

MMB NOV 20 1979

ORDERLY ANNEXATION JOINT RESOLUTION

WHEREAS, the Mankato Town Board of Supervisors has been requested by the Board of Directors of Southview Heights Cooperative Association, to negotiate with the City of Mankato for the treatment, in the sewage treatment facility now owned and operated by the City of Mankato, of sewage generated within that certain area in Mankato Township known as Southview Heights Subdivision, Blue Earth County, Minnesota; and,

WHEREAS, it is the policy of the Council of the City of Mankato to provide such sewage treatment services only upon certain terms and conditions, among which are the annexation of the territory to be served to the City of Mankato if that territory abuts the City of Mankato; and,

WHEREAS, the Mankato Town Board of Supervisors and the Council of the City of Mankato deem annexation of Southview Heights Subdivision to be in the best interests of all persons residing within the geographical limits of their respective boundaries; and

WHEREAS, the parties hereto believe the territory described herein to be in need of orderly annexation and desire to agree between themselves as to the terms and conditions under which the proposed annexation of Southview Heights Subdivision should take place, and to bind themselves to each other and to the Municipal Board of the State of Minnesota to accomplish said annexation according to said terms, with such order and approval of the Municipal Board as may be required by law;

Now, therefore, it is resolved by Mankato Town Board of Supervisors and the City of Mankato as follows:

1. The area to be annexed which abuts the City of Mankato, is described as:

Southview Heights Subdivision, except the following lots: Lot 1, Block 3; Lot 15, Block 3, and that part of Lot 16, Block 3, described as follows, to-wit:

Beginning at the Southwest corner of said Lot 16, Block 3; thence North on the west line of said Lot 16 a distance of 229.7 feet; thence South 58 degrees 24 minutes East a distance of 181.2 feet; thence North 67 degrees 6 minutes East a distance of 59.0 feet to the East line of said Lot 16; thence South along the East line of said Lot 16 a distance of 156.10 feet to the South line of said Lot 16; thence South 89 degrees 34 minutes West and along the South line of said Lot 16 a distance of 208.70 feet to the place of beginning, consisting of 40 acres, more or less.

2. The increase in real estate taxes resulting from the annexation shall be pro-rated over a five year period following annexation, and property tax revenue generated within the area to be annexed shall initially be shared by the parties hereto.

- a. The tax increase resulting to property owners within the area to be annexed shall be pro-rated by the following method: The City of Mankato agrees to levy, during the first year it levys taxes on the annexed area, twenty (20) percent of its mill rate on property in the annexed area. The City shall levy forty (40) percent during the second year, sixty (60) percent during the third year, eighty (80) percent during the fourth year, and in the fifth year shall levy one hundred (100) percent of its mill rate.
- b. Tax revenue generated within the annexed area shall be shared as follows: For the first calendar year during which the City of Mankato shall actually realize tax revenue from the annexed area, and during which the Township would not otherwise realize tax revenue from the annexed area, the City shall pay to the Township an amount equal to the Township Mill Rate multiplied by the value of property, for real estate tax purposes, of property within the annexed area. Date of payment shall be on July 25th and December 25th of each year, with one-half of the total amount due paid on each payment.

For the second year during which the City of Mankato realizes tax revenue, the sum to be paid by the City to the Township shall be eighty (80) percent of an amount equal to the Township Mill Rate multiplied by the taxable value of real estate within the annexed area. the rate to be paid shall drop to sixty (60) percent the third year, forty (40) percent during the fourth year, and twenty (20) percent during the fifth year. Following the fifth year after annexation, this tax sharing provision of this Agreement shall cease to be of force and effect.

If the actual amount of tax revenue collected by the City of Mankato for any year during which this agreement shall apply falls below the amount required to be paid by the City to the Township, then the amount required to be paid by the City shall be only the amount actually collected.

3. The City of Mankato shall not seek to annex that area of Mankato Township commonly known as "Circle Pines" until such time as the growth management study currently under consideration by the parties hereto, and Blue Earth County, shall be adopted by the parties hereto and Blue Earth County, except that this restriction shall not apply if the growth management study is not adopted by the parties hereto and Blue Earth County within a period of three years following adoption of this agreement by the governing bodies of the parties hereto. Following adoption of the growth management study, any annexation of "Circle Pines" shall be in accordance with the terms thereof.

4. The City of Mankato shall extend municipal water services to "Circle Pines", without annexation of that territory, if the annexation of Southview disrupts the operation of the water supply system serving "Circle Pines"; provided, however, that extension of municipal water service by the City of Mankato shall be consistent with then existing city policy with regard to installation of meters, rates, and other practices.

5. The City of Mankato shall not seek to assess against property to be annexed pursuant to this agreement, the cost of installation of sidewalks, curb and gutter, or other major improvement for a five-year period following such annexation, except upon petition of a majority of property owners affected; provided, however, that this restriction shall not apply to any improvement necessary to protect the health and safety of the residents of the area to be annexed required by emergency or unforeseen developments occurring subsequent to the signing of this agreement. This restriction shall not apply to any improvement of County Road 16 lying Easterly and Northeasterly of the property to be annexed.

6. The City shall accept and maintain as a City Park, Lots 2 and 3, Block 3, Southview Heights Subdivision. The City of Mankato further agrees to accept from Mankato

Township that property within Lot 4, Block 1, Southview Heights Subdivision currently owned by Mankato Township; if title to this property is tendered by Mankato Township.

7. The City of Mankato shall grant to Mankato Township any and all easements which may be necessary for Mankato Township to continue to serve that area known as Southview Heights Subdivision Number II from facilities presently located on Lot 14, Block 1, Southview Heights Subdivision.

8. The City Manager of the City of Mankato and the Chairman of the Mankato Town Board of Supervisors are hereby authorized to execute any and all documents necessary to effect the annexation which is the subject hereof.

9. Proceedings to annex the entire territory described herein shall be commenced immediately upon the effective date of this joint resolution, which effective date shall be October 3, 1979.

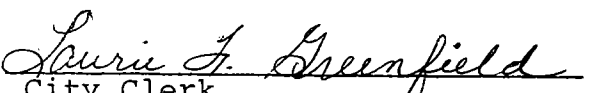
STATE OF MINNESOTA

COUNTY OF BLUE EARTH

CITY OF MANKATO

I, the undersigned, being the duly qualified and acting Clerk of the City of Mankato, Minnesota, do hereby certify that I have carefully compared the foregoing abstract of a resolution passed at a regular meeting of the City Council of the City of Mankato held on Monday, Sept. 24, 1979, with the original thereof on file in my office and the same is a full, true and correct copy thereof.

Witness my hand as such Clerk this 13th day of November, 1979.


City Clerk
City of Mankato, Minnesota

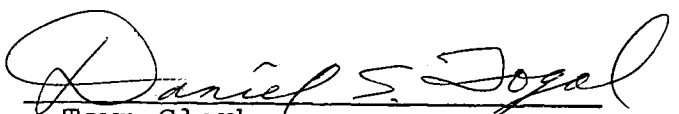
STATE OF MINNESOTA

COUNTY OF BLUE EARTH

TOWN OF MANKATO

I, the undersigned, being the duly qualified and acting Clerk of the City of Mankato, Minnesota, do hereby certify that I have carefully compared the foregoing abstract of a resolution passed at a regular meeting of the Town Board of the Town of Mankato held on Tuesday, November 6, 1979, with the original thereof on file in my office and the same is a full, true and correct copy thereof.

Witness my hand as such Clerk this 9th day of November, 1979.


Town Clerk
Town of Mankato, Minnesota

--- Existing City Boundary

■ Area to be Annexed

