

**RESOLUTION NO. 13**  
**A Joint Resolution of the City of Willmar and of St. John's**  
**Township Relating to Orderly Annexation of City Brush Site**  
**And Future Site of Waste Water Treatment Plant**

WHEREAS, the City of Willmar (hereinafter the "City") and Township of St. John's (hereinafter "Township") deem it necessary and appropriate that they work together to develop and implement a process for the orderly and controlled growth of the City and of their respective Township; and,

WHEREAS, the City and Township agree that orderly development with municipal services and the orderly annexation of certain unincorporated areas located in the Township is in the best interests of the community and of all affected political subdivisions; and,

WHEREAS, the land to be included in this plan for Orderly Annexation consists of the following Lands located in Kandiyohi County, Minnesota, described as follows, to-wit:

The East 2040 feet of the Southeast Quarter (SE ¼) of Section 23, Township 119, Range 36.

**ALSO**

The Southeast Quarter of Section 23, except the East 2040 feet thereof; the Southeast Quarter of the Southwest Quarter of Section 23 except that part of the Southeast Quarter of the Southwest Quarter of said Section 23 described as follows:

That part of Southeast Quarter of the Southwest Quarter of Section 23, Township 119 North, Range 36 West, St. Johns Township, Kandiyohi County, Minnesota, which lies westerly of the county ditch, described as follows: Commencing at the northeast corner of the Southeast Quarter of the Southwest Quarter of said Section 23; thence on an assumed bearing of South 88°27'00" West, along the north line of the Southeast Quarter of the Southwest Quarter of said Section 23, a distance of 558.48 feet to the centerline of County Ditch Number 19 which is the point of beginning of the land to be described; thence continuing on a bearing of South 88°27'00" West, along the said north line, a distance of 770.16 feet to the west line of the Southeast Quarter of the Southwest Quarter of said Section 23; thence South 0°05'45" West, along said west line, a distance of 1321.14 feet to the south line of the Southeast Quarter of the Southwest Quarter of said Section 23; thence North 88°31'00" East, along said south line, a distance of 585.49 feet to centerline of said ditch; thence North 13°00'00" West, along the centerline of said ditch 319.51 feet; thence North 4°30'00" East, along the centerline of said ditch 300.00 feet; thence North 21°30'00" East, along the centerline of said ditch a distance of 770.00 feet to the point of beginning.

And that part of the Northeast Quarter of the Southwest Quarter of Section 23, which lies Easterly of the County ditch and is described as follows: Commencing at the Southeast corner of the Northeast Quarter of the Southwest Quarter of said Section 23; thence on an assumed bearing of South 88°27'00" West, along the South line of the Northeast Quarter of the Southwest Quarter of said Section 23 a distance 558.48 feet to the center line of County ditch #19; thence North

25°00'00" East along the center line of said ditch a distance of 540 feet; thence North 38°30'00" East along the center line of said ditch a distance of 535 feet to the East line of the Northeast Quarter of the Southwest Quarter of said Section 23; thence South 0°11'28" West, along the East line of the Northeast Quarter of the Southwest Quarter of said Section 23 a distance of 893 feet to the point of beginning, all being in Township 119, Range 36. Totaling 188.67 acres more or less.

And that these parcels, (hereinafter referred to as Annexation Properties) consist of areas that will best be served by the municipal services available through the City of Willmar; and,

WHEREAS, Minnesota Statutes Section 414.0325 and following, provides procedure whereby the City and the Township may agree on a process of orderly annexation of a designated area; and

WHEREAS, The City and Township have determined that no alteration of the stated boundaries of **Annexation Properties** is appropriate, and that no consideration by the Minnesota Municipal Board is necessary.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar and by the Town Board of supervisors of the Town of St. John's jointly as follows:

1. **Designation of Orderly Annexation Areas.** The City and Township hereby designate the following lands located in Kandiyohi County, Minnesota, as being in need of orderly annexation pursuant to Minnesota Statutes S 414.0325:

The East 2040 feet of the Southeast Quarter (SE ¼) of Section 23, Township 119, Range 36.

