

REC'D BY  
M M B

MAY 01 2006

STATE OF MINNESOTA

OFFICE OF ADMINISTRATIVE HEARINGS

IN THE MATTER OF THE JOINT RESOLUTION  
OF THE CITY OF MOORHEAD AND MOORHEAD  
TOWNSHIP DESIGNATING CERTAIN AREAS  
AS IN NEED OF ORDERLY ANNEXATION  
PURSUANT TO MINNESOTA STATUTES § 414.0325

**JOINT RESOLUTION FOR  
ORDERLY ANNEXATION**

WHEREAS, there exists several parcels of property located within Moorhead Township (the "Township") which are either privately or publicly owned, all of which abut or are surrounded by the City of Moorhead (the "City") and legally described herein, (hereinafter referred to as the "Subject Area"); and

WHEREAS, the respective owners of each of the properties within the Subject Area have petitioned the City requesting annexation to the City; and

WHEREAS, the City and Township agree that the property legally described herein is urban or suburban or about to become so and the orderly annexation of the described property would be in the best interest of the property owners and would benefit the public health, safety, and welfare of the community; and

WHEREAS, the City and Township agree that the property legally described herein is designated in need of immediate orderly annexation; and

WHEREAS, the City and Township desire to accomplish the immediate orderly annexation of the property legally described herein without the need for a hearing.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of Supervisors of Moorhead Township and the City Council of the City of Moorhead, as follows:

1. Designation of Orderly Annexation Area – City of Moorhead and Moorhead Township. The Township and the City hereby designate the Subject Area legally described in Exhibit A, attached hereto and incorporated herein by reference for immediate orderly annexation pursuant to Minnesota Statutes, Section 414.0325.
2. Acreage. The Township and City agree that the above-mentioned Subject Area legally described in Exhibit A and designated as in need of immediate orderly annexation is approximately 432.22 acres.
3. Population. The Township and City agree that the population of the Subject Area legally described in Exhibit A and designated as in need of immediate orderly annexation is approximately 6.

4. Map of Area. A boundary map showing the Subject Area legally described in Exhibit A is attached hereto as Exhibit B and is incorporated herein by reference.
5. No Hearing Required. Pursuant to Minnesota Statutes, Section 414.0325, the Township and City agree that no alteration of the boundaries stated herein is appropriate, that all conditions for annexation of the Subject Area legally described in Exhibit A are contained in this Joint Resolution, and that no consideration by the Office of Administrative Hearings is necessary. Upon the execution and filing of this Joint Resolution, the Office of Administrative Hearings may review and comment thereon, but shall, within 30 days of receipt of this Joint Resolution, order the annexation of the Subject Area legally described in Exhibit A in accordance with the terms and conditions contained in this Joint Resolution.
6. Tax Reimbursement. The City and Township agree that within ninety (90) days of annexation of the Subject Area legally described in Exhibit A, the City shall remit to the Township a one-time, lump sum payment of \$7,200, representing an amount sufficient to reimburse the Township for its share of the loss of property taxes from the annexation of the Subject Area for a period of ten years. Following payment of the one-time, lump sum stated herein as tax reimbursement, there shall be no further payments to the Township for the annexation of the Subject Area.
7. Filing. The Township and City agree that upon adoption and execution of this Joint Resolution, the City shall file the same with the Office of Administrative Hearings Municipal Boundary Adjustments Office and pay the required filing fees.
8. Governing Law. The Township and City agree that this Joint Resolution is made pursuant to, and shall be construed in accordance with the laws of the State of Minnesota.
9. Headings and Captions. The Township and City agree that the headings and captions contained in this Joint Resolution are for convenience only and are not intended to alter any of the provisions of this Joint Resolution.
10. Entire Agreement. With respect only to the Subject Area legally described in Exhibit A and shown on Exhibit B, which are attached hereto and incorporated herein by reference, the terms, covenants, conditions, and provisions of this Joint Resolution shall constitute the entire agreement between the parties hereto superseding all prior agreements and negotiations between the parties.
11. Legal Description and Mapping. The Township and City agree that in the event there are errors, omissions or any other problems with the legal description provided in Exhibit A or mapping provided in Exhibit B, in the judgment of the Office of Administrative Hearings, the City and Township agree to make such corrections and file any additional documentation, including a new Exhibit A or Exhibit B making the corrections requested or required by the Office of Administrative Hearings as necessary to make effective the annexation of said Subject Area in accordance with the terms of this Joint Resolution.

