

**JOINT RESOLUTION FOR ORDERLY ANNEXATION BETWEEN
THE TOWN OF BLOOMING PRAIRIE AND THE CITY OF BLOOMING
PRAIRIE**

RECITALS

A. The Town of Blooming Prairie (the "Town") and the City of Blooming Prairie (the "City") both of Steele 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 is not already part of another city, and it adjoins and is contiguous to the City (see attached map).

C. All owners of the property proposed to be annexed have petitioned the City for annexation.

C. An orderly annexation of the proposed property is in the best interest of the area proposed for annexation.

RESOLUTION

In consideration of this resolution's mutual terms and conditions, the Town and City jointly resolve and enter into this Joint Resolution for Orderly Annexation (the "Joint Resolution") as follows:

1. **Designation of Orderly Annexation Area.** The Town and City designate the area set forth on the map attached as Exhibit A and the legal description of the property attached as Exhibit B (the "Designated Property") as subject to orderly annexation pursuant to Minnesota Statutes Section 414.0325.

2. **Office of Administrative Hearings Jurisdiction.** Upon approval by the Town Board and City Council, this Joint Resolution shall confer jurisdiction upon the Office of Administrative Hearings to approve annexation of the designated property pursuant to Minnesota Statutes Section 414.0325.

3. **No Alteration of Boundaries.** The Town and City agree and state that no alterations by the Office of Administrative Hearings of the Designated Property's stated boundaries is appropriate.

4. **Office of Administrative Hearings 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 is necessary. The Office of Administrative Hearings may review and comment, but shall order the annexation of the designated property according to this Joint Resolution's terms within thirty (30) days of the Office of Administrative Hearings' 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.

6. **Acreage and Population.** The Designated Property consists of 30 acres, more or less, and has a current population of 0.

7. **Authorization.** The Town and City have authorized the appropriate officers to carry this Joint Resolution's terms into effect.

8. **Modification.** The Town and City may modify, amend or terminate this Joint Resolution only by a mutually signed, written agreement.

9. **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.

10. **Tax Pay Back.** The City shall pay to Town in January annually beginning January of 2007 the sum of Three Hundred Seventy-five (\$375.00) Dollars, which shall continue for a total of two years.

11. **Effective Date.** This Joint Resolution shall be effective from the date of the Office of Administrative Hearings' order calling for the Designated Property's annexation to the City.

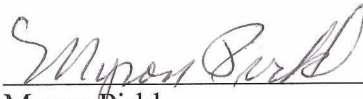
12. **Governing Law.** Minnesota law will govern this Agreement.

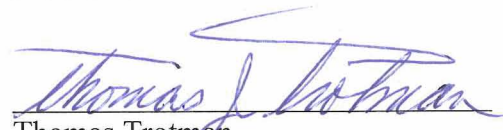
The Town of Blooming Prairie Board of Supervisors adopts this Joint Resolution on the 7th day of March, 2006.

TOWN OF BLOOMING PRAIRIE

SIGNED:

ATTEST:


Myron Pirkle
Board of Supervisors, Chairperson


Thomas Trotman
Town Clerk


CITY OF BLOOMING PRAIRIE

The Blooming Prairie City Council adopts this Joint Resolution on the 13th day of March, 2006.

SIGNED:

ATTEST:


Harold C. Peterson
Mayor


Michael G. Jones
City Administrator

REC'D BY
MM3

MAR 15 2006

EXHIBIT B

LEGAL DESCRIPTION

All that part of the East Half of the SE $\frac{1}{4}$ of Section 26, Township 105 North, Range 19 West of Steele County, Minnesota, described as follows:

Commencing at a point on the east line of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 26, which point is 988.60 feet south of the northeast corner thereof;

Thence South a distance of 1,662.78 feet, on the east line of said SE $\frac{1}{4}$, to the southeast corner thereof;

Thence West a distance of 784.28 feet, on the south line of said SE $\frac{1}{4}$;

Thence North a distance of 1,670.08 feet, on a line parallel with the east line of said SE $\frac{1}{4}$, to the point of intersection with a line drawn perpendicular to the east line of said SE $\frac{1}{4}$, from the point of beginning;

Thence East a distance of 784.28 feet, to the point of beginning;

