

RESOLUTION #98- 185

**TO THE MINNESOTA MUNICIPAL BOARD
AN AMENDMENT TO A JOINT RESOLUTION (OA-131)
OF THE CITY OF NORTHFIELD AND THE TOWNSHIP OF NORTHFIELD
DESIGNATING AN UNINCORPORATED AREA AS IN NEED OF ORDERLY
ANNEXATION AND CONFERRING JURISDICTION OVER
SAID AREA ON THE MINNESOTA BOARD PURSUANT TO MINN. STAT. 414.0325**

WHEREAS, the City of Northfield and the Township of Northfield desire to accommodate growth in the most orderly fashion; and

WHEREAS, the City of Northfield and the Township of Northfield did adopt a joint resolution for orderly annexation on October 10, 1978 (OA-131); and

WHEREAS, the City of Northfield and the Township of Northfield desire to amend the joint resolution for orderly annexation between the City of Northfield and the Township or Northfield on October 10, 1978 (OA-131) to include the following described property:

All that property described in Exhibit A, attached hereto, lying east of the east line of the Northwest Quarter, Section 5, Township 111 North, Range 19 West, Rice County, Minnesota; which is approximately 10.50 acres.

and

WHEREAS, it is proposed that the Property described in Exhibit A be annexed to the City of Northfield; and

WHEREAS, the amended joint orderly annexation agreement is beneficial to both parties from the standpoint of orderly planning and orderly transition of government within the area proposed to be annexed, and provides the guidelines under which such annexation shall take place; and

WHEREAS, the conditions of the orderly annexation agreement contained herein have been discussed with the sole owner of the designated area.

NOW THEREFORE BE IT RESOLVED by the City of Northfield (sometimes hereinafter referred to as "the City") and the Township of Northfield (sometimes hereinafter referred to as "the Township") that the property described herein is designated for orderly annexation by the City of Northfield and shall be annexed subject to the following terms and conditions:

- I. The Property which is proposed for annexation by this resolution is 74.4079 acres in size and is legally described as follows:

SEE EXHIBIT A

(hereinafter referred to as "the Property")

- II. The parties hereby confer jurisdiction on the Municipal Board over annexation of the Property and over the various provisions of this agreement. The Property is adjacent to the City of Northfield.
- III. The City of Northfield will construct and provide water, sanitary sewer, storm sewer and street improvements to the property as requested by the owner, pursuant to state and local law, in the discretion of the City and based on the policies of the City then in effect. The Property proposed for annexation by this resolution is planned to be developed for single family and multi-family housing.
- IV. The electric utility service notice, as required per Minnesota Statute 414.0325, Subd. 1 (a) has been satisfied.
- V. The parties agree to the following division of tax revenues from the Property and payment of special assessments for local improvements to the Property:
- (A) Property Taxes: The Township of Northfield shall receive property taxes payable on the property through December 31, 2003, to the extent of the Township's 1997 tax capacity rate times the valuation of the Property in each year. The City of Northfield shall receive the property taxes payable through December 31, 2003, to the extent that they exceed the amount payable to the Township of Northfield hereunder, and all property taxes payable from and after January 1, 2004. The tax capacity rate applicable to the property after annexation shall be increased in substantially equal proportions each year of a six year period until it equals the tax capacity rate of the City of Northfield.
- (B) Utility and Street Assessments: The property will be assessed for utility and street improvements when said improvements have been determined by the City to benefit the Property as required by Minnesota Statutes Chapter 429.
- VI. The Property shall be zoned according to normal zoning procedure established in the Northfield Zoning Ordinance. The City of Northfield Comprehensive Plan shall guide the City in arriving at the appropriate zoning of the property. When the Property is annexed to the City it will be zoned Agricultural. The Agricultural Zoning District is a transitional zoning district utilized by the City at the initial zoning for most property when it is annexed until such time as the Property is suited for a more urban zoning district.
- VII. This Agreement will go into effect on the date that the orderly annexation is approved by the Minnesota Municipal Board.

