

R119-06
TOWN OF EMPIRE
CITY OF FARMINGTON

REC'D BY
MMB

NOV 15 2006

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
(Bugbee Property)

WHEREAS, Richard and Sarah Bugbee (the "Bugbees") are the sole owners of platted 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 off of Chippendale Court in the northeasterly area of the City, is approximately 0.19 acres in size, and has one household, a population of two, and an improved residential structure, and;

WHEREAS, the Bugbees 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 as 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 Bugbees 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 any 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 or 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 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 agree 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 24th day of October, 2006.

Approved and Adopted
this 24th day of October, 2006.

TOWN OF EMPIREBY: Its Town Board ChairAND Its Town Board Clerk**CITY OF FARMINGTON**BY: Kevan A. Soderberg
Its MayorAND Peter Herlofsky, Jr.
Its City Administrator

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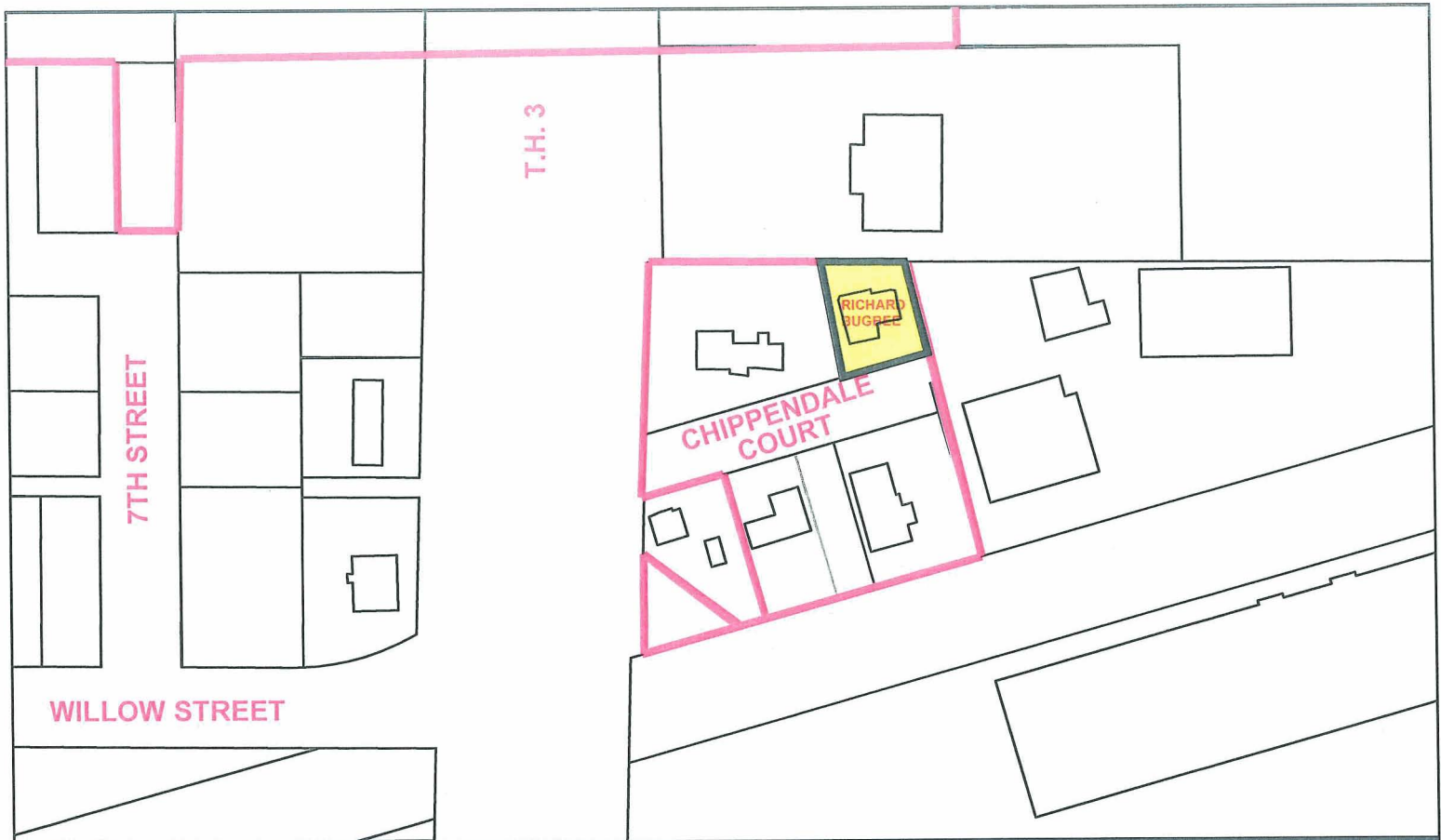
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Exhibit A - Legal Description

Lot 3 and those parts of Lots 4 and 5 lying easterly of a straight line drawn from a point on the north line of said Lot 4 distant 28 feet west of the northeast corner of said Lot 4 to the southeast corner of said Lot 5, all in Dooley Addition., according to the recorded plat thereof on file and of record in the office of the Registrar of Titles, Dakota County, Minnesota

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RICHARD BUGBEE PROPERTY

21030 Chippendale Court

— Current Municipal Boundary

■ Bugbee Property



EXHIBIT B