

**TOWN OF EMPIRE  
CITY OF FARMINGTON**

**IN THE MATTER OF THE JOINT  
RESOLUTION OF THE TOWN OF  
EMPIRE AND THE CITY  
OF FARMINGTON, DESIGNATING  
AN UNINCORPORATED AREA AS  
IN NEED OF ORDERLY ANNEXATION  
AND CONFERRING JURISDICTION  
OVER SAID AREA TO THE DEPARTMENT  
OF ADMINISTRATION, BOUNDARY  
ADJUSTMENT OFFICE, PURSUANT TO  
M.S. §414.0325**

**JOINT RESOLUTION**

**WHEREAS**, Neil and Linda Perkins (the "Perkins") are the sole owners of platted property currently located in Empire Township, and legally described as stated in Attachment A, and;

**WHEREAS**, the Township owns the property east of the Perkins property over which lies Cambodia Avenue, which is also legally described in Attachment A, and;

**WHEREAS**, the Perkins property abuts land within the City limits, located east of Trunk Highway 3, north of 213<sup>th</sup> Street West, and west of Cambodia Avenue, in the northeasterly area of the City, is approximately 17.09 acres in and currently has one household, a population of two and several structures and other improvements, and;

**WHEREAS**, the Perkins have petitioned the City for annexation of their property for the purpose of receiving city services, including but not limited to sewer, water, refuse collection, police and fire protection from the City of Farmington, and;

**WHEREAS**, the City of Farmington can provide the requested urban services to the property, and;

**WHEREAS** the City and Township also wish to resolve ownership, jurisdictional and maintenance issues regarding Cambodia Avenue.

**NOW, THEREFORE,** the Township of Empire and the City of Farmington jointly agree to the following:

1. The Township and City hereby establish an Orderly Annexation Area ("OAA") as authorized by Minnesota Statute §414.0325, Subdivision 1, for the property legally described on Exhibit A and as shown on the attached Exhibit B, which includes both the Perkins property (Parcels #1 and #2 on Exhibit B) and a portion of Cambodia Avenue (Parcel #3 on Exhibit B).
2. That the purpose of the annexation of the property involved in this annexation is to transfer jurisdiction over the property in order to provide urban services including but not limited to sewer, water, refuse collection, police and fire protection from the City of Farmington, and to clarify ownership and jurisdictional issues between the City and Township regarding a portion of Cambodia Avenue.
3. That in order to accomplish this purpose, the property owned by the Perkins described herein (Parcels #1 and #2 on Exhibit B), and a portion of Cambodia Avenue (Parcel #3 on Exhibit B), should be immediately annexed to and made part of the City of Farmington.
4. Upon approval by the respective governing bodies of the City and the Township, this joint resolution and agreement shall confer jurisdiction upon the Office of Administrative Hearings-Boundary Adjustments (OAH/BA) (or other state agency responsible for administering Minnesota Statutes Chapter 414) so as to immediately annex the lands described in the attached Exhibit A in accordance with the terms of this joint resolution and agreement without need for any subsequent resolution(s) of the parties.
5. The City and the Township mutually state that no alteration by the OAH/BA to the OAA boundaries, as illustrated on Exhibit B and described in Exhibit A, is appropriate or permitted.
6. The City and Township agree that upon annexation all planning, official controls, and governmental services for the annexed area shall become the responsibility of the City, and that the provisions of Minn. Stat. §§414.035 and 414.036 authorizing differential taxation and municipal reimbursement for the annexed property will not be applied in this proceeding.
7. The City and the Township mutually state that the annexation of the property will not result in any change of electrical service.
8. Having designated the area illustrated on Exhibit B and described in 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 consideration by the OAH/BA is necessary. The OAH/BA may

review and comment but shall within thirty (30) days order the annexation in accordance with the terms of this Resolution.

9. That the Township will deed the East 66 feet of the Northeast Quarter of the Northwest Quarter (NE ¼ of NW 1/4) in Section 32, Township 114 North, Range 19 West, Dakota County, Minnesota (Parcel #3 on Exhibit B) to the City of Farmington and the City of Farmington will thereafter be solely responsible for its upkeep and maintenance as a public right of way.

Approved and Adopted  
this 28 day of Feb., 2006.

Approved and Adopted  
this 6<sup>th</sup> day of March, 2006.