VIII. The City of Northfield and the Township of Northfield agree that no alteration of the stated boundaries of the Property is appropriate. Furthermore, the parties agree that no consideration by the Municipal Board is necessary. Upon receipt of this resolution, passed and adopted by each party, the Municipal Board may review and comment, but shall, within thirty (30) days, order the annexation in accordance with the terms of the joint resolution.

Approved by the Township of Northfield this 12th day of May, 1998.

TOWNSHIP OF NORTHFIELD

By: Willard Eastrom
Town Board Chair

By: Margaret Randolph
Town Board Clerk

Approved by the City of Northfield this 15th day of June, 1998.

CITY OF NORTHFIELD

By: [Signature]
Mayor

By: Peg Prouse
Council Member

By: [Signature]
Council Member

ATTEST:

[Signature]
Finance Director/ City Clerk

EXHIBIT A

All that part of the Northeast Quarter of the Northwest Quarter of Section 5, Township 111, Range 19, Rice County, Minnesota, the Southeast Quarter of the Northwest Quarter of said Section 5, the Northeast Quarter of the Southwest Quarter of said Section 5 and the West Half of the Northeast Quarter of said Section 5, described as follows:

Commencing at the northeast corner of said Northeast Quarter of the Southwest Quarter; thence on an assumed bearing of South 00 degrees 22 minutes 01 seconds West, along the east line of said Northeast Quarter of the Southwest Quarter, a distance of 513.95 feet; thence southwesterly, a distance of 540.86 feet, along a tangential curve, concave to the northwest, having a central angle of 33 degrees 54 minutes 47 seconds and a radius of 913.79 feet, to a point hereinafter referred to as Point "A"; thence South 34 degrees 16 minutes 48 seconds West, tangent to said curve, a distance of 212.52 feet, to the intersection with a line lying 60.00 feet northeasterly of, as measured at right angles to and parallel with the centerline of County State Aid Highway No. 28 as traveled and to the point of beginning, of the line to be described; thence North 34 degrees 16 minutes 48 seconds East, a distance of 212.52 feet, to said Point "A"; thence northwesterly, a distance of 540.86 feet, along a tangential curve, concave to the northwest, having a central angle of 33 degrees 54 minutes 47 seconds and a radius of 913.79 feet, to said east line of the Northeast Quarter of the Southwest Quarter; thence North 00 degrees 22 minutes 01 seconds East, tangent to said curve, along said east line of the Northeast Quarter of the Southwest Quarter and the east line of said Southeast Quarter of the Northwest Quarter, a distance of 523.41 feet; thence northeasterly, a distance of 478.60 feet, along a tangential curve, concave to the southeast, having a central angle of 39 degrees 29 minutes 13 seconds and a radius of 694.45 feet; thence northerly, a distance of 795.69 feet, along a reverse curve, concave to the northwest, having a central angle of 39 degrees 29 minutes 13 seconds and a radius of 1154.55 feet; thence North 00 degrees 22 minutes 01 seconds East, tangent to said curve, a distance of 422.81 feet; thence North 89 degrees 37 minutes 59 seconds West, a distance of 195.73 feet; thence westerly, a distance of 44.44 feet, along a tangential curve, concave to the south, having a central angle of 25 degrees 27 minutes 50 seconds and a radius of 100.00 feet; thence westerly a distance of 33.33 feet, along a reverse curve, concave to the north, having a central angle of 25 degrees 27 minutes 50 seconds and a radius of 75.00 feet; thence northwesterly, a distance of 99.46 feet, along a compound curve, concave to the northeast, having a central angle of 56 degrees 02 minutes 47 seconds and a radius of 101.68 feet; thence North 33 degrees 35 minutes 12 seconds West, tangent to said curve, a distance of 217.13 feet; thence northwesterly, a distance of 204.71 feet, along a tangential curve, concave to the southwest, having a central angle of 07 degrees 58 minutes 58 seconds and a radius of 1469.30 feet; thence North 48 degrees 25 minutes 50 seconds West, not tangent to said curve, a distance of 118.69 feet; thence North 18 degrees 06 minutes 00 seconds East, a distance of 302.24 feet; thence North 00 degrees 22 minutes 01 seconds East, a distance of 25.22 feet; thence northerly, a distance of 212.57 feet, along a non-tangential curve, concave to the east, having a central angle of 24 degrees 21 minutes 31 seconds, a radius of 500.00 feet and a chord bearing of North 13 degrees 02 minutes 24 seconds West, to the south line of the north 50.00 feet of said Northeast Quarter of the Northwest Quarter; thence South 89 degrees 07 minutes 29 seconds West, along said south line, a distance of 1273.19 feet, to the west line of said Northeast Quarter of the Northwest Quarter; thence South 00 degrees 17 minutes 08 seconds West, along said west line, a distance of 1248.95 feet, to the southwest corner of said Northeast Quarter of the Northwest

