Municipal Boundary Adjustments Docket No.

City of Montrose Resolution No. 2006-31

Marysville Township Resolution No. 63-64

CITY OF MONTROSE MARYSVILLE TOWNSHIP COUNTY OF WRIGHT STATE OF MINNESOTA

JOINT RESOLUTION OF THE CITY OF MONTROSE AND MARYSVILLE TOWNSHIP AS TO THE ORDERLY ANNEXATION OF PROPERTY

WHEREAS, the City of Montrose ("City") and Marysville Township ("Township") desire to enter into an agreement allowing for the immediate orderly annexation of certain property, pursuant to Minnesota Statute 414.0325, Subdivision 1; and

WHEREAS, The City and the Township are in agreement as to the procedures and process for orderly annexation of certain lands described herein for the purpose of orderly, planned growth; and

WHEREAS, the City of Montrose has received a request for annexation from the owner of real property described in the attached Exhibit A, which is located within Marysville Township and abuts the City of Montrose; and

WHEREAS, the annexation is being sought by the petitioner for the purpose of obtaining municipal water and sewer service; and

WHEREAS, it is in the best interest of the City, the Township and their respective residents to agree to orderly annexation in furtherance of orderly growth and the protection of the public health, safety and welfare; and

WHEREAS, the parties hereto desire to set forth the terms and conditions of such Orderly Annexation by means of this Joint Resolution;

NOW, THEREFORE, BE IT RESOLVED by the City of Montrose, Wright County, Minnesota and Marysville Township, Wright County, Minnesota, as follows:

1. That the area described in the attached Exhibit A is immediately annexed from Marysville Township into the municipal boundaries of the City of Montrose.

- 2. Upon annexation of the parcel the City shall make a good faith effort to make municipal sanitary sewer service and municipal water service available to that parcel within three years from the effective date of the annexation.
- 3. The City and Township agree that no alteration of the stated boundaries as described in this resolution is appropriate, and that all the terms and conditions for annexation are provided for in this Joint Resolution unless otherwise noted. Upon receipt of the Joint Resolution, the Minnesota Department of Administration Office of Administrative Hearings Municipal Boundary Adjustment or its successor agency may review and comment, but shall within 30 days of receipt, order the annexation in accordance with the terms and conditions of this Joint Resolution.
- 4. To compensate the Township for the permanent loss of taxable property from Township tax rolls, prior to annexation of the parcel described in the attached Exhibit A by the City, the property owners petitioning for annexation shall pay the Township a per-acre amount ("Taxation Reimbursement") for all land annexed to the City pursuant to this Joint Resolution. Unless agreed otherwise by the parties, said payment shall occur in two equal installments with all installments being made prior to the annexation of each parcel of land and shall be calculated in accordance with the following formula:
 - A. The property owner shall pay to the Township \$250 per acre or portion thereof annexed into the City.
 - B. The City shall remit all delinquent taxes, charges and assessment collected from any portion of the area to be annexed if such taxes or charges were originally payable while the delinquent property remained in the Township. Additionally, when a property no longer qualifies for special tax treatment through Green Acres or other applicable programs such as Ag Preserves, CRP, This Old House, and taxes that were deferred under one of these programs is paid to the City, the City shall remit to Township the amount which was deferred during the time the property was in the Township.
 - C. The City does not assume by this annexation any liability or responsibility for the payment of any obligations issued to finance public improvements constructed by the Township or for which the Township levied special assessments. In the event that

the City annexes land pursuant to this Joint Resolution upon which outstanding special assessments levied by the Township remain at the time of annexation, the City shall forward to the Township upon receipt all special assessment payments, which the City receives as a result of special assessments, levied by the Township.

Other than the reimbursement outlined above, no other reimbursement or taxes shall be owed to the Township from the City.

- 5. Pursuant to Minnesota Statutes, Section 414.0325, the City and the Township agree that as all of the property owners of the parcel have petitioned for annexation, no hearing is required and the City may initiate annexation of the property described in Exhibit A by filing this resolution with the Minnesota Department of Administration Municipal Boundary Adjustments, or its successor agency, and the Township. The Township agrees not to object to or oppose any annexation undertaken pursuant to the terms and conditions contained in this Joint Resolution.
- 6. This Joint Resolution is made pursuant to, and shall be construed in accordance with the laws of the State of Minnesota.
- 7. The City shall pay all applicable filing fees and other costs necessary to have the Joint Resolution filed with and approved by the Minnesota Department of Administration Office of Administrative Hearings Municipal Boundary Adjustment or successor agency.

