

RESOLUTION # 2708

BE IT RESOLVED BY THE CITY COUNCIL OF BEMIDJI, MINNESOTA, that the City of Bemidji hereby adopts the resolution previously adopted by the Northern Township on December 12, 1977, as follows:

1. The following described area in Northern Township is subject to orderly annexation pursuant to Minnesota Statutes 414.032, and the parties hereto designate this area for orderly annexation:

All of Northern Township (Township 147, Range 33, Beltrami County) not previously within the incorporated limits of the City of Bemidji.

2. The Township of Northern does, upon passage of this resolution and its adoption by the City Council of the City of Bemidji, Minnesota, request the approval by the Minnesota Municipal Commission of this agreement.

3. Certain properties abutting the City of Bemidji are presently urban or suburban in nature or are about to become so. Further, the City of Bemidji is capable of providing services to this area within a reasonable time. Therefore, these properties should be immediately annexed to the City of Bemidji. This area may be described as follows:

All of the SW $\frac{1}{4}$ of Section 32, Township 147, Range 33, less the following tracts:

- (a) All of said SW $\frac{1}{4}$ lying west of State Trunk Highway #71;
- (b) The North 806 feet of the NE $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 32, Township 147, Range 33, less the West 135 feet thereof;
- (c) The East 500 feet of the South 490 feet of the SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 32, Township 147, Range 33.

4. The City of Bemidji shall not initiate a petition for annexation pursuant to Minnesota Statute 414.033 or any law amendatory thereto of any other property within the area for orderly annexation prior to the year 2000, except upon a petition of owners of two-thirds of the land area which is the subject of the petition, in which event the Township of Northern shall not object to such annexation.

5. During the negotiations leading up to this agreement, the Town of Northern has proposed that the period of time provided for in paragraph 4 hereof be extended to a date considerably later than the year 2000. The City of Bemidji has proposed that such period be shortened to a date considerably earlier than the year 2000. Both parties have been willing to compromise their differences on this point solely because of the unique and urgent considerations surrounding the proposed construction of a new community hospital. However, it is realized by both the Town of Northern and the City of Bemidji that further growth patterns and a long term consideration of the many questions surrounding annexation might indicate the necessity for changes in the present agreement at some future date. For these reasons, it is agreed:

(a) This resolution as to orderly annexation and any agreements arising therefrom are subject to review at all times upon the request of either the City Council of the City of Bemidji or the Town of Northern.

(b) This resolution and any agreements arising therefrom are subject to amendment from time to time but only upon the agreement thereto by both the City Council of the City of Bemidji, the Town of Northern and the Minnesota Municipal Commission.

6. No land shall be annexed under this agreement unless it is contiguous to the City of Bemidji.

7. The right of the Township at any time to petition to become incorporated as a city is in no way affected by this agreement.

8. Both parties agree that this agreement can in no way affect the contractual rights which presently exist between the City of Bemidji and certain citizens in the Town of Northern with respect to water services.

9. This agreement, if not sooner terminated by incorporation proceedings by the Town of Northern, will terminate and be of no further force and effect as of the year 2000.

BE IT FURTHER RESOLVED that the City of Bemidji joins with Northern Township in requesting approval of such resolution by the Minnesota Municipal Commission.

The foregoing resolution was offered by Councilman Dow, who moved its adoption, and on due second by Councilman Jones, was passed by the following vote:

AYES: Whiting, Peterson, McMahon, Dow, Davis, Jones, Moberg.

NAYS: None.

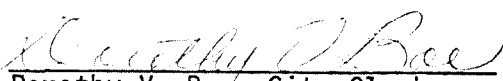
ABSENT: None.

PASSED: December 19, 1977.

APPROVED:


Doug Peterson, Mayor

ATTEST:


Dorothy V. Boe, City Clerk

OA-128

The Town Board of the Township of Northern met as a Board of Audit on the 14th day of December, 1977, to examine the ballots cast by the voters of the Town of Northern relative to a resolution for orderly annexation which had been presented to the citizens of the Township of Northern at a special town meeting held for that purpose alone on December 12, 1977. The resolution is as follows:

Contingent upon the approval of the City Council of the City of Bemidji, the Town of Northern hereby resolves as follows:

1. The following described area in Northern Township is subject to orderly annexation pursuant to Minnesota Statutes 414.032, and the parties hereto designate this area for orderly annexation:

All of Northern Township (Township 147, Range 33, Beltrami County) not presently within the incorporated limits of the City of Bemidji.

2. The Township of Northern does, upon passage of this resolution and its adoption by the City Council of the City of Bemidji, Minnesota, request the approval by the Minnesota Municipal Commission of this agreement.

3. Certain properties abutting the City of Bemidji are presently urban or suburban in nature or are about to become so. Further, the City of Bemidji is capable of providing services to this area within a reasonable time. Therefore, these properties should be immediately annexed to the City of Bemidji. This area may be described as follows:

All of the SW $\frac{1}{4}$ of Section 32, Township 147, Range 33, less the following tracts:

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- (b) The North 806 feet of the NE $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 32, Township 147, Range 33, less the West 135 feet thereof;
- (c) The East 500 feet of the South 490 feet of the SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 32, Township 147, Range 33.

4. The City of Bemidji shall not initiate a petition for annexation pursuant to Minnesota Statute 414.033 or any law amendatory thereto of any other property within the area for orderly annexation prior to the year 2000, except upon a petition of owners of two-thirds of the land area which is the subject of the petition, in which event the Township of Northern shall not object to such annexation.

5. During the negotiations leading up to this agreement, the Town of Northern has proposed that the period of time provided for in paragraph 4 hereof be extended to a date considerably later than the year 2000. The City of Bemidji has proposed that such period be shortened to a date considerably earlier than the year 2000. Both parties have been willing to compromise their differences on this point solely because of the unique and urgent considerations surrounding the proposed construction of a new community hospital. However, it is realized by both the Town of Northern and the City of Bemidji that further growth patterns and a long term consideration of the many questions surrounding annexation might indicate the necessity for changes in the present agreement at some future date. For these reasons, it is agreed:

(a) This resolution as to orderly annexation and any agreements arising therefrom are subject to review at all times upon the request of either the City Council of the City of Bemidji or the Town of Northern.

(b) This resolution and any agreements arising therefrom are subject to amendment from time to time but only upon the agreement thereto by both the City Council of the City of Bemidji, the Town of Northern and the Minnesota Municipal Commission.

6. No land shall be annexed under this agreement unless it is contiguous to the City of Bemidji.

7. The right of the Township at any time to petition to become incorporated as a city is in no way affected by this agreement.

8. Both parties agree that this agreement can in no way affect the contractual rights which presently exist between the City of Bemidji and certain citizens in the Town of Northern with respect to water services.

9. This agreement, if not sooner terminated by incorporation proceedings by the Town of Northern, will terminate and be of no further force and effect as of the year 2000.

The votes were counted by all members of the Board of Audit with the results for the foregoing resolution of orderly annexation 224, and against 57.

The resolution having been duly adopted by the citizens of the Town of Northern, the Town Board hereby ratifies and confirms the resolution and authorizes that copies of same may be sent to the City of Bemidji and the Minnesota Municipal Commission.

BOARD OF AUDIT

By Elton L. McGowan

Robert L. Vincent

Yvonne Teeters

ATTEST:

Russ A. Kummer
Clerk

BEMIDJI

BEMIDJI,

HOSPITAL