Quarter; thence North 89 degrees 27 minutes 17 seconds East, along the south line of said Northeast Quarter of the Northwest Quarter, a distance of 300.03 feet, to the east line of the west 300.00 feet of said Southeast Quarter of the Northwest Quarter; thence South 00 degrees 17 minutes 08 seconds West, along said east line of the west 300.00 feet, a distance of 1314.16 feet, to the northeast corner of the west 300.00 feet of said Northeast Quarter of the Southwest Quarter; thence South 00 degrees 25 minutes 18 seconds West, along the east line of said west 300.00 feet, a distance of 765.40 feet, to the intersection with said line lying 60.00 feet northeasterly of, as measured at right angles to and parallel with the centerline of County State Aid Highway No. 28 as traveled; thence southeasterly, a distance of 317.09 feet, along a non-tangential curve, concave to the southwest, having a central angle of 23 degrees 24 minutes 23 seconds, a radius of 776.20 feet and a chord bearing of South 67 degrees 25 minutes 23 seconds East; thence continuing along said parallel line, South 55 degrees 43 minutes 12 seconds East, tangent to said curve, a distance of 546.28 feet, to the point of beginning.

Except the following described property:

Commencing at the intersection of the east line of said Northeast Quarter of the Southwest Quarter and the centerline of said County State Aid Highway No. 28; thence northwesterly along said centerline, a distance of 593.00 feet, to the point of beginning of the land to be described; thence north, parallel with said east line of the Northeast Quarter of the Southwest Quarter, a distance of 299.00 feet; thence west, parallel with the north line of said Northeast Quarter of the Southwest Quarter, a distance of 165.00 feet; thence south, parallel with said east line, to a point in said centerline; thence southwesterly, along said centerline, to the point of beginning.

Also except following described property:

All that part of the East Half of the Northwest Quarter of said Section 5, described as follows:

