

RESOLUTION R-06-28
JOINT RESOLUTION BETWEEN THE TOWN
OF FRANKLIN AND THE CITY OF DELANO
DESIGNATING AN AREA FOR ORDERLY ANNEXATION

The Town of Franklin, a public corporation under the laws of the State of Minnesota ("Franklin Township"), and the City of Delano, a Minnesota municipal corporation ("Delano"), jointly agree and resolve as follows:

1. Delano and Franklin Township, through this joint resolution, intend to accomplish annexation into Delano of property lying within Franklin Township and described on Exhibit A attached hereto and incorporated herein (hereinafter referred to as the "Annexation Area").
2. Franklin Township and Delano hereby designate the Annexation Area for orderly annexation, pursuant to Minn. Stat. § 414.0325.
3. Franklin Township and Delano do, upon their adoption of the joint resolution and upon 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. No alteration of the stated boundaries of the Annexation Area is appropriate.
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. Delano 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 Delano's utility infrastructure. Delano anticipates utility improvements to serve the Annexation Area.
9. Property taxes payable on the Annexation Area shall continue to be paid to Franklin Township for the year in which the annexation becomes effective. In the event the annexation becomes effective on or before August 1 of a levy year, Delano may levy on the annexed area beginning with that same levy year. If the annexation becomes effective after August 1 of a levy year, Franklin Township may continue to levy on the Annexation Area for that levy year, and Delano may not levy on the Annexation Area until the following levy year. In the first year following the year when Delano could first levy on the Annexation Area, and thereafter, property taxes on the Annexation Area shall be paid to Delano. In the first year following the

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year that Delano could first levy on the Annexation Area, Delano shall make a cash payment to Franklin Township in an amount equal to 90% of the property taxes distributed to Franklin Township in regard to the Annexation Area in the last year the property taxes from the Annexation Area were payable to Franklin Township; in the second year, an amount equal to 70%; in the third year, an amount equal to 50%; in the fourth year, an amount equal to 30%; and in the fifth year, an amount equal to 10%.

10. Delano does not assume by this annexation any liability or responsibility for the payment of any obligations issued to finance public improvements constructed by Franklin Township or for which special assessments were levied by Franklin Township.

This Joint Resolution shall be effective solely upon approval by both the Franklin Town Board and the Delano City Council.

APPROVED BY THE TOWNSHIP OF FRANKLIN THIS 3rd DAY OF July, 2006.

By Alston M. Steinbach
Alston M. Steinbach, Board Chair

ATTEST:

Geri V. Hagelin
Geri V. Hagelin, Township Clerk / Treasurer

APPROVED BY THE CITY COUNCIL OF THE CITY OF DELANO THIS 18th DAY OF July, 2006

By Jon A. Steinmetz
Jon A. Steinmetz, Mayor

ATTEST:

Marlene E. Kittock
Marlene E. Kittock, Clerk/Treasurer

Motion By: McDonald
Second By: Schrupp
Steinmetz: Aye
McDonald: Aye
Emery: Aye
Schrupp: Aye
Hotchkiss: Aye

REC'D BY
MME

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EXHIBIT A

Legal Description for the Annexation Area.

Lot 1, Block 1, Fake's Addition, Section 14, Township 118, Range 25

City of Delano

George and Leona Fake

