

REC'D BY  
MMB APR 12 2006

**JOINT ANNEXATION AGREEMENT AND  
RESOLUTION FOR ANNEXATION BETWEEN**

**WALCOTT TOWNSHIP AND THE CITY OF FARIBAULT**

**TOWN OF WALCOTT RESOLUTION NO. 2006-01  
CITY OF FARIBAULT RESOLUTION NO. 2006-054  
MUNICIPAL BOUNDARY ADJUSTMENTS RESOLUTION NO. \_\_\_\_\_**

**WHEREAS**, the City of Faribault (hereinafter referred to as the "City") and the Township of Walcott (hereinafter referred to as the "Township"), both located entirely within Rice County, in the State of Minnesota, desire to accommodate growth in the most orderly fashion, and have agreed that there is a clear need for a cooperative future planning effort for the land governed by the two jurisdictions; and

**WHEREAS**, the Township Board and City Council have expressed their desire to encourage future development of land near the City so as to promote the development of municipal services and urban growth as much as is practical, while encouraging the retention of land in agricultural use and increasing the longevity of existing rural residential lifestyles; and

**WHEREAS**, a joint annexation agreement is beneficial to both parties from the standpoint of orderly planning and orderly transition of government within the area proposed to be annexed, and provides the guidelines under which such annexation shall take place; and

**WHEREAS**, property owners within the Township have requested the annexation of the property owners' land into the City; and

**WHEREAS**, the City and Township jointly request the annexation of the land described herein into the City.

**NOW, THEREFORE, BE IT RESOLVED**, in consideration of the mutual terms and conditions that follow that the City and Township enter into this Joint Resolution for Orderly Annexation and that the property herein described is proposed to be annexed by the City and shall be annexed subject to the following terms and conditions:

***Section I - Administration***

1. Minnesota Municipal Board Jurisdiction. Upon approval by the Township Board and the City Council, this Joint Resolution shall confer jurisdiction upon the

Minnesota Department of Administration, Office of Strategic and Long-Range Planning, Municipal Boundary Adjustments (hereinafter referred to as the "Municipal Adjustments") so as to accomplish said annexation in accordance with the terms of this Joint Resolution. This function is currently the responsibility of Municipal Adjustments. If upon dissolution of Municipal Adjustments, jurisdiction shall be conferred upon the board or entity so designated by State Statute.

2. Review and Comment by the Municipal Adjustments. The Township and City mutually agree and state that this Joint Resolution and Agreement sets forth all the conditions for annexation and that no consideration by Municipal Adjustments is necessary for individual annexations which occur in accordance with this agreement. Municipal Adjustments may review and comment, but shall, within thirty (30) days, order the annexation in accordance with the terms of this Joint Resolution.
3. Authorization. The applicable legislative bodies of the Township and City, as well as Municipal Adjustments, are hereby authorized to carry the terms of this Joint Resolution into effect.
4. Severability and Repealer. A determination that a provision of this Joint Resolution is unlawful or enforceable shall not effect the validity or enforceability of the other provisions herein. Any prior agreement or joint resolution existing between the parties and affecting the property described in the attached Exhibits shall be considered repealed upon the effective date of this Joint Resolution.
5. State Statute. The terms and conditions of this agreement are created as an addition or compliment to the requirements for annexation required by law. The language contained herein shall in no way be deemed to circumvent or reduce requirements established by law. If changes to State Statute are enacted during the duration of this agreement that are more restrictive or otherwise negate the provisions herein, the State Statute shall rule.

Effective Date/Applicability. This Joint Resolution shall be effective upon adoption by the legislative bodies of the Township and City and approved by the Municipal Adjustments. The provisions of this agreement shall be binding unless otherwise modified by a joint resolution of both the Township and the City. This Agreement is only meant to apply to the Property as herein defined and not to any other parcels or land or area of the Township.

## **Section II - Initiation of Annexation, Petition; Findings**

1. Property Subject to Annexation. The land in the Township subject to annexation in accordance with this resolution and agreement and pursuant to State Statute, subject to the provisions contained herein, is legally described on attached Exhibit A and graphically depicted on attached Exhibit B hereinafter referred to as the "Property" or orderly annexation area "OAA".
2. Property Owner Petition. The landowner, or combination of multiple landowners, of the Property adjacent to the municipal boundary of the City, have petitioned the City to annex the Property in accordance with this agreement.
3. Findings. The City and Township determine and find that the Property:
  - a. is now, or is about to become, urban or suburban in character;
  - b. that municipal government in the area proposed for annexation is required to protect the public health, safety, and welfare; and
  - c. that the annexation would be in the best interest of the Property, the City and the Township.