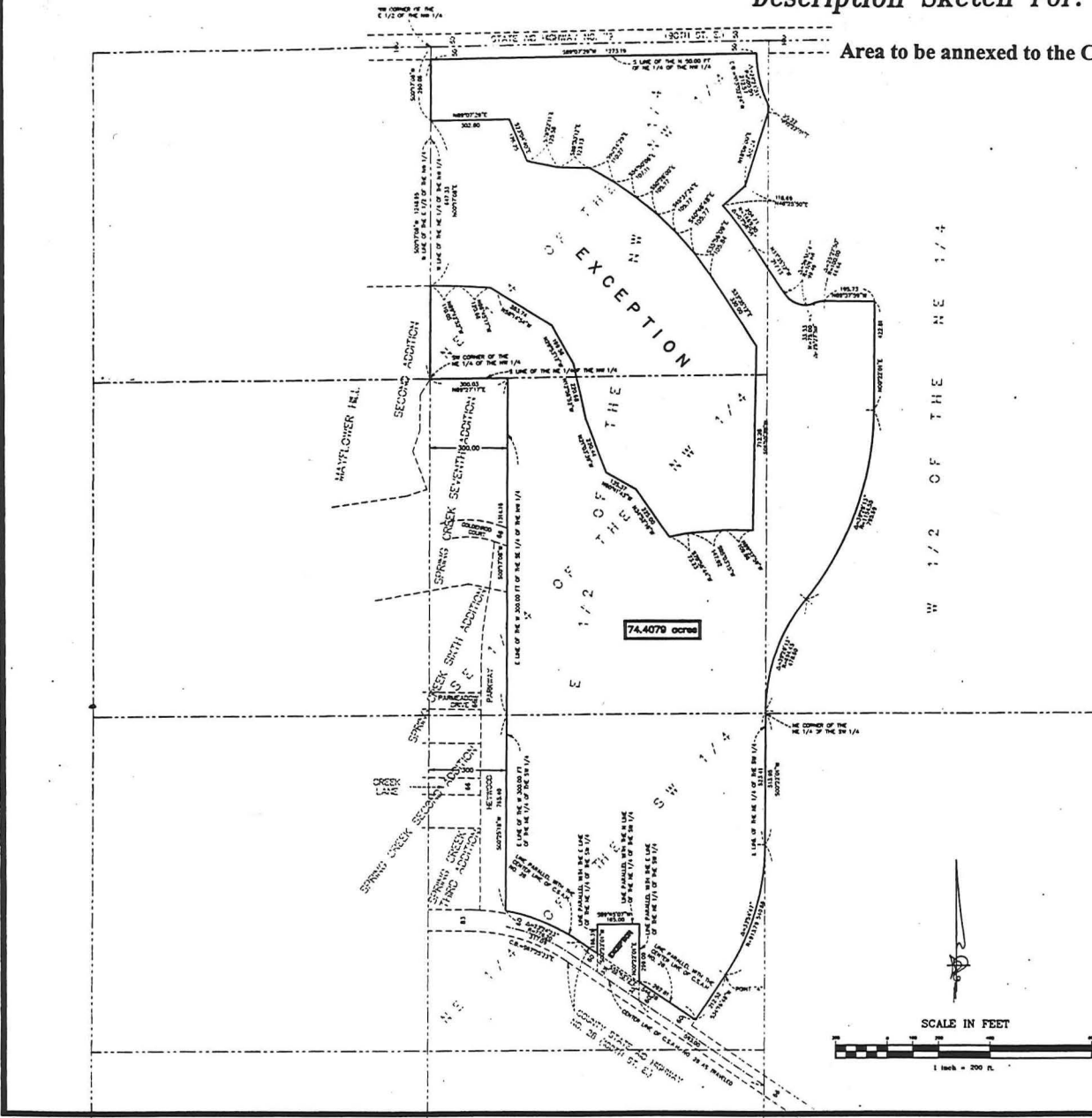
Commencing at the northwest corner of said East Half of the Northwest Quarter; thence on an assumed bearing of South 00 degrees 17 minutes 08 seconds West, along the west line of said East Half, a distance of 290.06 feet, to the point of beginning of the land to be described; thence North 89 degrees 07 minutes 29 seconds East, a distance of 302.80 feet; thence South 23 degrees 04 minutes 40 seconds East, a distance of 176.25 feet; thence South 78 degrees 22 minutes 11 seconds East, a distance of 125.56 feet; thence South 88 degrees 30 minutes 12 seconds East, a distance of 123.13 feet; thence South 60 degrees 14 minutes 25 seconds East, a distance of 110.27 feet; thence South 54 degrees 50 minutes 06 seconds East, a distance of 107.11 feet; thence South 50 degrees 28 minutes 00 seconds East, a distance of 105.77 feet; thence South 45 degrees 37 minutes 24 seconds East, a distance of 105.77 feet; thence South 40 degrees 46 minutes 48 seconds East, a distance of 105.77 feet; thence South 35 degrees 56 minutes 09 seconds East, a distance of 105.84 feet; thence South 33 degrees 35 minutes 12 seconds East, a distance of 330.00 feet; thence South 01 degrees 10 minutes 39 seconds West, a distance of 712.26 feet; thence North 89 degrees 37 minutes 59 seconds West, a distance of 109.86 feet; thence South 85 degrees 03 minutes 15 seconds West, a distance of 147.92 feet; thence South 78 degrees 56 minutes 44 seconds West, a distance of 73.23 feet; thence North 34 degrees 52 minutes 16 seconds West, a distance of 225.00 feet; thence North 60 degrees 41 minutes 43 seconds West, a distance of 135.37 feet; thence North 21 degrees 03 minutes 39 seconds West, a distance of 220.44 feet; thence North 12 degrees 56 minutes 52 seconds West, a distance of 220.68 feet; thence North 29 degrees 53 minutes 12 seconds West,

