

Municipal Boundary Adjustments Docket No. _____

City of Montrose Resolution No. 2005-10

Marysville Township Resolution No. 05-02

**CITY OF MONTROSE
MARYSVILLE TOWNSHIP
COUNTY OF WRIGHT
STATE OF MINNESOTA**

**JOINT RESOLUTION OF THE CITY OF MONTROSE AND
MARYSVILLE TOWNSHIP AS TO THE ORDERLY ANNEXATION OF
PROPERTY**

WHEREAS, the City of Montrose ("City") and Marysville Township ("Township") desire to enter into an agreement allowing for the immediate orderly annexation of certain property, known as the Fitzsimmons property, pursuant to Minnesota Statute 414.0325, Subdivision 1; and

WHEREAS, The City and the Township are in agreement as to the procedures and process for orderly annexation of certain lands described herein for the purpose of orderly, planned growth; and

WHEREAS, the City of Montrose has received a request for annexation from the owner of real property described in the attached Exhibit A, which is located within Marysville Township and abuts the City of Montrose; and

WHEREAS, the annexation is being sought by the petitioner for the purpose of obtaining municipal water and sewer service; and

WHEREAS, it is in the best interest of the City, the Township and their respective residents to agree to 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 Joint Resolution;

NOW, THEREFORE, BE IT RESOLVED by the City of Montrose, Wright County, Minnesota and Marysville Township, Wright County, Minnesota, as follows:

1. That the area described in the attached Exhibit A is immediately annexed from Marysville Township into the municipal boundaries of the City of Montrose.

2. Upon annexation of the parcel the City shall make a good faith effort to make municipal sanitary sewer service and municipal water service available to that parcel within three years from the effective date of the annexation.
3. The City and Township agree that no alteration of the stated boundaries as described in this resolution is appropriate, and that all the terms and conditions for annexation are provided for in this Joint Resolution unless otherwise noted. Upon receipt of the Joint Resolution, the Minnesota Department of Administration - Municipal Boundary Adjustments or its successor agency may review and comment, but shall within 30 days of receipt, order the annexation in accordance with the terms and conditions of this Joint Resolution.
4. To compensate the Township for the permanent loss of taxable property from Township tax rolls, prior to annexation of the parcel described in the attached Exhibit A by the City, the property owners petitioning for annexation shall pay the Township a per-acre amount ("Taxation Reimbursement") for all land annexed to the City pursuant to this Joint Resolution. Unless agreed otherwise by the parties, said payment shall occur in two equal installments with all installments being made prior to the annexation of each parcel of land and shall be calculated in accordance with the following formula:
 - A. The property owner shall pay to the Township \$250 per acre or portion thereof annexed into the City.
 - B. The City shall remit all delinquent taxes, charges and assessment collected from any portion of the area to be annexed if such taxes or charges were originally payable while the delinquent property remained in the Township. Additionally, when a property no longer qualifies for special tax treatment through Green Acres or other applicable programs such as Ag Preserves, CRP, This Old House, and taxes that were deferred under one of these programs is paid to the City, the City shall remit to Township the amount which was deferred during the time the property was in the Township.
 - C. The City does not assume by this annexation any liability or responsibility for the payment of any obligations issued to finance public improvements constructed by the Township or for which the Township levied special assessments. In the event that


the City annexes land pursuant to this Joint Resolution upon which outstanding special assessments levied by the Township remain at the time of annexation, the City shall forward to the Township upon receipt all special assessment payments, which the City receives as a result of special assessments, levied by the Township.

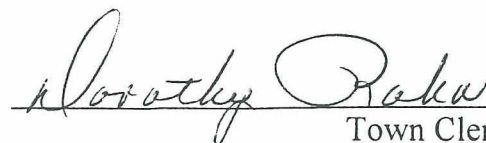
Other than the reimbursement outlined above, no other reimbursement or taxes shall be owed to the Township from the City.

5. Pursuant to Minnesota Statutes, Section 414.0325, the City and the Township agree that as all of the property owners of the parcel have petitioned for annexation, no hearing is required and the City may initiate annexation of the property described in Exhibit A by filing this resolution with the Minnesota Department of Administration - Municipal Boundary Adjustments, or its successor agency, and the Township. The Township agrees not to object to or oppose any annexation undertaken pursuant to the terms and conditions contained in this Joint Resolution.
6. This Joint Resolution is made pursuant to, and shall be construed in accordance with the laws of the State of Minnesota.
7. The City shall pay all applicable filing fees and other costs necessary to have the Joint Resolution filed with and approved by State Planning or its successor agency.