Passed, adopted, and approved by the Town Board of Supervisors of Moorhead Township, Clay County, Minnesota, this 17th day of April, 2006.

MOORHEAD TOWNSHIP

By:   
Leroy Johnson, Chair

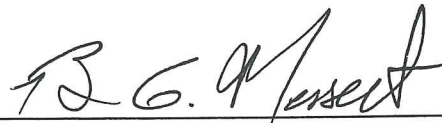
ATTEST:

  
Diane Allen, Town Clerk

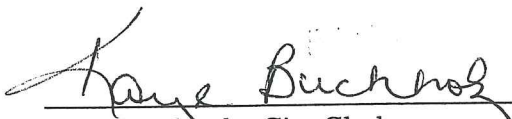
Passed, adopted, and approved by the City Council of the City of Moorhead, Clay County, Minnesota, this 17th day of April, 2006.

CITY OF MOORHEAD

By:   
Mark Voxland, Mayor

By:   
Bruce A. Messelt, City Manager

ATTEST:

  
Kaye Buchholz, City Clerk

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**EXHIBIT A**  
**Legal Description**

The Subject Area to be annexed in the attached Joint Resolution is legally described as attached hereto.

City of Moorhead

4-2006 Annexations

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Parcel #	First Name	Last Name	Legal Descriptions	Acres	
<b>Subject Area 1 Parcels</b>					
21-015-4401	City of	Moorhead	Sect-15 Twp-139 Range-048 .50 AC BEG. 1271.3' W & 33' N OF SE CORNER; N & S 208.7'; E & W 104.35'.	0.50	
21-015-4402	Proffutt Ltd	Partnership	Sect-15 Twp-139 Range-048 1.27 AC BEG AT SE COR OF SEC 15; N 308.86'; W 221.73'; S 308.86' & E 221.73' TO BEG.	1.57	
Subtotal				2.07	
<b>Subject Area 2 Parcels</b>					
21-028-1000	Jean	Kreps	S 1/2 of NE 1/4 of Section-28 Township-139 North, Range 48 West of the Fifth Principal Meridian, , Clay County, Minnesota, LESS the SE 1/4 of the SE 1/4 of the NE 1/4	71.38	
21-027-2000	Gust G	Johanson	Sect-27 Twp-139 Range-048 80.70 AC S1/2 NW1/4	81.24	
21-027-1000	Gust G	Johanson	Sect-27 Twp-139 Range-48 80.00 AC S2NE4	80.94	
Subtotal				233.56	
<b>Subject Area 3 Parcel</b>					
21-029-1301	StoneMill	Estates	The West 208.71 feet of the SW 1/4 SW 1/4 SW 1/4 SW 1/4 Section-29 Township-139 North, Range 48 West of the Fifth Principal Meridian, Clay County, Minnesota, LESS Right of Way along US Highway 75.	0.64	
Subtotal				0.64	
<b>Subject Area 4 Parcels</b>					
21-030-3300	City of Mhd	Roel Trust	All of Government Lot 6 of Section 30-139-48, including a 30 foot wide road easement previously recorded, that runs along the frontage of the former Town and Country Subdivision AND All of Government Lot 1 of Section 25-139-49	18.94	
21-030-3301	City of Mhd			1.55	
21-030-3302	City of Mhd	Lindquist		0.90	
21-030-3303	City of Mhd	Gooselaw		0.90	
21-030-3304	City of Mhd	Lackman		0.88	
21-030-3305	City of Mhd	Knutson		3.07	
21-030-3306	City of Mhd	Lipetzky		3.08	
21-030-3307	City of Mhd	Larson, Gary A.		1.66	
21-030-3308	City of Mhd	Larsen, Gary C.		3.60	
21-030-3309	City of Mhd	Enervold		6.96	
21-031-2000	City of Mhd	Roel Trust		Sect-31 Twp-139 Range-048 NW1/4	154.41
Subtotal				195.95	
Grand Total All Areas				432.22	

