

JOINT RESOLUTION NO. 11-13-2007

IN THE MATTER OF THE JOINT RESOLUTION OF
THE TOWNSHIP OF NEWTON AND THE CITY OF
NEW YORK MILLS DESIGNATING AN UNINCORP-
ORATED AREA AS IN NEED OF ORDERLY ANNEX-
ATION AND CONFERRING JURISDICTION OVER
SAID AREA TO THE OFFICE OF ADMINISTRATIVE
HEARINGS, MUNICIPAL BOUNDARY ADJUSTMENTS,
PURSUANT TO MINNESOTA STATUTE 414.0325.

JOINT RESOLUTION FOR ORDERLY ANNEXATION

The Township of Newton and the City of New York Mills hereby jointly agree to the following:

1. That the following described area in Newton Township consists of lands not exceeding 2.5 acres in area and lies entirely within the County of Otter Tail, Minnesota. This parcel is subject to orderly annexation pursuant to Minnesota Statute 414.0325, and the parties hereto designate this area for orderly annexation, to wit:

That part of the W $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 9, Township 135, Range 37, described as follows: To find the point of beginning of the tract to be described, commence at the Southwest corner of said W $\frac{1}{2}$ of SW $\frac{1}{4}$; thence North 1 degree 11 minutes 18 seconds East on and along the West line of said Section 9 a distance of 1,218.00 feet to the point of beginning of the tract to be described; thence South 1 degree 11 minutes 18 seconds West on and along said West line, a distance of 190 feet; thence Easterly at right angles to said West line a distance of 447 feet; thence North 1 degree 11 minutes 18 seconds East, on and along a line that is parallel with said West line, a distance of 490 feet; thence North 88 degrees 48 minutes 42 seconds West a distance of 84.08 feet, more or less, to the point of intersection with a line that is parallel with, and 363 feet distant from, the said West line of said Section 9 when measured at right angles to said West line; thence South 1 degree 11 minutes 18 seconds West along said last mentioned parallel line, to the point of intersection with a line bearing South 89 degrees 59 minutes 41 seconds East from the point of beginning (said line also being parallel with the South line of said Section 9); thence North 89 degrees 59 minutes 41 seconds West to the point of beginning. This description assumes that the South line of said W $\frac{1}{2}$ of SW $\frac{1}{4}$ bears North 89 degrees 59 minutes 41 seconds West.

2. That the Town Board of the township of Newton, and the City Council of the City of New York Mills, upon passage and adoption of this Resolution and upon the acceptance by the Office of Administrative Hearings, Municipal Boundary Adjustments, confer jurisdiction upon said Office of Administrative Hearings, Municipal Boundary Adjustments, over the various provisions contained in this Agreement.

3. That the City of New York Mills has received a Petition for Annexation signed by all property owners of the parcel to be annexed. This certain property abuts the City of New York Mills on its northerly, westerly, and southerly corporate limits, and none of it is presently included within the corporate limits of any incorporated city. Further, the City of New York Mills now provides services to this area at higher rates than those of city residents, and the annexation is in the best interest of the area proposed for annexation.

4. That the City of New York Mills, pursuant to Minn. Stat. §414.036, with respect to the property taxes payable on the area hereby annexed, shall make a cash payment to the Township of Newton in accordance with the following schedule:

- a. *In the first year following the year in which the City of New York Mills could first levy on the annexed area, an amount equal to \$122.13; and*
- b. *In the second and final year, an amount equal to \$94.99.*

5. In accordance with Minnesota Statute 414.0325, Subdivision 1 (a) regarding electric utility service notice, the City of New York Mills, notified Lake Region Electric Cooperative of our intent to annex said territory, and requested notification if there is a change in the cost of electric utility service as a result of this annexation. There will be no change since said territory is and will remain within the Lake

Region Electric Cooperative's service area.

6. It is therefore agreed that the following property be immediately annexed to the City of New York Mills, to wit:

That part of the W $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 9, Township 135, Range 37, described as follows: To find the point of beginning of the tract to be described, commence at the Southwest corner of said W $\frac{1}{2}$ of SW $\frac{1}{4}$; thence North 1 degree 11 minutes 18 seconds East on and along the West line of said Section 9 a distance of 1,218.00 feet to the point of beginning of the tract to be described; thence South 1 degree 11 minutes 18 seconds West, on and along said West line, a distance of 190 feet; thence Easterly at right angles to said West line a distance of 447 feet; thence North 1 degree 11 minutes 18 seconds East, on and along a line that is parallel with said West line, a distance of 490 feet; thence North 88 degrees 48 minutes 42 seconds West a distance of 84.08 feet, more or less, to the point of intersection with a line that is parallel with, and 363 feet distant from, the said West line of said Section 9 when measured at right angles to said West line; thence South 1 degree 11 minutes 18 seconds West along said last mentioned parallel line, to the point of intersection with a line bearing South 89 degrees 59 minutes 41 seconds East from the point of beginning (said line also being parallel with the South line of said Section 9); thence North 89 degrees 59 minutes 41 seconds West to the point of beginning. This description assumes that the South line of said W $\frac{1}{2}$ of SW $\frac{1}{4}$ bears North 89 degrees 59 minutes 41 seconds West.


