

**A JOINT RESOLUTION BETWEEN CROW WING TOWNSHIP
AND THE CITY OF BRAINERD DESIGNATING
AN AREA FOR ORDERLY ANNEXATION.**

Crow Wing Township, a public corporation under the laws of the State of Minnesota and the City of Brainerd, a Minnesota municipal corporation jointly agree and resolve as follows:


1. Crow Wing Township and City of Brainerd, through this joint resolution, intend to accomplish annexation into Brainerd a 642.70 acre parcel lying within Crow Wing Township and described in Exhibit A attached and incorporated herein (hereinafter referred to as the "Annexation Area").
2. Crow Wing Township and City of Brainerd hereby designate the "Annexation Area" for orderly annexation, pursuant to Minnesota Statute 414.0325.
3. Crow Wing Township and City of Brainerd do, upon adoption of the Joint Resolution and acceptance of it by the Director of the Minnesota Office of Strategic and Long Range Planning (the "Director"), confer jurisdiction upon the Director, over the "Annexation Area" so as to accomplish said orderly annexation in accordance with the terms of this resolution.
4. No consideration by the Director is necessary.
5. The Director may review and comment, but shall, within 30 days, order annexation in accordance with the terms of this Joint Resolution.
6. The "Annexation Area" is now or about to become urban or suburban in nature. The "Annexation Area" is unincorporated and in need of orderly annexation. The City of Brainerd is capable of providing the services required by the "Annexation Area" within a reasonable time.
7. The "Annexation Area" allows for the logical extension of streets and utilities.
8. By proceeding with orderly annexation within this "Annexation Area", timely development will occur that will not overburden the City of Brainerd's utility infrastructure. The City of Brainerd anticipates utility improvements to serve the "Annexation Area".
9. Crow Wing Township and the City of Brainerd request immediate annexation of the "Annexation Area".
10. Upon development the following City of Brainerd land use controls and ordinances will apply:
 - 2004 Comprehensive Plan
 - Subdivision Design Standards


- Zoning Ordinance
 - Storm Water Management Regulations
 - Mississippi Headwaters Ordinance adopted November, 2001
 - Shoreland Management Regulations adopted July, 2003
 - 2000 International Building Code
 - Other ordinances or codes that may exist
11. To the greatest extent possible, development of the annexed area will utilize site design principles and practices of Conservation Design. Those practices and principles include:
- Flexibility in site design and lot size to save natural resources in other areas
 - Protection and management of the natural resources
 - Providing buffers for sensitive natural areas
 - Create sustainable storm water management using best management design practices
 - Preserve permanent open space in natural areas and for recreation
 - Minimize changes to the natural topography
12. In accordance with City of Brainerd Park Dedication requirements, seven percent (7%) of the land within the "Annexation Area" will be set aside for park purposes.
13. For five years following approval of the "Annexation Area", property taxes on the property will be dedicated to park development.
14. The City of Brainerd will not initiate, for 15 years from the approval date by the State of Minnesota of the "Annexation Area", the annexation of the 40 acres commonly known as the "Thompson Forty" legally described and depicted in Exhibit B.

This joint resolution shall be effective solely upon approval by both the Crow Wing Township Board and the Brainerd City Council.

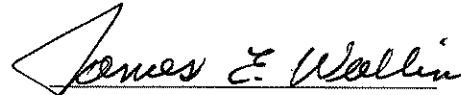
Adopted this 12th day of January, 2005

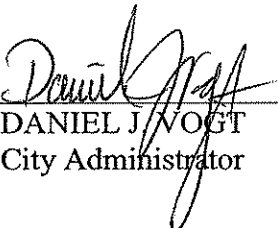
Approved by the Crow Wing Township this 12th day of January, 2005


SCOTT PAKARINEN
Chairman

ATTEST: 
VIRGINIA ROGERS
Township Clerk

Approved by the Brainerd City Council this 17th day of January, 2005


JAMES E. WALLIN
Mayor

ATTEST: 
DANIEL J. VOGT
City Administrator

January 5, 2006

EXHIBIT A

RECD BY
MMB

JAN 24 2006

LEGAL DESCRIPTION OF LIVELY AUTO ANNEXATION

NW ¼ of the NW1/4, Section 2, T44N, R31W, containing 43.57 acres, and;

