

R120-06

**TOWN OF EMPIRE  
CITY OF FARMINGTON**

**IN THE MATTER OF THE JOINT  
RESOLUTION OF THE TOWN OF  
EMPIRE AND THE CITY  
OF FARMINGTON, DESIGNATING  
AN UNINCORPORATED AREA AS  
IN NEED OF ORDERLY ANNEXATION  
AND CONFERRING JURISDICTION  
OVER SAID AREA TO THE OFFICE OF  
ADMINISTRATIVE HEARINGS, BOUNDARY  
ADJUSTMENT UNIT, PURSUANT TO  
M.S. §414.0325**

**JOINT RESOLUTION  
(King Property)**

**WHEREAS,** David and Gina King (the "Kings") are the sole owners of unplatted property currently located in Empire Township, and legally described as stated in Attachment A, and;

**WHEREAS,** the property abuts land within the City limits, located east of Trunk Highway 3 and south of 208<sup>th</sup> /C.R. 66 Street in the northeasterly area of the City, is approximately 1.94 acres in size, and has one household, a population of two, and an improved residential structure, and;

**WHEREAS,** the Kings have petitioned the City for annexation of their property for the purpose of receiving city services, including but not limited to sewer, water, refuse collection, police and fire protection from the City of Farmington, and;

**WHEREAS,** the City of Farmington can provide the requested urban services to the property.

**NOW, THEREFORE,** the Township of Empire and the City of Farmington, following a public hearing joint informational meeting as required by M.S. 414.0325, Subd. 1b (2006), jointly agree to the following:

1. The Township and City hereby establish an Orderly Annexation Area ("OAA") as authorized by Minnesota Statute §414.0325, Subdivision 1, for the property legally described on Exhibit A and shown on the attached Exhibit B.
2. That the purpose of the annexation of the property involved in this annexation is to transfer jurisdiction over the property in order to provide urban services including but not limited to sewer, water, refuse collection, police and fire protection from the City of Farmington.
3. That in order to accomplish this purpose, the property owned by the Kings described herein should be immediately annexed to and made part of the City of Farmington.
4. Upon approval by the respective governing bodies of the City and the Township, this joint resolution and agreement shall confer jurisdiction upon the Office of Administrative Hearings-Boundary Adjustments (OAH/BA) (or other state agency responsible for administering Minnesota Statutes Chapter 414) so as to immediately annex the lands described in the attached Exhibit A in accordance with the terms of this joint resolution and agreement without need for and subsequent resolution(s) of the parties.

5. The City and the Township mutually state that no alteration by the OAH/BA to the OAA boundaries, as illustrated on Exhibit B and described in Exhibit A, is appropriate of permitted.
6. The City and Township agree that upon annexation all planning, official controls, and governmental services for the annexed area shall become the responsibility of the City, and that the provisions of Minn. Stat. §§414.035 and 414.036 authorizing differential taxation and municipal reimbursement for the annexed property will not be applied for in this proceeding.
7. The City and the Township mutually state that the annexation of the property will not result in any change of electrical service.
8. Having designated the area illustrated on Exhibit B and described in Exhibit A as in need of orderly annexation, and having provided for all of the conditions of its annexation within this document, the parties to this agreement that no consideration by the OAH/BA is necessary. The OAH/BA may review and comment but shall within thirty (30) days order the annexation in accordance with the terms of this Resolution.

Approved and Adopted  
this 24<sup>th</sup> day of OCTOBER, 2006.

Approved and Adopted  
this 24<sup>th</sup> day of OCTOBER, 2006.

**TOWN OF EMPIRE**

BY: Trey T. Holmes

Its Town Board

AND Kaullen B. Kupp

Its Town Board Clerk

**CITY OF FARMINGTON**

BY: Kevan A. Soderberg

Kevan Soderberg  
Its Mayor

AND Peter Herlofsky, Jr.

Peter Herlofsky, Jr.  
Its City Administrator

**Exhibit A - Legal Description**

Beginning at a point on the South line of the Northwest Quarter (NW  $\frac{1}{4}$ ), Section Twenty-nine (29), Township One hundred fourteen (114), Range Nineteen (19), one thousand sixty and four tenths (1060.4) feet East of the Southwest corner of said Northwest Quarter (NW  $\frac{1}{4}$ ); thence East along the South line of said Northwest Quarter (NW  $\frac{1}{4}$ ) to its intersection with the centerline of Vermillion Road (S.A.H. No. 6) a distance of four hundred seventy-seven and seventy-three hundredths (477.73) feet; thence Northeasterly along the centerline of said Vermillion Road to its intersection with a line parallel with and one hundred fifty (150) feet North of the South line of said Northwest Quarter (NW  $\frac{1}{4}$ ); thence West along said line parallel with and one hundred fifty (150) feet North of the South line of said Northwest Quarter (NW  $\frac{1}{4}$ ), a distance of six hundred twenty-six and ninety-three hundredths (626.93) feet to a point one hundred fifty (150) feet North of and perpendicular to the point of beginning, thence South one hundred fifty (150) feet to the point of beginning, Dakota County, Minnesota, subject to S.A.H. No. 6, according to the Government Survey thereof.