REC'D. BY JUL 31 1998
MAB

a distance of 169.56 feet; thence North 58 degrees 14 minutes 54 seconds West, a distance of 283.74 feet; thence North 86 degrees 45 minutes 17 seconds West, a distance of 120.66 feet; thence North 89 degrees 42 minutes 52 seconds West, a distance of 110.05 feet, to said west line of the East Half of the Northwest Quarter; thence North 00 degrees 17 minutes 08 seconds East, along said west line, a distance of 647.33 feet, to the point of beginning.

Description Sketch For: LEONARD HUBERS

Area to be annexed to the City of Northfield



PROPOSED LEGAL DESCRIPTION FOR ANNEXATION PURPOSES

At that part of the Northeast Quarter of the Northwest Quarter of Section 5, Township 111, Range 18, Rice County, Minnesota, the Southwest Quarter of the Northwest Quarter of said Section 5, the Northeast Quarter of said Section 5, described as follows:

Commencing at the northeast corner of said Northeast Quarter of the Southwest Quarter, thence in an assumed bearing of South 00 degrees 22 minutes 01 seconds West, along the east line of said Northeast Quarter of the Southwest Quarter, a distance of 513.93 feet; thence southeasterly, a distance of 540.56 feet, along a tangential curve, concave to the southwest, having a central angle of 33 degrees 54 minutes 47 seconds and a radius of 913.79 feet, to a point hereinafter referred to as Point "A"; thence South 34 degrees 34 minutes 00 seconds East, along a curved line, a distance of 212.52 feet, to the intersection with a line long 50.00 feet northeasterly of, 15 minutes 01 seconds East, a distance of 213.32 feet, to said Point "A"; thence northeasterly, a distance of 540.56 feet, along a tangential curve, concave to the northwest, having a central angle of 33 degrees 54 minutes 47 seconds and a radius of 913.79 feet, to said east line of the Northeast Quarter of the Southwest Quarter; thence north 00 degrees 22 minutes 01 seconds East, tangent to said curve, along said line of the Northeast Quarter of the Southwest Quarter, a distance of 478.40 feet, along a tangential curve, concave to the northeast, having a central angle of 29 degrees 29 minutes 13 seconds and a radius of 694.45 feet; thence northerly, a distance of 795.49 feet, along a reverse curve, concave to the northeast, having a central angle of 29 degrees 29 minutes 13 seconds and a radius of 1154.55 feet; thence North 00 degrees 22 minutes 01 seconds East, tangent to said curve, a distance of 423.81 feet; thence North 88 degrees 27 minutes 59 seconds West, a distance of 195.72 feet; thence westerly, a distance of 44.44 feet, along a tangential curve, concave to the north, having a central angle of 25 degrees 27 minutes 50 seconds and a radius of 100.00 feet; thence westerly, a distance of 23.33 feet, along a reverse curve, concave to the north, having a central angle of 25 degrees 27 minutes 50 seconds and a radius of 75.00 feet; thence northeasterly, a distance of 99.48 feet, along a compound curve, concave to the northeast, having a central angle of 56 degrees 02 minutes 17 seconds and a radius of 101.65 feet; thence North 33 degrees 23 minutes 12 seconds West, tangent to said curve, a distance of 217.13 feet; thence northeasterly, a distance of 258.17 feet, along a tangential curve, concave to the southwest, having a central angle of 07 degrees 58 minutes 58 seconds and a radius of 1488.30 feet; thence North 48 degrees 25 minutes 50 seconds West, not tangent to said curve, a distance of 118.89 feet; thence North 18 degrees 08 minutes 00 seconds East, a distance of 302.24 feet; thence North 00 degrees 22 minutes 01 seconds East, a distance of 23.32 feet; thence northerly, a distance of 212.57 feet, along a non-tangential curve, concave to the east, having a central angle of 14 degrees 21 minutes 31 seconds, a radius of 500.00 feet and a short bearing of North 13 degrees 00 minutes 24 seconds West, to the south line of the north 50.00 feet of said Northeast Quarter of the Southwest Quarter; thence South 88 degrees 07 minutes 29 seconds West, along said south line, a distance of 1273.19 feet, to the west line of said Northeast Quarter of the Southwest Quarter; thence South 00 degrees 22 minutes 01 seconds East, along said west line, a distance of 134.85 feet, to the southwest corner of said Northeast Quarter of the Southwest Quarter; thence North 88 degrees 27 minutes 59 seconds East, along the south line of said Northeast Quarter of the Southwest Quarter, a distance of 300.03 feet, to the east line of the said 300.00 feet of said Southwest Quarter of the Northeast Quarter; thence South 00 degrees 22 minutes 01 seconds West, along said east line of the said 300.00 feet, a distance of 1314.16 feet, to the northeast corner of the said 300.00 feet of said Northeast Quarter of the Southwest Quarter; thence North 00 degrees 22 minutes 18 seconds West, along the east line of said said 300.00 feet, a distance of 785.45 feet, to the intersection with said line long 50.00 feet northeasterly of, as measured at right angles to and parallel with the centerline of County State Aid Highway No. 28, as located; thence southeasterly, a distance of 217.06 feet, along a non-tangential curve, concave to the southwest, having a central angle of 22 degrees 24 minutes 23 seconds, a radius of 178.20 feet and a short bearing of South 47 degrees 25 minutes 23 seconds East; thence southeasterly, along said curve, a distance of 545.28 feet, to the point of beginning.

