

**CITY OF ZIMMERMAN
LIVONIA TOWNSHIP
COUNTY OF SHERBURNE
STATE OF MINNESOTA**

**JOINT RESOLUTION FOR ORDERLY ANNEXATION OF CERTAIN PROPERTY TO
THE CITY OF ZIMMERMAN PURSUANT TO MINNESOTA STATUTES 414.0325**

**CITY OF ZIMMERMAN RESOLUTION #06-07-16
LIVONIA TOWNSHIP RESOLUTION #06-15**

WHEREAS, the City of Zimmerman has received requests from the owners of Lot 13 and Lot 14, Block 14 of FREMONT LAKE SHORES THIRD ADDITION for annexation of those lots from Livonia Township into the City of Zimmerman; and

WHEREAS, the property in question abuts the City of Zimmerman; and

WHEREAS, the petitioners intend to construct a house on the combined lots, and said lots have insufficient area to construct an individual septic system and well; and

WHEREAS, City sewer and water service is immediately available and will be delivered to the lots; and

WHEREAS, Livonia Township and the City of Zimmerman have previously entered into an Orderly Annexation Agreement; and

WHEREAS, according to the terms and conditions of that Agreement, annexation outside of the established Orderly Annexation Area can only occur if Livonia Township agrees; and

WHEREAS, Livonia Township has received and reviewed information relative to this request from Zimmerman, and based upon that information has determined that they will consent to the annexation, notwithstanding the Orderly Annexation Agreement now in force and in effect, and further finds that the annexation is minor in nature, has no material affect on the existing Orderly Annexation Agreement and establishes no precedent for future annexations outside of the established Orderly Annexation Area which can be denied or agreed upon at the sole discretion of the Township. This action by the Township is no waiver of any terms and conditions contained in the existing Orderly Annexation Agreement.

**NOW THEREFORE BE IT RESOLVED BY THE TOWN BOARD OF SUPERVISORS
OF LIVONIA TOWNSHIP AND THE CITY COUNCIL OF THE CITY OF ZIMMERMAN**
as follows:

1. Lots 13 and 14, Block 14 of FREMONT LAKE SHORES THIRD ADDITION are immediately annexed from Livonia Township into the municipal boundaries of the City of Zimmerman.

2. The City of Zimmerman shall provide sewer and water service to the annexed property as soon as is practicable.

3. The City and Township agree that no alteration of the stated boundaries as described in this resolution is appropriate, that no consideration by Minnesota Planning, and that all terms and conditions for annexation are provided for in this Joint Resolution. Upon receipt of the Joint Resolution, Minnesota Planning may review and comment, but shall within thirty (30) days of receipt, order the annexation in accordance with the terms and conditions of this Joint Resolution.

4. Upon annexation of the property the City shall reimburse the Township for the loss of taxes from the property as follows:

a. In the first year following the year when the City could first levy on the annexed area, the City shall make a cash payment to the Township in an amount equal to ninety (90) percent of the property taxes distributed to the Township in regard to the annexed property in the last year that property taxes from the annexed area were payable to the Township;

b. In the second year, an amount equal to seventy-five (75) percent;

c. In the third year, an amount equal to sixty (60) percent;

d. In the fourth year, an amount equal to forty-five (45) percent;

e. In the fifth year, an amount equal to thirty (30) percent; and

f. In the sixth year, an amount equal to fifteen (15) percent.

All such payments shall be made by December 31 of the year when the payment is due.

5. All costs and disbursements incurred by the Township due to this annexation shall be fully reimbursed by the City. The City shall pay all applicable filing fees and other costs necessary to have the Joint Resolution filed with and approved by State Planning.

6. The City's current zoning ordinance requires the two lots be treated as a single building parcel. Annexation of the lots is therefore contingent on the property owners taking the necessary action to combine the lots so that only one dwelling can be constructed upon the combined lots. In the event that the property owners refuse or neglects to combine the lots, the City will not file this joint resolution with Municipal Bounding Adjustments.

ADOPTED this 24th day of July, 2006 by the Town Board of Supervisors of Livonia Township, Sherburne County.

IN FAVOR: Berg, Hewitt, Kerr, Sherper, Wallin

OPPOSED: none

LIVONIA TOWNSHIP

Don Sherper
Don Sherper, Chair

Lila Spencer
Lila Spencer, Town Clerk/Treasurer

ADOPTED this 24th day of July, 2006 by the City Council of the City of Zimmerman, Sherburne County.

IN FAVOR: EARENIGHT, BRISBIN, MICHELS, KOWALSKI AND WILSON

OPPOSED: NONE

CITY OF ZIMMERMAN

David Earenfight
David Earenfight, Mayor

Greg LaFond
Greg LaFond, Administrator/Clerk

REC'D BY
M.M.B.

FEB 15 2007

3rd. FREMONT LAKE SHORES

Part of the W1/2 of Sec. 10, T34N, R26W, Sherburne County Minnesota

Surveyed by James F. Simonet
Dec. 1953
Scale 100'-1"
• 11.015