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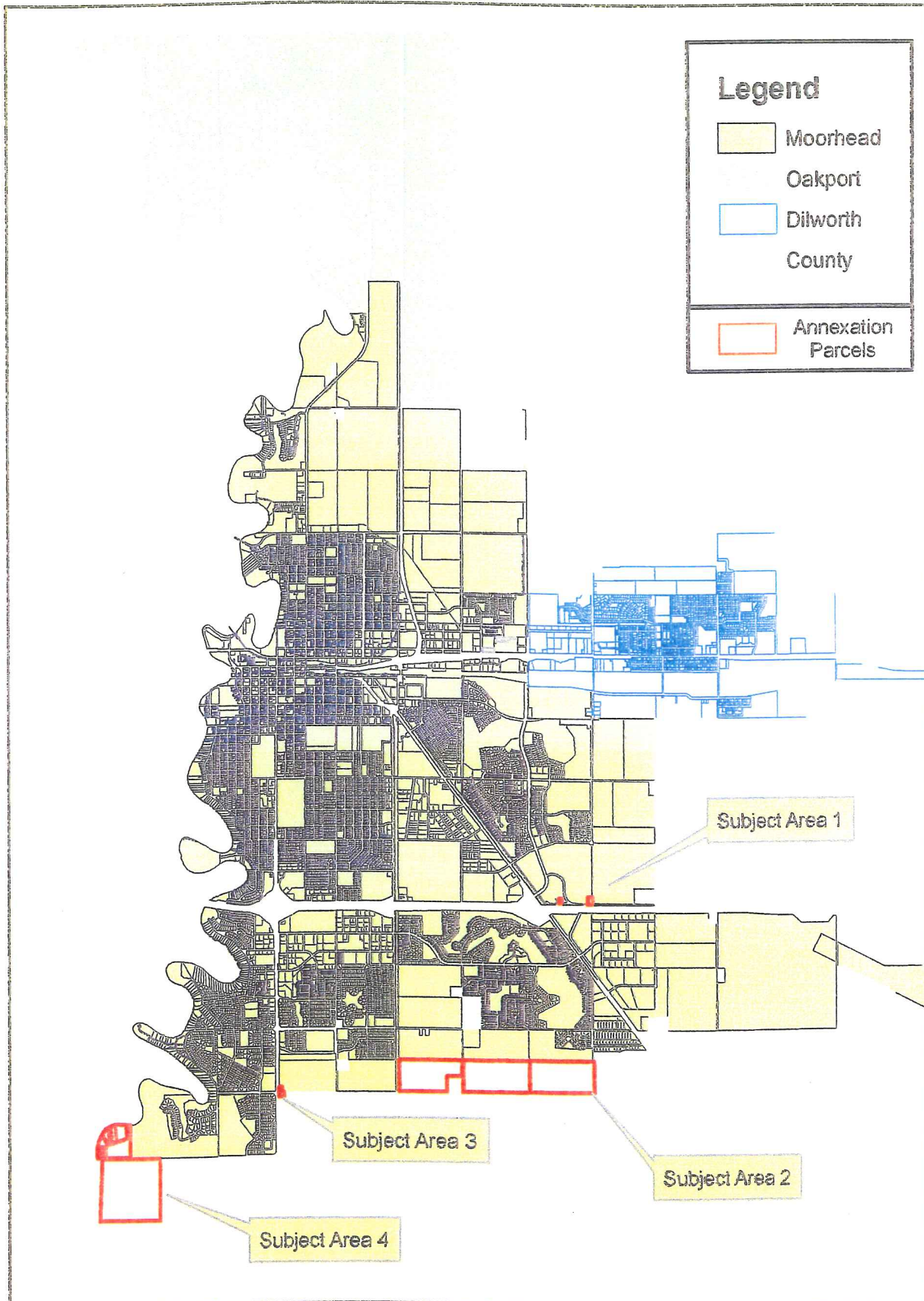
**EXHIBIT B**  
**Boundary Map**

The municipal boundary map referenced in the attached Joint Resolution, showing the current City of Moorhead and its relation to the Subject Area to be annexed, legally described in Exhibit A, is attached hereto.