Except the following described property:

Commencing at the intersection of the east line of said Northeast Quarter of the Southwest Quarter and the centerline of said County State Aid Highway No. 28, thence northeasterly along said centerline, a distance of 793.00 feet, to the point of beginning of the land to be described; thence north, parallel with said east line of the Northeast Quarter of the Southwest Quarter, a distance of 299.00 feet; thence west, parallel with the north line of said Northeast Quarter of the Southwest Quarter, a distance of 162.00 feet; thence south, parallel with said east line, to a point to said centerline; thence southeasterly, along said centerline, to the point of beginning.

Also except, following described property:

At that part of the East Half of the Northwest Quarter of said Section 5, described as follows:

Commencing at the northeast corner of said East Half of the Northwest Quarter, thence on an assumed bearing of South 00 degrees 17 minutes 08 seconds West, along the west line of said East Half, a distance of 290.00 feet, to the point of beginning of the land to be described; thence North 88 degrees 07 minutes 29 seconds East, a distance of 362.88 feet; thence South 33 degrees 04 minutes 40 seconds East, a distance of 178.25 feet; thence South 78 degrees 22 minutes 11 seconds East, a distance of 125.56 feet; thence South 88 degrees 30 minutes 12 seconds East, a distance of 123.13 feet; thence South 60 degrees 14 minutes 25 seconds East, a distance of 110.27 feet; thence South 34 degrees 34 minutes 00 seconds East, a distance of 107.71 feet; thence South 28 degrees 28 minutes 00 seconds East, a distance of 105.77 feet; thence South 40 degrees 40 minutes 40 seconds East, a distance of 105.77 feet; thence South 33 degrees 34 minutes 00 seconds East, a distance of 105.84 feet; thence South 33 degrees 34 minutes 00 seconds East, a distance of 330.00 feet; thence South 01 degrees 10 minutes 39 seconds West, a distance of 712.28 feet; thence North 88 degrees 27 minutes 59 seconds West, a distance of 109.88 feet; thence North 85 degrees 03 minutes 13 seconds West, a distance of 147.82 feet; thence South 78 degrees 22 minutes 11 seconds East, a distance of 73.23 feet; thence North 34 degrees 33 minutes 18 seconds West, a distance of 225.00 feet; thence North 80 degrees 41 minutes 43 seconds West, a distance of 125.57 feet; thence North 21 degrees 03 minutes 28 seconds West, a distance of 220.44 feet; thence North 12 degrees 58 minutes 31 seconds West, a distance of 220.68 feet; thence North 29 degrees 53 minutes 12 seconds West, a distance of 189.24 feet; thence North 58 degrees 14 minutes 54 seconds West, a distance of 283.74 feet; thence North 88 degrees 45 minutes 17 seconds West, a distance of 125.66 feet; thence North 58 degrees 42 minutes 32 seconds West, a distance of 110.05 feet, to said east line of the East Half of the Northwest Quarter; thence North 20 degrees 17 minutes 08 seconds East, along said east line, a distance of 647.53 feet, to the point of beginning.