### **ALSO**

The Southeast Quarter of Section 23, except the East 2040 feet thereof; the Southeast Quarter of the Southwest Quarter of Section 23 except that part of the Southeast Quarter of the Southwest Quarter of said Section 23 described as follows:

That part of Southeast Quarter of the Southwest Quarter of Section 23, Township 119 North, Range 36 West, St. Johns Township, Kandiyohi County, Minnesota, which lies westerly of the county ditch, described as follows: Commencing at the northeast corner of the Southeast Quarter of the Southwest Quarter of said Section 23; thence on an assumed bearing of South 88°27'00" West, along the north line of the Southeast Quarter of the Southwest Quarter of said Section 23, a distance of 558.48 feet to the centerline of County Ditch Number 19 which is the point of beginning of the land to be described; thence continuing on a bearing of South 88°27'00" West, along the said north line, a distance of 770.16 feet to the west line of the Southeast Quarter of the Southwest Quarter of said Section 23; thence South 0°05'45" West, along said west line, a distance of 1321.14 feet to the south line of the Southeast Quarter of the Southwest Quarter of said Section 23; thence North 88°31'00" East, along said south line, a distance of 585.49 feet

to centerline of said ditch; thence North 13°00'00" West, along the centerline of said ditch 319.51 feet; thence North 4°30'00" East, along the centerline of said ditch 300.00 feet; thence North 21°30'00" East, along the centerline of said ditch a distance of 770.00 feet to the point of beginning.

And that part of the Northeast Quarter of the Southwest Quarter of Section 23, which lies Easterly of the County ditch and is described as follows: Commencing at the Southeast corner of the Northeast Quarter of the Southwest Quarter of said Section 23; thence on an assumed bearing of South 88°27'00" West, along the South line of the Northeast Quarter of the Southwest Quarter of said Section 23 a distance 558.48 feet to the center line of County ditch #19; thence North 25°00'00" East along the center line of said ditch a distance of 540 feet; thence North 38°30'00" East along the center line of said ditch a distance of 535 feet to the East line of the Northeast Quarter of the Southwest Quarter of said Section 23; thence South 0°11'28" West, along the East line of the Northeast Quarter of the Southwest Quarter of said Section 23 a distance of 893 feet to the point of beginning, all being in Township 119, Range 36. Totaling 188.67 acres more or less.

2. **No Minnesota Municipal Board Hearing is Required.** Subject to the terms and conditions of this Resolution, the City and Township hereby agree that **Annexation Properties** are in need of orderly annexation pursuant to Minnesota Statutes § 414.0325. No alteration of the stated boundaries is appropriate. No consideration by the Minnesota Municipal Board is necessary. All terms and conditions for annexation of said areas are provided for in this Resolution. The Minnesota Municipal Board may review and comment only. Within 30 days of receipt of this Joint Resolution, the Municipal Board shall order the annexation of Annexation Properties, in accordance with this Joint Resolution.
3. Differential Taxation. The tax rate in any area annexed pursuant to this Joint Resolution shall be increased in substantially equal proportions over six (6) years to equality with the tax rate on the property already within the City.
4. Municipal Reimbursement to Township. When any portion of the Township is annexed to the City pursuant to the terms of this Joint Resolution, the City shall reimburse the Township based on the Township tax rates and assessments for the taxable property in areas lost by annexation for a period of six (6) years following annexation of a declining schedule as follows:

Year 1:	100%
Year 2:	80%
Year 3:	60%
Year 4:	40%
Year 5:	20%
Year 6:	10%
Year 7:	0%
5. Governing Law. This resolution is subject to the laws of the State of Minnesota.

Passed and adopted by the City Council of the City of Willmar this 6th day of  
November, 2006.

CITY OF WILLMAR

Lester J. Heitke  
Mayor

ATTEST:

[Signature]  
City Clerk

Passed and adopted by the Town Board of Supervisors of the Town of St. John's this  
17 day of Oct., 2006.