## ***Section III – Municipal Reimbursement***

1. Municipal Reimbursement. The City and Township mutually agree and state that, pursuant to Minnesota Statutes 414.036, a reimbursement from the City to the Township shall occur for the taxes collect on land annexed into the City, according to the following conditions.
  - a) Any and all property taxes collected from the annexed properties shall be the property of the City.
  - b) The City hereby agrees to alleviate the financial impact on the Township for loss of tax revenue due to annexation of township land to the City. The City shall reimburse the Township by cash payments pursuant to Minnesota Statute Section 414.033, Subd. 12.

## ***Section IV - Miscellaneous Terms and Conditions.***

1. Assessment and Connection Policy. With respect to road, sewer and water improvements to be constructed to service the properties within the OAA, the City may impose non-standard connection charges as permitted by law on properties currently within the Township's boundary that are to become due and payable at such time as the properties



REC'D BY  
MMB

APR 12 2006

Approved this 28<sup>th</sup> day of March, 2006 by the City of Faribault.



\_\_\_\_\_  
Mayor



\_\_\_\_\_  
City Administrator

EXHIBIT A  
RESOLUTION 2006-054

REC'D BY  
MAM B

APR 12 2006

The South Half of the Northwest Quarter of Section 8, Township 109, Range 20, Rice County, Minnesota, lying west of the center line of Glynview Trail, EXCEPT the three following described parcels (for purposes of these descriptions the East West Quarter line of said Section 8 has an assumed bearing of South 89 degrees 56 minutes 38 seconds East):

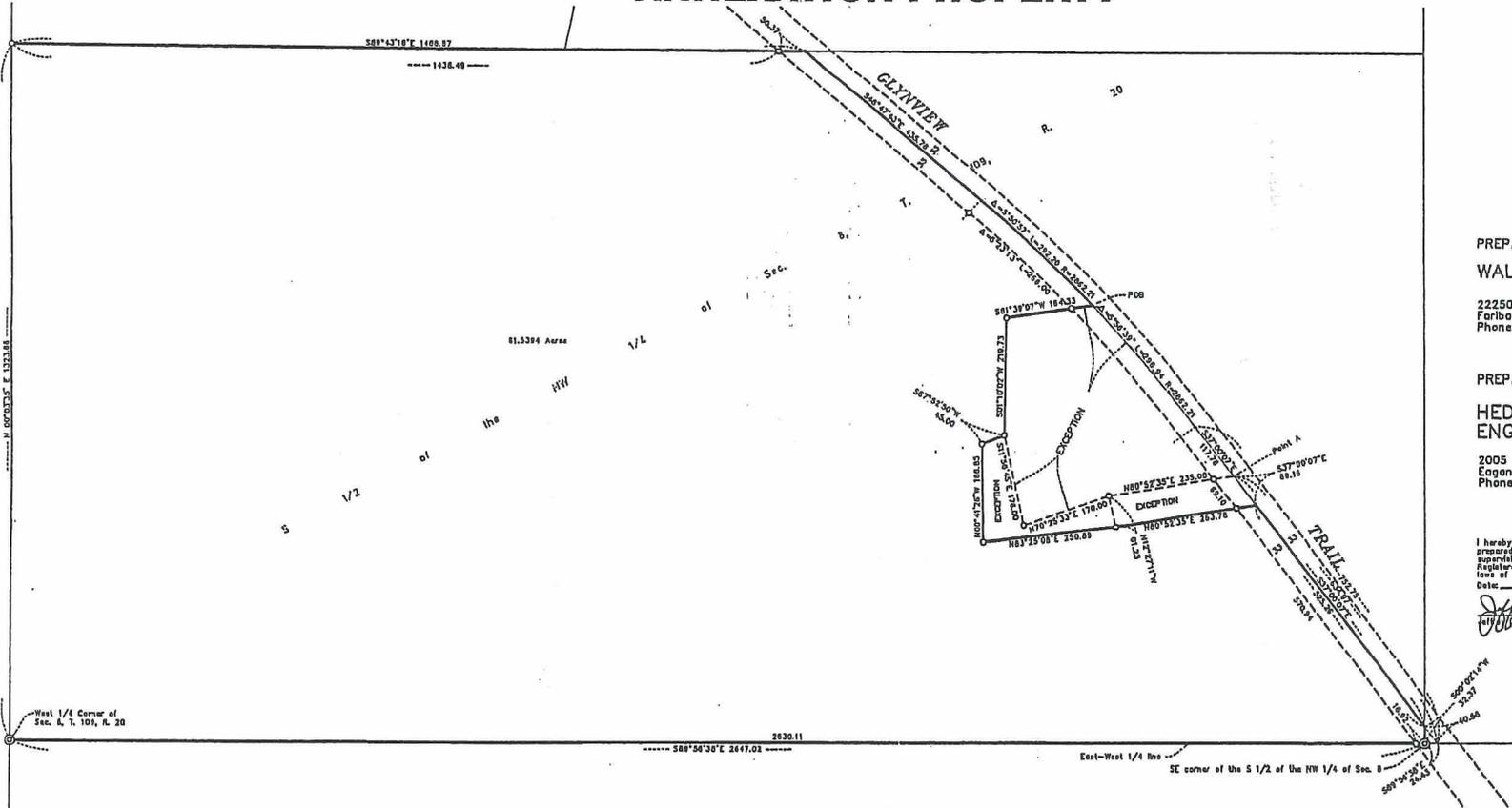
Commencing at the southeast corner of said South Half of the Northwest Quarter; thence South 89 degrees 56 minutes 38 seconds East along the East West Quarter line of said Section 8 a distance of 24.43 feet to a point on the center line of said Glynview Trail; thence North 37 degrees 00 minutes 07 seconds West along said center line 634.97 feet to the point of beginning of the property to be described; thence continuing North 37 degrees 00 minutes 07 seconds West along said center line 117.78 feet; thence northwesterly 296.94 feet along said center line on a tangential curve to the left having a radius of 2862.21 feet and a central angle of 5 degrees 56 minutes 39 seconds; thence South 81 degrees 39 minutes 07 seconds West 164.33 feet; thence South 01 degrees 10 minutes 02 seconds West 219.73 feet; thence South 11 degrees 56 minutes 45 seconds East 176.00 feet; thence North 70 degrees 25 minutes 33 seconds East 170.00 feet; thence northeasterly to the point of beginning.