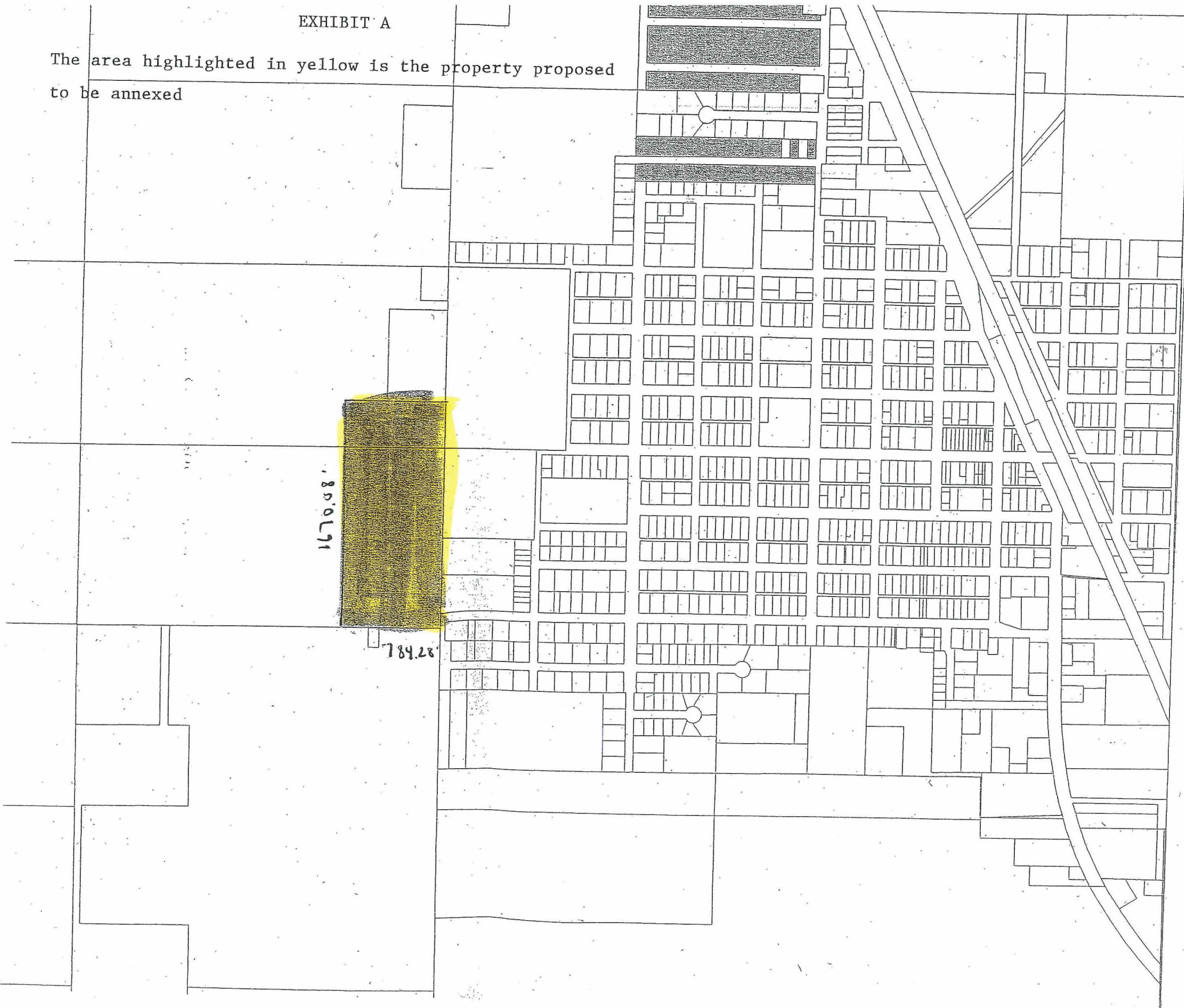
Subject to highway easement on the east and south sides thereof;

Being part of the SE $\frac{1}{4}$ of Section 26, Township 105 North, Range 19 West and containing 30 acres.

END OF EXHIBIT B

EXHIBIT A

The area highlighted in yellow is the property proposed
to be annexed



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RECD BY
MAR 15 2006