NOTE: REVISED 4-14-98 LEGAL DESCRIPTION

NOTE: THIS SURVEY DOES NOT PURPORT TO SHOW THE EXISTENCE OR NON-EXISTENCE OF ANY ENCROACHMENTS FROM OR ONTO THE "OPEN DESCRIBED LAND, EASEMENTS OF RECORD OR UNRECORDED EASEMENTS WHICH AFFECT SAID LAND OR ANY IMPROVEMENTS TO SAID LAND.

WE HEREBY CERTIFY TO LEONARD HUBERS THAT THIS SURVEY, PLAN OR REPORT WAS PREPARED BY ME, OR UNDER MY DIRECT SUPERVISION, AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA, DATED THIS 24TH DAY OF SEPTEMBER, 1997.

[Signature]
JOHN C. LARSEN, LAND SURVEYOR
Minnesota License No. 9423

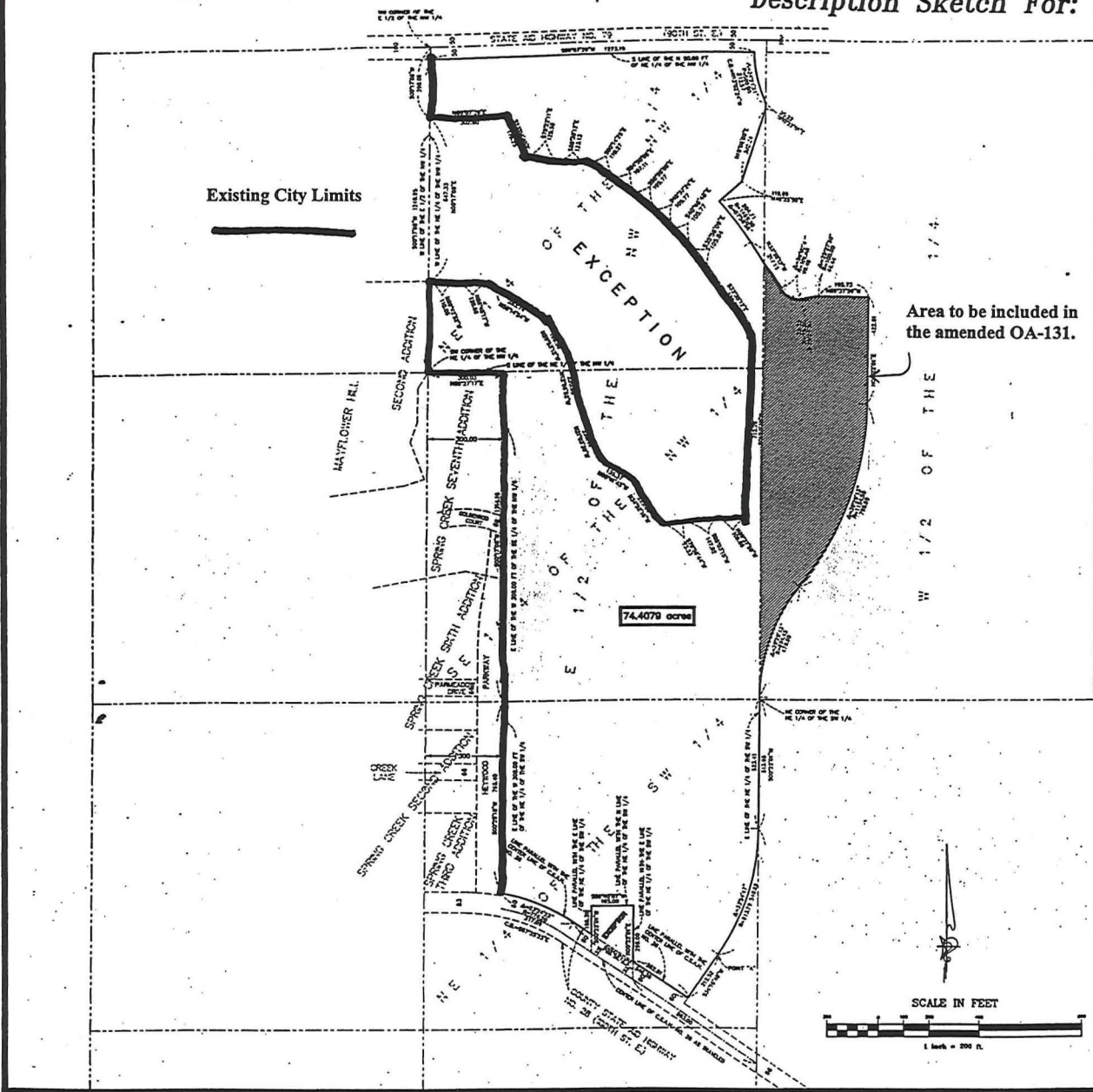
POWELL
engineering

LAND SURVEYING & ENGINEERING
SURVEYING & ENGINEERING
SURVEYING & ENGINEERING

2422 Enterprise Drive
Northfield, MN 55057
(812) 681-1914 FAX: 681-9408
625 Highway 10 N.E.
Barnes, MN 55434
(812) 783-1880 FAX: 783-1883

REC'D. BY
M.M.B. JUL 31 1998

Description Sketch For: LEONARD HUBERS



PROPOSED LEGAL DESCRIPTION FOR ANNOTATION PURPOSES

[illegible]

Except the following described property

Commencing at the intersection of the east line of said Northeast Quarter of the Southwest Quarter and the centerline of said County State Aid Highway No. 20; thence northerly along said centerline, a distance of 583.00 feet, to