Commencing at the southeast corner of said South Half of the Northwest Quarter; thence South 89 degrees 56 minutes 38 seconds East along the East West Quarter line of said Section 8 a distance of 24.43 feet to a point on the center line of said Glynview Trail; thence North 37 degrees 00 minutes 07 seconds West along said center line 752.75 feet; thence northwesterly 296.94 feet along said center line on a tangential curve to the left having a radius of 2862.21 feet and a central angle of 5 degrees 56 minutes 39 seconds; thence South 81 degrees 39 minutes 07 seconds West 164.33 feet; thence South 01 degrees 10 minutes 02 seconds West 219.73 feet to the point of beginning of the property to be described; thence South 11 degrees 56 minutes 45 seconds East 176.00 feet; thence North 70 degrees 25 minutes 33 seconds East 170.00 feet; thence South 12 degrees 27 minutes 11 seconds East 61.23 feet; thence South 83 degrees 25 minutes 08 seconds West 250.89 feet; thence North 00 degrees 41 minutes 26 seconds West 186.85 feet to the intersection with a line drawn South 67 degrees 52 minutes 50 seconds West from the point of beginning; thence North 67 degrees 52 minutes 50 seconds East 45.00 feet to the point of beginning.

Commencing at the southeast corner of said South Half of the Northwest Quarter; thence South 89 degrees 56 minutes 38 seconds East along the East West Quarter line of said Section 8 a distance of 24.43 feet to a point on the center line of said Glynview Trail; thence North 37 degrees 00 minutes 07 seconds West along said center line 634.97 feet to a point hereinafter referred to as Point A; thence continuing North 37 degrees 00 minutes 07 seconds West along said center line 117.78 feet; thence northwesterly 296.94 feet along said center line on a tangential curve to the left having a radius of 2862.21 feet and a central angle of 5 degrees 56 minutes 39 seconds; thence South 81 degrees 39 minutes 07 seconds West 164.33 feet; thence South 01 degrees 10 minutes 02 seconds West 219.73 feet; thence South 11 degrees 56 minutes 45 seconds East 176.00 feet; thence North 70 degrees 25 minutes 33 seconds East 170.00 feet to the point of beginning of the property to be described; thence South 12 degrees 27 minutes 11 seconds East 61.23 feet; thence North 80 degrees 52 minutes 35 seconds East 263.78 feet to said center line of Glynview Trail; thence northwesterly along said center line to said Point A; thence southwesterly to the point of beginning.

