

REC'D BY
MAB

MAY 24 2007

STATE OF MINNESOTA

OFFICE OF ADMINISTRATIVE HEARINGS

Amendment

IN THE MATTER OF THE ORDERLY ANNEXATION)	
AGREEMENT BETWEEN THE CITY OF MORRIS)	JOINT RESOLUTION
AND THE TOWN OF HODGES)	
PURSUANT TO MINNESOTA STATUTES c. 414)	

JOINT RESOLUTION FOR ORDERLY ANNEXATION
BY AND BETWEEN HODGES TOWNSHIP AND
THE CITY OF MORRIS

SECTION 1. ESTABLISHMENT

Pursuant to the authority contained in Minn. Stat. § 414.0325, it is hereby resolved that the City of Morris (the "City"), and Hodges Township (the "Township"), do hereby enter into this Orderly Annexation Agreement (the "Agreement" or "Joint Resolution").

SECTION 2. PURPOSE

This Agreement shall update, modify and amend the Joint Resolution between the City and Township signed by the City on June 29, 1978, and Hodges Township on July 7, 1978 and as amended by the City and Hodges Township on May 17, 1979 (hereafter collectively referred to as "1978 Joint Resolution") as that resolution applies to the City and Township.

The purpose of this Agreement shall be to provide land areas for the growth of the City and further to provide for the protection of agricultural lands within the Township from urban or suburban development and further to control the development along highway access to the City in order to prevent uncontrolled strip development.

It is the intent of the parties that this Agreement and the 1978 Joint Resolution be read together in a consistent manner. Notwithstanding the foregoing, this Agreement shall supersede the 1978 Joint Resolution, and to the extent that any term or condition in the 1978 Joint Resolution are inconsistent with this Agreement or conflict with this Agreement, the terms of this Agreement shall control.

SECTION 3. DESIGNATION OF FUTURE ORDERLY ANNEXATION AREA (OAA).

The Township and City again hereby designate the areas legally described and depicted in the 1978 Joint Resolution, which is attached hereto as Exhibit A (hereinafter this future designated orderly annexation area is referred to as the "Orderly Annexation Area" or "OAA") for future orderly annexation pursuant to Minnesota Statutes, Section 414.0325.

SECTION 4. ZONING AREAS

Land use control of the designated OAA governed by this Agreement shall be through subdivision controls and the establishment and administration of zoning areas.

These land use control areas shall be as follows:

- a. Orderly Annexation Area (the "OAA"): The OAA shall be the area in need of future orderly annexation as is designated in the 1978 Joint Resolution, which remains in the Township and is generally within one-half mile more or less of the corporate limits line of the City of Morris.
- b. Township Agricultural Holding Area: The Township Agricultural Holding Area shall be that area defined as such in the 1978 Joint Resolution, which remains in the Township, and is generally that area within one-half mile more or less of the future orderly annexation area.
- c. Township Agricultural Land Area: The Township Agricultural Land Area shall be that area defined as such in the 1978 Joint Resolution, which remains in the Township, and is generally that area within one-half mile more or less of the Township Agricultural Holding Area.

SECTION 5. LAND USE CONTROL

Land Use Control, including zoning and subdivision regulations, within the Orderly Annexation Area shall be vested in the City of Morris.

Zoning control within the Township Agricultural Holding Area and Township Agricultural Land Area shall be vested in Stevens County (and in the event that the township enacts a zoning ordinance, in the township), and subdivision control shall be vested in Stevens County (and in the event that the township enacts a subdivision ordinance, in the township), subject to the provisions of this Agreement.

SECTION 6. CONDITIONS FOR ANNEXATIONS WITHIN OAA.

Unless otherwise provided herein, with respect to property located within the designated OAA legally described in Exhibit A, the Township and City agree that the City may annex lands located within the OAA under any of the following conditions:

- a. Following receipt of a petition from 100% of the property owner(s) of a parcel(s) of land within the OAA;
- b. The area is completely surrounded by the City;
- c. The area is owned by the City;
- d. Land is proposed by a property owner within the OAA to be platted or subdivided or is proposed by a property owner thereof for urban, non-farm development at a density greater than one unit per 40 acres, and the City has provided in the Annexation

- Resolution that it will provide municipal sanitary sewer and/or water service to the area proposed to be developed within three years of the effective date of annexation;
- e. The City is ordered by the State Pollution Control Agency or Department of Health to provide sewer or water service to a portion of the Township to be annexed for the protection of the public health and safety and/or because of immediate environmental concerns;
 - f. A licensed inspector retained by Stevens County determines that at least 40% of the individual sewage treatment systems or individual wells within a platted residential subdivision is failing or is not meeting state drinking water standards and the City has provided in the Annexation Resolution that it will provide municipal sanitary sewer and/or water service to the area within three years of the effective date of annexation; or
 - g. The City and Township otherwise jointly agree in writing.

The procedures for annexation contained in this Agreement are the exclusive means by which the City may annex land from within the township during the term of this Agreement.

No Hearing Required for Annexation Within OAA. In the event that any of the above events triggering annexation occurs, as provided in this Section 6 of this Agreement, the City shall provide notice thereof to the township where the property is located at least 30 days prior to taking action as provided in this Paragraph. Pursuant to Minnesota Statutes, Section 414.0325, the City may thereafter adopt a resolution (referred to as the "Annexation Resolution") legally describing such area to be annexed and file the same, along with a copy of this Joint Resolution, with the Office of Administrative Hearings or its successor agency; who may thereafter review and comment thereon, but shall within thirty (30) days of receipt of the Annexation Resolution and a copy of this Joint Resolution, order the annexation of the area designated in the Annexation Resolution in accordance with the terms and conditions of this Joint Resolution. The City and Township agree that no alteration of the stated boundaries as described in the Annexation Resolution is appropriate, that no consideration by the Office of Administrative Hearings, or its successor agency, is necessary, and that all terms and conditions for annexation thereof are provided for in this Agreement/Joint Resolution.

Tax Reimbursement for Annexation Within OAA. Pursuant to Minn. Stat. § 414.036, the Township and City agree that upon annexation of a portion of the OAA, the City shall reimburse the township for its loss of taxes from that portion of property located within the OAA annexed by this Agreement for the period and in accordance with the following schedule:

First Year of City Tax Collection—100% of the amount of property taxes distributed to the township collected from the annexed property in the last year the Township collected taxes from such property before annexation.

Second Year of City Tax Collection—85% of the amount of property taxes distributed to the township collected from the annexed property in the last year the Township collected taxes from such property before annexation.

Third Year of City Tax Collection—70% of the amount of property taxes distributed to the township collected from the annexed property in the last year the Township collected taxes from such property before annexation.

Fourth Year of City Tax Collection—50% of the amount of property taxes distributed to the township collected from the annexed property in the last year the Township collected taxes from such property before annexation.

Fifth Year of City Tax Collection—25% of the amount of property taxes distributed to the township collected from the annexed property in the last year the Township collected taxes from such property before annexation.

SECTION 7. TOWNSHIP AGRICULTURAL HOLDING AREA

The Township and City agree that the respective governing bodies thereof, within the Township Agricultural Holding Area, shall work with the County to do the following:

- a. not permit residential, commercial, industrial or highway business development, except as permitted under Section 7 of this Agreement;
- b. restrict the use of the same to agricultural and agricultural related uses;
- c. restrict the minimum lot size to 40-80 acres dependent upon the potential agricultural productivity of the area as determined by the Township;
- d. permit only one acre to be subdivided for one single family residential use from each 40-80 acre lot;
- e. declare the Township Agricultural Holding Area to be an Orderly Annexation Area at such time as the original Orderly Annexation Area applicable to the township has been 75% annexed as hereinabove provided.

SECTION 8. TOWNSHIP AGRICULTURAL LAND AREA

The governing bodies of the Township and City agree that, within the Township Agricultural Land Area, they shall work with the County to do the following:

- a. not permit residential, commercial, industrial or highway business development, except as permitted under Section 8 of this Agreement;
- b. restrict the use of the same to agricultural and agricultural related uses;
- c. restrict the minimum lot size to 40-80 acres dependent upon the potential agricultural productivity of the area as determined by the Township;

- d. permit only one acre to be subdivided for one single family residential use from each 40-80 acre lot;
- e. declare the Township Agricultural Land Area to be a Township Agricultural Holding Area at such time as the original Township Holding Area applicable to the township is declared an Orderly Annexation Area.

SECTION 9. ACCESS HIGHWAYS

The Township agrees that it will work with the County to develop County land use controls ensuring that residential, commercial, industrial or highway business development will not be permitted a distance of 600 feet on either side of, along or adjacent to Highway U. S. 59, State Highway 9, State Highway 28 and County Road 10 within two miles of the Orderly Annexation Area.

SECTION 10. CITY, COUNTY AND TOWNSHIP ZONING AND SUBDIVISION ORDINANCES

The City and Township agree to amend their respective zoning and subdivision ordinances (if such ordinances exist in the Township) to reflect this Agreement and in order to provide for the administration of this Agreement and any variances or appeals that may be requested and to work with the County to ensure that corresponding County regulations are consistent with this Agreement.

SECTION 11. VARIANCES

The City and Township agree that a variance to this Agreement may be allowed after a finding by the appropriate governing body or bodies:

- a. That because of the particular physical surroundings, shape or topographical conditions of the specific parcel of land involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulation were carried out; or
- b. That there are exceptional or extraordinary circumstances or conditions applying to the land or building, which do not apply generally to land or building in the same zone classification; or
- c. That granting of the variance is necessary for the preservation and employment of substantial property rights of the petitioner; and the alleged difficulty or hardship is caused by this ordinance and has not been created by any person presently having an interest in the parcel of land; and
- d. That the purpose of the variance is not based exclusively upon a desire to increase the value of income potential of the parcel of land; and

- e. That granting of such variance will not, under the circumstances of this particular case, materially affect adversely the health and safety of persons residing or working in the neighborhood of the property of the applicant, and will not, under the circumstances of this particular case, be materially detrimental to the public welfare or injurious to the property or improvements in said neighborhood; and further that a variance may not be permitted for any use not permitted in the zone in which the parcel for which a variance is requested is located.

Any request for variance within the zoning areas established hereby shall be reviewed and approved by the respective governing bodies according to the following designations:

- a. Orderly Annexation Area by the City;
- b. Township Agricultural Holding Area by the City and the Township; and if either of the said governing bodies deny the request for the variance, said request for variance shall be deemed denied by both parties; and
- c. Township Agricultural Land Area by the Township, but the Township shall submit the variance request to the City for review and comment at least 30 days prior to any action to approve or deny the variance request.

SECTION 12. PROCEDURES FOR SECURING A VARIANCE

- a. Any person desiring a variance shall make written application on a form supplied by and pay a fee determined by the City, and Township, to which such application is directed.
- b. A public hearing shall be held by the Planning Commission(s) having jurisdiction, or by the Town Board if the township in question has no Planning Commission. Notice of the hearing shall be published in the official newspaper not less than ten days prior to the hearing.
- c. A copy of the decision of the Planning Commission(s) (or Town Board if no planning commission exists) shall be mailed to the applicant for the variance and the chief administrator of the City, County and Township.
- d. In granting a variance under the provisions of this section, the Planning Commission(s) or Town Board may designate such conditions in connection therewith as will, in its opinion, secure substantially the objectives of this Agreement. Further, a decision by the Planning Commission to grant a variance shall be reviewed and approved by the City Council and the Town Board where joint approval is required to grant a variance under Section 11, otherwise an application within the OAA or Township Agricultural Land Area shall be submitted to the non-approving Township or City, for review and comment only at least 30 days prior to approval by the City Council or Town Board as required under Section 11.

- e. The applicant for a variance may within thirty days of a denial of a variance request file a written appeal to the City Council, and Town Board, as the case may be, from the decision of the Planning Commission.

SECTION 13. ANNUAL REVIEW

This Agreement may be reviewed by the Township and City annually at the request of either party hereto.

SECTION 14. PLANNING COOPERATION

In order to expedite the zoning control of the Township, the City will cooperate with the Township and County in establishing zoning ordinances, districts and maps, and administrative procedures to the extent necessary or required by this Agreement for the enforcement, control, and adjustment of such zoning ordinances, districts, and maps.

SECTION 15. EFFECTIVE DATE

This Agreement shall be effective on the date that the last party hereto signs and dates said Agreement.

SECTION 16. TOWNSHIP MAINTENANCE OF SERVICES.

The Township agrees that it will be responsible for normal and regular maintenance of all Township roads, streets, bridges, drainage facilities and other public rights-of-way that it is currently maintaining within the designated OAA prior to annexation thereof. Maintenance of township infrastructure within the designated OAA by the applicable township shall be consistent with other standard maintenance practices employed by the township elsewhere in the applicable township.

SECTION 17. LINE ROADS.

For any township roads that become the boundary line for the City and the applicable township as a result of an annexation, the City shall assume responsibility for road maintenance and improvement for the entire section of the township road that becomes the boundary line adjacent to the City.

SECTION 18. DISPUTES AND REMEDIES.

The Township and City agree as follows:

- a. Negotiation. When a disagreement over interpretation of any provision of this Joint Resolution shall arise, the City and the applicable township will direct staff members, as they deem appropriate, to meet at least one (1) time at a mutually convenient time and place to attempt to resolve the dispute through negotiation.

- b. Mediation/Arbitration. When the applicable parties to this Joint Resolution are unable to resolve disputes, claims or counterclaims, or are unable to negotiate an interpretation of any provision of this Joint Resolution, the applicable parties may mutually agree in writing to seek relief by submitting their respective grievances to mediation and/or binding arbitration.
- c. Adjudication. When the applicable parties to this Joint Resolution are unable to resolve disputes, claims or counterclaims, are unable to negotiate an interpretation of any provision of this Joint Resolution or are unable to agree to submit their respective grievances to mediation or binding arbitration, or such action has not otherwise resolved the matter in dispute, either party to the dispute may seek relief through initiation of an action in a court of competent jurisdiction. In addition to the remedies provided for in this Joint Resolution and any other available remedies at law or equity, in the case of a violation, default, or breach of any provision of this Joint Resolution, the non-violating, non-defaulting, or non-breaching party may bring an action for specific performance to compel the performance of this Joint Resolution in accordance with its terms.

SECTION 19. TERMINATION.

This Agreement shall remain in full force and effect until one of the following conditions take place, whichever occurs first: 1) Termination by mutual written joint resolution of the City and Township; or 2) The remainder of the OAA is annexed by the City pursuant to the terms of this Joint Resolution; or 3) fifteen (15) years from the effective date of this Joint Resolution.

SECTION 20. FILING.

The Township and City agree that upon adoption and execution of this Joint Resolution, the City shall file the same with the Office of Administrative Hearings Municipal Boundary Adjustments Office and pay the required filing fees.

SECTION 21. GOVERNING LAW.

The Township and City agree that this Joint Resolution is made pursuant to, and shall be construed in accordance with the laws of the State of Minnesota.

