

Resolution 2018-10
JOINT RESOLUTION FOR ORDERLY ANNEXATION
BETWEEN THE TOWN OF AVON AND THE CITY OF AVON

Property Owner's Name: Lange Properties of Avon, LLC
Property Identification Number: 03.00989.0010

RECITALS

- A. The Township of Avon ("Town") and the City of Avon ("City"), both of Stearns County, Minnesota, agree on the orderly annexation of certain real property described in this Resolution for orderly and planned services to the community.
- B. The property proposed to be annexed (as described on Exhibit A and set forth on the map as Exhibit B) is subject to orderly annexation under and pursuant to Minnesota statutes, Section 414.0325. The property to be annexed is part of an Orderly Annexation Area between the City and Town which Agreement was executed by the City on August 11, 2005 and executed by the Township on August 17, 2005.
- C. All owners of the property proposed to be annexed have petitioned the City and the Town for annexation.
- D. The Joint Planning Board of the City of Avon and the Township of Avon have reviewed this annexation request and affirm that the annexation is in compliance with the Orderly Annexation Agreement between the City and Town.

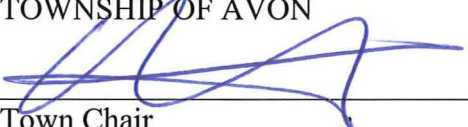
RESOLUTION

1. **Designation of Property.** The Town and City designate the area set forth in the legal description of the properties attached as Exhibit A and set forth on the map attached as Exhibit B as subject to orderly annexation pursuant to Minnesota Statutes §414.0325.
2. **Department of Administration, Municipal Boundary Adjustment Jurisdiction.** Upon approval by the Town Board and City Council, this Joint Resolution shall confer jurisdiction upon the Department of Administration, Municipal Boundary Adjustments to approve annexation of the designate property pursuant to Minnesota Statutes §414.0325.
3. **No Alteration of Boundaries.** The Town and City agree and state that no alterations by the Department of Administration, Municipal Boundary Adjustments of the designated property's stated boundaries is appropriate.
4. **Department of Administration, 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 Department of Administration, Municipal Boundary Adjustments is necessary. The Department of Administration, Municipal Boundary Adjustments 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 Department of Administration, Municipal Boundary Adjustment's receipt of this Joint Resolution.
5. **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. The property will be brought into the city with the zoning classification of "Industrial".
6. **Acreage and Population.** The designated property consists of 12.54 acres and has a current population of zero (0).
7. **Revenue Sharing.** In respect to the annexed property, the City shall for six years following the annexation of the property rebate to the Township an amount equal to the property taxes collected by the Town for the property in the year of annexation. This fixed amount will then be paid each year during the six-year term.
8. **Authority of Joint Planning Board.** The Joint Planning Board may review and comment on drainage plans, concept plans, sewer and water lines, utility locations, and traffic/roadway access issues.
9. **Authorizations.** The Town and City have authorized the appropriate officers to carry this Joint Resolution's terms into effect.
10. **Modification.** The Town and City may modify, amend, and terminate this Joint Resolution only by a mutually signed, written agreement.

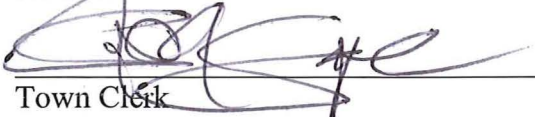
11. **Severability.** A determination by any court of competent jurisdiction that any provision of this Joint Resolution is invalid, illegal, or unenforceable shall not affect the validity of this Joint Resolution's other provisions. If any of this Joint Resolution's provisions is inapplicable to any person or circumstances, 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 Department of Administration, Municipal Boundary Adjustment's order calling for the designated property's annexation to the City.
13. **Governing Law.** Minnesota law will govern this Agreement.

The Township of Avon Board of Supervisors adopts this Joint Resolution on the 16th
day of May, 2018.

TOWNSHIP OF AVON


Town Chair

ATTEST:


Town Clerk

The Avon City Council adopts this Joint Resolution on the 7th day of
May, 2018.

CITY OF AVON


Mayor

ATTEST:

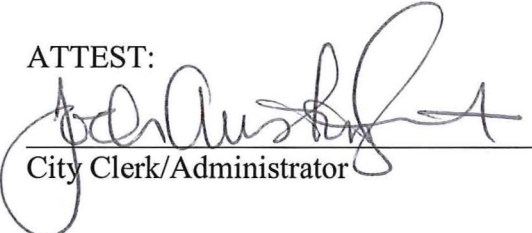

City Clerk/Administrator

EXHIBIT A

The South 540 feet of the Southwest Quarter of the Southeast Quarter (SW1/4SE1/4) of Section 27, Township 125, Range 30, less that part of the SW1/4SE1/4 of Section 27, Township 125, Range 30 described as follows: Beginning at the Southwest corner of said SW1/4SE1/4; thence North 00° 13' 04" East (assumed bearing) along the West line of said SW1/4SE1/4 a distance of 474.03 feet; thence South 88° 59' 34" East, parallel with the South line of said SW1/4SE1/4 a distance of 367.49 feet; thence South 00° 09' 05" West a distance of 474.05 feet to the said South line; thence North 88° 59' 34" West along said South line a distance of 368.04 feet to the point of beginning.

EXHIBIT B



0 40 80 160 240 320 Feet

Data is as represented in Stearns County Databases. It is NOT intended for Locational Use and Stearns County waives all liability from this product.



Parcel ID
Acreage
Sec/Twp/Rng
Legal Plat

03.00989.0010
12.54
27-125-30

Property Address Unassigned

Owner Address LANGE PROPERTIES OF AVON LLC
111 DORADO AVE PO BOX 70
AVON MN 56310-0070

District
Class

0306 AVON TWP 745
3A-Commercial/Industrial/Public Utility, 4B4-Residential nonhome

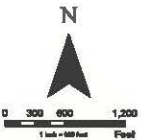
Brief Tax Description 12.54A S540' OF SW4SE4 LESS THAT PART BEG SW COR-NE ALG W LN 474.03'-

Auditor/Treasurer
Division of Land Management
May 18, 2018



This map is made available on an "as is" basis, without express or implied warranty of any sort including, specifically, any implied warranties of fitness for a particular purpose, warranties of merchantability or warranties relating to the accuracy or completeness of the database(s).

CITY OF AVON 2016 OFFICIAL ZONING MAP



LEGEND			
R1- 1 & 2 FAMILY RESIDENTIAL		PUD-R1- PLANNED UNIT DEVELOPMENT	
R2- MULTI FAMILY RESIDENTIAL		PUD- SERENITY AT AVON	
R3- APARTMENTS, ASSISTED LIVING FACILITY		PUD- AVON ESTATES CIRCLE	
I- INDUSTRIAL		PUD- WATERS EDGE	
C1- CORE COMMERCIAL		P- PARKS	
C2- GENERAL COMMERCIAL		CORPORATE LIMITS	
		SECTION LINES	

