

**JOINT RESOLUTION #2007E**

**IN THE MATTER OF THE ORDERLY ANNEXATION BETWEEN THE CITY  
OF LE CENTER AND THE TOWNSHIP OF LEXINGTON  
PURSUANT TO MINNESOTA STATUTES § 414.0325**

**WHEREAS**, the City of Le Center and the Township of Lexington designate for orderly annexation, the following described lands located within the Township of Lexington, County of Le Sueur, Minnesota:

See Legal Descriptions Attached Hereto as Exhibits 1 and 2.

and,

**WHEREAS**, the City of Le Center (the "City") and the Township of Lexington (the "Township") are in agreement as to the orderly annexation of the unincorporated land described; that both believe it will be to their benefit and to the benefit of their respective residents; and

**WHEREAS**, the Minnesota Statutes § 414.0325 provides a procedure whereby the City of Le Center and the Township of Lexington may agree on a process of orderly annexation of a designated area; and

**WHEREAS**, the City of Le Center and the Township of Lexington conducted a public hearing pursuant to the requirements of Minnesota Statutes §414.0333, preceded by a Notice of Intent to Designate an Area duly published pursuant to the requirements of Minnesota Statutes §414.0325 Subd. 1b; and

**WHEREAS**, the City of Le Center and the Township of Lexington have agreed to all the terms and conditions for the annexation of the above-described lands within this document and conditions for the annexation of the above-described lands within this document and the signatories hereto agree that no consideration by the Office of Administrative Hearings –Municipal Boundary Adjustments is necessary; that the Office may review and comment, but shall within 30 days, order the annexation in accordance with the terms of the resolution.

**NOW, THEREFORE, BE IT RESOLVED**, jointly by the City Council of the City of Le Center and the Town Board of the Township of Lexington as follows:

1. Property Covered By Annexation. That the following described lands in the Township of Lexington are subject to orderly annexation pursuant to Minnesota Statutes §414.0325, and that the parties hereto designate those areas for orderly annexation, to wit:

See Legal Descriptions Attached Hereto as Exhibits 1 and 2.

It is also therefore agreed that the above-referenced properties be immediately annexed to the City of Le Center.

2. Acreage/Population/Usage. That the designated area consists of approximately 12.3 acres, the population in the subject area is 3, and the land type is zoned Residential-Agriculture.

3. Jurisdiction. That the Township of Lexington does, upon passage of this resolution and its adoption by the City Council of the City of Le Center, and upon acceptance by the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, confer jurisdiction upon Municipal Boundary Adjustments so as to accomplish said orderly annexation in accordance with the terms of this resolution.

4. Need. That the above-described property is urban or suburban or about to become so, and since the City of Le Center is capable of providing services to this area within a reasonable time, the annexation would be in the best interest of the area.

5. Conditions. That the above described properties shall be annexed to the City of Le Center under the following terms and conditions:

- a. The Rhea Dehning property which is described on Exhibit 1 shall be immediately annexed to the City of Le Center, however, Ms. Dehning shall pay township property taxes to Lexington Township until 2012. Starting in 2012, Ms. Dehning would then be responsible for paying property taxes to the City of Le Center based upon City rates. In addition, should the City of Le Center within the next five years assess the Dehning property for any assessments the City of Le Center sought, then the City of Le Center shall pay for 50% of the cost of those assessments, and Ms. Dehning would then be responsible for the remaining 50%. Unlike Mr. Mangan's portion of the assessment Ms. Dehning's assessment would not be deferred.
- b. The John Mangan property which is described on Exhibit 2 shall be immediately annexed to the City of Le Center, however, Mr. Mangan shall continue to pay township property taxes to Lexington Township until 2012. Starting in 2012, Mr. Mangan would then be responsible for paying property taxes to the City of Le Center based upon City rates. In addition, should the City of Le Center assess the Mangan property within the next five years for any assessments the City of Le Center sought, then the City of Le Center shall pay for 50% of the cost of those assessments, and Mr. Mangan would then be responsible for the remaining 50%. Mr. Mangan's portion of the assessment would be deferred for 5 years until 2012.
- c. Should any of the properties mentioned above be sold or transferred from the present owner/s to another, then the obligations mentioned

above shall be deemed void, however, the transfer occurrence does not affect the annexation of the properties into the City of Le Center, and they shall remain in the City of Le Center's corporate limits. If a transfer of the properties from the present owner does take place, then the new owners would be responsible for 100% of the assessments, any deferment would become null and the assessments would then become immediately due, and the properties would be taxed at city rates.

6. Tax Rate Step Up. The tax capacity rate applicable to the properties after annexation shall be increased in one period, 2012, so that it equals the full tax capacity rate of the City of Le Center. This provision is being made since the properties will be paying township property tax rates to Lexington Township for the next five years until 2012.