SECTION 22. HEADINGS AND CAPTIONS.

The Township and City agree that the headings and captions contained in this Agreement are for convenience only and are not intended to alter any of the provisions of this Joint Resolution.

SECTION 23. ENTIRE AGREEMENT.

The terms, covenants, conditions, and provisions of this Joint Resolution shall constitute the entire agreement between the parties hereto superseding all prior agreements and negotiations between the parties.



CITY OF MORRIS

2★0★0★4

All-America City Finalist

609 Oregon Avenue • P. O. Box 438 • Morris, MN 56267 • 320-589-3141 • Fax 320-589-3111 • email cityhall@ci.morris.mn.us

May 21, 2007

REC'D BY
MMB

MAY 24 2007

Christine Scotillo
Executive Director
Municipal Boundary Adjustments
300 Centennial Office Building
658 Cedar Street
St. Paul, MN 55155

Re: **Joint Resolution Hodges Township and City of Morris**

Dear Ms. Scotillo:

Enclosed please find for your files a copy of a Joint Resolution Between Hodges Township and the City of Morris.

The Joint Resolution updates, modifies and amends the 1978 Joint Resolution that the township and the city entered into on July 7, 1978. By approving the Joint Resolution, Hodges Township is now in agreement with Morris and Darnen Township which approved the same resolution as part of an annexation agreement. The remaining township that is party to the 1978 Joint Resolution, Framnas Township, has indicated they will take up and consider the Joint Resolution at a later date. When their approved resolution is received it too will be forwarded to you.

If you have any questions, please free to contact me.

Sincerely,

Edward R. Larson
City Manager

sla

enclosure

cc: Michele Greiner, Hodges Township Clerk

5-24-07
Per Ed - does NOT
alter the design area
- only allows 30-days
changes some triggers
& now has exp. date

STATE OF MINNESOTA

OFFICE OF ADMINISTRATIVE HEARINGS

IN THE MATTER OF THE ORDERLY ANNEXATION)	
AGREEMENT BETWEEN THE CITY OF MORRIS)	JOINT RESOLUTION
AND THE TOWNS OF MORRIS AND DARNEN)	
PURSUANT TO MINNESOTA STATUTES c. 414)	

JOINT RESOLUTION FOR ORDERLY ANNEXATION
BY AND BETWEEN MORRIS AND DARNEN TOWNSHIPS AND
THE CITY OF MORRIS IN SETTLEMENT OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS FILE NO.
OA-132-11 MORRIS/MORRIS & DARNEN TOWNSHIPS

SECTION 1. ESTABLISHMENT

Pursuant to the authority contained in Minn. Stat. § 414.0325, it is hereby resolved that the City of Morris (the "City"), Morris Township, and Darnen Township (collectively the "Townships"), do hereby enter into this Orderly Annexation Agreement (the "Agreement" or "Joint Resolution").

SECTION 2. PURPOSE

This Agreement shall update, modify and amend the Joint Resolution between the City and Townships signed by the City on June 29, 1978, Darnen Township on July 7, 1978, and Morris Township on July 7, 1978 and as amended by the City and Morris Township on May 7, 1979 and as amended by the City and Darnen Township on May 5, 1979 (hereafter collectively referred to as "1978 Joint Resolution") as that resolution applies to the City and Townships.

The purpose of this Agreement shall be to provide land areas for the growth of the City and further to provide for the protection of agricultural lands within the Townships from urban or suburban development and further to control the development along highway access to the City in order to prevent uncontrolled strip development.

It is the intent of the parties that this Agreement and the 1978 Joint Resolution be read together in a consistent manner. Notwithstanding the foregoing, this Agreement shall supersede the 1978 Joint Resolution, and to the extent that any term or condition in the 1978 Joint Resolution are inconsistent with this Agreement or conflict with this Agreement, the terms of this Agreement shall control.

RECD BY
MMB
JAN 29 2007

SECTION 3. DESIGNATION OF AREA FOR IMMEDIATE ANNEXATION

The Townships and the City hereby designate the area legally described in Exhibit A, attached hereto and incorporated herein by reference, (hereinafter referred to as the "Subject Area") for immediate orderly annexation pursuant to Minnesota Statutes, Section 414.0325. The Subject Area is shown on the map attached hereto and incorporated herein by reference as Exhibit B.

SECTION 4. ACREAGE OF SUBJECT AREA

The Townships and City agree that the Subject Area legally described in Exhibit A and shown on Exhibit B, designated as in need of immediate orderly annexation, is approximately 165.5 acres.

SECTION 5. POPULATION OF SUBJECT AREA.

The Townships and City agree that the population of the Subject Area legally described in Exhibit A and designated as in need of immediate orderly annexation is 46 in Darnen Township and 148 in Morris Township.

SECTION 6. MAP OF SUBJECT AREA TO BE IMMEDIATELY ANNEXED.

A boundary map showing the Subject Area legally described in Exhibit A is attached hereto as Exhibit B and incorporated herein by reference. This Subject Area is shown bordered with a red line and is marked on the map, Exhibit B, as Area 1.1, 1.2, 1.3, 1.4, and 1.5.

SECTION 7. NO HEARING REQUIRED FOR ANNEXATION OF SUBJECT AREA.

Pursuant to Minnesota Statutes, Section 414.0325, the Townships and City agree that no alteration of the boundaries stated herein is appropriate, that all conditions for immediate annexation of the Subject Area legally described in Exhibit A are contained in this Agreement, and that no consideration by the Office of Administrative Hearings is necessary. Upon the execution and filing of this Agreement, the Office of Administrative Hearings may review and comment thereon, but shall, within 30 days of receipt of this Agreement, order the annexation of the Subject Area legally described in Exhibit A and shown on Exhibit B in accordance with the terms and conditions contained in this Agreement.

SECTION 8. TAX RATE PHASE-IN FOR ANNEXED LAND IN SUBJECT AREA

The Townships and City agree that, pursuant to Minn. Stat. § 414.0325, for the Subject Area, legally described in Exhibit A and shown on the map attached hereto as Exhibit B, immediately annexed by this Agreement, the applicable tax rate for the Subject Area for purposes of property taxation thereon in a given levy year following annexation thereof shall be phased-in from the applicable township payable 2007 tax rate up to the City's applicable tax rate in a given levy year in accordance with the following schedule:

- 2007 – Subject Area taxed at applicable 2007 township tax rate;
- 2008 – Subject Area taxed at 17% of the applicable 2008 City tax rate;
- 2009 – Subject Area taxed at 33% of the applicable 2009 City tax rate;
- 2010 – Subject Area taxed at 50% of the applicable 2010 City tax rate;
- 2011 – Subject Area taxed at 66% of the applicable 2011 City tax rate;
- 2012 – Subject Area taxed at 83% of the applicable 2012 City tax rate; and
- 2013 – Subject Area taxed at 100% of the applicable 2013 City tax rate.

SECTION 9. SEWER AND WATER SERVICE ASSESSMENT – SUBJECT AREA

The Townships and City agree that with respect to the properties located within the Subject Area immediately annexed by this Agreement, as legally described in Exhibit A and shown on the map attached hereto as Exhibit B, said properties of record in the Subject Area on the effective date of this Agreement will not be subject to special assessment for future provision by the City of sanitary sewer and water services extended to serve said properties until a date at least seven years after the effective date of this Agreement, unless a shorter time period is otherwise agreed in writing by the City and the respective property owner(s) located within said Subject Area. The City will not require properties of record located within the Subject Area to connect to the City’s sanitary sewer collection and water systems extended in the future to serve properties in the Subject Area until a date at least seven years after the effective date of this Agreement, unless a shorter time period is otherwise agreed in writing by the City and the respective property owner(s) located within said Subject Area.

SECTION 10. TAX REIMBURSEMENT TO RESPECTIVE TOWNSHIP FOR ANNEXATION OF APPLICABLE PORTION OF SUBJECT AREA

Pursuant to Minn. Stat. § 414.036, the Townships and City agree that upon annexation of the Subject Area legally described in Exhibit A and shown on the map attached hereto as Exhibit B, the City shall reimburse the respective township for its loss of taxes from that portion of property located within the Subject Area annexed by this Agreement for the period and in accordance with the following schedule:

- 2007 – An amount equal to one hundred (100) percent of the payable 2006 property taxes distributed to the respective township in regard to that portion of property annexed in the Subject Area within the respective township, which the respective township would have otherwise received but for annexation of property within the Subject Area to the City;
- 2008 – An amount equal to one hundred (100) percent of the payable 2006 property taxes distributed to the respective township in regard to that portion of property annexed in the Subject Area within the respective township, which the respective township would have otherwise received but for annexation of property within the Subject Area to the City;
- 2009 – An amount equal to one hundred (100) percent of the payable 2006 property taxes distributed to the respective township in regard to that

portion of property annexed in the Subject Area within the respective township, which the respective township would have otherwise received but for annexation of property within the Subject Area to the City;

2010 – An amount equal to seventy-five (75) percent of the payable 2006 property taxes distributed to the respective township in regard to that portion of property annexed in the Subject Area within the respective township, which the respective township would have otherwise received but for annexation of property within the Subject Area to the City;

2011 – An amount equal to fifty (50) percent of the payable 2006 property taxes distributed to the respective township in regard to that portion of property annexed in the Subject Area within the respective township, which the respective township would have otherwise received but for annexation of property within the Subject Area to the City;

2012 – In the final year, an amount equal to twenty-five (25) percent of the payable 2006 property taxes distributed to the respective township in regard to that portion of property annexed in the Subject Area within the respective township, which the respective township would have otherwise received but for annexation of property within the Subject Area to the City.

Thereafter, the City will no longer reimburse the respective townships for their portion of lost property taxes within the subject Area as a result of annexation thereof to the City.

SECTION 11. DESIGNATION OF FUTURE ORDERLY ANNEXATION AREA (OAA).

In addition, the Townships and City again hereby designate the areas legally described and depicted in the 1978 Joint Resolution, which is attached hereto as Exhibit C (hereinafter this future designated orderly annexation area is referred to as the “Orderly Annexation Area” or “OAA”) for future orderly annexation pursuant to Minnesota Statutes, Section 414.0325.

SECTION 12. ZONING AREAS

Land use control of the designated OAA governed by this Agreement shall be through subdivision controls and the establishment and administration of zoning areas.

These land use control areas shall be as follows:

- a. Orderly Annexation Area (the “OAA”): The OAA shall be the area in need of future orderly annexation as is designated in the 1978 Joint Resolution, which remains in either Township and is generally within one-half mile more or less of the corporate limits line of the City of Morris.

- b. Township Agricultural Holding Area: The Township Agricultural Holding Area shall be that area defined as such in the 1978 Joint Resolution, which remains in either Township, and is generally that area within one-half mile more or less of the future orderly annexation area.
- c. Township Agricultural Land Area: The Township Agricultural Land Area shall be that area defined as such in the 1978 Joint Resolution, which remains in either Township, and is generally that area within one-half mile more or less of the Township Agricultural Holding Area.

SECTION 13. LAND USE CONTROL

Land Use Control, including zoning and subdivision regulations, within the Orderly Annexation Area shall be vested in the City of Morris.

Zoning control within the Township Agricultural Holding Area and Township Agricultural Land Area shall be vested Stevens County (and in the event that either township enacts a zoning ordinance, in such township), and subdivision control shall be vested in Stevens County (and in the event that either township enacts a subdivision ordinance, in such township), subject to the provisions of this Agreement.

SECTION 14. CONDITIONS FOR ANNEXATIONS WITHIN OAA.

Unless otherwise provided herein, with respect to property located within the designated OAA legally described in Exhibit C and shown as the area bordered by the brown line on Exhibit B, the Townships and City agree that the City may annex lands located within the OAA under any of the following conditions:

- a. With respect to the selected portion of Area 2.1 and 2.2 legally described in Exhibit E and shown in green on the map attached hereto and incorporated herein by reference as Exhibit D (these areas to include the property owned by the University of Minnesota in Area 2.2 and the portion of Area 2.1 west of U.S. Hwy No. 59 and south of Areas 1.2, 1.3, and 1.4 as shown on Exhibit D), on or after January 1, 2012;
- b. Following receipt of a petition from 100% of the property owner(s) of a parcel(s) of land within the OAA;
- c. The area is completely surrounded by the City, except for the property on which a recycling center is located in Area 2.2 (shown on Exhibit D) may not be annexed under this subparagraph 14.c. during the term of this Agreement;
- d. The area is owned by the City;
- e. Land is proposed by a property owner within the OAA to be platted or subdivided or is proposed by a property owner thereof for urban, non-farm development at a density greater than one unit per 40 acres, and the City has provided in the Annexation Resolution that it will provide municipal sanitary sewer and/or water service to the area proposed to be developed within three years of the effective date of annexation;
- f. The City is ordered by the State Pollution Control Agency or Department of Health to provide sewer or water service to a portion of the Township to be annexed for the

- protection of the public health and safety and/or because of immediate environmental concerns;
- g. A licensed inspector retained by Stevens County determines that at least 40% of the individual sewage treatment systems or individual wells within a platted residential subdivision is failing or is not meeting state drinking water standards and the City has provided in the Annexation Resolution that it will provide municipal sanitary sewer and/or water service to the area within three years of the effective date of annexation; or
 - h. The City and Township otherwise jointly agree in writing.

The procedures for annexation contained in this Agreement are the exclusive means by which the City may annex land from within the respective townships during the term of this Agreement.

No Hearing Required for Annexation Within OAA. In the event that any of the above events triggering annexation occurs, as provided in this Section 14 of this Agreement, the City shall provide notice thereof to the applicable township where the property is located at least 30 days prior to taking action as provided in this Paragraph. Pursuant to Minnesota Statutes, Section 414.0325, the City may thereafter adopt a resolution (referred to as the "Annexation Resolution") legally describing such area to be annexed and file the same, along with a copy of this Joint Resolution, with the Office of Administrative Hearings or its successor agency; who may thereafter review and comment thereon, but shall within thirty (30) days of receipt of the Annexation Resolution and a copy of this Joint Resolution, order the annexation of the area designated in the Annexation Resolution in accordance with the terms and conditions of this Joint Resolution. The City and Township agree that no alteration of the stated boundaries as described in the Annexation Resolution is appropriate, that no consideration by the Office of Administrative Hearings, or its successor agency, is necessary, and that all terms and conditions for annexation thereof are provided for in this Agreement/Joint Resolution.

Tax Reimbursement for Annexation Within OAA. Pursuant to Minn. Stat. § 414.036, the Townships and City agree that upon annexation of a portion of the OAA (excluding the Subject Area legally described in Exhibit A), the City shall reimburse the respective township for its loss of taxes from that portion of property located within the OAA annexed by this Agreement for the period and in accordance with the following schedule:

First Year of City Tax Collection—100% of the amount of property taxes distributed to the respective township collected from the annexed property in the last year that Township collected taxes from such property before annexation.