7. Both Newton Township and the City of New York Mills agree that no alteration of the stated boundaries of this Agreement is appropriate. Furthermore, each party agrees that no consideration by the Office of Administrative Hearings, Municipal Boundary Adjustments, is necessary. Upon receipt of this Resolution, passed and adopted by each party, the Office of Administrative Hearings, Municipal Boundary Adjustments, may review and comment, but shall, within thirty (30) days, order the annexation with the terms of this joint Resolution.

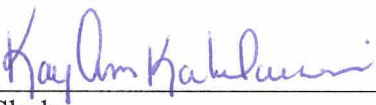
REC'D BY
MMS

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APPROVED by Newton Township's Town Board this 8th day of October, 2007.

NEWTON TOWNSHIP


By: 
Chairperson
Newton Township

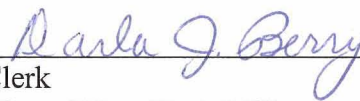
By: 
Clerk
Newton Township

APPROVED AND ADOPTED by the City Council of the City of New York Mills, this 13th day of November, 2007.

CITY OF NEW YORK MILLS

ATTEST:

By: 
Mayor
City of New York Mills

By: 
Clerk
City of New York Mills

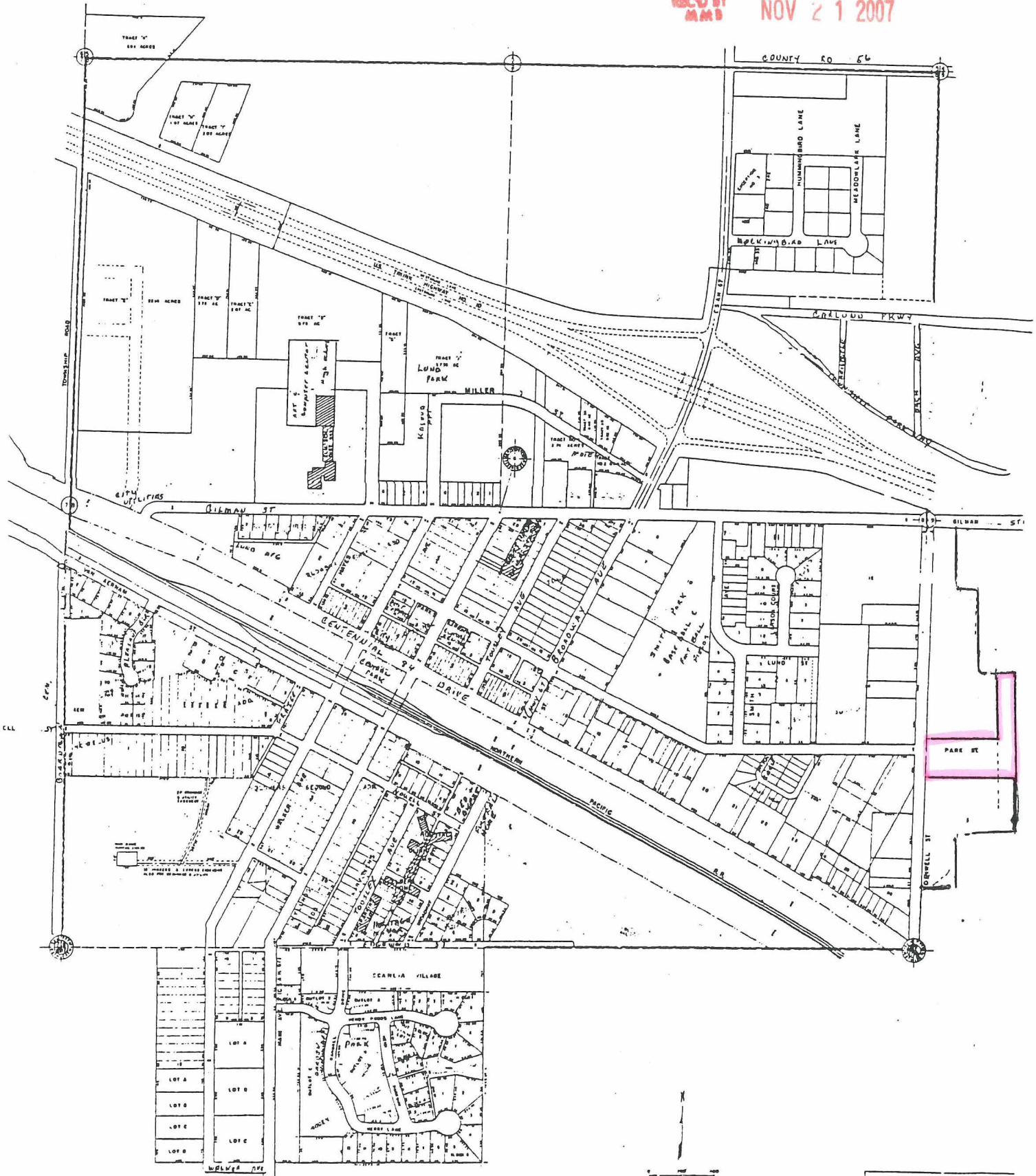
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New York Mills