# City of Moorhead, MN Annexation Parcels

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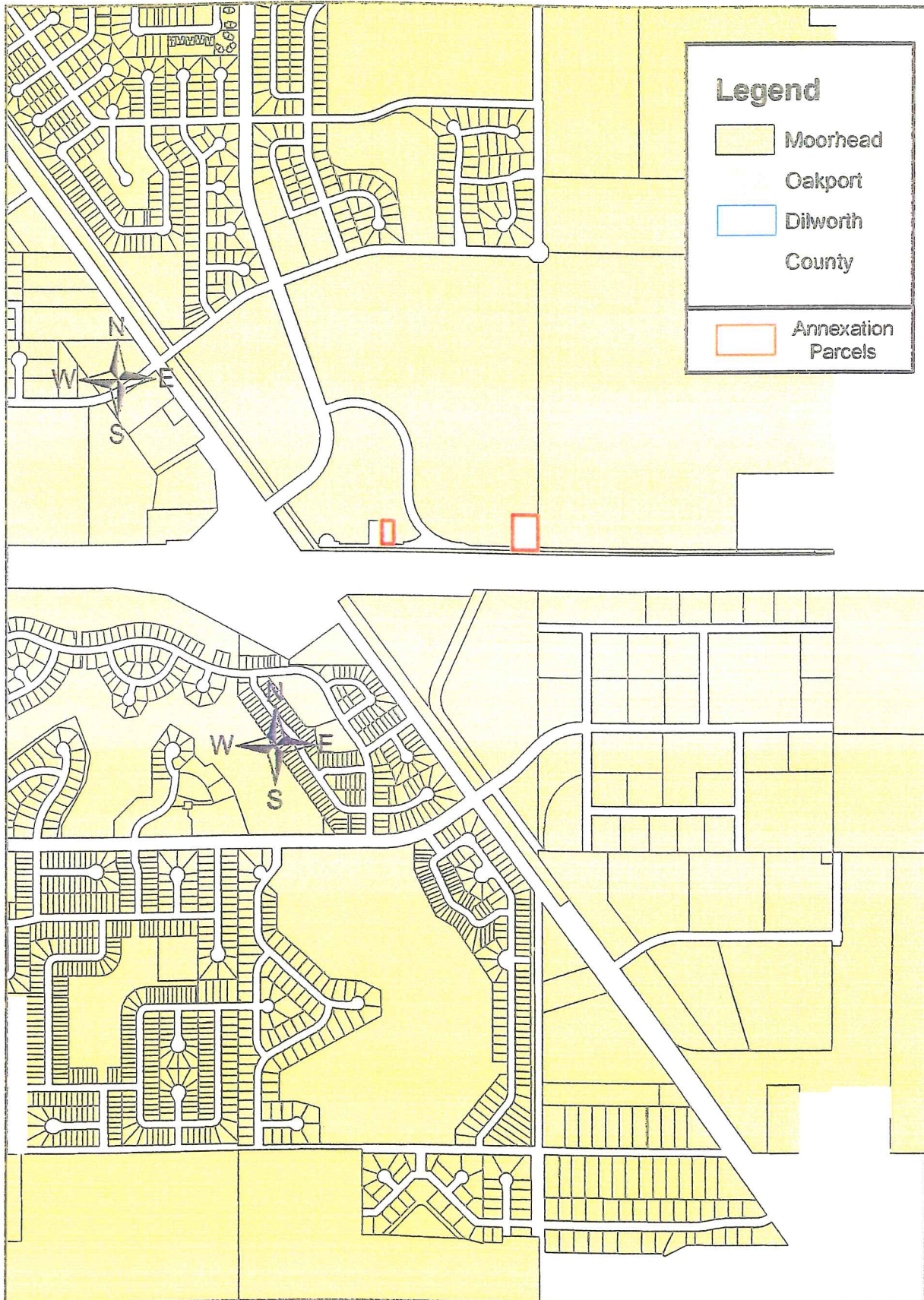
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# City of Moorhead, MN Subject Area 1 Parcels