Second Year of City Tax Collection—85% of the amount of property taxes distributed to the respective township collected from the annexed property in the last year that Township collected taxes from such property before annexation.

Third Year of City Tax Collection—70% of the amount of property taxes distributed to the respective township collected from the annexed property in the last year that Township collected taxes from such property before annexation.

Fourth Year of City Tax Collection—50% of the amount of property taxes distributed to the respective township collected from the annexed property in the last year that Township collected taxes from such property before annexation.

Fifth Year of City Tax Collection—25% of the amount of property taxes distributed to the respective township collected from the annexed property in the last year that Township collected taxes from such property before annexation.

SECTION 15. TOWNSHIP AGRICULTURAL HOLDING AREA

The Townships and City agree that the respective governing bodies thereof, within the Township Agricultural Holding Area, shall work with the County to do the following:

- a. not permit residential, commercial, industrial or highway business development, except as permitted under Section 15 (d) of this Agreement;
- b. restrict the use of the same to agricultural and agricultural related uses;
- c. restrict the minimum lot size to 40-80 acres dependent upon the potential agricultural productivity of the area as determined by the Township;
- d. permit only one acre to be subdivided for one single family residential use from each 40-80 acre lot;
- e. declare the Township Agricultural Holding Area to be an Orderly Annexation Area at such time as the original Orderly Annexation Area applicable to a township has been 75% annexed as hereinabove provided.

SECTION 16. TOWNSHIP AGRICULTURAL LAND AREA

The governing bodies of the Townships and City agree that, within the Township Agricultural Land Area, they shall work with the County to do the following:

- a. not permit residential, commercial, industrial or highway business development, except as permitted under Section 16 (d) of this Agreement;
- b. restrict the use of the same to agricultural and agricultural related uses;
- c. restrict the minimum lot size to 40-80 acres dependent upon the potential agricultural productivity of the area as determined by the Township;
- d. permit only one acre to be subdivided for one single family residential use from each 40-80 acre lot;

- e. declare the Township Agricultural Land Area to be a Township Agricultural Holding Area at such time as the original Township Holding Area applicable to a township is declared an Orderly Annexation Area.

SECTION 17. ACCESS HIGHWAYS

The Townships agree that they will work with the County to develop County land use controls ensuring that residential, commercial, industrial or highway business development will not be permitted a distance of 600 feet on either side of, along or adjacent to Highway U. S. 59, State Highway 9, State Highway 28 and County Road 10 within two miles of the Orderly Annexation Area.

SECTION 18. CITY, COUNTY AND TOWNSHIP ZONING AND SUBDIVISION ORDINANCES

The City and Townships agree to amend their respective zoning and subdivision ordinances (if such ordinances exist in the respective Townships) to reflect this Agreement and in order to provide for the administration of this Agreement and any variances or appeals that may be requested and to work with the County to ensure that corresponding County regulations are consistent with this Agreement.

SECTION 19. VARIANCES

The City and Townships agree that a variance to this Agreement may be allowed after a finding by the appropriate governing body or bodies:

- a. That because of the particular physical surroundings, shape or topographical conditions of the specific parcel of land involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulation were carried out; or
- b. That there are exceptional or extraordinary circumstances or conditions applying to the land or building, which do not apply generally to land or building in the same zone classification; or
- c. That granting of the variance is necessary for the preservation and employment of substantial property rights of the petitioner; and the alleged difficulty or hardship is caused by this ordinance and has not been created by any person presently having an interest in the parcel of land; and
- d. That the purpose of the variance is not based exclusively upon a desire to increase the value of income potential of the parcel of land; and
- e. That granting of such variance will not, under the circumstances of this particular case, materially affect adversely the health and safety of persons residing or working in the neighborhood of the property of the applicant, and will not, under the circumstances of

this particular case, be materially detrimental to the public welfare or injurious to the property or improvements in said neighborhood; and further that a variance may not be permitted for any use not permitted in the zone in which the parcel for which a variance is requested is located.

Any request for variance within the zoning areas established hereby shall be reviewed and approved by the respective governing bodies according to the following designations:

- a. Orderly Annexation Area by the City;
- b. Township Agricultural Holding Area by the City and the applicable Township; and if either of the said governing bodies deny the request for the variance, said request for variance shall be deemed denied by both parties; and
- c. Township Agricultural Land Area by the applicable Township, but the applicable Township shall submit the variance request to the City for review and comment at least 30 days prior to any action to approve or deny the variance request.

SECTION 20. PROCEDURES FOR SECURING A VARIANCE

- a. Any person desiring a variance shall make written application on a form supplied by and pay a fee determined by the City, and applicable Township, to which such application is directed.
- b. A public hearing shall be held by the Planning Commission(s) having jurisdiction, or by the Town Board if the township in question has no Planning Commission. Notice of the hearing shall be published in the official newspaper not less than ten days prior to the hearing.
- c. A copy of the decision of the Planning Commission(s) (or Town Board if no planning commission exists) shall be mailed to the applicant for the variance and the chief administrator of the City, County and Township.
- d. In granting a variance under the provisions of this section, the Planning Commission(s) or applicable Town Board may designate such conditions in connection therewith as will, in its opinion, secure substantially the objectives of this Agreement. Further, a decision by the Planning Commission to grant a variance shall be reviewed and approved by the City Council and the applicable Town Board where joint approval is required to grant a variance under Section 19, otherwise an application within the OAA or Township Agricultural Land Area shall be submitted to the non-approving applicable township or City, for review and comment only at least 30 days prior to approval by the City Council or applicable Town Board as required under Section 19.
- e. The applicant for a variance may within thirty days of a denial of a variance request file a written appeal to the City Council, and Town Board, as the case may be, from the decision of the Planning Commission.

SECTION 21. ANNUAL REVIEW

This Agreement may be reviewed by the Townships and City annually at the request of any of the parties hereto.

SECTION 22. PLANNING COOPERATION

In order to expedite the zoning control of the Townships, the City will cooperate with the Townships and County in establishing zoning ordinances, districts and maps, and administrative procedures to the extent necessary or required by this Agreement for the enforcement, control, and adjustment of such zoning ordinances, districts, and maps.

SECTION 23. EFFECTIVE DATE

This Agreement shall be effective on the date that the last party hereto signs and dates said Agreement.

SECTION 24. TOWNSHIP MAINTENANCE OF SERVICES.

The Townships agrees that it will be responsible for normal and regular maintenance of all Township roads, streets, bridges, drainage facilities and other public rights-of-way that it is currently maintaining within the designated OAA prior to annexation thereof. Maintenance of township infrastructure within the designated OAA by the applicable township shall be consistent with other standard maintenance practices employed by the township elsewhere in the applicable township.

SECTION 25. LINE ROADS.

For any township roads that become the boundary line for the City and the applicable township as a result of an annexation, the City shall assume responsibility for road maintenance and improvement for the entire section of the township road that becomes the boundary line adjacent to the City.

SECTION 26. DISPUTES AND REMEDIES.

The Townships and City agree as follows:

- a. Negotiation. When a disagreement over interpretation of any provision of this Joint Resolution shall arise, the City and the applicable township will direct staff members, as they deem appropriate, to meet at least one (1) time at a mutually convenient time and place to attempt to resolve the dispute through negotiation.
- b. Mediation/Arbitration. When the applicable parties to this Joint Resolution are unable to resolve disputes, claims or counterclaims, or are unable to negotiate an interpretation of any provision of this Joint Resolution, the applicable parties may mutually agree in

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writing to seek relief by submitting their respective grievances to mediation and/or binding arbitration.

- c. Adjudication. When the applicable parties to this Joint Resolution are unable to resolve disputes, claims or counterclaims, are unable to negotiate an interpretation of any provision of this Joint Resolution or are unable to agree to submit their respective grievances to mediation or binding arbitration, or such action has not otherwise resolved the matter in dispute, either party to the dispute may seek relief through initiation of an action in a court of competent jurisdiction. In addition to the remedies provided for in this Joint Resolution and any other available remedies at law or equity, in the case of a violation, default, or breach of any provision of this Joint Resolution, the non-violating, non-defaulting, or non-breaching party may bring an action for specific performance to compel the performance of this Joint Resolution in accordance with its terms.

SECTION 27. TERMINATION.

This Agreement shall remain in full force and effect until one of the following conditions take place, whichever occurs first: 1) Termination by mutual written joint resolution of the City and Township; or 2) The remainder of the OAA is annexed by the City pursuant to the terms of this Joint Resolution; or 3) fifteen (15) years from the effective date of this Joint Resolution.

SECTION 28. WITHDRAW CONTESTED CASE PETITIONS.

The City agrees to withdraw its pending annexation petition, File No. OA-132-11 Morris/Morris & Darnen Townships, as soon as practicable after execution and filing of this Agreement with the State.

SECTION 29. FILING.

The Townships and City agree that upon adoption and execution of this Joint Resolution, the City shall file the same with the Office of Administrative Hearings Municipal Boundary Adjustments Office and pay the required filing fees.

SECTION 30. GOVERNING LAW.

The Townships and City agree that this Joint Resolution is made pursuant to, and shall be construed in accordance with the laws of the State of Minnesota.

SECTION 31. HEADINGS AND CAPTIONS.

The Townships and City agree that the headings and captions contained in this Agreement are for convenience only and are not intended to alter any of the provisions of this Joint Resolution.

SECTION 32. ENTIRE AGREEMENT.

With respect to the Subject Area legally described in Exhibit A and shown on Exhibit B, respectively, which are attached hereto and incorporated herein by reference, the terms, covenants, conditions, and provisions of this Joint Resolution shall constitute the entire agreement between the parties hereto superseding all prior agreements and negotiations between the parties.

SECTION 33. NOTICE.

Any notices required under the provisions of this Joint Resolution shall be in writing and sufficiently given if delivered in person or sent by U.S. mail, postage prepaid, as follows:

If to the City, to the City Manager directed to the City Hall address.

If to a township, to the respective Township Clerk directed to the applicable Town Hall address and the applicable Town Clerk's home address.

SECTION 34. LEGAL DESCRIPTION AND MAPPING.

The Townships and City agree that in the event there are errors, omissions or any other problems with the legal descriptions provided in Exhibits A, C, or E or mapping provided in Exhibits B or D, in the judgment of the Office of Administrative Hearings, or its successor agency, the City and Townships agree to make such corrections and file any additional documentation, including a new Exhibit A, B, C (legal description only), D, or E making the corrections requested or required by the Office of Administrative Hearings, or its successor agency, as necessary to make effective the annexation of said Subject Area or future annexations in accordance with the terms of this Joint Resolution.

Passed, adopted, and approved by the Town Board of Supervisors of Morris Township, Stevens County, Minnesota, this 22nd day of JANUARY, 2007.

MORRIS TOWNSHIP

By: 
Chair

ATTEST:


Town Clerk

Passed, adopted, and approved by the Town Board of Supervisors of Darnen Township, Stevens County, Minnesota, this 22 day of JANUARY, 2007.

DARNEN TOWNSHIP

By: *Knuti Christensen*
Chair

ATTEST:

D. J. Skute
Town Clerk

Passed, adopted, and approved by the City Council of the City of Morris, Stevens County, Minnesota, this 23 day of JANUARY, 2007.

CITY OF MORRIS

By: *Sheldon Giese*
Sheldon Giese, Mayor

ATTEST:

Ed Larson
Ed Larson, City Manager

EXHIBIT A**Legal Description – Subject Area**

The Subject Area annexed in the attached Joint Resolution is legally described as follows:

MORRIS TOWNSHIP**Lands in Township 125 North, Range 42 West, Stevens County, Minnesota****LEGAL DESCRIPTION FOR ANNEXATION PURPOSES:**

That part of Section 25 and that part of Section 36, both in, Township 125, Range 42, Stevens County, Minnesota, described as follows: Beginning at the northeast corner of Lot 19, Block Two, RILEY'S HILLSIDE ADDITION, according to the recorded plat thereof, on file in the Stevens County Recorder's office; thence westerly along the north line of said RILEY'S HILLSIDE ADDITION to the northwest corner of said RILEY'S HILLSIDE ADDITION; thence southerly along the west line of said RILEY'S HILLSIDE ADDITION to its intersection with the north line of the Mohr Plumbing and Heating, Inc. tract, according to Document Number 119977, on file in said Stevens County Recorder's office; thence southwesterly along said north line of the Mohr Plumbing and Heating, Inc. tract to the northwest corner of said Mohr Plumbing and Heating, Inc. tract; thence southerly along the west line of said Mohr Plumbing and Heating, Inc. tract to its intersection with the northerly right of way line of Trunk Highway Number 28; thence southwesterly along said northerly right of way line of Trunk Highway Number 28 to its intersection with the west line of the SE1/4-SW1/4 of said Section 25; thence south along said west line of the SE1/4-SW1/4 and along the west line of the NE1/4-NW1/4 of said Section 36 to the southwest corner of the Rambow tract, according to Document Number 152855, on file in said Stevens County Recorder's office; thence easterly along the south line of said Rambow tract to the southeast corner of said Rambow tract; thence northerly along the east line of said Rambow tract to the southwest corner of Lot 5, Block One, WOHLER'S SUBDIVISION, according to the recorded plat thereof, on file in said Stevens County Recorder's office; thence easterly along the south line of said Lot 5 to the west line of the Schmidgall tract according to Document Number 152551 on file in said Stevens County Recorder's Office; thence southerly along said west line of the Schmidgall tract to the southwest corner of said Schmidgall tract; thence easterly along the south line of said Schmidgall tract and along the south line of the Huebner tract, according to Document Number 154070, on file in said Stevens County Recorder's office to the southeast corner of said Huebner tract; thence northerly, northeasterly and northwesterly along the east line of said Huebner tract and along the easterly line of RILEY'S ADDITION, according to the recorded plat thereof, on file in said Stevens County Recorder's office to the intersection of said easterly line of RILEY'S ADDITION and the southerly right of way line of County Road Number 21; thence northeasterly along said southerly right of way line of County Road Number 21 to its intersection with the west line of the Woolridge tract, according to Document Number 139370, on file in said Stevens County Recorder's office; thence southeasterly along said west line of the Woolridge tract to its intersection with the most westerly right of way line for Trunk Highway Number 59, according to STATE HIGHWAY RIGHT OF WAY PLAT NUMBER 75-4 according to the recorded plat

thereof, on file in said Stevens County Recorder's office; thence northerly along said most westerly right of way line for Trunk Highway Number 59, to point B4 according to STATE HIGHWAY RIGHT OF WAY PLAT NUMBER 75-5 according to the recorded plat thereof, on file in said Stevens County Recorder's office; thence northeasterly along the northerly right of way line said County Road Number 59 to the southwest corner of Lot 1, Block 1, KAYE'S ADDITION, according to the recorded plat thereof, on file in said Stevens County Recorder's office; thence northerly along the westerly line of said Lot 1 and its northerly extension to the south line of Lot 14, said Block 1, KAYE'S ADDITION; thence northeasterly along said south line of Lot 14 to the most easterly corner of said Lot 14; thence northwesterly along the east line of said Lot 14 to the southerly right of way line of said Trunk Highway Number 28, according to said STATE HIGHWAY RIGHT OF WAY PLAT NUMBER 75-5; thence northeasterly along said southerly line to its intersection with the southeasterly extension of the east line of Tract G, according to the Michael Nyberg survey dated August 30, 1991, recorded as Document Number 144195 on file in said Stevens County Recorder's office; thence northwesterly along said southeasterly extension of the east line of Tract G and along the east line of said Tract G to the most northerly corner of said Tract G; thence southwestery along the north line of said Tract G to the east line of Tract F, said Michael Nyberg survey dated August 30, 1991; thence northwesterly along said east line of Tract F to the most northerly corner of said Tract F; thence southwestery along said north line of Tract F to the east line of Lot 20, said Block Two, RILEY'S HILLSIDE ADDITION; thence northwesterly along said east line of Lot 20 to the east line of said Lot 19; thence northerly along said east line of Lot 19 to the point of beginning.