SE ¼ of the NE ¼, Section 2, T44N, R31W, containing 39.04 acres, and;

SW ¼ of the NW ¼, Section 2, T44N, R31W, containing 40.22 acres, and;

SE ¼ of the NW ¼, Section 2, T44N, R31W, containing 40.38 acres, and;

NE ¼ of the SW ¼, Section 2, T44N, R31W, containing 41.96 acres, and;

NW ¼ of the SW ¼, Section 2, T44N, R31W, containing 40.00 acres, and;

SW ¼ of the SW ¼, Section 2, T44N, R31W, containing 40.85 acres, and;

That part of the SE ¼ of the SW ¼, Section 2, T44N, R31W, lying north and west of the centerline of T.H. B371, containing 29.42 acres, and;

That part of the NE ¼ of the SE ¼, Section 2, T44N, R31W, lying north and west of the centerline of T.H. B371, containing 10.93 acres, and;

That part of the NW ¼ of the SE ¼, Section 2, T44N, R31W, lying north and west of the centerline of T.H. B371, containing 36.33 acres, and;

That part of the SW ¼ of the SE ¼, Section 2, T44N, R31W, lying north and west of the centerline of T.H. B371, containing 2.96 acres, and;

Government lot 1, Section 3, T44N, R31W, containing 46.18 acres, and:

Government Lot 2, Section 3, T44N, R31W, containing 19.29 acres, and:

SW ¼ of the NE ¼, Section 3, T44N, R31W, containing 42.13 acres, and;

SE ¼ of the NE ¼, Section 3, T44N, R31W, containing 42.80 acres, and;

Government Lot 3, Section 3, T44N, R31W, containing 12.59 acres, and;

NE ¼ of the SE ¼, Section 3, T44N, R31W, containing 41.61 acres, and;

NW ¼ of the SE ¼, Section 3, T44N, R31W, containing 40.97 acres, and;

That part of the NE ¼ of the NW ¼, Section 11, T44N, R31W, lying north and west of the centerline of T.H. B371, containing 0.29 acres, and;

That part of the NW ¼ of the NW ¼, Section 11, T44N, R31W, lying north and west of the centerline of T.H. B371, containing 20.91 acres.

*totals 632.43
10.27 short of
642.70*

**RESOLUTION
NO. 34:10**

**RESOLUTION AMENDING SECTION 13 OF RESOLUTION NO. 05:06 ENTITLED A JOINT
RESOLUTION BETWEEN CROW WING TOWNSHIP AND THE CITY OF BRAINERD
DESIGNATING AN AREA FOR ORDERLY ANNEXATION**

WHEREAS, Joint Resolution No. 05:06 was adopted by the Brainerd City Council and Crow Wing Township Board of Supervisors in January of 2006 for the purpose of designating an area for orderly annexation referred to as the Mills Property; and

WHEREAS, Section 13 of said resolution stated that "For five years following approval of the "Annexation Area", property taxes on the property will be dedicated to park development."; and

WHEREAS, both parties desire to extend the timeline contained in Section 13 for an additional 5 years to allocate property taxes on the property that will be dedicated to park development for a total of 10 years.


NOW THEREFORE BE IT RESOLVED by the City Council of the City of Brainerd that Section 13 of Resolution No. 05:06 shall be amended to read as follows:


"13. For 10 years following the approval of the "Annexation Area", property taxes on the property will be dedicated to park development."

This joint resolution shall be effective solely upon approval by both the Crow Wing Township Board and the Brainerd City Council.

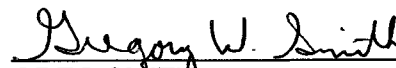
Approved and adopted by the Brainerd City Council this 21st day of June, 2010.



JAMES E. WALLIN
Mayor


Kevin Goedker
President of the Council

ATTEST: 
DANIEL J. VOGT
City Administrator

Approved and adopted by the Crow Wing Township Board this 22nd day of June, 2010.


GREG SMITH
Chairman

ATTEST: 
VIRGINIA ROGERS
Township Clerk