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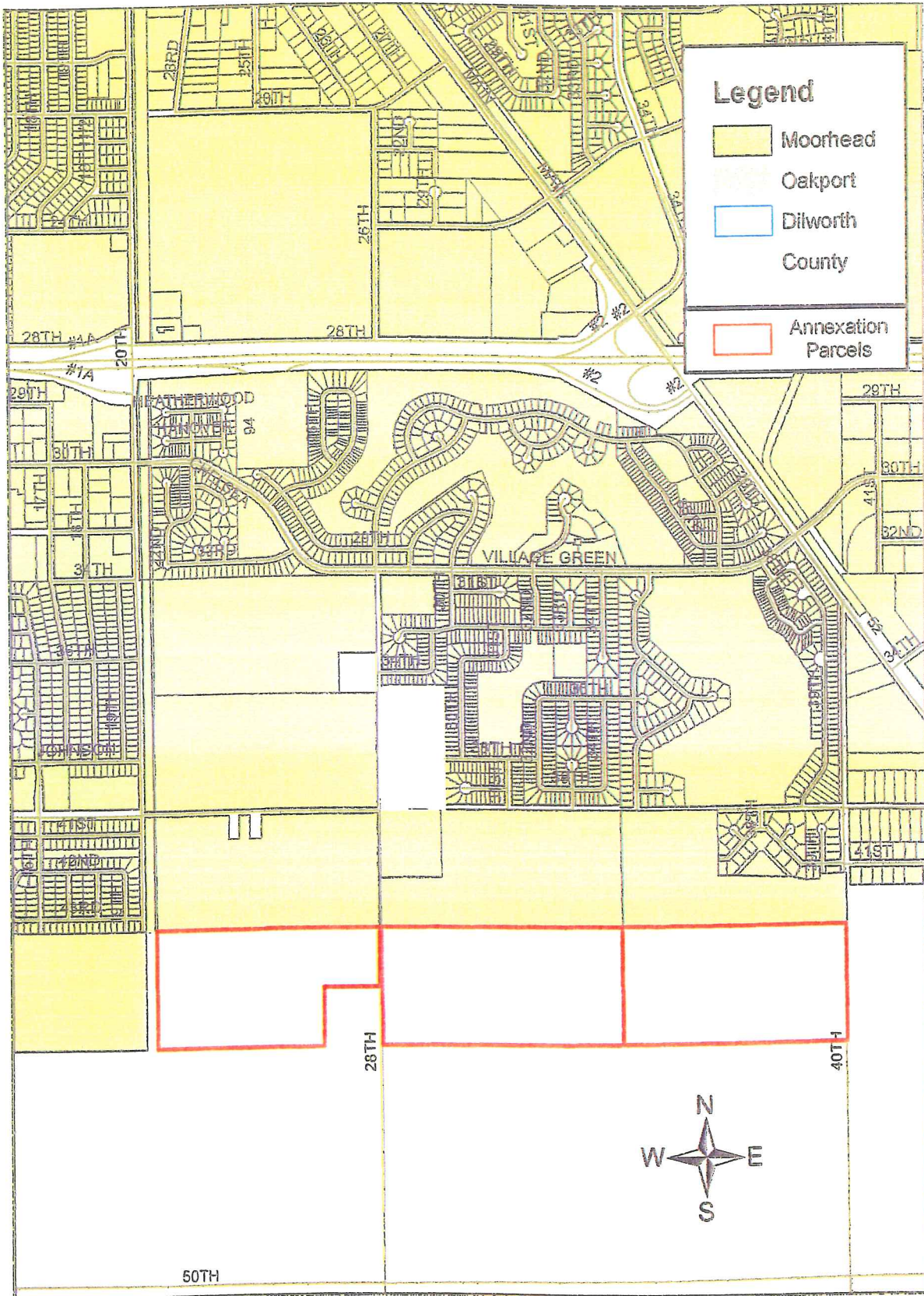




# City of Moorhead, MN Subject Area 2 Parcels

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# City of Moorhead, MN Subject Area 4 Parcels

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