

Resolution 2019- 15
JOINT RESOLUTION FOR ORDERLY ANNEXATION
BETWEEN THE TOWN OF AVON AND THE CITY OF AVON

Property Owner's Name: Norma E. Meyer
Property Identification Number: 03.00988.0000

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 has reviewed this annexation request and affirm that the annexation is in compliance with the Orderly Annexation Agreement between the City and Town.

RESOLUTION


1. **Office of Administrative Hearings, Municipal Boundary Adjustment Jurisdiction.** Upon approval by the Town Board and City Council, this Joint Resolution shall confer jurisdiction upon the Office of Administrative Hearings, Municipal Boundary Adjustments to approve annexation of the designate property pursuant to Minnesota Statutes §414.0325.
2. **No Alteration of Boundaries.** The Town and City agree and state that no alterations by the Office of Administrative Hearings, Municipal Boundary Adjustments of the designated property's stated boundaries is appropriate.
3. **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 Office of Administrative Hearings, Municipal Boundary Adjustments is necessary. The Office of Administrative Hearings, 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 Office of Administrative Hearings, Municipal Boundary Adjustment's receipt of this Joint Resolution.
4. **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 "I-Industrial".
5. **Acreage and Population.** The designated property consists of 3.01 acres and has a current population of zero (0).
6. **Revenue Sharing.** In respect to the annexed property, the taxes shall for six years following the annexation of the property be rebated to the Township an amount equal to the property taxes collected by the Town for the property in the year of annexation.
7. **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.
8. **Authorizations.** The Town and City have authorized the appropriate officers to carry this Joint Resolution's terms into effect.
9. **Modification.** The Town and City may modify, amend, and terminate this Joint Resolution only by a mutually signed, written agreement.
10. **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.


11. **Effective Date.** This Joint Resolution shall be effective from the date of the Office of Administrative Hearings, Municipal Boundary Adjustment's order calling for the designated property's annexation to the City.
12. **Governing Law.** Minnesota law will govern this Agreement.

The Township of Avon Board of Supervisors adopts this Joint Resolution on the 5th
day of June, 2019.

TOWNSHIP OF AVON


Town Chair Will Huston

ATTEST:


Town Clerk Stephen G. Saupe

The Avon City Council adopts this Joint Resolution on the 2nd day of
June, 2019.

CITY OF AVON


Mayor

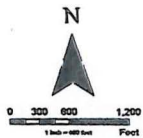
ATTEST:


City Clerk/Administrator

LEGAL DESCRIPTION

THAT PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER AND THAT PART OF GOVERNMENT LOT 2, SECTION 27, TOWNSHIP 125 NORTH, RANGE 30 WEST OF THE 5TH PRINCIPAL MERIDIAN, AVON TOWNSHIP, STEARNS COUNTY, MINNESOTA, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE SOUTH 540.00 FEET OF SAID SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER; THENCE NORTH 00°13'03" EAST ON AN ASSUMED BEARING ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER, A DISTANCE OF 528.71 FEET TO THE POINT OF BEGINNING OF THE LAND TO BE DESCRIBED, THENCE SOUTH 89°51'48" EAST, A DISTANCE OF 366.76 FEET; THENCE NORTH 00°09'05" EAST, A DISTANCE OF 355.11 FEET; THENCE NORTH 89°51'48" WEST, A DISTANCE OF 366.35 FEET TO THE WEST LINE OF SAID GOVERNMENT LOT 2; THENCE SOUTH 00°13'03" WEST ALONG LINE OF SAID GOVERNMENT LOT 2 AND ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER, A DISTANCE OF 355.11 FEET TO THE POINT OF BEGINNING.

**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