# SURVEYORS CERTIFICATE ANNEXATION PROPERTY

JOB NO. 05R-299



PREPARED FOR:  
WALLACE DUBE' ESTATE

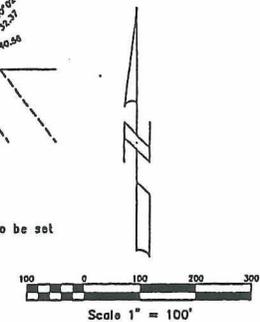
22250 Glynview Tr.  
Faribault, MN 55021  
Phone:

PREPARED BY:  
HEDLUND PLANNING  
ENGINEERING SURVEYING

2005 Pin Oak Drive  
Eagan, MN 55122  
Phone: (651) 405-6600

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.  
Date: 11/1/05

*Jeff D. Hedlund*  
Jeff D. Hedlund, Minn. No. 11276



### LEGAL DESCRIPTIONS

The South Half of the Northwest Quarter of Section 8, Township 108, Range 20, Rice County, Minnesota, plus west of the center line of Glynview Tr., EXCEPT the area following descriptive words for purposes of west description the East West Quarter Sec of said Section 8 has an assumed bearing of South 89 degrees 00 minutes 20 seconds East.

Commencing at the southeast corner of said South Half of the Northwest Quarter, thence South 89 degrees 00 minutes 20 seconds East along the East West Quarter line of said Section 8 a distance of 31.00 feet to a point on the center line of said Glynview Tr.; thence North 21 degrees 00 minutes 00 seconds West along said center line 514.87 feet to the point of beginning of the property to be surveyed; thence north 33 degrees 00 minutes 00 seconds West along said center line 117.76 feet; thence northwesterly 200.54 feet along said center line to a perpendicular corner to the bearing of 210.11 feet to a second angle of 2 degrees 30 minutes 30 seconds; thence South 81 degrees 30 minutes 00 seconds West 184.23 feet; thence South 81 degrees 30 minutes 00 seconds West 110.23 feet; thence South 15 degrees 30 minutes 00 seconds East 174.00 feet; thence northwesterly to the point of beginning.

