

**JOINT RESOLUTION FOR ORDERLY ANNEXATION BETWEEN
THE TOWN OF BLOOMING PRAIRIE AND THE CITY OF BLOOMING
PRAIRIE**

RECITALS

A. The Town of Blooming Prairie (the "Town") and the City of Blooming Prairie (the "City") both of Steele County, Minnesota, agree on the orderly annexation of certain real property described in this resolution for orderly and planned services to the community.

B. The property proposed to be annexed is not already part of another city, and it adjoins and is contiguous to the City (see attached map).

C. All owners of the property proposed to be annexed have petitioned the City for annexation.

D. An orderly annexation of the proposed property is in the best interest of the area proposed for annexation.

RESOLUTION

In consideration of this resolution's mutual terms and conditions, the Town and City jointly resolve and enter into this Joint Resolution for Orderly Annexation (the "Joint Resolution") as follows:

1. **Designation of Orderly Annexation Area.** The Town and City designate the area set forth on the map attached as Exhibit A and the legal description of the property attached as Exhibit B (the "Designated Property") as subject to orderly annexation pursuant to Minnesota Statutes Section 414.0325.

2. **Office of Administrative Hearings Jurisdiction.** Upon approval by the Town Board and City Council, this Joint Resolution shall confer jurisdiction upon the Office of Administrative Hearings to approve annexation of the designated property pursuant to Minnesota Statutes Section 414.0325.

3. **No Alteration of Boundaries.** The Town and City agree and state that no alterations by the Office of Administrative Hearings of the Designated Property's stated boundaries is appropriate.

4. **Office of Administrative Hearings Review and Comment.** The Town and city agree and state that this Joint Resolution sets forth all the conditions for annexation of the designated property, and no consideration by the Office of Administrative Hearings is necessary. The Office of Administrative Hearings may review and comment, but shall order the annexation of the designated property according to this Joint Resolution's terms within thirty (30) days of the Office of Administrative Hearings' receipt of this Joint Resolution.

5. **Planning and Land Use Control Authority.** Upon the annexation's effective date, the City's zoning regulations and land use controls shall govern the Designated Property.

6. **Acreage and Population.** The Designated Property consists of 1.14 acres, more or less, and has a current population of 0.

7. **Authorization.** The Town and City have authorized the appropriate officers to carry this Joint Resolution's terms into effect.

8. **Modification.** The Town and City may modify, amend or terminate this Joint Resolution only by a mutually signed, written agreement.

9. **Severability.** A determination by any court of competent jurisdiction that any provision of this Joint Resolution is invalid, illegal or unenforceable shall not affect the validity of this Joint Resolution's other provisions. If any of this Joint Resolution's provisions is inapplicable to any person or circumstances, it shall still remain applicable to all other persons or circumstances.

10. **Tax Pay Back.** The City shall pay to Town in February annually beginning February 1 of 2008 the sum of Forty-seven and 50/100ths (\$ 47.50) Dollars, which shall continue for a total of two years.

11. **Effective Date.** This Joint Resolution shall be effective from the date of the Office of Administrative Hearings' order calling for the Designated Property's annexation to the City.

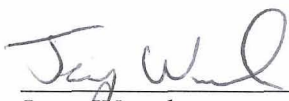
12. **Governing Law.** Minnesota law will govern this Agreement.

The Town of Blooming Prairie Board of Supervisors adopts this Joint Resolution on the 6th day of February, 2007.


TOWN OF BLOOMING PRAIRIE

SIGNED:

ATTEST:



Jerry Wencil
Board of Supervisors, Chairperson



Annette Motl
Town Clerk

CITY OF BLOOMING PRAIRIE

The Blooming Prairie City Council adopts this Joint Resolution on the 9th day of April, 2007.

SIGNED:

ATTEST:



Harold C. Peterson
Mayor



Michael G. Jones
City Administrator

EXHIBIT B

REC'D BY
MMB

APR 17 2007

LEGAL DESCRIPTION

All that part of the NE¼ Section 36-T105N-R19W, Steele County, Minnesota;
described as follows:

Commencing at a point 1459.90 feet south and 1260.00 feet east of the northwest corner of the NE¼ of said Section 36, said point being a corner of a tract described in Book179 Deeds, page 90 and recorded in the office of the Steele County Recorder;

thence North 89°50'43" East a distance of 248.00 feet, on a line of said tract described in said Book179 Deeds, page 90, to a corner of said tract;

thence South 00°09'17" East a distance of 200.00 feet, on a line of said tract, to a corner of said tract;

thence South 89°50'43" West a distance of 248.00 feet;

thence North 00°09'17" West a distance of 200.00 feet, to the point of beginning.