## David King Property

3245 Vermillion River Trail

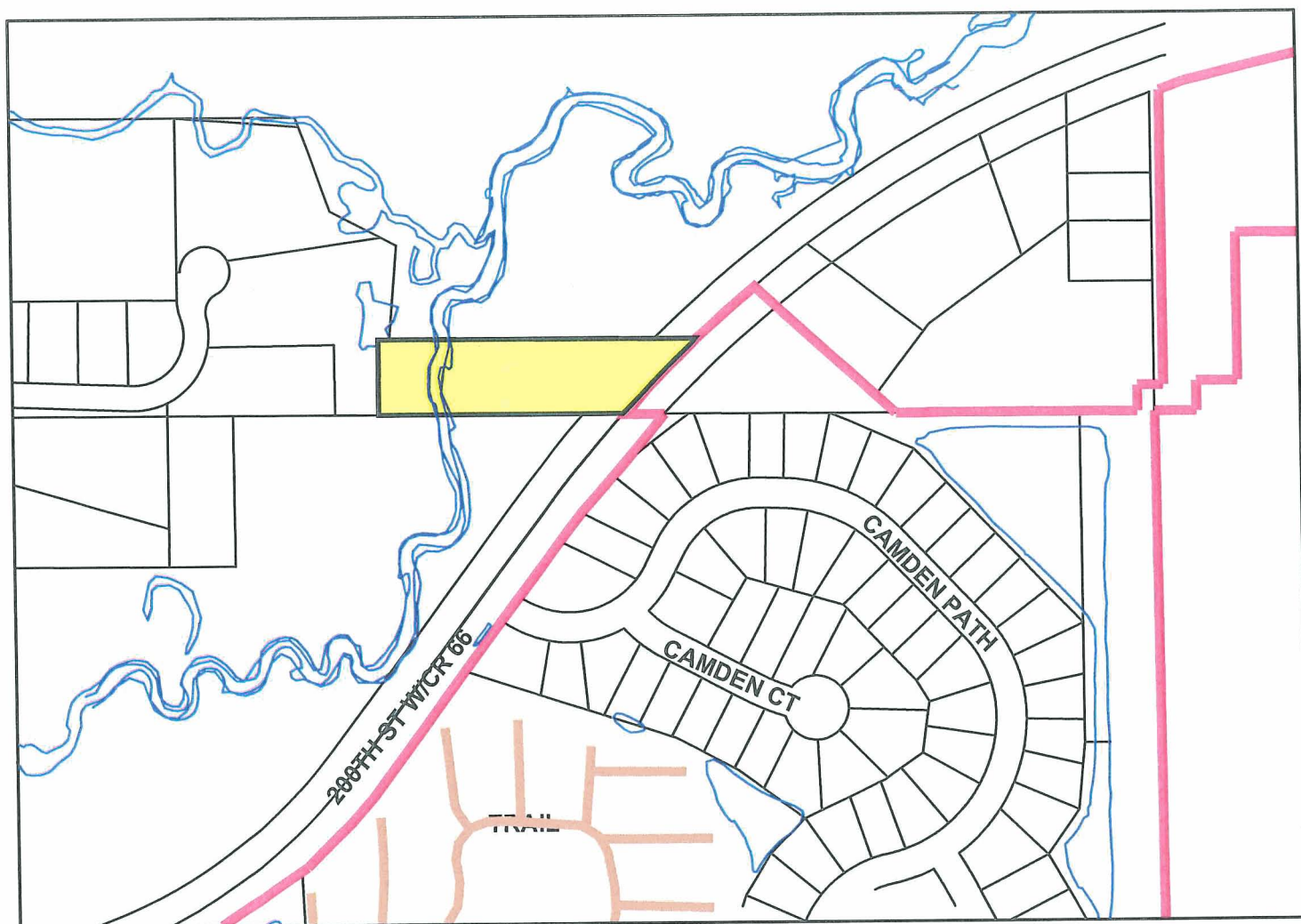


EXHIBIT B