DARNEN TOWNSHIP

Lands in Township 124 North, Range 42 West, Stevens County, Minnesota

LEGAL DESCRIPTION FOR ANNEXATION PURPOSES:

PARK VIEW HEIGHTS, according to the recorded plat thereof, Stevens County, Minnesota and also that part of the Northwest Quarter of Section 12, Township 124, Range 42, Stevens County, Minnesota which lies North of the North line of said PARK VIEW HEIGHTS, West of the West line of said PARK VIEW HEIGHTS, Northerly of the Westerly extension of the South line of said PARK VIEW HEIGHTS and Westerly of the Northerly extension of the East line of said PARK VIEW HEIGHTS.

EXHIBIT B

Boundary Map – Subject Area

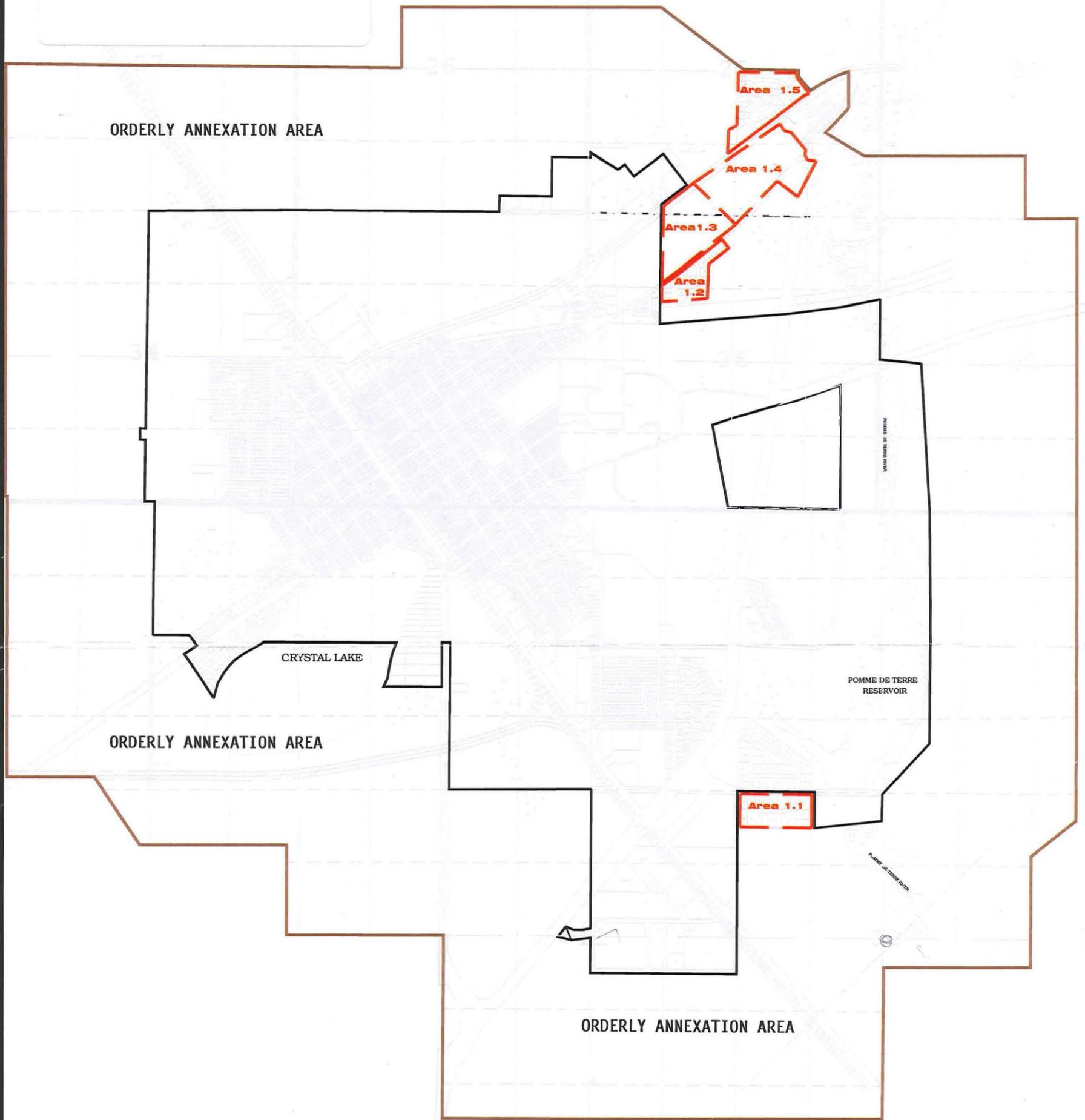
The municipal boundary map referenced in the attached Joint Resolution, showing the current City of Morris, its relation to the Subject Area shown bordered with the red line and legally described in Exhibit A, and the City of Morris' relation to the OAA shown bordered with the brown line and legally described in Exhibit C, is attached hereto.

CITY OF MORRIS Proposed Annexation

EXHIBIT B

MORRIS

FRAMNAS



DARNEN

REC'D BY
MMB JAN 29 2007



GRAPHIC SCALE



(IN FEET)

1 inch = 1500 ft

LEGEND

LINE KEY	
	RIGHT OF WAY
	LOT-LINES
	SECTION
	QUARTER-SECTION
	QUARTER-QUARTER
	CORPORATE LIMITS
	NATIONAL WETLANDS INVENTORY (NWI)

MAP DATE: February 2006



REC'D BY
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JAN 29 2007

EXHIBIT C

1978 Joint Resolution

The 1978 Joint Resolution is attached hereto for ease of reference and contains the legal description for the OAA designated in this Agreement to which the 1978 Joint Resolution is attached.

Agreement Between the City of Morris
Stevens County, Morris Township, Framnas
Township, Darnen Township, and Hodges
Township to Establish An Orderly Annexa-
tion Agreement.

EXHIBIT C

SECTION I. ESTABLISHMENT

Pursuant to the authority contained in Minn. Stat. 272.67, 414.032 and 414.068, it is hereby resolved that the City of Morris (hereinafter called the City), Stevens County (hereinafter called the County), Morris Township, Framnas Township, Darnen Township and Hodges Township (hereinafter called the Townships), do hereby enter into this Orderly Annexation Agreement.

SECTION II. PURPOSE

The purpose of this Orderly Annexation Agreement shall be to provide land areas for the growth of the City of Morris and further to provide for the protection of agricultural lands within the adjacent townships from urban or suburban development and further to control the development along highway access to the City of Morris in order to prevent uncontrolled strip development.

SECTION III. ZONING AREAS

Land use control of the area governed by this Orderly Annexation Agreement shall be through subdivision controls and the establishment and administration of zoning areas. These areas shall be as follows:

(1) Orderly Annexation Area: shall be the area in need of orderly annexation and is defined as the area contiguous with and within one-half mile more or less of the City of Morris more particularly described as follows:

In Morris Township: the South Half of Section 25, the South Half of Section 26, the South Half of Section 27, the West Half of Section 34, and that part of Section 36 lying outside the corporate limits of the City of Morris.

In Framnas Township: the West Half of Section 31.

In Darnen Township: all of Section 2 and 3 lying outside the corporate limits of the City of Morris, the East Half of Section 4, the North Half of the Northeast Quarter of Section 9, the North 160 acres of Section 10, the North Half of Section 11, and North Half of Section 12.

In Hodges Township: the West 160 acres of Section 6, and the West Half of the Northwest Quarter of Section 7.

(2) Township Agricultural Holding Area: shall be within one-half mile more or less of the orderly annexation area more particularly described as follows:

In Morris Township: the North Half of Section 25, the North Half of Section 26, the North Half of Section 27, the East Half of Section 28, and the East Half of Section 33.

In Framnas Township: all of Section 30 except the Northeast Quarter, the East Half of Section 31, and the Southwest Quarter of Section 32.

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In Hodges Township: all of Section 6 except the east 160 acres and the west 160 acres, all of Section 7 except the West Half of the Northwest Quarter and the east 160 acres.

In Darnen Township: the West Half of Section 4, all of Section 9 except the North Half of the Northeast Quarter, all of Section 10 except the north 160 acres and the south 160 acres, the South Half of Section 11, and the South Half of Section 12.

(3) Township Agricultural Land Area: shall be within one-half mile more or less of the township agricultural holding area more particularly described as follows:

In Morris Township: the South Half of Section 21, the South Half of Section 22, the South Half of Section 23, the South Half of Section 24, the West Half of Section 28, and the West Half of Section 33.

In Framnas Township: the South Half of Section 19, the West Half of Section 29, the Northeast Quarter of Section 30, and all of Section 32 except the Southwest Quarter and the east 160 acres.

In Hodges Township: the west 160 acres of Section 5, the east 160 acres of Section 6, the east 160 acres of Section 7, the west 160 acres of Section 8, the west 80 acres of the Northwest Quarter of Section 17, and the North Half of Section 18.

In Darnen Township: the West Half of Section 8, the North Half of Section 13, the North Half of Section 14, the South 160 acres of Section 10, the south 160 acres of Section 9, the north 160 acres of Section 15, the north 160 acres of Section 16, and the north 80 acres of the Northeast Quarter of Section 17.

SECTION IV. LAND USE CONTROL

Land Use Control, including zoning and subdivision regulations, within the Orderly Annexation Area shall be vested in the City of Morris. Initial zoning districts within the Orderly Annexation Area will be established jointly by Stevens County, the Townships Planning Subcommittee, and the City of Morris subject to the provisions of this agreement.

Zoning control within the Township Agricultural Holding Area and Township Agricultural Land Area shall be vested in Framnas Township, Darnen Township, Morris Township and Hodges Township, and subdivision control shall be vested in Stevens County subject to the provisions of this agreement.

SECTION V. ORDERLY ANNEXATION AREA

The City agrees to annex only land within the Orderly Annexation Area until such time as the Orderly Annexation Area has reached 75% of its potential development as determined by the City. At such time as the Orderly Annexation Area has reached 75% of its potential development, the Township Agricultural Holding Area will be declared an Orderly Annexation Area subject to the terms of this agreement. Such declaration shall be by joint resolution of the parties hereto.

SECTION VI. TOWNSHIP AGRICULTURAL HOLDING AREA

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The Townships and County agree that the respective governing bodies thereof, within the Township Agricultural Holding Area, shall:

- (1) not permit residential, commercial, industrial or highway business development, except as permitted under Section VI (4) of this agreement;
- (2) restrict the use of the same to agricultural and agricultural related uses;
- (3) restrict the minimum lot size to 40-80 acres dependent upon the potential agricultural productivity of the area as determined by the Township.
- (4) permit only one acre to be subdivided for one single family residential use from each 40-80 acre lot;
- (5) declare the Township Agricultural Holding Area to be an Orderly Annexation Area at such time as the original Orderly Annexation Area has reached 75% of its potential development as hereinabove provided.

SECTION VII. TOWNSHIP AGRICULTURAL LAND AREA

The governing bodies of the Townships and County agree that, within the Township Agricultural Land Area, they shall:

- (1) not permit residential, commercial, industrial or highway business development, except as permitted under Section VII (4) of this agreement;
- (2) restrict the use of the same to agricultural and agricultural related uses;
- (3) restrict the minimum lot size to 40-80 acres dependent upon the potential agricultural productivity of the area as determined by the Township.
- (4) permit only one acre to be subdivided for one single family residential use from each 40-80 acre lot.
- (5) declare the Township Agricultural Land Area to be a Township Agricultural Holding Area at such time as the original Township Holding Area is declared an Orderly Annexation Area.

SECTION VIII. MORRIS ACCESS HIGHWAYS

The Townships and County agree that residential, commercial, industrial or highway business development will not be permitted a distance of 600 feet on either side of, along or adjacent to Highways U. S. 59, State Highway 9, State Highway 28 and County Road 10 within two miles of the Orderly Annexation Area.

SECTION IX. CITY, COUNTY AND TOWNSHIP ZONING AND SUBDIVISION ORDINANCES

The City, County and Townships agree to amend their respective zoning and subdivision ordinances to reflect this agreement and in order to provide for the administration of this agreement and any variances or appeals that may be requested.

SECTION X. VARIANCES

The City, County and Townships agree that a variance to this agreement may be allowed after a finding by the appropriate governing body or bodies:

- (1) That because of the particular physical surroundings, shape or topographical conditions of the specific parcel of land involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulation were carried out, or,
- (2) That there are exceptional or extraordinary circumstances or conditions applying to the land or building which do not apply generally to land or building in the same zone classification, or,
- (3) That granting of the variance is necessary for the preservation and employment of substantial property rights of the petitioner; and the alleged difficulty or hardship is caused by this ordinance and has not been created by any person presently having an interest in the parcel of land, and,
- (4) That the purpose of the variance is not based exclusively upon a desire to increase the value of income potential of the parcel of land, and,
- (5) That granting of such variance will not, under the circumstances of this particular case, materially affect adversely the health and safety of persons residing or working in the neighborhood of the property of the applicant, and will not, under the circumstances of this particular case, be materially detrimental to the public welfare or injurious to the property or improvements in said neighborhood; and further that a variance may not be permitted for any use not permitted in the zone in which the parcel for which a variance is requested is located.

Any request for variance within the zoning areas established hereby shall be reviewed and approved by the respective governing bodies according to the following designations:

- (1) Orderly Annexation Area by the City;
- (2) Township Agricultural Holding Area by the City, the County and the Township;
- (3) Township Agricultural Land Area by the Township and the County; and if either of the said governing bodies deny the request for variance, said request for variance shall be deemed denied by both parties.

SECTION XI. PROCEDURES FOR SECURING A VARIANCE

1. Any person desiring a variance shall make written application on a form supplied by and pay a fee determined by the City, County or Township, to which such application is directed.