END OF EXHIBIT B

LEGEND

- RIGHT-OF-WAY LINE
- LOT LINE
- - - EASEMENT LINES
- - - CORPORATE LIMITS

REC'D BY
M.M.B.

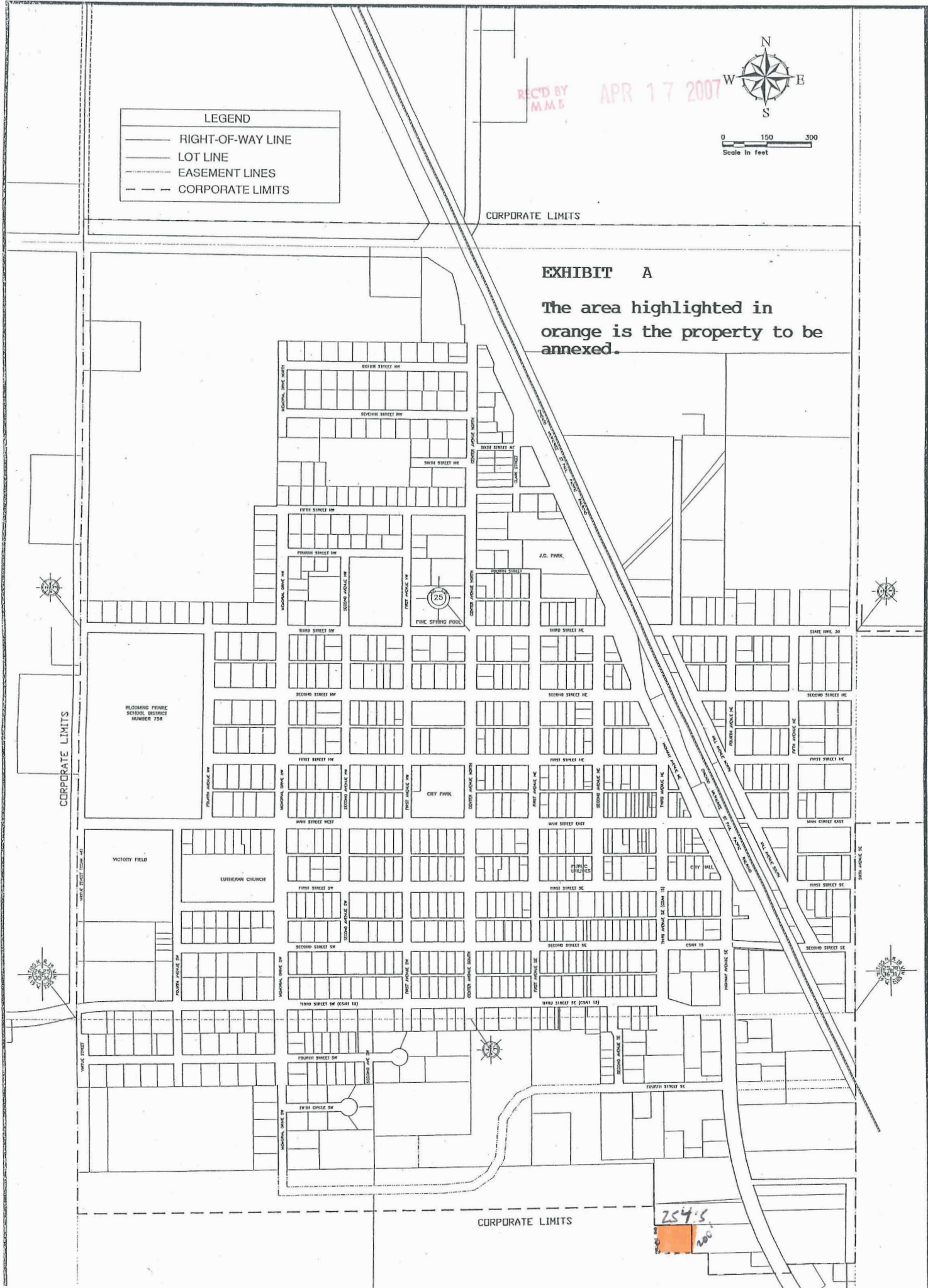
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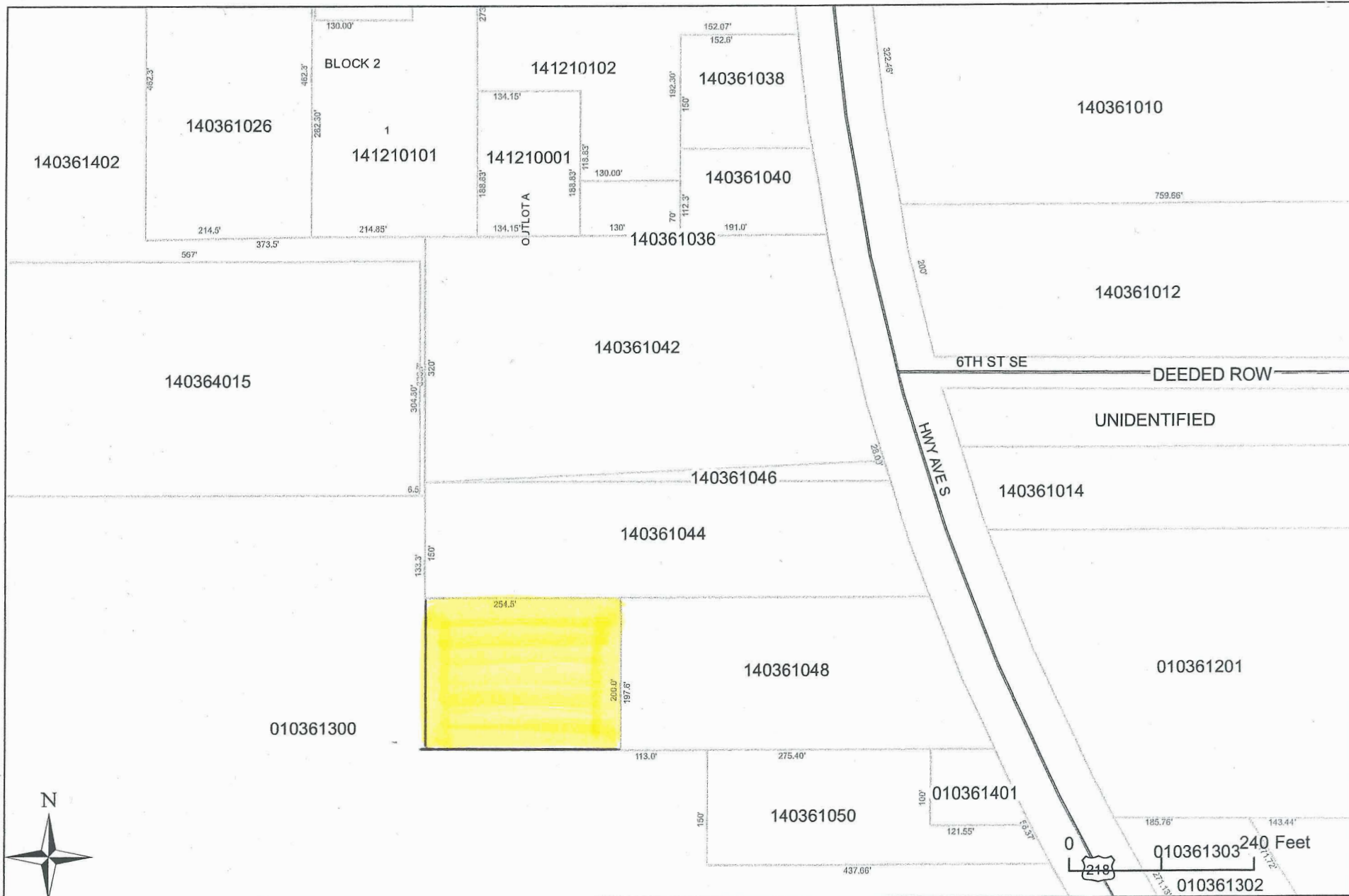


CORPORATE LIMITS

EXHIBIT A

The area highlighted in orange is the property to be annexed.





April 10, 2007 11:20 am

REC'D BY
MME APR 17 2007

These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.