ST. JOHN'S TOWNSHIP

[Signature] Chair  
Township Officer

ATTEST:

[Signature]  
Town Clerk



This is a survey located in:

The SE $\frac{1}{4}$  of Section 23, and also part of the E $\frac{1}{2}$  of the SW $\frac{1}{4}$  of Section 23,  
T119N-R36W, St. John's Township,  
Kandiyohi County, Minnesota



REC'D BY  
M.M.D.

FEB 15 2007

This drawing prepared by:

**Bonnema Surveys Inc.**

Professional Land Surveying

1025 19th Avenue SW Willmar, MN 56201

Office (320) 231-2844

Fax (320) 231-2827

Requested by: City of Willmar



**LEGEND**

- Found Iron Monument from former survey
- Bonnema Surveys Placed Capped Iron Monument
- ⊙ Cast Iron Monument
- ✱ Placed Monument on the property line at a position which is offset from the actual property corner.  
Note: The shown property boundary distances are measured to the actual property corner
- Fence line
- - - Tillage line

Bonnema Surveys is not giving a title opinion or abstract of this parcel. We suggest that you contact your attorney or a title insurance company for that purpose. Easements or neighboring deed conflicts may exist which affect this parcel and are not shown on this survey.

I HEREBY CERTIFY 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.

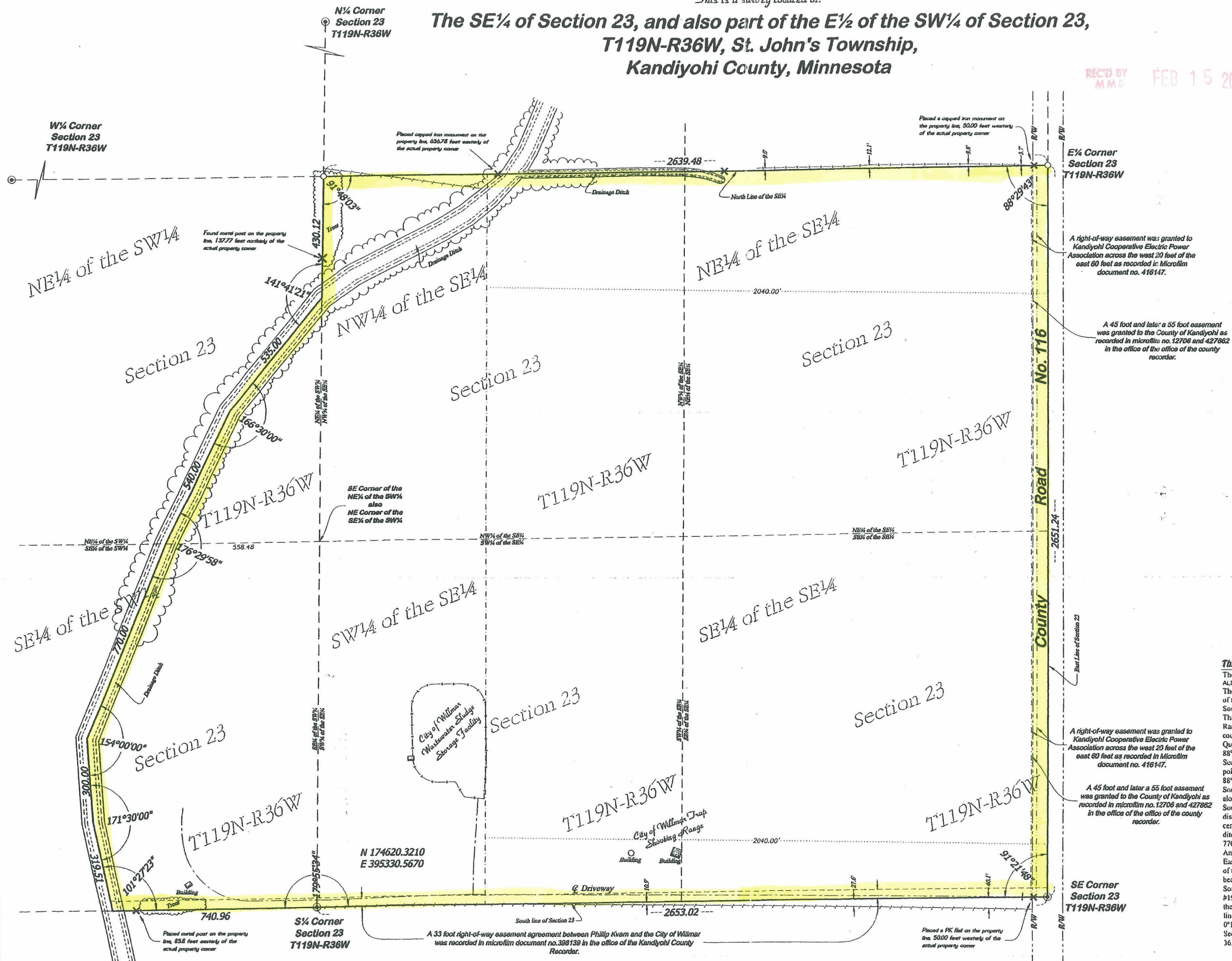
Duane A. Bonnema License No. 14895

Date January 25, 2006

Surveyor's Notice: This is a poorly written legal description, which should be replaced with a new legal description.

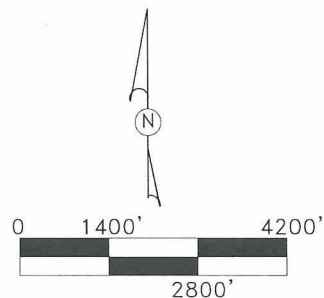
**This is a survey of the Legal Description as provided by or client:**

The East 2040 feet of the Southeast Quarter (SE $\frac{1}{4}$ ) of Section 23, Township 119, Range 36, ALSO  
The Southeast Quarter of Section 23, except the East 2040 feet thereof; the Southeast Quarter of the Southwest Quarter of Section 23 except that part of the Southeast Quarter of the Southwest Quarter of said Section 23 described as follows:  