PASSED, ADOPTED AND APPROVED by the Marysville Town Board of Supervisors, Wright County, Minnesota this 26th day of Sept, 2005.

MARYSVILLE TOWNSHIP


Chair


Town Clerk

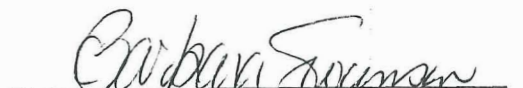
REC'D BY
MMB

OCT 04 2005

PASSED, ADOPTED AND APPROVED by the Montrose City Council, Wright
County, Minnesota this 26 day of September, 2005.

CITY OF MONTROSE


Charles Nelson, Mayor


Barbara Swanson, City Clerk

REC'D BY
M M B

OCT 04 2005

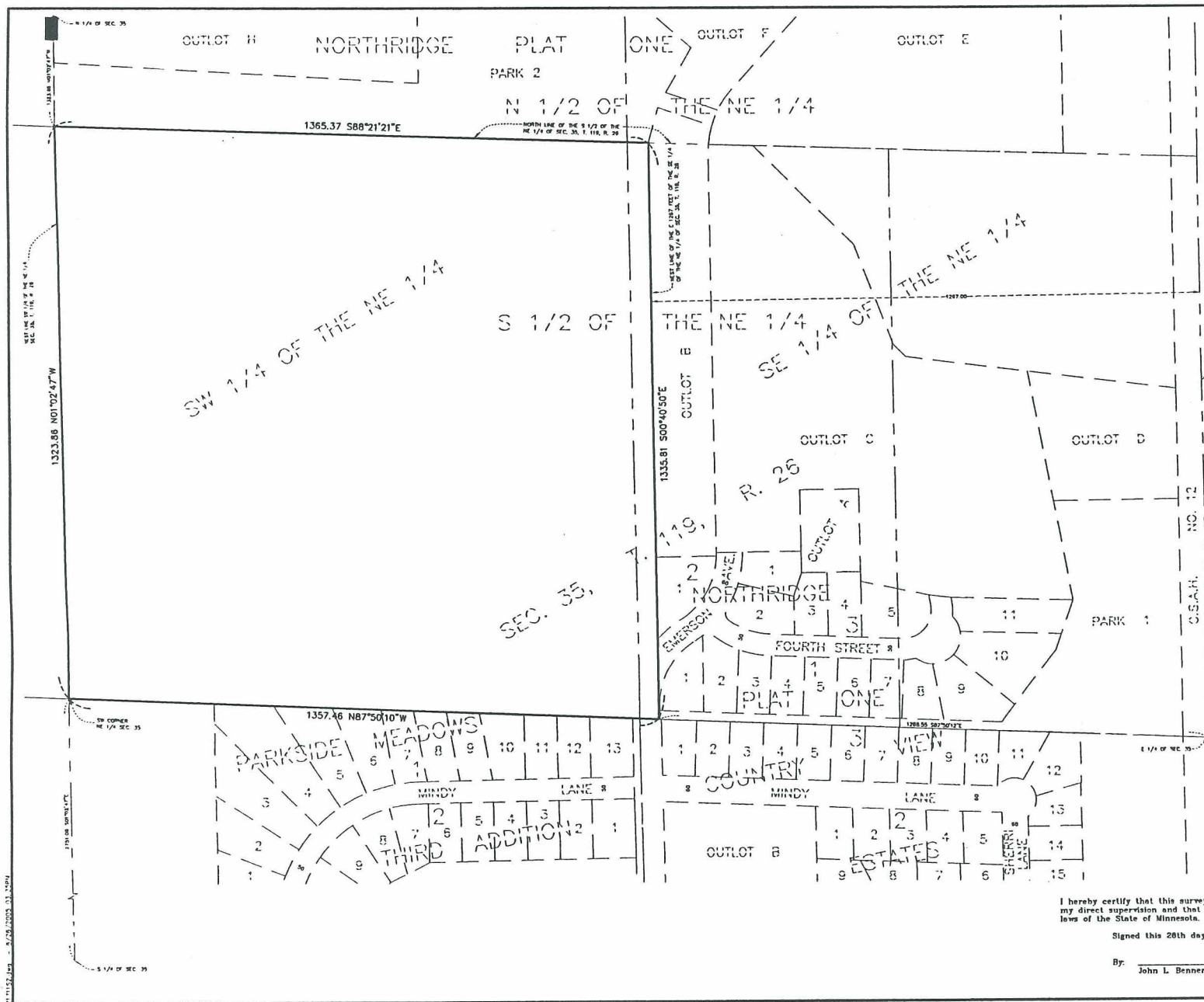
EXHIBIT A

Fitzsimmons

The S $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 35, Township 119, Range 26 except the East 22 Acres of the S $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 35, Township 119, Range 26 and except that part of the East 1267 feet of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 35, Township 119, Range 26 lying West of the East 22 Acres thereof, Wright County, Minnesota

REC'D BY
MAM

OCT 04 2005



NOTES

ORIENTATION OF THIS BEARING SYSTEM ASSUMES THE WEST LINE OF THE SW 1/4 OF THE NE 1/4 SECTION 35 TO BEAR N 01°02'47\" W

THIS SURVEY HAS BEEN PREPARED WITHOUT BENEFIT OF A TITLE COMMITMENT OR TITLE OPINION. A TITLE SEARCH FOR RECORDED OR UNRECORDED EASEMENTS WHICH MAY BENEFIT OR ENCUMBER THIS PROPERTY HAS NOT BEEN COMPLETED BY THE SURVEYOR.

OVERALL GROSS AREA 1,808,300 SQUARE FEET OR 41.513 ACRES

ADDRESS OF THIS PROPERTY IS 305 EMERSON AVENUE NORTH MONTROSE, MINNESOTA

PID NUMBER = 211000351300

LEGAL DESCRIPTION PROVIDED BY CLIENT per Document No. 549024

S 1/2 of the NE 1/4 of Sec. 35-119-26 except the East 22 Acres of the S 1/2 of NE 1/4 of Section 35-119-26 and except that part of the East 1287 feet of SE 1/4 of NE 1/4 of Section 35-119-26 lying West of the East 22 Acres thereof, Wright County, Minnesota.