2. A public hearing shall be held by the Planning Commission(s) having jurisdiction. Notice of the hearing shall be published in the official newspaper not less than ten days prior to the hearing.

3. A copy of the decision of the Planning Commission(s) shall be mailed to the applicant for the variance and the chief administrator of the City, County and Township.

REC'D BY
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4. In granting a variance under the provisions of this section, the Planning Commission(s) may designate such conditions in connection therewith as will, in its opinion, secure substantially the objectives of this agreement.

5. The applicant for a variance may within thirty days file a written appeal to the City Council, County Commission or Town Board, as the case may be, from the decision of the Planning Commission.

SECTION XII. TOWNSHIP ANNEXATION TAX SUPPORT

In order to alleviate the impact on the Township of loss of tax revenue due to annexation of township land to the City, the City shall reimburse to the Township monies in the amount equal to the most recent tax levy paid to the Township from such annexed land.

This reimbursement to the Township shall continue for a period of three years, at which time it shall terminate completely.

SECTION XIII. CITY OF MORRIS SPECIAL TAX DISTRICT FOR ANNEXED LAND

In order to alleviate the impact of the City mill levy rate on land in agricultural production annexed to the City of Morris, the City of Morris shall establish for such annexed agricultural land a Rural Service Tax District pursuant to Minn. Stat. 272.67. This Rural Service Tax District shall be taxed at the mill levy rate compatible with the appropriate township mill levy rate and such Rural Service Tax District shall exist until such time that City of Morris municipal water sewer facilities shall be extended to serve said Rural Service Tax District.

SECTION XIV. ANNUAL REVIEW

This Orderly Annexation Agreement may be reviewed by the Township, County, City Planning Subcommittee annually at the request of any of the parties.

SECTION XV. PLANNING COOPERATION

In order to expedite the zoning control of the townships, the City of Morris will cooperate with the townships in establishing zoning ordinances, districts and maps, and administrative procedures for the enforcement, control, and adjustment of such zoning ordinances, districts, and maps.

SECTION XVI. EFFECTIVE DATE

This agreement shall be effective on the date that it is accepted by the Minnesota Municipal Board.

Recommended for approval by the City-County-Township Planning Subcommittee.

REC'D BY
MMS

JAN 29 2007

Darnen Township:

Cletus Staebler Date: 7/7/78
Cletus Staebler

Knute Christensen Date: 7/7/78
Knute Christensen B.S.

Framnas Township:

Donald Kirsch Date: 7-7-78
Donald Kirsch

Richard Waggoner Date: 7-7-78
Richard Waggoner

Hodges Township:

Ervin Anderson Date: 7/7/78
Ervin Anderson ASET

Alan Tonn Date: 7/7/78
Alan Tonn

Morris Township:

Robert Walker Date: 7-7-78
Robert Walker

Ralph Sperr Date: 7/7/78
Ralph Sperr

Stevens County:

Robert Stevenson Date: 7/5/78
Robert Stevenson

Lowell Wilkins Date: 7/6/78
Lowell Wilkins

City of Morris:

Judy Johnson Date: June 29, 1978
Judy Johnson

Lynn DuBois Date: June 29, 1978
Lynn DuBois

RESOLUTION AMENDING THE ORDERLY ANNEXATION AGREEMENT
BETWEEN THE CITY OF MORRIS, STEVENS COUNTY, MORRIS
TOWNSHIP, FRAMNAS TOWNSHIP, DARNEN TOWNSHIP AND
HODGES TOWNSHIP

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REC'D BY
MAB

JAN 29 2007

WHEREAS an Orderly Annexation Agreement has been adopted by the City of Morris, Stevens County, Morris Township, Framnas Township, Darnen Township and Hodges Township, and

WHEREAS this Agreement includes within the Orderly Annexation Area the North $\frac{1}{2}$ of the Northeast quarter of Section 11 and the North $\frac{1}{2}$ of the North $\frac{1}{2}$ of Section 10 of Darnen Township, and

WHEREAS the City-County-Townships Subcommittee is recommending that the above described land be deleted from the Orderly Annexation Area and be added to the Township Agricultural Holding Area,

NOW THEREFORE BE IT RESOLVED that the said Agreement be amended as follows:

1. Section III (1) Orderly Annexation Area: . . . In Darnen Township: all of Section 1, 2 and 3 lying outside the corporate limits of the City of Morris, the East half of Section 4, the North half of Section 11 and the North half of Section 12, and
2. Section III (2) Township Agricultural Holding Area: . . . In Darnen Township: the West half of Section 4, all of Section 9, all of Section 10 except the South 160 acres, the South half of Section 11, and the South half of Section 12.

Approved this 5th day of May, 1979, by Darnen
Township Board
Township Board

Signed:

Kristi Christensen
Chairman, Darnen Township Board
5/5-1979
Date

Attest:

W. Lou Maloney
Clerk, Darnen Township
5/5/79
Date

RESOLUTION AMENDING THE ORDERLY ANNEXATION AGREEMENT
BETWEEN THE CITY OF MORRIS, STEVENS COUNTY, MORRIS
TOWNSHIP, FRAMNAS TOWNSHIP, DARNEN TOWNSHIP AND
HODGES TOWNSHIP

REC'D BY
MME

JAN 29 2007

WHEREAS an Orderly Annexation Agreement has been adopted by the City of Morris, Stevens County, Morris Township, Framnas Township, Darnen Township and Hodges Township, and

WHEREAS this Agreement includes within the Orderly Annexation Area the North $\frac{1}{2}$ of the Northeast quarter of Section 11 and the North $\frac{1}{2}$ of the North $\frac{1}{2}$ of Section 10 of Darnen Township, and

WHEREAS the City-County-Townships Subcommittee is recommending that the above described land be deleted from the Orderly Annexation Area and be added to the Township Agricultural Holding Area,

NOW THEREFORE BE IT RESOLVED that the said Agreement be amended as follows:

1. Section III (1) Orderly Annexation Area: . . . In Darnen Township: all of Section 1, 2 and 3 lying outside the corporate limits of the City of Morris, the East half of Section 4, the North half of Section 11 and the North half of Section 12, and
2. Section III (2) Township Agricultural Holding Area: . . . In Darnen Township: the West half of Section 4, all of Section 9, all of Section 10 except the South 160 acres, the South half of Section 11, and the South half of Section 12.

Approved this 27th day of June, 1979, by Stevens County
Board of Commissioners Stevens County Board
of Commissioners

Signed:

Laurence Kell
Chairman, Stevens County Board of Commis-
sione

Date June 27, 1979

Attest:

Richard Bluth
Stevens County Auditor

Date June 27, 1979

RESOLUTION AMENDING THE ORDERLY ANNEXATION AGREEMENT
BETWEEN THE CITY OF MORRIS, STEVENS COUNTY, MORRIS
TOWNSHIP, FRAMNAS TOWNSHIP, DARNEN TOWNSHIP AND
HODGES TOWNSHIP

REC'D BY
MARR

JAN 29 2007

WHEREAS an Orderly Annexation Agreement has been adopted by the City of
Morris, Stevens County, Morris Township, Framnas Township, Darnen
Township and Hodges Township, and

WHEREAS this Agreement includes within the Orderly Annexation Area the North $\frac{1}{2}$
of the Northeast quarter of Section 11 and the North $\frac{1}{2}$ of the North $\frac{1}{2}$ of Section
10 of Darnen Township, and

WHEREAS the City-County-Townships Subcommittee is recommending that the above
described land be deleted from the Orderly Annexation Area and be added
to the Township Agricultural Holding Area,

NOW THEREFORE BE IT RESOLVED that the said Agreement be amended as follows:

1. Section III (1) Orderly Annexation Area: . . . In Darnen Township:
all of Section 1, 2 and 3 lying outside the corporate limits of the City
of Morris, the East half of Section 4, the North half of Section 11
and the North half of Section 12, and
2. Section III (2) Township Agricultural Holding Area: . . . In Darnen
Township: the West half of Section 4, all of Section 9, all of
Section 10 except the South 160 acres, the South half of Section 11,
and the South half of Section 12.

Approved this 22nd day of May, 1979, by Morris
City Council.

Signed:

Melvin Berger

5-24-79

Date

Attest:

Sharon Miller

22 May 1979
Date

RESOLUTION AMENDING THE ORDERLY ANNEXATION AGREEMENT
BETWEEN THE CITY OF MORRIS, STEVENS COUNTY, MORRIS
TOWNSHIP, FRAMNAS TOWNSHIP, DARNEN TOWNSHIP AND
HODGES TOWNSHIP

RECEIVED BY
MAY 17 1979

2007

WHEREAS an Orderly Annexation Agreement has been adopted by the City of Morris, Stevens County, Morris Township, Framnas Township, Darnen Township and Hodges Township, and

WHEREAS this Agreement includes within the Orderly Annexation Area the North $\frac{1}{2}$ of the Northeast quarter of Section 11 and the North $\frac{1}{2}$ of the North $\frac{1}{2}$ of Section 10 of Darnen Township, and

WHEREAS the City-County-Townships Subcommittee is recommending that the above described land be deleted from the Orderly Annexation Area and be added to the Township Agricultural Holding Area,

NOW THEREFORE BE IT RESOLVED that the said Agreement be amended as follows:

1. Section III (1) Orderly Annexation Area: . . . In Darnen Township: all of Section 1, 2 and 3 lying outside the corporate limits of the City of Morris, the East half of Section 4, the North half of Section 11 and the North half of Section 12, and
2. Section III (2) Township Agricultural Holding Area: . . . In Darnen Township: the West half of Section 4, all of Section 9, all of Section 10 except the South 160 acres, the South half of Section 11, and the South half of Section 12.

Approved this 17th day of May, 1979, by Hodges
Township Board Hodges Township
Board

Signed:

Alan Form
Chairman, Hodges Township Board
May 17, 1979
Date

Attest:

Kenton J. Brown
Clerk, Hodges Township
5/17-79
Date

RESOLUTION AMENDING THE ORDERLY ANNEXATION AGREEMENT
BETWEEN THE CITY OF MORRIS, STEVENS COUNTY, MORRIS
TOWNSHIP, FRAMNAS TOWNSHIP, DARNEN TOWNSHIP AND
HODGES TOWNSHIP

REC'D BY
M.M.J.

JAN 29 2007

WHEREAS an Orderly Annexation Agreement has been adopted by the City of
Morris, Stevens County, Morris Township, Framnas Township, Darnen
Township and Hodges Township, and

WHEREAS this Agreement includes within the Orderly Annexation Area the North $\frac{1}{2}$
of the Northeast quarter of Section 11 and the North $\frac{1}{2}$ of the North $\frac{1}{2}$ of Section
10 of Darnen Township, and

WHEREAS the City-County-Townships Subcommittee is recommending that the above
described land be deleted from the Orderly Annexation Area and be added
to the Township Agricultural Holding Area,

NOW THEREFORE BE IT RESOLVED that the said Agreement be amended as follows:

1. Section III (1) Orderly Annexation Area: . . . In Darnen Township:
all of Section 1, 2 and 3 lying outside the corporate limits of the City
of Morris, the East half of Section 4, the North half of Section 11
and the North half of Section 12, and
2. Section III (2) Township Agricultural Holding Area: . . . In Darnen
Township: the West half of Section 4, all of Section 9, all of
Section 10 except the South 160 acres, the South half of Section 11,
and the South half of Section 12.

Approved this 14 day of May, 1979, by Framnas
Township Board Framnas
Township Board

Signed:

Richard Shuman
Chairman, Framnas Township Board

May 14-79
Date

Attest:

Darden Tharstad
Clerk, Framnas Township
5-7-79
Date

RESOLUTION AMENDING THE ORDERLY ANNEXATION AGREEMENT
BETWEEN THE CITY OF MORRIS, STEVENS COUNTY, MORRIS
TOWNSHIP, FRAMNAS TOWNSHIP, DARNEN TOWNSHIP AND
HODGES TOWNSHIP

REC'D BY
MAB

JAN 29 2007

WHEREAS an Orderly Annexation Agreement has been adopted by the City of
Morris, Stevens County, Morris Township, Framnas Township, Darnen
Township and Hodges Township, and

WHEREAS this Agreement includes within the Orderly Annexation Area the North $\frac{1}{2}$
of the Northeast quarter of Section 11 and the North $\frac{1}{2}$ of the North $\frac{1}{2}$ of Section
10 of Darnen Township, and

WHEREAS the City-County-Townships Subcommittee is recommending that the above
described land be deleted from the Orderly Annexation Area and be added
to the Township Agricultural Holding Area,

NOW THEREFORE BE IT RESOLVED that the said Agreement be amended as follows:

1. Section III (1) Orderly Annexation Area: . . . In Darnen Township:
all of Section 1, 2 and 3 lying outside the corporate limits of the City
of Morris, the East half of Section 4, the North half of Section 11
and the North half of Section 12, and
2. Section III (2) Township Agricultural Holding Area: . . . In Darnen
Township: the West half of Section 4, all of Section 9, all of
Section 10 except the South 160 acres, the South half of Section 11,
and the South half of Section 12.

Approved this _____

day of ^{may} Monday 7, 1979, by Morris

Morris Township

Ralph J. Sparr
Board

Signed:

Robert Walker
Chairman, Morris Township Board

5-7-79
Date

Attest:

A. J. Schuman
Clerk, Morris Township Board

5-7-79
Date

REC'D BY
MAM

JAN 29 2007

EXHIBIT D

Boundary Map – Areas 2.1 and 2.2

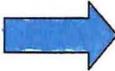
The municipal boundary map referenced in the attached Joint Resolution, showing the current City of Morris and its relation to those portions of Areas 2.1 and 2.2, subject to annexation under, but not limited to, Sections 14.a. and 14.c.