PASSED, ADOPTED AND APPROVED by the Marysville Town Board of Supervisors, Wright County, Minnesota this 3/2 day of 2006.

MARYSVILLE TOWNSHIP

Chair

PASSED, ADOPTED AND APPROVED by the Montrose City Council, Wright County, Minnesota this Apple day of ________, 2006.

CITY OF MONTROSE

Charles Nelson, Mayor

Barbara Swanson, City Clerk

Municipal Boundary Adjustments Docket No.

City of Montrose Resolution No. 3-06-31

Marysville Township Resolution No. 0.3-06

EXHIBIT A

(Leuer Property)

The Northeast quarter of the Northwest Quarter of Section 35, Township 119, Range 26, Wright County, Minnesota

WRIGHT AUG 16 2006 Marysville '2001 Cloud Cartographics, Inc. St. Cloud, MN 56301 See Page 34 Birch David Rassat Marque Add 116.3 Johnson Mink Wright Donald Lake Melvin 80 Streich & Ruth & Ruth Deer 40 DeMarais Peavey 157 Lake 117.5 Jerome Marquette DeMarais Darlene William & Rosemary James & Ruth Peavey 37 Randall & Lester & Barbara M&I Paumen Mengelkoch Maynard & Linda KK 7 Trov Bonk Olson Tr 48 39 Pfeifer Carlson 7 73 Marsh 110 42.5 Vicki Dawr Wallace Merver Grace & Eileer Steinleitner 43.9 Rassat Bodin 76 Marvir Donald 80 Myror Richard C&B Kobov 24.3 Ronald Larry Edwin & Mar Gerald Solberg & Lois & Beverly & Ani & Renee & Beverly & Doris & Charlotte vanson Ti Holland Elsenpeter etal Bersie Neske LaPlant 745 Clayton & Phyllis 80 Thomas LaPlant Sr 115 KY 3 Decker P. Flor August REHM 10 Ronald 1 Margaret 112 & Katherine Fork DeMarais City of 74 Ronald 59 Mills Buffalo Darrell Patrick Brandon Joseph & Agnes Decker Marketor 172.6 40 40 Wallace Gerald & Daniel Charlotte Peterson Mills 100 Hanken G.S. Fish & 20 95.3 Wildlife Margaret Clemence Thomas & Vickie Donald & Gail 120 36 Perry angrot Larson 80 172 Gary Ronald Harold & Nora 1&CP 10 William Willian Terold Wallace Carison Carlson Wallace Sr & AM & Cynthia MacPha Christin Untiedt Theisen 85 Harold & Sally Custer 37.3 & Lisa Goede 939.9 Donald Demars Olson 40 COUNT Gary & Orville Rober 80 & Carol Scott Carole Walter Charles 70 Hollace Hagedor. King & Kim 12 Untied Clintor Patrick & Sandra Youngren Estates Duske Gary & Rita Audrey & Share 160 Kaster 40 Sawatzk 107 Darrell Bernice Virgil & Linda Weber 37.5 Endres & Vera Solberg 65.7 Dennis & Edward & Joan Sharo 40 Frisbie Hohag Jeannine Jr etal Warne MEW X70 John Yager Dale 1 80 111 Gagnor 39 Gerald & 28 Sawatzk 7 Vanderlind 169 WLW 26 Hohag Richard Paul Michael David ⊍ 65 Wallace Real Estate Charlotte & Mary & Edith 80.3 & Jane Epple LaPlant Edward 159 Bodin Howe LLP Degker Robert Cates & Son Perra Gary & & Hilar Clifford Michael Mark Inc 154 181 & Wendy Lake & Co 70 Glasrud Foede Klammer Kobb 131 Duske 40 Registered Land Survey # 23 Ursula Jan 40 Eugen & Janet Kenneth & Rita & Betty 158 6.2 Timoth & Vick Johnson 64.2 Waverly Patrick 186 Salonek Lake 35 33 31Little (9) William & Kathy Waverly MONTROSE Z RR Duske BNSF See Page 16

E.

F .

5

E

E

E

Mr.

E .



MAR AUG 16 2006

ANNEXATION REQUEST

PREPARED BY:

Maren Leuer Mike Leuer 763-286-8859 763-286-1441

LOCATION:

North of US Highway 12, between County Rd 12 & Clementa Ave.

PID NUMBER:

211-000-352100

PARCEL SIZE:

40 acres

PREVIOUS OWNERSHIP:

Jim & Karla Herzog 4671 County Rd 12 S. Montrose, MN 55363