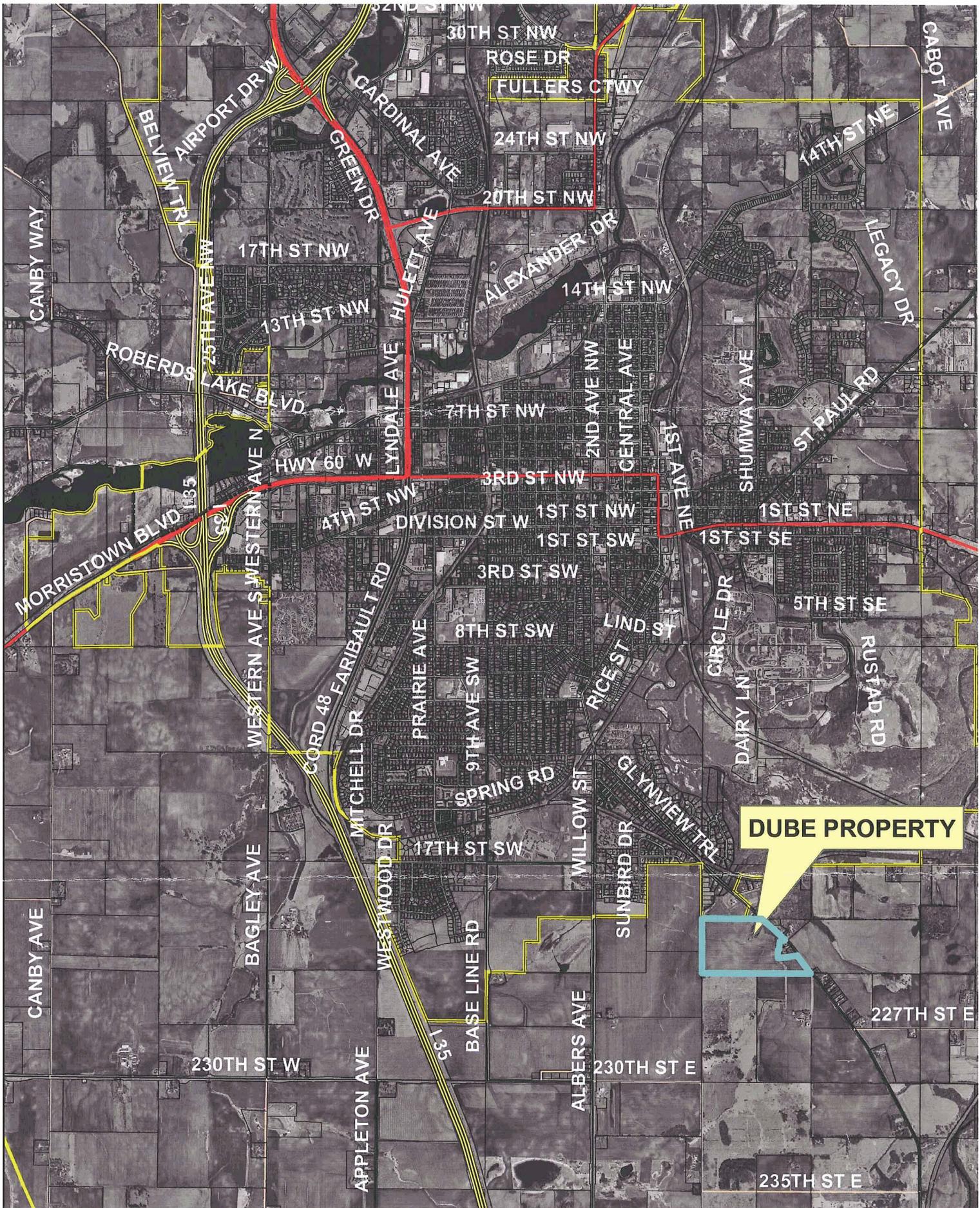
Commencing at the southeast corner of said South Half of the Northwest Quarter, thence South 89 degrees 00 minutes 20 seconds East along the East West Quarter line of said Section 8 a distance of 31.00 feet to a point on the center line of said Glynview Tr.; thence North 21 degrees 00 minutes 00 seconds West along said center line 782.76 feet; thence northwesterly 200.54 feet along said center line to a perpendicular corner in the said bearing a distance of 210.11 feet to a second angle of 2 degrees 30 minutes 30 seconds; thence South 81 degrees 30 minutes 00 seconds West 184.23 feet; thence South 81 degrees 30 minutes 00 seconds West 110.23 feet; thence South 15 degrees 30 minutes 00 seconds East 174.00 feet; thence northwesterly to the point of beginning.

210.73 feet to the point of beginning of the property to be surveyed; thence South 81 degrees 30 minutes 00 seconds East 170.00 feet; thence north 70 degrees 30 minutes 00 seconds East 170.00 feet; thence South 12 degrees 27 minutes 11 seconds East 61.23 feet; thence South 89 degrees 00 minutes 00 seconds West 210.00 feet; thence North 86 degrees 00 minutes 00 seconds West 184.23 feet to the intersection with the center line of said Glynview Tr.; thence North 21 degrees 00 minutes 00 seconds West 110.23 feet to the point of beginning; thence North 21 degrees 00 minutes 00 seconds East 60.00 feet to the point of beginning.

Commencing at the southeast corner of said South Half of the Northwest Quarter, thence South 89 degrees 00 minutes 20 seconds East along the East West Quarter line of said Section 8 a distance of 31.00 feet to a point on the center line of said Glynview Tr.; thence North 37 degrees 00 minutes 00 seconds West along said center line 530.07 feet to a point perpendicular to the Point A; thence northwesterly 27 degrees 00 minutes 00 seconds West along said center line 117.76 feet; thence northwesterly 210.54 feet along said center line to a perpendicular corner to the bearing of 210.11 feet to a second angle of 2 degrees 30 minutes 30 seconds; thence South 81 degrees 30 minutes 00 seconds West 184.23 feet; thence South 81 degrees 30 minutes 00 seconds West 110.23 feet; thence South 15 degrees 30 minutes 00 seconds East 174.00 feet; thence north 70 degrees 30 minutes 00 seconds East 170.00 feet to the point of beginning of the property to be surveyed; thence South 12 degrees 27 minutes 11 seconds East 61.23 feet; thence South 89 degrees 00 minutes 00 seconds East 180.73 feet to said center line of Glynview Tr.; thence northwesterly along said center line to said Point A; thence northwesterly to the point of beginning.