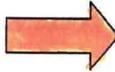
EXHIBIT "D"

CITY OF MORRIS

PROPOSED ANNEXATION MAP

MORRIS FRAMNAS

 Property eligible for orderly annexation pursuant to Section 14.a. of the attached Joint Resolution

 Property not subject to annexation pursuant to Section 14.c. of the attached Joint Resolution

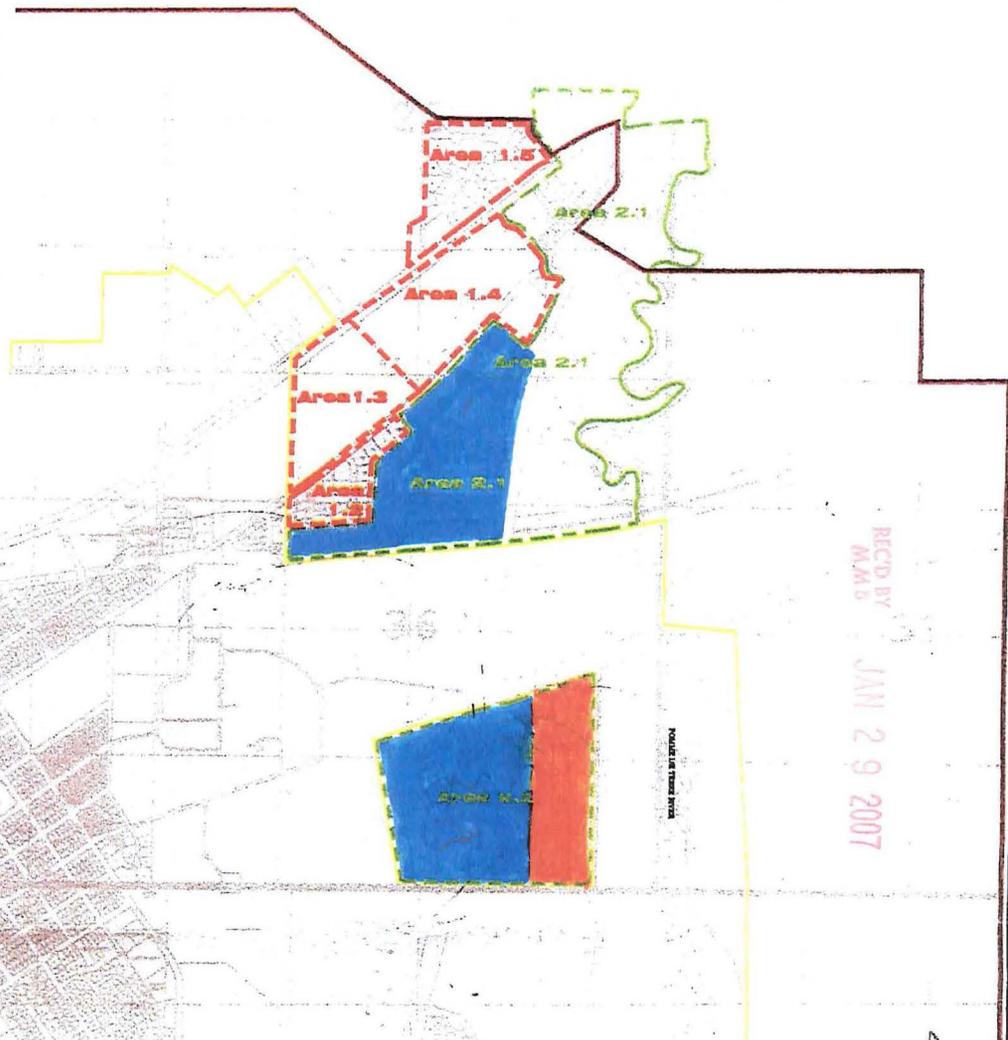


EXHIBIT E**Legal Description – Areas 2.1 and 2.2**

Areas 2.1 and 2.2 subject to be annexed in the attached Joint Resolution are legally described as follows:

In Area 2.1: That part of the Southwest quarter (SW 1/4) of the southeast quarter (SE 1/4) of Section 25 and the North Half of Section 36, Township 125 North, Range 42 West, Stevens County, Minnesota, lying westerly of the centerline of U.S. Highway No. 59, easterly of the corporate limits line of the City of Morris, Stevens County, Minnesota, easterly and southeasterly of Stevens County Road No. 21 and southerly and southwesterly of the following described line: commencing at the intersection of the southerly right of way line of Stevens County Road Number 21 and the west line of the Woolridge tract, according to Document Number 139370, on file in said Stevens County Recorder's office; thence southeasterly along said west line of the Woolridge tract to its intersection with the centerline of U.S. Highway No. 59, according to STATE HIGHWAY RIGHT OF WAY PLAT NUMBER 75-4 according to the recorded plat thereof, on file in said Stevens County Recorder's office.

And

In Area 2.2: The South Half of Section 36, Township 125 North, Range 42 West, Stevens County, Minnesota, except the following described property:

The East Half of the Southeast Quarter (E ½ SE ¼), Section Thirty-six (36), Township One Hundred Twenty-five (125) North, Range Forty-two (42) West, LESS a tract of land containing 38.55 acres, more or less, taken by the State of Minnesota from said above described tract of land in condemnation proceedings for the Pomme de Terre Dam, which tract taken by the State of Minnesota is more particularly described as follows: Beginning at a point at the southeast corner of Section 36, Township 125 North, Range 42 West, thence going north on the east line of said Section 36-125-42 to the northeast corner of the SE ¼ of Section 36-125-42, thence going west on the quarter line of said section a distance of 660 feet, thence going south and parallel with the east line of the said Section 36-125-42 to the south line of said Section 36-125-42 and thence east and along the south line of said Section 36-125-42 to the point of beginning and excepting therefrom the public road of right of way in the northeast corner of the SE ¼ of Section 36-125-42 as shown on the plat on file and of record in the office of the Register of Deeds in and for Stevens County, MN and also excepting therefrom that part of the NE ¼ of the SE ¼ which lies north of the public road now running across said NE ¼ of the SE ¼ of Section 36, Township 125 North, Range 42 West.

AND EXCEPT

Lot A of the Southeast Quarter (SE ¼) of Section Thirty-six (36), Township One Hundred Twenty-five (125) North, Range Forty-two (42) West, more specifically described as follows: That part of the Northeast Quarter of the Southeast Quarter (NE ¼ -

RECORDED BY
JAN 29 2007

SE ¼) of Section Thirty-six (36), Township One Hundred Twenty-five (125) North, Range Forty-two (42) West, Stevens County, Minnesota, described as follows:

Commencing at the East quarter corner of said Section 36; thence South 89 Degrees 34 Minutes 49 Seconds West, assumed bearing along the North line of said NE ¼ - SE ¼ of Section 36, a distance of 660.00 Feet; thence South 00 Degrees 10 Minutes 57 Seconds East, parallel with the East line of the SE ¼ of said Section 36, a distance of 377.65 Feet to the Southerly most right-of-way line of Trunk Highway No. 329, said point being the point of beginning of the land to be described; thence continuing South 00 Degrees 10 Minutes 57 Seconds East, parallel with said East line of the SE ¼ of Section 36, a distance of 211.44 Feet; thence South 69 Degrees 08 Minutes 11 Seconds West 402.45 Feet; thence North 21 Degrees 13 Minutes 27 Seconds West 197.82 Feet to aforesaid Southerly right-of-way line of Trunk Highway No. 329; thence North 69 Degrees 08 Minutes 11 Seconds East, along said Southerly right-of-way line, 478.37 Feet to the point of beginning.

The tract contains 2.00 acres more or less.

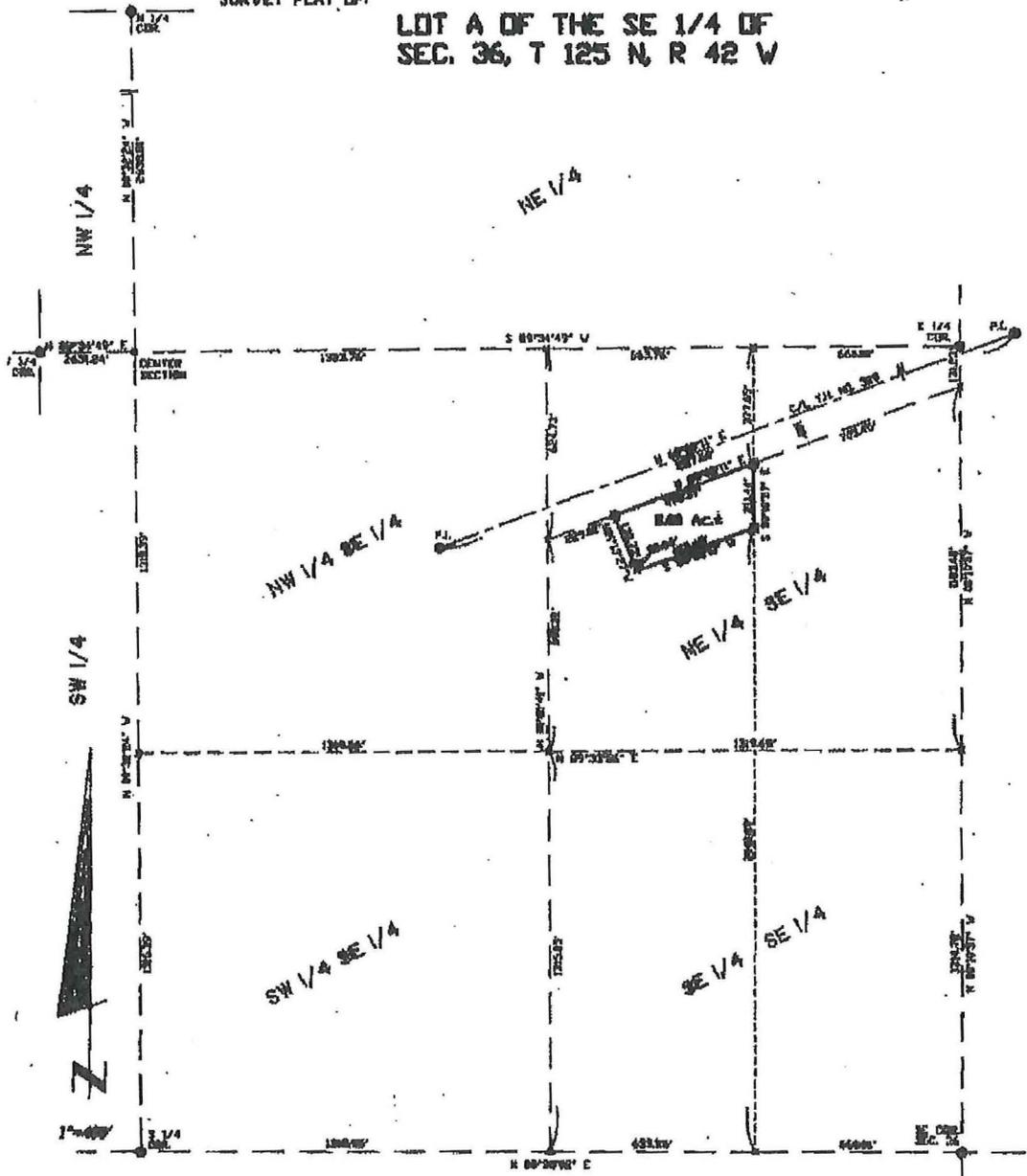
[Note : The plat map for Lot A described above is attached hereto.]

REC'D BY
MAM

JAN 29 2007

SURVEY PLAT OF:

LOT A OF THE SE 1/4 OF
SEC. 36, T 125 N, R 42 W



- IMPLANT IRON NAIL
- 1/2" IRON PIPE WITH PLASTIC CAP STAMPED "SLS 12040"
- () RECORD DATA

I hereby certify that this survey plat 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.

[Signature]
 Date: Jan 16, 2007 License No. 12845

REC'D BY
MMB

JAN 29 2007

LOT A OF THE SE ¼ OF SEC. 36, T 125 N, R 42 W

That part of the Northeast Quarter of the Southeast Quarter (NE ¼ SE ¼) of Section 36, Township 125 North, Range 42 West, Stevens County, Minnesota, described as follows:

Commencing at the east quarter corner of said Section 36;

thence South 89 degrees 34 minutes 49 seconds West, assumed bearing along the north line of said Northeast Quarter of the Southeast Quarter (NE ¼ SE ¼) of Section 36, a distance of 680.00 feet;

thence South 00 degrees 10 minutes 57 seconds East, parallel with the east line of the Southeast Quarter of said Section 36, a distance of 377.65 feet to the southerly most right-of-way line of Trunk Highway No. 329, said point being the point of beginning of the land to be described;

thence continuing South 00 degrees 10 minutes 57 seconds East, parallel with said east line of the Southeast Quarter of Section 36, a distance of 211.44 feet;

thence South 69 degrees 08 minutes 11 seconds West 402.45 feet;

thence North 21 degrees 13 minutes 27 seconds West 197.62 feet to aforesaid southerly right-of-way line of Trunk Highway No. 329;

thence North 69 degrees 08 minutes 11 seconds East, along said southerly right-of-way line, 478.37 feet to the point of beginning.

The tract contains 2.00 acres more or less.

REC'D. BY FEB 20 1997
M M B
EXHIBIT C

**IN THE MATTER OF THE AMENDMENT TO THE JOINT
RESOLUTION
FOR ORDERLY ANNEXATION BETWEEN THE TOWN OF MORRIS
AND THE CITY OF MORRIS, MINNESOTA
PURSUANT TO MINNESOTA STATUTES 414.0325, SUBD. 1**

TO: MINNESOTA MUNICIPAL BOARD
SUITE 225, BANDANA SQUARE
1021 BANDANA BOULEVARD EAST
ST. PAUL, MN 55018

The Township of Morris and the City of Morris hereby jointly agree that the area designated for orderly annexation in the Joint Resolution between the Town of Morris and the City of Morris Designating an Area for Orderly Annexation dated June 29, 1978, be amended to include the following:

Both the Town and the City agree that no alteration of the stated boundaries of this agreement is appropriate. Furthermore, both parties agree that no consideration by the Board is necessary. Upon receipt of this resolution, the Municipal Board may review and comment, but shall, within 30 days, order the annexation of the following-described property in accordance with the terms of the joint resolution.

REC'D. BY
MMR FEB 20 1997

All that part of the Southwest Quarter (SW1/4) of Section 25, Township 125, Range 42 which lies northerly and westerly of Minnesota Trunk Highway No. 28 and 59 and that part of the Southeast Quarter (SE1/4) of said Section 25 also lying northerly of said State Trunk Highway No. 28 and 59 and westerly of a line drawn as follows: Beginning at a point on the North line of the said Southeast Quarter (SE1/4) which point is 58.8 feet due East of the Northwest corner of said Southeast Quarter; thence run southerly in a straight line 1451.2 feet more or less to a point on the northwesterly line of said Trunk Highway which is 29.3 feet due East of the West line of the said Southeast Quarter; thence continuing in a straight line southerly. Except that part of the previously described Southwest Quarter and the Southeast Quarter of Section 25, Township 125, Range 42, described as follows:

1. A part of the SE1/4 and a part of the SW1/4 of Section 25, Township 125 North, Range 42 West described by metes and bounds as follows: Beginning at a point 38.1 feet East of a point on the East line of the SW1/4 of said Section 25 that is 1015.8 feet South of the Northeast corner of said SW1/4 of Section 25; thence southerly a distance of 435.6 feet to a point on the Northwest side of Trunk Highway No. 28 that is 29.3 feet East of the East line of said SW1/4 of Section 25; thence turning southwesterly at an angle of 52 degrees 14 minutes and going along the northwesterly side of Trunk Highway No. 28 a distance of 194.4 feet; thence North and parallel with the East side of the above described tract a distance of 435.6 feet; thence turning Northeast at an angle of 52 degrees 14 minutes a distance of 194.4 feet to the place of beginning; being a tract 150 feet East and West and 435.6 feet North and South a parallelogram containing 1.5 acres.
2. A parcel of land in the Southwest Quarter of the Southwest Quarter of Section 25, Township 125 North, Range 42 West, described as follows: Beginning at a point which is 33 feet East and 478 feet North of the Southwest corner of Section 25, Township 125 North, Range 42 West, on the right of way line of the County Road; thence continuing North along the East right of way of the County Road a

distance of 600.0 feet; thence by an angle right of 120 degrees 58 minutes in a southeasterly direction a distance of 583.08 feet; thence by an angle right of 118 degrees 04 minutes in a southwesterly direction a distance of 583.08 feet to the point of beginning, containing 3.44 acres, more or less.

