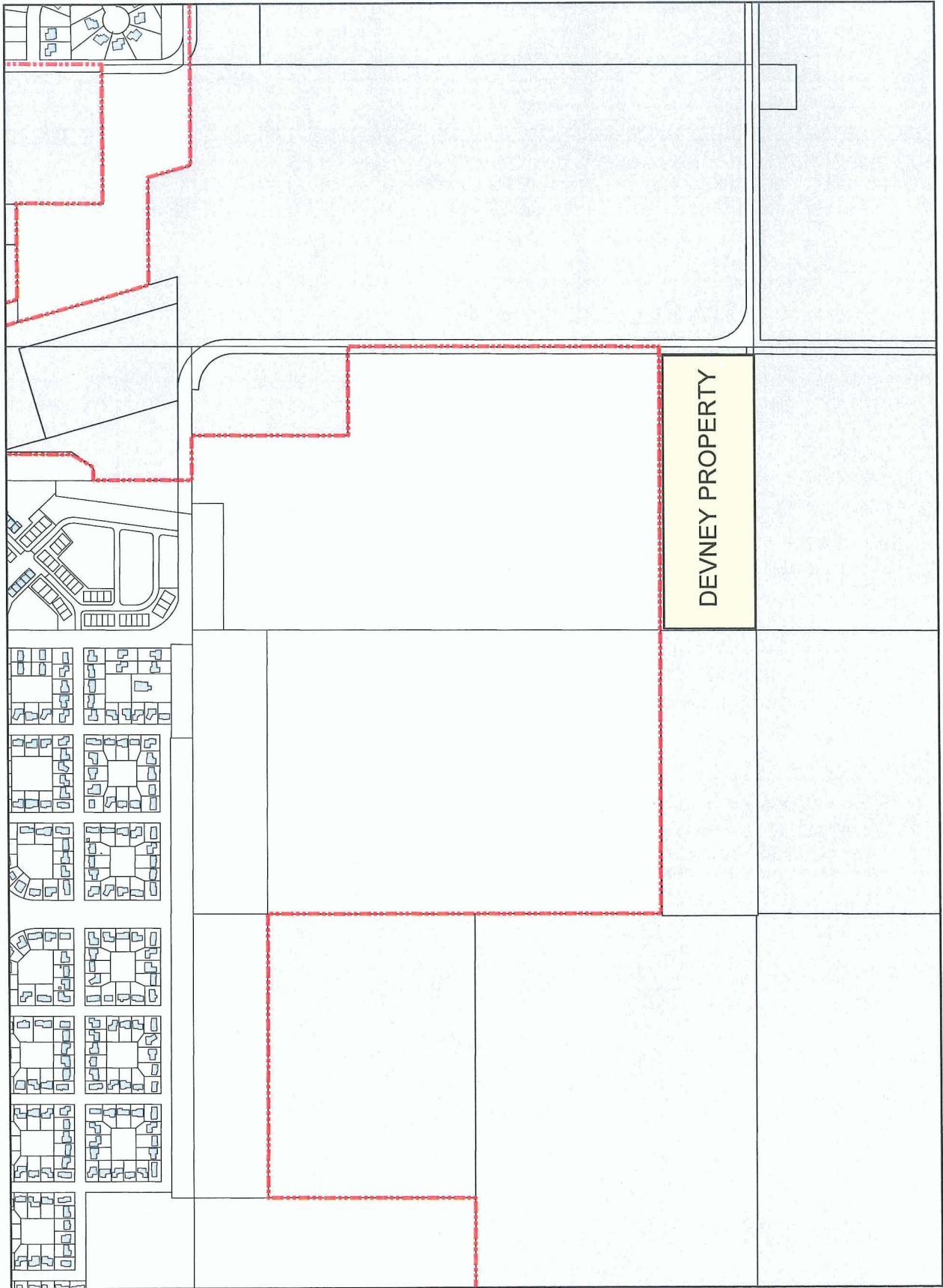
PLAT NAME: SECTION 32 TWN 114 RANGE 19
TAX DESCRIPTION: N 1/2 OF NE 1/4 EX E 33 FT
OF N 66 FT & EX W 2200 FT
32 114 19



EXHIBIT B

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AUG 3 1 2005



----- City Boundary

City Property

Township Property

1,500

Feet