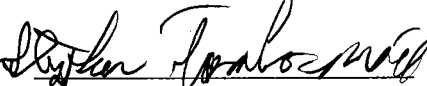
7. Zoning and Land Use Planning. The properties annexed shall be subject to the zoning ordinances of the City of Le Center upon approval of this joint resolution.

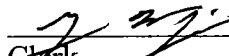
8. Municipal/Township Reimbursement. The parties, including Lexington Township, expressly agree that the properties covered shall pay township real estate taxes to Lexington township for the next 5 years until 2012, and no other reimbursement shall be made under Minnesota Statute §414.036.

9. Township Assessments and Debt. Lexington Township has affirmed that there are no special assessments or debt attributable to the properties to which annexation is being made.

Adopted by affirmative vote of all the members of the Lexington Town Board of Supervisors this 25th day of April, 2007.

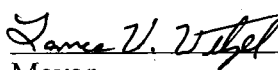
TOWN OF LEXINGTON

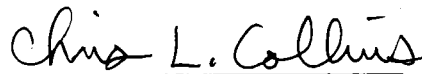
By:   
Chairperson

By:   
Clerk

Adopted by affirmative vote of the City Council of Le Center, this 25th day of April, 2007.

CITY OF LE CENTER

By:   
Mayor

By:   
City Administrator

**EXHIBIT 1 – RHEA DEHNING PROPERTY**

All that part of Document No. 216921 described as follows: Commencing at the center of Section No. 29, Township 111 North, Range 24 West, Le Sueur County, Minnesota, thence South on the east line of the Southwest one quarter of said Section No. 29 a distance of 770.50 feet, thence South 89 degrees 46 minutes 35 seconds West on the north line of Minnesota Street, City of Le Center, and its easterly extension thereof 671.77 feet to the point of beginning of the tract to be described; thence continuing South 89 degrees 46 minutes 35 seconds West on the north line of said Minnesota Street 129.55 feet to the intersection of said north line with northerly extension of the East line of Inga Avenue, thence North 00 degrees 20 minutes 25 seconds East on the northerly extension of the east line of said Inga Avenue 150.00 feet, thence South 89 degrees 46 minutes 35 seconds East 130.44 feet to a point due north of place of beginning, thence South 150.00 feet to place of beginning. Being subject to all easements of record. Said tract contains .45 acres more or less.

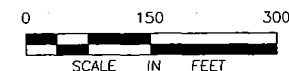
**EXHIBIT 2 – JOHN MANGAN PROPERTY**

All that part of Document No. 229833 described as follows: Commencing at the Center of said Section No. 29, thence South on the East line of the Southwest One Quarter of said Section No. 29 a distance of 770.50 feet to the North line of Minnesota Street, City of Le Center, Minnesota, thence South 89 degree 46 minutes 35 seconds West on the North line of said Minnesota Street 801.32 feet to the intersection of the North line of said Minnesota Street and the Northerly extension of the East line of Inga Avenue, City of Le Center, the last described point being the point of beginning of the tract to be described; thence continuing South 89 degrees 46 minutes 35 seconds West on the North line of said Minnesota Street 66.00 feet to the intersection of the West line of Inga Avenue thence South 00 degrees 20 minutes 25 seconds West on the West line of said Inga Avenue 66.00 feet, thence South 89 degrees 46 minutes 35 seconds West on the South line of the Westerly extension of the South line of said Minnesota Street a distance of 453.86 feet to the West line of said Northeast One Quarter of the Southwest One Quarter, thence North 00 degrees 02 minutes 16 seconds West on said West line 842.85 feet to the Northwest corner of said Northeast One Quarter of the Southwest One Quarter, thence South 89 degrees 55 minutes 40 seconds East on the North line of said Northeast One Quarter of the Southwest One Quarter 663.50 feet, thence South 00 degrees 04 minutes 31 seconds East 312.23 feet, thence South 07 degree 38 minutes 26 seconds West 314.15 feet thence South 89 degrees 46 minutes 35 seconds West 100.44 feet to the intersection of the Northerly extension of the East line of Inga Avenue, thence South 00 degrees 20 minutes 25 seconds West on the Northerly extension of the East line of said Inga Avenue 150.00 feet to the place of beginning. Said tract contains 11.85 acres more or less.

No field survey was performed in association with this drawing. Bolton & Menk reviewed existing recorded deeds only.

RECT'D BY  
M.M.