o - Denotes iron monument to be set

EXHIBIT B  
RESOLUTION 2006-054  
RCD BY  
MMD  
APR 12 2006



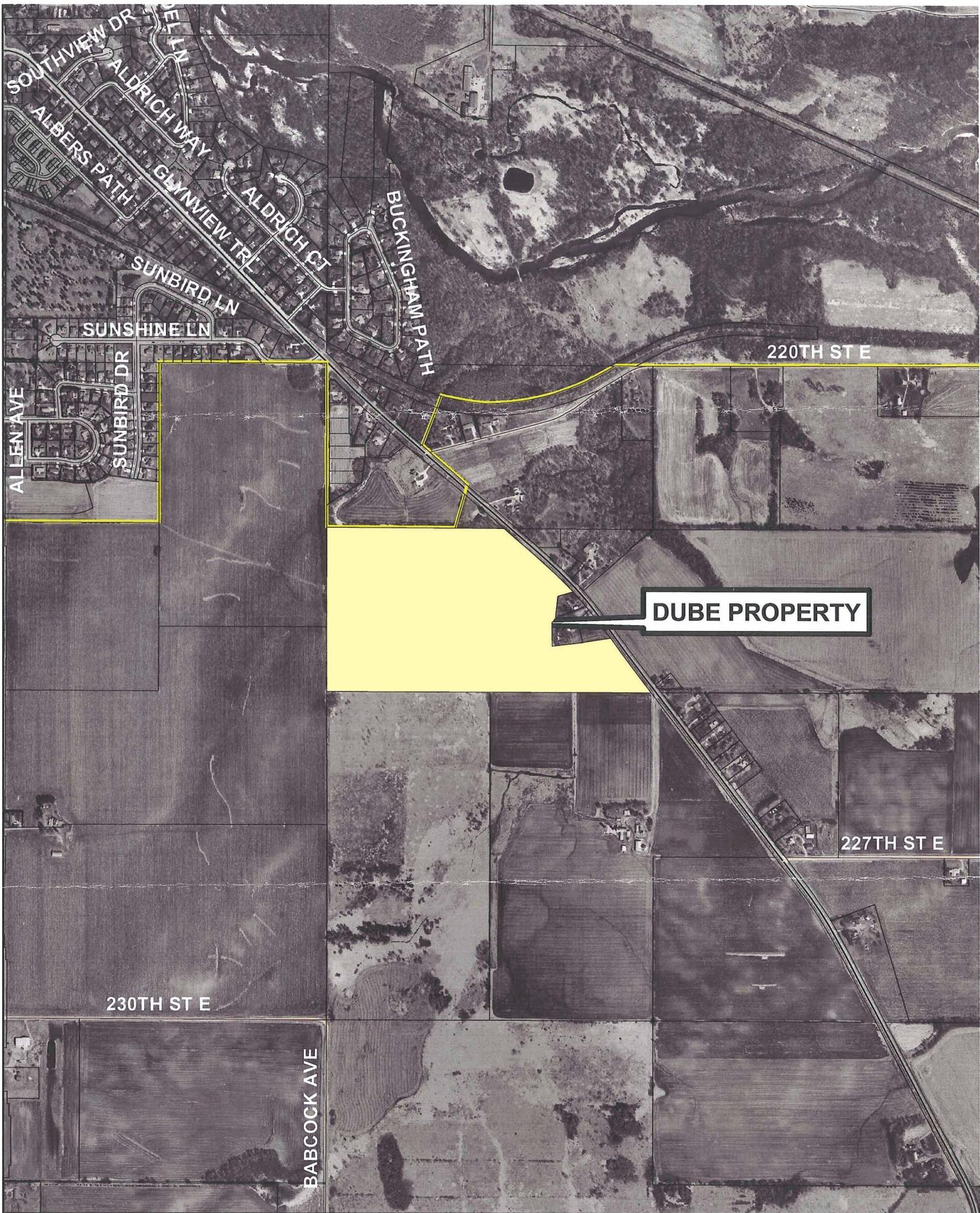
# Dube Annexation-General Location Map

1 inch equals 3,000 feet

REC'D BY  
MMS

APR 12 2006

A GIS Map by the City of Faribault  
Planning & Zoning Department



# Dube Annexation-Specific Location Map

1 inch equals 1,000 feet

REC'D BY  
MMB

APR 12 2006

A GIS Map by the City of Faribault  
Planning & Zoning Department