

RESOLUTION #10-42**AUTHORIZING PHASE TWO OF THE ORDERLY ANNEXATION
AGREEMENT DATED AUGUST 2, 2006 BETWEEN THE CITY OF PINE CITY
AND POKEGAMA TOWNSHIP**

WHEREAS, the City of Pine City (the "City") and Pokegama Township (the "Township") have entered into an orderly annexation agreement entitled "Resolution #06-37 Joint Resolution/Orderly Annexation Agreement" which is dated August 2, 2006 and identified as MBA Docket No. OA-1290 Pine City/Pokegama Township; and

WHEREAS, said Agreement constitutes a "Joint Resolution" between the City and the Township authorized by Minnesota Statutes § 414.0325; and,

WHEREAS, said Agreement includes the Annexation Area consisting of the four areas to be annexed between 2006 and 2021 that shall be annexed to the City in accordance with the attached schedule entitled Exhibit C – Schedule of Annexation.

WHEREAS, the property described on attached Exhibit A and referenced in "Book 139 of Deeds, Page 413, in the office of the Pine County Recorder", and depicted on Exhibit B and Exhibit B1 (hereinafter referred to as the "Phase Two Annexation Area") shall be annexed to the City in 2011 and consists of 141.61 acres, and,

WHEREAS, said Agreement states that the City and Township acknowledge and agree that the properties in the Annexation Area, or any portion thereof, shall be annexed according to the defined schedule to the City by the Minnesota Boundary Adjustments (MBA) upon receipt of the City's Resolution indicating and certifying that all of the terms and conditions of the Annexation Agreement have been met.

WHEREAS, pursuant to said Annexation Agreement between the City and the Township (Docket No. OA-1290), the City states:

1. That the following described property in Pokegama Township is subject to annexation pursuant to Minnesota State Statutes 414.0325 and the said "Joint Resolution" and hereby requests annexation of the following described Phase Two properties to wit:

SEE ATTACHED EXHIBIT A

2. No alterations have been made to Annexation Agreement dated August 2, 2006.
3. All terms and conditions of the Annexation Agreement have been met to date.
4. Upon receipt of this Resolution from the City providing for annexation of a designated area and a copy of the initial Joint Resolution, the Office of Administrative Hearings pursuant to Minnesota Statutes 414.0235, may review and comment, but shall, within 30 days of receipt of this Resolution order the annexation of the area designated therein in accordance with the terms and conditions of the Joint Resolution. The City requests the order be effective January 1, 2011.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Pine City, that:

1. The City of Pine City has approved the proposed annexation of the aforementioned Phase Two properties from Pokegama Township to the City of Pine City and certifies that all of the terms and conditions of the Orderly Annexation Resolution #06-37 have been met.
2. The Phase Two Annexation Area is subject to all terms and requirements as stated in Resolution #06-37 Joint Resolution/Orderly Annexation Agreement, Section 6. Urban and Rural Service District.
3. The Phase Two Annexation Area is subject to all terms and requirements as stated in Resolution #06-37 Joint Resolution/Orderly Annexation Agreement, Section 7. Tax Sharing.
4. City Staff is hereby directed to forward this Resolution to the Office of Administrative Hearings for review and comment.

PASSED AND ADOPTED BY THE PINE CITY, CITY COUNCIL ON THE 6th DAY OF OCTOBER, 2010.

ATTESTED TO:

By: 

Jane Robbins, Mayor

By: 

Don Howard, City Administrator

RECEIVED
JUN 22 2006

- Exhibit A -

REC'D BY
MBA

NOV 10 2010



June 19, 2006

Lynda Woulfe
City Administrator
City of Pine City
310 5th Street SE.
Pine City, MN. 55063

Following are the revised legal descriptions of the cities proposed annexation using a metes and bounds description.