**TOWN OF EMPIRE**

BY: Terry Holmes

Terry Holmes  
Its Town Board Chair

AND Kathleen B. Krippner

Kathleen Krippner  
Its Town Board Clerk

**CITY OF FARMINGTON**

BY: Kevan A. Soderberg

Kevan A. Soderberg  
Its Mayor

AND Robin Roland

Robin Roland  
Its Acting City Administrator

**EXHIBIT A**

Legal description of property subject to immediate annexation:

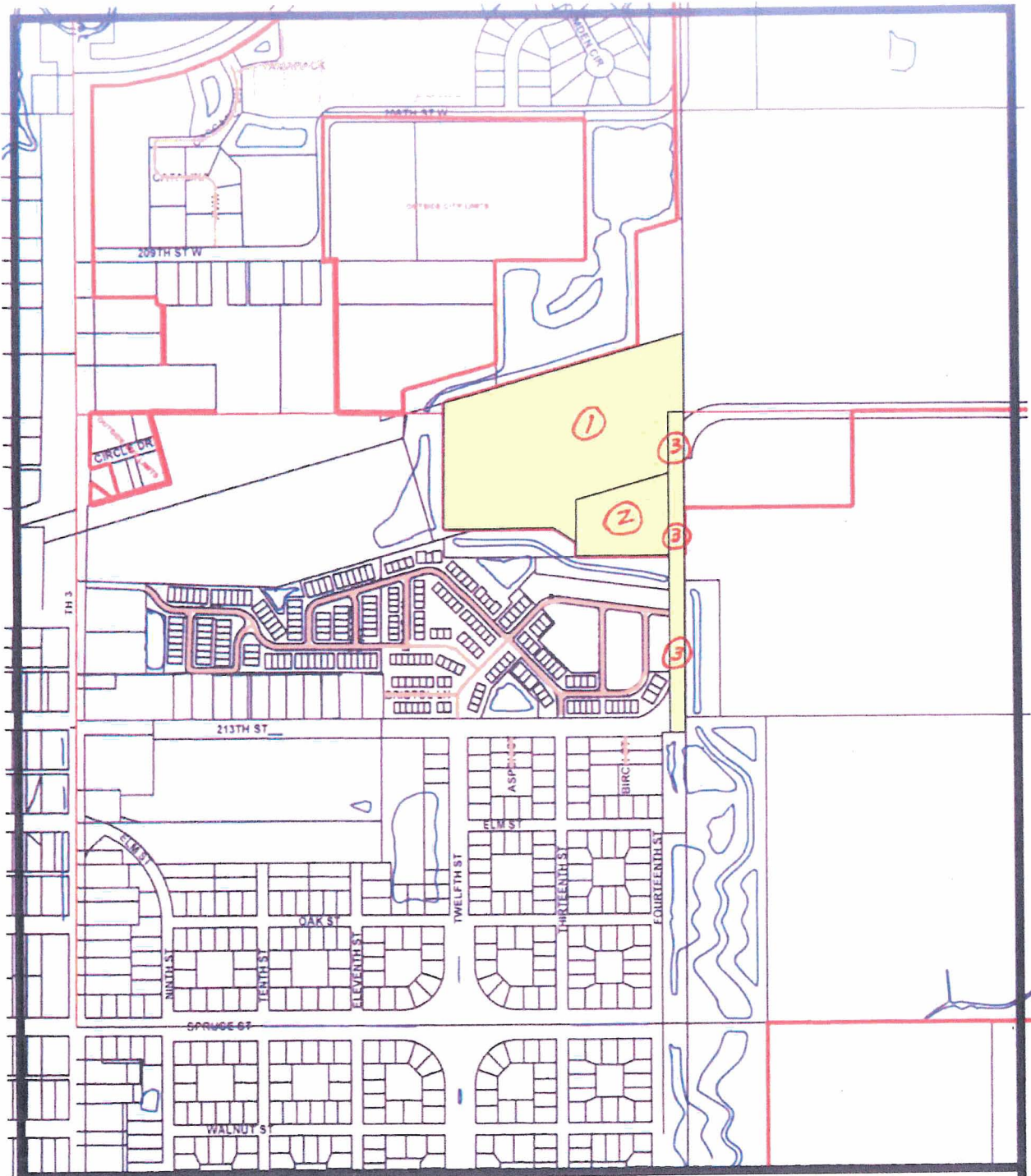
Lots 1 and 2, Block 2, Empire Liberty Addition, Dakota County, Minnesota  
(PIDs 12-23900-010-02 and 12-23900-020-02),

and;

The East 66 feet of the Northeast Quarter of the Northwest Quarter (NE ¼ of NW 1/4 ) in Section 32, Township 114 North, Range 19 West, Dakota County, Minnesota.



**EXHIBIT B**

Map of property subject to immediate annexation showing existing corporate boundaries in the Northeast area of the City.



## PERKINS ANNEXATION

EXHIBIT B

-  Proposed Annexation Area
-  Existing City of Farmington