the point of beginning of the land to be described; thence north, parallel with said east line of the Northeast Quarter of the Southwest Quarter, a distance of 299.00 feet; thence west, parallel with the north line of said Northeast Quarter of the Southwest Quarter, a distance of 163.00 feet; thence south, parallel with said east line, to a point in said centerline; thence southerly, along said centerline, to the point of beginning.

Also except following described property:

[illegible]

NOTE: REVISED 4-14-98 LEGAL DESCRIPTION

NOTE: THIS SURVEY DOES NOT PURPORT TO SHOW THE EXISTENCE OR NON-EXISTENCE OF ANY ENCROACHMENTS FROM OR ONTO THE HEREIN DESCRIBED LAND, EASEMENTS OF RECORD OR UNRECORDED EASEMENTS WHICH AFFECT SAID LAND OR ANY IMPROVEMENTS TO SAID LAND.

WE HEREBY CERTIFY TO LEONARD HUBERS THAT THIS SURVEY, PLAN OR REPORT WAS PREPARED BY ME, OR UNDER MY DIRECT SUPERVISION, AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA, DATED THIS 24TH DAY OF SEPTEMBER, 1997.

SEAL: POWER ENGINEERING, P.
John C. Larson, Land Surveyor
Minnesota License No. 78215



PIONEER
engineering

2422 Enterprise Drive
Mendota Heights, MN 55120
(612) 681-1914 FAX: 681-9400

625 Highway 10 N.E.
Shakopee, MN 55346
(612) 783-1000 FAX: 783-1053