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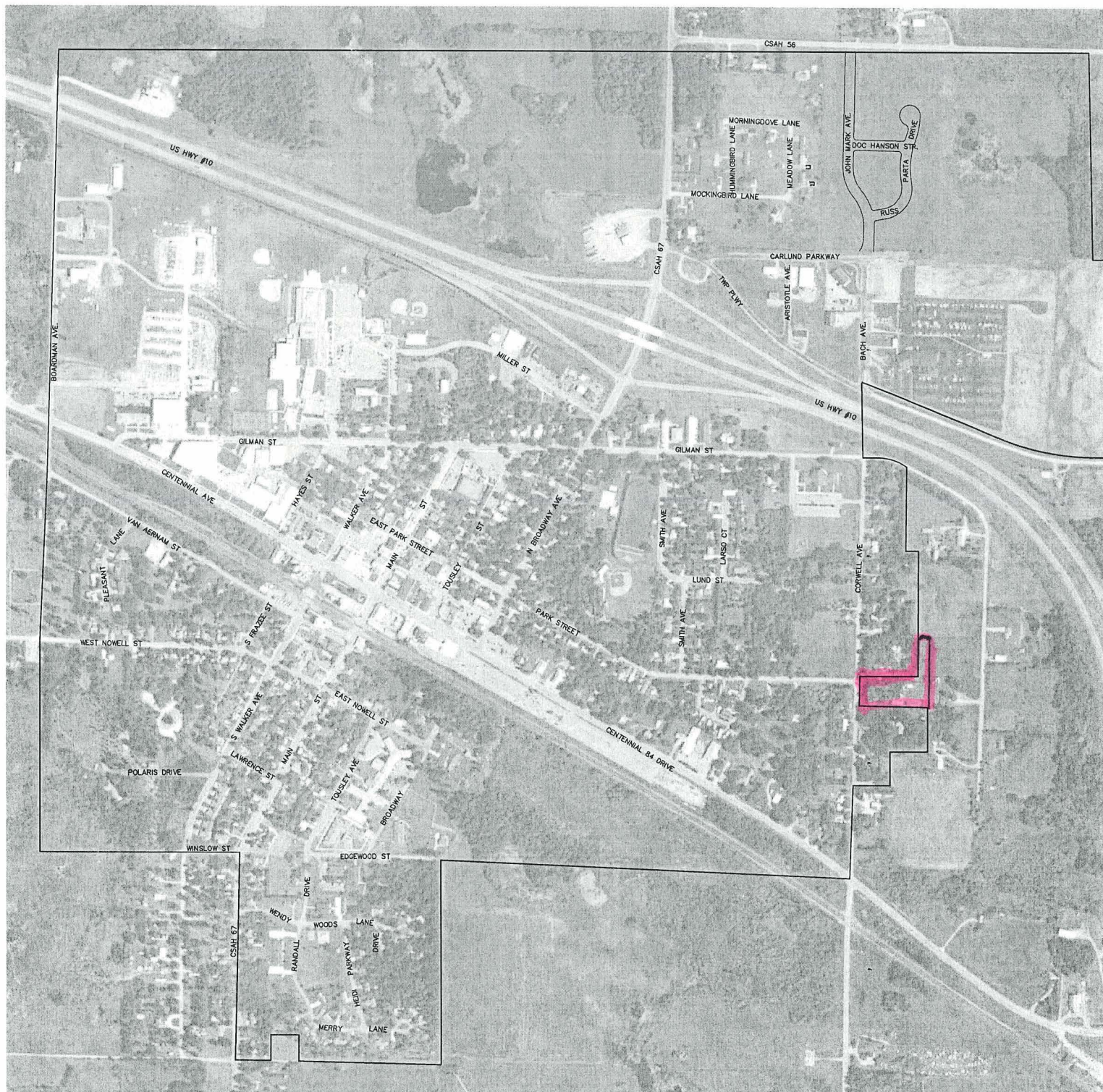
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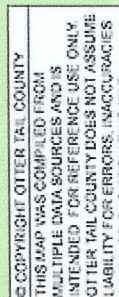


LEGEND
CORPORATE LIMITS

NEW YORK MILLS, MINN	
LARSON-PETERSON & ASSOC., INC.	
DATE OF PLAT	DATE
APPROVED BY	DATE
REVIEWED BY	DATE

NOV 21 2007





REC'D BY
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