3. A parcel of land lying and being in the SE1/4 of the SW1/4 of Section 25, Township 125 North, Range 42 West of the 5th P.M., herein described by metes and bounds as follows: The point of beginning of said parcel of land being a point which is 1104.15 feet East of the Southwest corner, Section 25, Township 125 North, Range 42 West, to the North right of way line of Trunk Highway #28; thence by an angle left of 51 degrees 34 minutes in a northeasterly direction along the right of way line of Trunk Highway #28 a distance of 533.32 feet, this point being the point of beginning; thence continuing along the North right of way line of Trunk Highway #28 a distance of 470.0 feet; thence by an angle left of 90 degrees a distance of 370.72 feet; by an angle left of 90 degrees a distance of 470.0 feet; thence by an angle left of 90 degrees a distance of 370.72 feet to the point of beginning, containing 4 acres more or less. Including a perpetual easement for purposes of a 40-foot roadway as an access road from the premises owned by first party to the above described premises along the following route: Beginning at a point where the present access road to first party's property intersects the North right of way line of State Highway #28 in the SE1/4 of SW1/4, Section 25, Township 125 North, Range 42 West; thence going in a northeasterly direction along the North right of way line a distance of 500 feet until reaching the southwesterly line of the above described property; thence turning at right angles and going in a northwesterly direction a distance of 40 feet along the southwesterly boundary of the above described property; thence turning at right angles and going in a southwesterly direction parallel to and 40 feet distance from the North right of way of State Highway #28 a distance of 500 feet; thence turning at right angles and going in a southeasterly direction a distance of 40 feet to the point of beginning; the intention of the parties being to convey an easement for road purposes for a service road 40 feet wide, running from the present access to State Highway #28 from first party's property along the North right of way line a distance of 500 feet to the above described tract of land.

4. A parcel of land lying and being in the SW1/4 of Section 25, Township 125 North, Range 42 West of the 5th P.M., herein described by metes and bounds as follows: The point of beginning of said parcel of land being a point which is 1053.10 feet East of the Southwest corner of Section 25, Township 125 North, Range 42 West, and by an angle left of 51 degrees 34 minutes in a northeasterly direction a distance of 365.68 feet, this being the point of beginning of said parcel being described; thence continuing on said line in a northeasterly direction a distance of 200.0 feet; thence turning an angle left of 90 degrees and measuring a distance of 330.72 feet; thence turning an angle right of 90 degrees and

REC'D BY
MMB FEB 20 1997

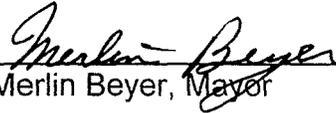
measuring a distance of 470.0 feet; thence turning an angle left of 90 degrees and measuring a distance of 370.0 feet; thence turning an angle left of 90 degrees and measuring a distance of 670.0 feet; thence turning an angle left of 90 degrees and measuring a distance of 700.72 feet to the point of beginning, said parcel contains 7.0 acres, more or less.

5. A parcel of land lying and being in the SW1/4 of Section 25, Township 125 North, Range 42 West of the 5th P.M. herein described by metes and bounds as follows: Beginning at a point which is 1053.10 feet East of the Southwest corner of Section 25, Township 125 North, Range 42 West and by an angle left of 51 degrees 34 minutes in a northeasterly direction a distance of 215.68 feet, this being the point of beginning of said parcel being described; thence continuing on said line in a northeasterly direction a distance of 150.0 feet; thence turning an angle left of 90 degrees and measuring a distance of 700.72 feet; thence turning an angle left of 90 degrees and measuring a distance of 150 feet; thence turning an angle left of 90 degrees and measuring a distance of 700.72 feet to the point of beginning.
6. A parcel of land in the SW1/4 of Section 25, Township 125 North, Range 42 West, described as follows: The Northwest corner of the SW1/4 of Section 25, Township 125 North, Range 42 West, being the point of beginning; thence South along the West line of said Section 25, a distance of 150.0 feet; thence due East a distance of 710.0 feet; thence northwesterly by a deflection angle of 135 degrees 04 minutes a distance of 117.7 feet; thence northwesterly by a deflection angle of 19 degrees 31 minutes to the North line of the SW1/4 of said Section 25; thence westerly along the North line of the SW1/4 of said Section 25 to the point of beginning and there terminating, containing in all 2.16 acres, more or less.
7. That part of the Southwest Quarter of the Southwest Quarter, Section 25, Township 125 North, Range 42 West, described as follows: Beginning at the SW corner of said Section 25; thence North, assumed bearing, along the west line of said Section, 1077.39 feet, said west line also being the centerline of a public roadway; thence East 33.00 feet; thence South 600.00 feet to the monumented southeasterly most line of that parcel described and recorded in Book 57, Page 465, of Deeds; thence North 59 degrees 00 minutes 33 seconds East, along said southeasterly line, 583.02 feet to the easterly most corner of said parcel; thence South 779.63 feet to the south line of said Section; thence North 89 degrees 46 minutes 51 seconds West, along said south line, 532.79 feet to the point of beginning, containing 8.03 acres more or less and is subject to an existing public roadway easement over that part of the above described tract lying within the West 33.00 feet of said Section 25.

Also except right of way of Minnesota Trunk Highway 59.

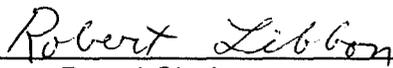
subject to easements, restrictions, highways and rights of way of record.

APPROVED BY THE CITY OF MORRIS THIS 14TH DAY OF JANUARY, 1997.


Merlin Beyer, Mayor


Edward R. Larson, City Manager

APPROVED BY THE TOWN OF MORRIS THIS 19 DAY OF February, 1997.


Town Board Chairman


Town Board Clerk

**IN THE MATTER OF THE AMENDMENT TO THE JOINT
RESOLUTION
FOR ORDERLY ANNEXATION BETWEEN THE TOWN OF MORRIS
AND THE CITY OF MORRIS, MINNESOTA
PURSUANT TO MINNESOTA STATUTES 414.0325, SUBD. 1**

TO: MINNESOTA MUNICIPAL BOARD
SUITE 225, BANDANA SQUARE
1021 BANDANA BOULEVARD EAST
ST. PAUL, MN 55018

The Township of Morris and the City of Morris hereby jointly agree that the area designated for orderly annexation in the Joint Resolution between the Town of Morris and the City of Morris Designating an Area for Orderly Annexation dated June 29, 1978, be amended to include the following:

Both the Town and the City agree that no alteration of the stated boundaries of this agreement is appropriate. Furthermore, both parties agree that no consideration by the Board is necessary. Upon receipt of this resolution, the Municipal Board may review and comment, but shall, within 30 days, order the annexation of the following-described property in accordance with the terms of the joint resolution.

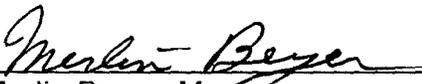
That part of the South Half of the Southwest Quarter (S $\frac{1}{2}$ SW $\frac{1}{4}$) of Section 25, Township 125 North, Range 42 West, Stevens County, Minnesota, described as follows:

- Commencing at the southwest corner of said Section 25;
- thence South 89 degrees 46 minutes 51 seconds East, along the south line of Section, 1104.15 feet to the northwesterly most line of Trunk Highway No. 28;
- thence North 51 degrees 50 minutes 31 seconds East, along said northwesterly line, 185.37 feet;
- thence North 38 degrees 09 minutes 29 seconds West 40.00 feet;
- thence North 51 degrees 50 minutes 31 seconds East 58.30 feet to the point of beginning of the land to be described;
- thence continuing North 51 degrees 50 minutes 31 seconds East 226.99 feet;
- thence North 38 degrees 09 minutes 29 seconds West 223.33 feet;
- thence South 51 degrees 50 minutes 31 seconds West 226.99 feet;
- thence South 38 degrees 09 minutes 29 seconds East 223.33 feet to the point of beginning.

The tract contains 1.16 acres more or less.

REC'D. BY FEB 20 1997
MAB

APPROVED BY THE CITY OF MORRIS THIS 14TH DAY OF JANUARY, 1997.


Merlin Beyer, Mayor


Edward R. Larson, City Manager

APPROVED BY THE TOWN OF MORRIS THIS 19 DAY OF February, 1997.


Town Board Chairman


Town Board Clerk

OA-132

Agreement Between the City of Morris
Stevens County, Morris Township, Framnas
Township, Darnen Township, and Hodges
Township to Establish An Orderly Annexa-
tion Agreement.

SECTION I. ESTABLISHMENT

Pursuant to the authority contained in Minn. Stat. 272.67, 414.032 and 414.068, it is hereby resolved that the City of Morris (hereinafter called the City), Stevens County (hereinafter called the County), Morris Township, Framnas Township, Darnen Township and Hodges Township (hereinafter called the Townships), do hereby enter into this Orderly Annexation Agreement.

SECTION II. PURPOSE

The purpose of this Orderly Annexation Agreement shall be to provide land areas for the growth of the City of Morris and further to provide for the protection of agricultural lands within the adjacent townships from urban or suburban development and further to control the development along highway access to the City of Morris in order to prevent uncontrolled strip development.

SECTION III. ZONING AREAS

Land use control of the area governed by this Orderly Annexation Agreement shall be through subdivision controls and the establishment and administration of zoning areas. These areas shall be as follows:

(1) Orderly Annexation Area: shall be the area in need of orderly annexation and is defined as the area contiguous with and within one-half mile more or less of the City of Morris more particularly described as follows:

In Morris Township: the South Half of Section 25, the South Half of Section 26, the South Half of Section 27, the West Half of Section 34, and that part of Section 36 lying outside the corporate limits of the City of Morris.

In Framnas Township: the West Half of Section 31.

In Darnen Township: all of Section 1, 2 and 3 lying outside the corporate limits of the City of Morris, the East Half of Section 4, the North Half of the Northeast Quarter of Section 9, the North 160 acres of Section 10, the North Half of Section 11, and North Half of Section 12.

In Hodges Township: the West 160 acres of Section 6, and the West Half of the Northwest Quarter of Section 7.

(2) Township Agricultural Holding Area: shall be within one-half mile more or less of the orderly annexation area more particularly described as follows:

In Morris Township: the North Half of Section 25, the North Half of Section 26, the North Half of Section 27, the East Half of Section 28, and the East Half of Section 33.

In Framnas Township: all of Section 30 except the Northeast Quarter, the East Half of Section 31, and the Southwest Quarter of Section 32.

In Hodges Township: all of Section 6 except the east 160 acres and the west 160 acres, all of Section 7 except the West Half of the Northwest Quarter and the east 160 acres.

In Darnen Township: the West Half of Section 4, all of Section 9 except the North Half of the Northeast Quarter, all of Section 10 except the north 160 acres and the south 160 acres, the South Half of Section 11, and the South Half of Section 12.

(3) Township Agricultural Land Area: shall be within one-half mile more or less of the township agricultural holding area more particularly described as follows:

In Morris Township: the South Half of Section 21, the South Half of Section 22, the South Half of Section 23, the South Half of Section 24, the West Half of Section 28, and the West Half of Section 33.

In Framnas Township: the South Half of Section 19, the West Half of Section 29, the Northeast Quarter of Section 30, and all of Section 32 except the Southwest Quarter and the east 160 acres.

In Hodges Township: the west 160 acres of Section 5, the east 160 acres of Section 6, the east 160 acres of Section 7, the west 160 acres of Section 8, the west 80 acres of the Northwest Quarter of Section 17, and the North Half of Section 18.

In Darnen Township: the West Half of Section 8, the North Half of Section 13, the North Half of Section 14, the South 160 acres of Section 10, the south 160 acres of Section 9, the north 160 acres of Section 15, the north 160 acres of Section 16, and the north 80 acres of the Northeast Quarter of Section 17.

SECTION IV. LAND USE CONTROL

Land Use Control, including zoning and subdivision regulations, within the Orderly Annexation Area shall be vested in the City of Morris. Initial zoning districts within the Orderly Annexation Area will be established jointly by Stevens County, the Townships Planning Subcommittee, and the City of Morris subject to the provisions of this agreement.

Zoning control within the Township Agricultural Holding Area and Township Agricultural Land Area shall be vested in Framnas Township, Darnen Township, Morris Township and Hodges Township, and subdivision control shall be vested in Stevens County subject to the provisions of this agreement.

SECTION V. ORDERLY ANNEXATION AREA

The City agrees to annex only land within the Orderly Annexation Area until such time as the Orderly Annexation Area has reached 75% of its potential development as determined by the City. At such time as the Orderly Annexation Area has reached 75% of its potential development, the Township Agricultural Holding Area will be declared an Orderly Annexation Area subject to the terms of this agreement. Such declaration shall be by joint resolution of the parties hereto.

SECTION VI. TOWNSHIP AGRICULTURAL HOLDING AREA

The Townships and County agree that the respective governing bodies thereof, within the Township Agricultural Holding Area, shall:

- (1) not permit residential, commercial, industrial or highway business development, except as permitted under Section VI (4) of this agreement;
- (2) restrict the use of the same to agricultural and agricultural related uses;
- (3) restrict the minimum lot size to 40-80 acres dependent upon the potential agricultural productivity of the area as determined by the Township.
- (4) permit only one acre to be subdivided for one single family residential use from each 40-80 acre lot;
- (5) declare the Township Agricultural Holding Area to be an Orderly Annexation Area at such time as the original Orderly Annexation Area has reached 75% of its potential development as hereinabove provided.

SECTION VII. TOWNSHIP AGRICULTURAL LAND AREA

The governing bodies of the Townships and County agree that, within the Township Agricultural Land Area, they shall:

- (1) not permit residential, commercial, industrial or highway business development, except as permitted under Section VII (4) of this agreement;
- (2) restrict the use of the same to agricultural and agricultural related uses;
- (3) restrict the minimum lot size to 40-80 acres dependent upon the potential agricultural productivity of the area as determined by the Township.
- (4) permit only one acre to be subdivided for one single family residential use from each 40-80 acre lot.
- (5) declare the Township Agricultural Land Area to be a Township Agricultural Holding Area at such time as the original Township Holding Area is declared an Orderly Annexation Area.

SECTION VIII. MORRIS ACCESS HIGHWAYS

The Townships and County agree that residential, commercial, industrial or highway business development will not be permitted a distance of 600 feet on either side of, along or adjacent to Highways U. S. 59, State Highway 9, State Highway 28 and County Road 10 within two miles of the Orderly Annexation Area.