Phase 1

That part of Sections 21 and 22, Township 39, Range 21, Pine County, Minnesota, described as follows:

Beginning at the intersection of the north line of said Section 21 and the easterly right-of-way line of Interstate Highway No. 35; Thence East along the north line of said Sections 21 and the north line of said Section 22 to the northeast corner of the West Half of the Northwest Quarter of said Section 22; thence South along the east line of said West Half of the Northwest Quarter to the southeast corner of said West Half of the Northwest Quarter; thence West along the south line of said West Half of the Northwest Quarter to the section line between Sections 21 and 22; thence North along said section line to the southeast corner of the North Half of the Northeast Quarter of said Section 21; thence West along the south line of said North Half of the Northeast Quarter and the north line of the Northeast Quarter of the Northwest Quarter of said Section 21 to the easterly right-of-way line of Interstate Highway No. 35; thence Northerly along said easterly right-of-way line to the north line of Section 21 and the point of beginning.

Phase 2

That part of Sections 15 and 16, Township 39, Range 21, Pine County, Minnesota, described as follows:

Beginning at the intersection of the south line of said Section 16 and the easterly right-of-way line of Interstate Highway No. 35. Thence Northerly along said easterly right-of-way line to the north line of the South 961 feet of the Southwest Quarter of the Southeast Quarter of said Section 16; thence East along said north line to the centerline of County Highway No. 61 (formerly State Highway No. 61) as laid out and established in that certain final certificate recorded in Book 139 of Deeds, Page 413, in the office of the Pine County Recorder; thence Northerly along said centerline to the north line of the South Half of the Southeast Quarter of said Section 16; thence East along the north line of the South Half of the Southeast Quarter of said Section 16 and the north line of the South Half of the Southwest Quarter of said Section 15 to the northeast corner of said South Half of the Southwest Quarter; thence South along the east line of said South Half of the Southwest Quarter to the south line of said Section 15; thence West along the south line of said Section 15 and the south line of said 16 to the easterly right-of-way line of Interstate Highway No 35 and the point of beginning.

NOV 10 2010

Phase 3

That part of Sections 15 and 16, Township 39, Range 21, Pine County, Minnesota, described as follows:

Beginning at the intersection of the south line of the North Half of the Southeast Quarter of said Section 16 and the centerline of County Highway No. 61 (formerly State Highway No. 61) as laid out and established in that certain final certificate recorded in Book 139 of Deeds, page 413, in the office of the Pine County Recorder. Thence Northerly along said centerline to the north line of said North Half of the Southeast Quarter; thence East along the north line of the North Half of the Southeast Quarter of said Section 16 and the north line of the North Half of the Southwest Quarter of said Section 15 to the northeast corner of said North Half of the Southwest Quarter; thence South along the east line of said North Half of the Southwest Quarter to the southeast corner of said North Half of the Southwest Quarter; thence West along the south line of the North Half of the Southwest Quarter of said Section 15 and the south line of the North Half of the Southeast Quarter of said Section 16 to the centerline of County Highway No. 61 and the point of beginning.

Phase 4

That part of Sections 15 and 16, Township 39, Range 21, Pine County, Minnesota, described as follows:

Beginning at the intersection of the north line of the South 961 feet of the South Half of the Southeast Quarter of said Section 16 and the easterly right-of-way line of Interstate Highway No. 35. Thence Northerly along said easterly right-of-way line to the north line of said Section 16; thence East along the north line of said Section 16 and the north line of said Section 15 to the northeast corner of the Northwest Quarter of said Section 15; thence South along the east line of said Northwest Quarter to the southeast corner of said Northwest Quarter; thence West along the south line of the Northwest Quarter of said Section 15 and the south line of the Northeast Quarter of said Section 16 to the centerline of County Highway No. 61 (formerly State Highway No. 61) as laid out and established in that certain final certificate recorded in Book 139 of Deeds, Page 413, in the office of the Pine County Recorder; thence Southerly along said centerline to the north line of the South 961 of the South Half of the Southeast Quarter of said Section 16; thence west along said north line to the easterly right-of-way line of interstate Highway No. 35 and the point of beginning.

Hope this works for you Lynda, give me a call if you have any questions.