MAY 29 2000



TRACT A  
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AND

**TRACT B**  
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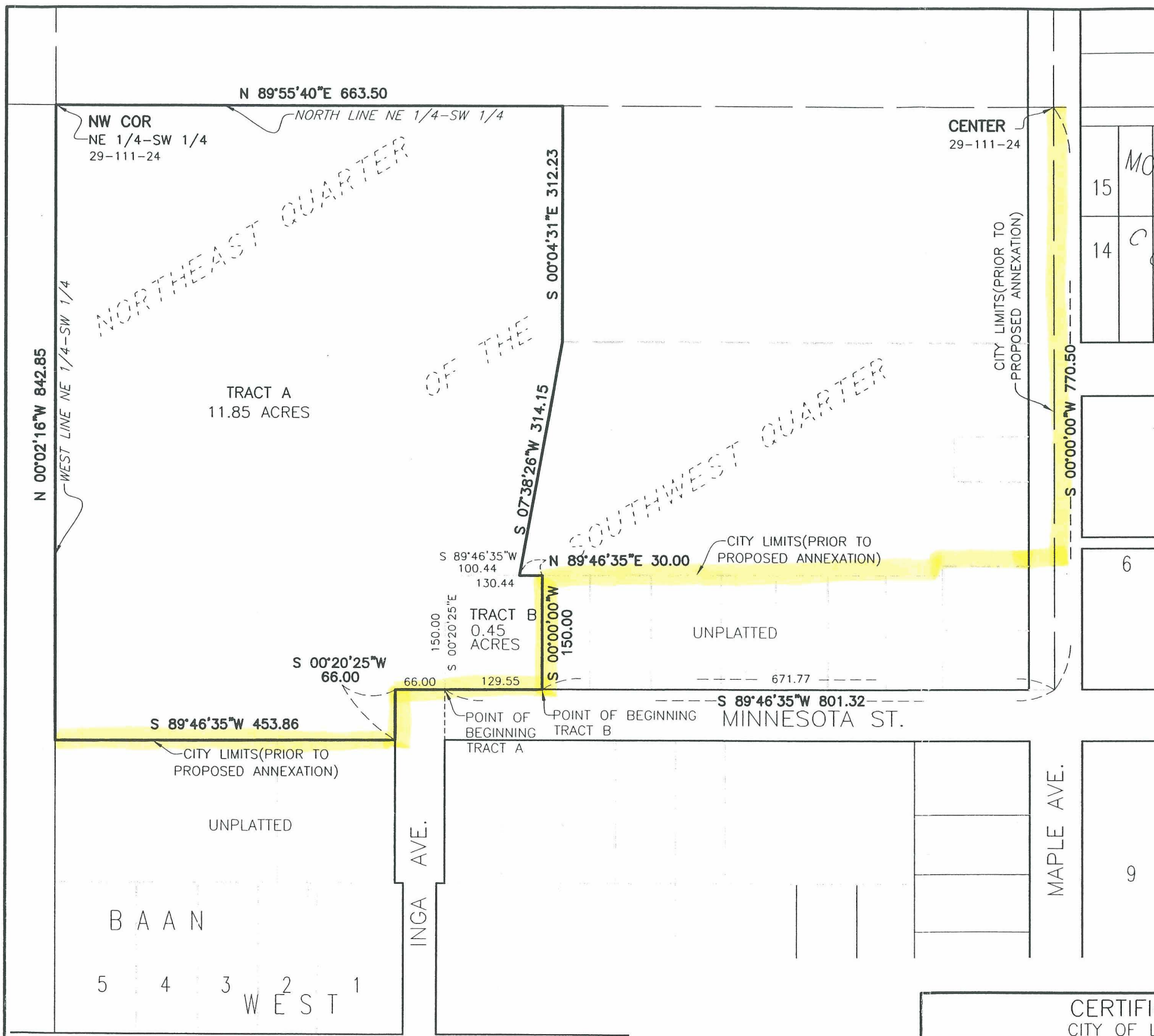
**BOLTON & MENK, INC.**  
Consulting Engineers & Surveyors  
1960 PREMIER DRIVE, MANKATO, MN 56001 (507) 625-4171  
MANKATO, MN FAIRMONT, MN SLEEPY EYE, MN WILLMAR, MN  
BURNSVILLE, MN CHASKA, MN AMES, IA

PART OF THE NE 1/4 OF THE SW 1/4,  
SECTION 29-111-24, LE SUEUR COUNTY

FOR: CITY OF LE CENTER



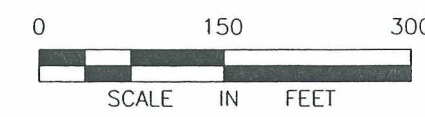
city Atty.



### SURVEYOR'S NOTE

No field survey was performed in association with this drawing. Bolton & Menk reviewed existing recorded deeds only.

REC'D BY MMB MAY 29 2007



### PROPOSED ANNEXATION DESCRIPTION

#### TRACT A

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### CERTIFICATE OF SURVEY CITY OF LE CENTER, MINNESOTA



**BOLTON & MENK, INC.**  
Consulting Engineers & Surveyors  
1960 PREMIER DRIVE, MANKATO, MN 56001 (507) 625-4171  
MANKATO, MN FAIRMONT, MN SLEEPY EYE, MN WILLMAR, MN  
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PART OF THE NE 1/4 OF THE SW 1/4,  
SECTION 29-111-24, LE SUEUR COUTNY

FOR: CITY OF LE CENTER