SECTION IX. CITY, COUNTY AND TOWNSHIP ZONING AND SUBDIVISION ORDINANCES

The City, County and Townships agree to amend their respective zoning and subdivision ordinances to reflect this agreement and in order to provide for the administration of this agreement and any variances or appeals that may be requested.

SECTION X. VARIANCES

The City, County and Townships agree that a variance to this agreement may be allowed after a finding by the appropriate governing body or bodies:

- (1) That because of the particular physical surroundings, shape or topographical conditions of the specific parcel of land involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulation were carried out, or,
- (2) That there are exceptional or extraordinary circumstances or conditions applying to the land or building which do not apply generally to land or building in the same zone classification, or,
- (3) That granting of the variance is necessary for the preservation and employment of substantial property rights of the petitioner; and the alleged difficulty or hardship is caused by this ordinance and has not been created by any person presently having an interest in the parcel of land, and,
- (4) That the purpose of the variance is not based exclusively upon a desire to increase the value of income potential of the parcel of land, and,
- (5) That granting of such variance will not, under the circumstances of this particular case, materially affect adversely the health and safety of persons residing or working in the neighborhood of the property of the applicant, and will not, under the circumstances of this particular case, be materially detrimental to the public welfare or injurious to the property or improvements in said neighborhood; and further that a variance may not be permitted for any use not permitted in the zone in which the parcel for which a variance is requested is located.

Any request for variance within the zoning areas established hereby shall be reviewed and approved by the respective governing bodies according to the following designations:

- (1) Orderly Annexation Area by the City;
- (2) Township Agricultural Holding Area by the City, the County and the Township;
- (3) Township Agricultural Land Area by the Township and the County; and if either of the said governing bodies deny the request for variance, said request for variance shall be deemed denied by both parties.

SECTION XI. PROCEDURES FOR SECURING A VARIANCE

1. Any person desiring a variance shall make written application on a form supplied by and pay a fee determined by the City, County or Township, to which such application is directed.

2. A public hearing shall be held by the Planning Commission(s) having jurisdiction. Notice of the hearing shall be published in the official newspaper not less than ten days prior to the hearing.

3. A copy of the decision of the Planning Commission(s) shall be mailed to the applicant for the variance and the chief administrator of the City, County and Township.

4. In granting a variance under the provisions of this section, the Planning Commission(s) may designate such conditions in connection therewith as will, in its opinion, secure substantially the objectives of this agreement.

5. The applicant for a variance may within thirty days file a written appeal to the City Council, County Commission or Town Board, as the case may be, from the decision of the Planning Commission.

SECTION XII. TOWNSHIP ANNEXATION TAX SUPPORT

In order to alleviate the impact on the Township of loss of tax revenue due to annexation of township land to the City, the City shall reimburse to the Township monies in the amount equal to the most recent tax levy paid to the Township from such annexed land.

This reimbursement to the Township shall continue for a period of three years, at which time it shall terminate completely.

SECTION XIII. CITY OF MORRIS SPECIAL TAX DISTRICT FOR ANNEXED LAND

In order to alleviate the impact of the City mill levy rate on land in agricultural production annexed to the City of Morris, the City of Morris shall establish for such annexed agricultural land a Rural Service Tax District pursuant to Minn. Stat. 272.67. This Rural Service Tax District shall be taxed at the mill levy rate compatible with the appropriate township mill levy rate and such Rural Service Tax District shall exist until such time that City of Morris municipal water sewer facilities shall be extended to serve said Rural Service Tax District.

SECTION XIV. ANNUAL REVIEW

This Orderly Annexation Agreement may be reviewed by the Township, County, City Planning Subcommittee annually at the request of any of the parties.

SECTION XV. PLANNING COOPERATION

In order to expedite the zoning control of the townships, the City of Morris will cooperate with the townships in establishing zoning ordinances, districts and maps, and administrative procedures for the enforcement, control, and adjustment of such zoning ordinances, districts, and maps.

SECTION XVI. EFFECTIVE DATE

This agreement shall be effective on the date that it is accepted by the Minnesota Municipal Board.

Recommended for approval by the City-County-Township Planning Subcommittee.

Darnen Township:

Cletus Staebler Date: 7/7/78
Cletus Staebler

Knute Christensen Date: 7/7/78
Knute Christensen B.S.

Framnas Township:

Donald Kirsch Date: 7-7-78
Donald Kirsch

Richard Wagner Date: 7-7-78
Richard Wagner

Hodges Township:

Ervin Anderson Date: 7/7/78
Ervin Anderson ASST

Alan Tonn Date: 7/7/78
Alan Tonn

Morris Township:

Robert Walker Date: 7-7-78
Robert Walker

Ralph Sperr Date: 7/7/78
Ralph Sperr

Stevens County:

Robert Stevenson Date: 7/5/78
Robert Stevenson

Lowell Wilkins Date: 7/7/78
Lowell Wilkins

City of Morris:

Judy Johnson Date: June 29, 1978
Judy Johnson

Lynn DuBois Date: June 29, 1978
Lynn DuBois

REC'D BY
MMB JUL 02 1979

RESOLUTION AMENDING THE ORDERLY ANNEXATION AGREEMENT
BETWEEN THE CITY OF MORRIS, STEVENS COUNTY, MORRIS
TOWNSHIP, FRAMNAS TOWNSHIP, DARNEN TOWNSHIP AND
HODGES TOWNSHIP

WHEREAS an Orderly Annexation Agreement has been adopted by the City of
Morris, Stevens County, Morris Township, Framnas Township, Darnen
Township and Hodges Township, and

WHEREAS this Agreement includes within the Orderly Annexation Area the North 1/2
of the Northeast quarter of Section 11 and the North 1/2 of the North 1/2 of Section
10 of Darnen Township, and

WHEREAS the City-County-Townships Subcommittee is recommending that the above
described land be deleted from the Orderly Annexation Area and be added
to the Township Agricultural Holding Area,

NOW THEREFORE BE IT RESOLVED that the said Agreement be amended as follows:

1. Section III (1) Orderly Annexation Area: . . . In Darnen Township:
all of Section 1, 2 and 3 lying outside the corporate limits of the City
of Morris, the East half of Section 4, the North half of Section 11
and the North half of Section 12, and
2. Section III (2) Township Agricultural Holding Area: . . . In Darnen
Township: the West half of Section 4, all of Section 9, all of
Section 10 except the South 160 acres, the South half of Section 11,
and the South half of Section 12.

Approved this 5th day of May, 1979, by Darnen
Township Board.
Township Board

Signed:

Knut Christensen
Chairman, Darnen Township Board
5/5/1979
Date

Attest:

Don Mahoney
Clerk, Darnen Township
5/5/79
Date

RESOLUTION AMENDING THE ORDERLY ANNEXATION AGREEMENT
BETWEEN THE CITY OF MORRIS, STEVENS COUNTY, MORRIS
TOWNSHIP, FRAMNAS TOWNSHIP, DARNEN TOWNSHIP AND
HODGES TOWNSHIP

WHEREAS an Orderly Annexation Agreement has been adopted by the City of
Morris, Stevens County, Morris Township, Framnas Township, Darnen
Township and Hodges Township, and

WHEREAS this Agreement includes within the Orderly Annexation Area the North $\frac{1}{2}$
of the Northeast quarter of Section 11 and the North $\frac{1}{2}$ of the North $\frac{1}{2}$ of Section
10 of Darnen Township, and

WHEREAS the City-County-Townships Subcommittee is recommending that the above
described land be deleted from the Orderly Annexation Area and be added
to the Township Agricultural Holding Area,

NOW THEREFORE BE IT RESOLVED that the said Agreement be amended as follows:

1. Section III (1) Orderly Annexation Area: . . . In Darnen Township:
all of Section 1, 2 and 3 lying outside the corporate limits of the City
of Morris, the East half of Section 4, the North half of Section 11
and the North half of Section 12, and
2. Section III (2) Township Agricultural Holding Area: . . . In Darnen
Township: the West half of Section 4, all of Section 9, all of
Section 10 except the South 160 acres, the South half of Section 11,
and the South half of Section 12.

Approved this 27th day of June, 1979, by Stevens County
Board of Commissioners Stevens County Board
of Commissioners

Signed:

Lawrence Korf
Chairman, Stevens County Board of Commis-
sioner

Date June 27, 1979

Attest:

Rich Blund
Stevens County Auditor

Date June 27, 1979

RESOLUTION AMENDING THE ORDERLY ANNEXATION AGREEMENT
BETWEEN THE CITY OF MORRIS, STEVENS COUNTY, MORRIS
TOWNSHIP, FRAMNAS TOWNSHIP, DARNEN TOWNSHIP AND
HODGES TOWNSHIP.

WHEREAS an Orderly Annexation Agreement has been adopted by the City of
Morris, Stevens County, Morris Township, Framnas Township, Darnen
Township and Hodges Township, and

WHEREAS this Agreement includes within the Orderly Annexation Area the North $\frac{1}{2}$
of the Northeast quarter of Section 11 and the North $\frac{1}{2}$ of the North $\frac{1}{2}$ of Section
10 of Darnen Township, and

WHEREAS the City-County-Townships Subcommittee is recommending that the above
described land be deleted from the Orderly Annexation Area and be added
to the Township Agricultural Holding Area,

NOW THEREFORE BE IT RESOLVED that the said Agreement be amended as follows:

1. Section III (1) Orderly Annexation Area: . . . In Darnen Township:
all of Section 1, 2 and 3 lying outside the corporate limits of the City
of Morris, the East half of Section 4, the North half of Section 11
and the North half of Section 12, and
2. Section III (2) Township Agricultural Holding Area: . . . In Darnen
Township: the West half of Section 4, all of Section 9, all of
Section 10 except the South 160 acres, the South half of Section 11,
and the South half of Section 12.

Approved this 22nd day of May, 1979, by Morris
City Council.

Signed:

Merlin Berger

5-24-79
Date

Attest:

Sharon M. Miller

22 May 1979
Date

RESOLUTION AMENDING THE ORDERLY ANNEXATION AGREEMENT
BETWEEN THE CITY OF MORRIS, STEVENS COUNTY, MORRIS
TOWNSHIP, FRAMNAS TOWNSHIP, DARNEN TOWNSHIP AND
HODGES TOWNSHIP

WHEREAS an Orderly Annexation Agreement has been adopted by the City of Morris, Stevens County, Morris Township, Framnas Township, Darnen Township and Hodges Township, and

WHEREAS this Agreement includes within the Orderly Annexation Area the North $\frac{1}{2}$ of the Northeast quarter of Section 11 and the North $\frac{1}{2}$ of the North $\frac{1}{2}$ of Section 10 of Darnen Township, and

WHEREAS the City-County-Townships Subcommittee is recommending that the above described land be deleted from the Orderly Annexation Area and be added to the Township Agricultural Holding Area,

NOW THEREFORE BE IT RESOLVED that the said Agreement be amended as follows:

1. Section III (1) Orderly Annexation Area: . . . In Darnen Township: all of Section 1, 2 and 3 lying outside the corporate limits of the City of Morris, the East half of Section 4, the North half of Section 11 and the North half of Section 12, and
2. Section III (2) Township Agricultural Holding Area: . . . In Darnen Township: the West half of Section 4, all of Section 9, all of Section 10 except the South 160 acres, the South half of Section 11, and the South half of Section 12.

Approved this 17th day of May, 1979, by Hodges
Township Board Hodges Township
Board

Signed:

Alan Form
Chairman, Hodges Township Board

May 17, 1979
Date

Attest:

Kenton F. Brown
Clerk, Hodges Township

5/17-79
Date

RESOLUTION AMENDING THE ORDERLY ANNEXATION AGREEMENT
BETWEEN THE CITY OF MORRIS, STEVENS COUNTY, MORRIS
TOWNSHIP, FRAMNAS TOWNSHIP, DARNEN TOWNSHIP AND
HODGES TOWNSHIP

WHEREAS an Orderly Annexation Agreement has been adopted by the City of Morris, Stevens County, Morris Township, Framnas Township, Darnen Township and Hodges Township, and

WHEREAS this Agreement includes within the Orderly Annexation Area the North $\frac{1}{2}$ of the Northeast quarter of Section 11 and the North $\frac{1}{2}$ of the North $\frac{1}{2}$ of Section 10 of Darnen Township, and

WHEREAS the City-County-Townships Subcommittee is recommending that the above described land be deleted from the Orderly Annexation Area and be added to the Township Agricultural Holding Area,

NOW THEREFORE BE IT RESOLVED that the said Agreement be amended as follows:

1. Section III (1) Orderly Annexation Area: . . . In Darnen Township: all of Section 1, 2 and 3 lying outside the corporate limits of the City of Morris, the East half of Section 4, the North half of Section 11 and the North half of Section 12, and
2. Section III (2) Township Agricultural Holding Area: . . . In Darnen Township: the West half of Section 4, all of Section 9, all of Section 10 except the South 160 acres, the South half of Section 11, and the South half of Section 12.

Approved this 14 day of May, 1979, by Framnas
Township Board Framnas
Township Board

Signed:

Richard Stagner
Chairman, Framnas Township Board

May 14-79
Date

Attest:

Jarden Tharetad
Clerk, Framnas Township

5-7-79
Date

RESOLUTION AMENDING THE ORDERLY ANNEXATION AGREEMENT
BETWEEN THE CITY OF MORRIS, STEVENS COUNTY, MORRIS
TOWNSHIP, FRAMNAS TOWNSHIP, DARNEN TOWNSHIP AND
HODGES TOWNSHIP

WHEREAS an Orderly Annexation Agreement has been adopted by the City of
Morris, Stevens County, Morris Township, Framnas Township, Darnen
Township and Hodges Township, and

WHEREAS this Agreement includes within the Orderly Annexation Area the North $\frac{1}{2}$
of the Northeast quarter of Section 11 and the North $\frac{1}{2}$ of the North $\frac{1}{2}$ of Section
10 of Darnen Township, and

WHEREAS the City-County-Townships Subcommittee is recommending that the above
described land be deleted from the Orderly Annexation Area and be added
to the Township Agricultural Holding Area,

NOW THEREFORE BE IT RESOLVED that the said Agreement be amended as follows:

1. Section III (1) Orderly Annexation Area: . . . In Darnen Township:
all of Section 1, 2 and 3 lying outside the corporate limits of the City
of Morris, the East half of Section 4, the North half of Section 11
and the North half of Section 12, and
2. Section III (2) Township Agricultural Holding Area: . . . In Darnen
Township: the West half of Section 4, all of Section 9, all of
Section 10 except the South 160 acres, the South half of Section 11,
and the South half of Section 12.

Approved this

day of

^{may}
Monday 7,

1979, by

Morris
Morris Township

Ralph L. Sparr
Board

Signed:

Robert Walker
Chairman, Morris Township Board

5-7-79
Date

Attest:

Leo Lewin
Clerk, Morris Township Board

5-7-79
Date