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly licensed Land Surveyor under the laws of the State of Minnesota.

Signed this 28th day of August, 2005. For: James R. Hill, Inc.

By: John L. Benner, Land Surveyor, License No. 26708

James R. Hill, Inc.
PLANNERS / ENGINEERS / SURVEYORS
2500 N. Ch. St., Suite 101, Burnsville, MN 55337
PHONE (612) 290-1041 FAX (612) 290-1244

MONTROSE SITE P/O SEC. 35, T. 119, R. 28

BOUNDARY SURVEY

CHAD BAKER

4455 GARDEN DRIVE, SUITE 100, LUTHER, MN 56112

DRAWN BY

DATE

8/25/05

REVISIONS

BOOK/PAGE

NOV

CONTROL NO.

21711

CAD FILE

2171152.dwg

PROJECT NO.

21711

FILE NO.

1-05-133

SHEET 1 OF 1

OCT 04 2005

T.119N. - R.26W.

'2001 Cloud Cartographics, Inc. St. Cloud, MN 56301

This is a detailed plat map of Waverly, North Dakota. The map shows various land parcels, many of which are owned by individuals or families. Key features include:

- Geographical Features:** Waverly Lake, Little Waverly Lake, and Deer Lake are prominent. The map also shows the Waverly River and several creeks.
- Infrastructure:** Major roads like Highway 12 and Highway 1 are clearly marked. The map also shows the location of the BNSF and RR (Railroad) lines.
- Land Owners:** Numerous names are listed throughout the map, including: Rassat, Melvin DeMarais, James & Ruth Peavey, Gary & Anna Marquette, David & Ruth Neske, Jerry & Belinda Jones, Richard & Belinda Jones, Newell & Dorothy Carlson, Maynard & Linda Carlson, Vicky Olson, Eison Tr, Virgil Solberg, Larry & Ann Holland, Thomas LaPlant Sr, Harold & Nora Carlson, Susan Untiedt, Gary & Rita Brummer, David Epple & Son Inc, Kenneth Johnson, Edward & Gertrude Lyrek, and many others.
- Section Numbers:** The map is divided into sections, with numbers like 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784,

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