That part of Southeast Quarter of the Southwest Quarter of Section 23, Township 119 North, Range 36 West, St. John's Township, Kandiyohi County, Minnesota, which lies westerly of the county ditch, described as follows: Commencing at the northeast corner of the Southeast Quarter of the Southwest Quarter of said Section 23; thence on an assumed bearing of South 88°27'00" West, along the north line of the Southeast Quarter of the Southwest Quarter of said Section 23, a distance of 558.48 feet to the centerline of County Ditch Number 19 which is the point of beginning of the land to be described; thence continuing on a bearing of South 88°27'00" West, along the said north line, a distance of 770.16 feet to the west line of the Southeast Quarter of the Southwest Quarter of said Section 23; thence South 0°05'45" West, along said west line, a distance of 1321.14 feet to the south line of the Southeast Quarter of the Southwest Quarter of said Section 23; thence North 88°31'00" East, along said south line, a distance of 585.49 feet to the centerline of said ditch; thence North 13°00'00" West, along the centerline of said ditch 319.51 feet; thence North 4°30'00" East, along the centerline of said ditch 300.00 feet; thence North 21°30'00" East, along the centerline of said ditch a distance of 770.00 feet to the point of beginning.  
And that part of the Northeast Quarter of the Southwest Quarter of Section 23, which lies Easterly of the County ditch and is described as follows: Commencing at the Southeast corner of the Northeast Quarter of the Southwest Quarter of said Section 23; thence on an assumed bearing of South 88°27'00" West, along the South line of the Northeast Quarter of the Southwest Quarter of said Section 23 a distance of 558.48 feet to the center line of County ditch #19; thence North 25°00'00" East along the center line of said ditch a distance of 540 feet; thence North 38°30'00" East along the center line of said ditch a distance of 535 feet to the East line of the Northeast Quarter of the Southwest Quarter of said Section 23; thence South 0°11'28" West, along the East line of the Northeast Quarter of the Southwest Quarter of said Section 23 a distance of 893 feet to the point of beginning, all being in Township 119, Range 36.





REC'D BY  
MAM  
FEB 15 2007



# CITY of WILLMAR

