

**County of McLeod
State of Minnesota**

**City of Hutchinson Resolution No. 12818
and
Township of Lynn**

**JOINT RESOLUTION OF THE CITY OF HUTCHINSON AND THE TOWNSHIP
OF LYNN AS TO THE ORDERLY ANNEXATION OF PROPERTY**

WHEREAS, the City of Hutchinson ("City") and the Township of Lynn ("Township") desire to enter into an agreement allowing for the orderly annexation of certain property, pursuant to Minnesota Statute 414.0325, Subdivision 1; and

WHEREAS, the City and the Township are in agreement concerning the annexation of the property identified in Exhibit A (also identified as the staged growth plan attached as a map); and

WHEREAS, the area identified was based on the City's capacity to provide sewer services to areas;

WHEREAS, it is in the best interest of the City, the township and their respective residents to agree to an orderly annexation in furtherance of orderly growth and the protection of the public health, safety and welfare; and

WHEREAS, the parties hereto desire to set forth the terms and conditions of such orderly annexation by means of this Resolution;

NOW, THEREFORE, BE IT RESOLVED by the City of Hutchinson, McLeod County, Minnesota, that the following terms, conditions and agreements shall become binding upon the City and the Township:

1. Upon approval by the respective governing bodies of the City and the Township, this joint resolution shall confer jurisdiction upon Minnesota Planning – Municipal Boundary Adjustments (hereinafter "Minnesota Planning") to accomplish the orderly annexation of the lands described in the attached Exhibit A in accordance with the terms of this joint resolution.
2. Pursuant to Minnesota Statutes 414.0325, subdivision 1, the parties do hereby designate the area described in the attached Exhibit A as an Orderly Annexation Area in need of orderly annexation. The described Orderly Annexation Area consists of approximately 1427 acres.

3. The City covenants and agrees that it will preserve the drainage functions of all drain tiles located within the Orderly Annexation Area by designing and constructing a municipal storm sewer system and allocating the costs thereof as described in this resolution, to the extent that the future development of properties within the Annexation area shall not significantly adversely impact existing drainage in the areas of the Township outside the orderly Annexation Area as such drainage exists at the time of the signing of this agreement.
4. For all property annexed pursuant to this Joint Resolution, the City shall remit to the Township, property taxes as follows:
 - a. Property taxes payable on the annexed area for the year in which the annexation becomes effective shall be paid to the Township. Thereafter, property taxes shall be paid to the city but shall be apportioned as listed below, and the City shall make a cash payment to the Township yearly in the following amounts:
 1. In the first year following the year in which the land was annexed, 95% of the property taxes paid to the Township in the year the land was annexed;
 2. In the second year following the year in which the land was annexed, 85% of the property taxes paid to the Township in the year the land was annexed;
 3. In the third year following the year in which the land was annexed, 65% of the property taxes paid to the Township in the year the land was annexed;
 4. In the fourth year following the year in which the land was annexed, 45% of the property taxes paid to the Township in the year the land was annexed;
 5. In the fifth year following the year in which the land was annexed, 25% of the property taxes paid to the Township in the year the land was annexed.
 - b. Thereafter all property taxes from the described property shall be paid to the City.

6. This Joint Resolution may be amended from time to time by the City and the Township upon such terms as are mutually acceptable to the parties.
7. The City and the Township mutually state that no alteration by Minnesota Planning to the boundaries as described on Exhibit A ("the orderly annexation area") is appropriate or permitted.
8. Having designated the area described on 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 further consideration by Minnesota Planning is necessary. As such, Minnesota Planning may review and comment, but shall, within thirty (30) days of the date of receipt of this Joint Resolution for Orderly Annexation, order the immediate annexation of the properties and land described in the attached Exhibit A in accordance with the terms of this Joint Resolution.

30 day

ADOPTED BY THE CITY COUNCIL OF THE CITY OF HUTCHINSON THIS
23rd DAY OF August, 2005

Steven W. Cook
Steven W. Cook
Mayor

Gary D. Plotz
Gary D. Plotz
City Administrator

ADOPTED BY THE Lynn TOWNSHIP BOARD THIS 2 DAY
OF Aug, 2005

Robert Thurninger
Chair

Lynn Township

Cheryl Bleil
Clerk

Lynn Township

Orderly Annexation Agreement

Lynn Township

Resolution No. 12818

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REC'D BY
M M B

SEP 19 2005

Exhibit A

The NE 1/4 and SE 1/4 of Section 3, T116N, R30W.

East 1/2 of Section 10, T116N, R30W.

The W 1/2 of NW 1/4 of Section 2, T116N, R30W.

The N 1/2 of the NE 1/4 of Section 15, T116N, R30W.

The NW 1/4 of the NW 1/4 of Section 14, T116N, R30W.

Section 11, T116N, R30W.

The SW 1/4 of Section 12, T116N, R30W.

The N 1/2 of the NW 1/4 of Section 13, T116N, R30W.

Staging Plan-New-July, 2005				
Year	Lynn Twp.	Acoma Twp.	Hutchinson Twp.	Hassan Valley Twp.
2005-2010	250.7	0	403	511.2
2010-2015	768	314.3	282.2	0
2015-2020	408.6	675.1	537.6	410.4
Totals	1427.3	989.4	1222.8	921.6

Orderly Annexation Map
 City of Hutchinson
 Hassan Valley
 Lynn Township
 Hutchinson Township
 Acoma Township
 July, 2005

Staged Growth Year

- 2005-2010
- 2010-2015
- 2015-2020
- Joint Planning Boundary