Sincerely



M.B. Rude

RLS No. 8195

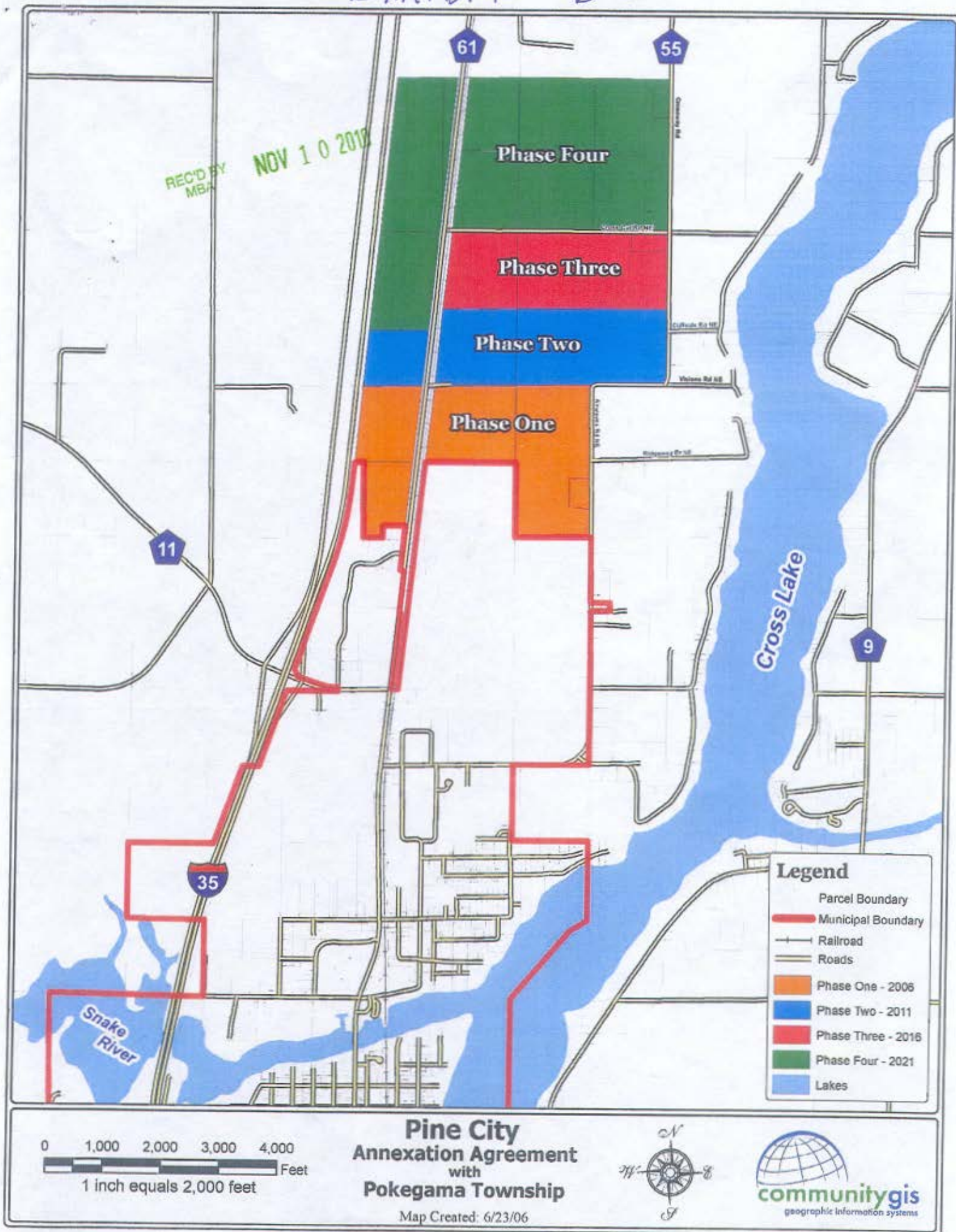


Exhibit B1



Exhibit C

REC'D BY
MBA

NOV 10 2010

Schedule of Annexation

2006	Robert and Nancy Ovick Larry and Marie Orvis Albin and Annie Skalicky Mark Skalicky Roger, Candice, and Andrew Ames
2011	Duane Oswald Hughes Land and Property Town of Pokegama Robert Orvis Antonio and Martha Valdovinos
2016	Stanley and Dorothy Gross Rodney and Becky Gross
2021	Gary Lord David and Cindy Stevens Roger and Deborah Larson Jeffrey Kozak (36.9 acres) Frank and Kim Knoll (99.4 acres) Calen Miritello-Baughn Raymond & Deanna Bever