

RESOLUTION 22-85

**IN THE MATTER OF THE ORDERLY ANNEXATION OF TWO CITY OWNED
PROPERTIES AND ONE PRIVATELY OWNED PROPERTY, PURSUANT TO THE
ORDERLY ANNEXATION AGREEMENT BETWEEN THE CITY OF BECKER AND
BECKER TOWNSHIP**

WHEREAS, the City of Becker and the Town of Becker entered into the current “Joint Resolution for Orderly Annexation” agreement (the “Agreement”) on September 5, 2017; and,

WHEREAS, the original Agreement was accepted by the Minnesota Office of Administrative Hearings and filed as docket #OA-1364 on December 20, 2007 and updated through a filing on December 20, 2017 which extended the Agreement to December 31, 2027; and,

WHEREAS, the City of Becker is allowed, under the Agreement, to annex property within the Annexation Area as described in said agreement; and,

WHEREAS, the immediate annexation of the subject parcels totals approximately 38.55 +/-; and,

WHEREAS, the properties are currently identified as PID# 05-119-3105, PID# 05-132-4301, and PID #05-325-2401 (Exhibit B) and legally described below; and

WHEREAS, the Agreement designates the immediate annexation of the following described land located within Becker Township to the City of Becker, County of Sherburne, Minnesota;

Tract A:

The South 10 Rods of the East 18 Rods of the Northeast Quarter of the Southwest Quarter (NE ¼ of SW ¼), Section Nineteen (19) Township Thirty-four (34), Range Twenty-eight (28).

And

Tract B:

The Easterly Three Hundred Eighteen (318) feet of the Northerly Three Hundred (300) feet of said Southwest Quarter of the Southeast Quarter (SW ¼ of SE ¼) of Section Thirty-two (32), Township Thirty-four (34), Range Twenty-eight (28).

And

Tract C:

See Exhibit A.

(collectively, the “Property”); and,

WHEREAS, the necessary criteria for annexation of the Property pursuant to the Agreement have been met; and,

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

WHEREAS, the City of Becker and Becker Township have agreed to all the terms and conditions for the annexation of the above-described Property; and,

NOW, THEREFORE, BE IT RESOLVED, jointly by the City Council of the City of Becker and the Township Board of Becker Township as follows:

1. That the following described land is subject to orderly annexation pursuant to Minnesota Statutes § 414.0325, and that the parties hereto designate the area for orderly annexation; and agree that the land be immediately annexed:

Tract A:

The South 10 Rods of the East 18 Rods of the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ of SW $\frac{1}{4}$), Section Nineteen (19) Township Thirty-four (34), Range Twenty-eight (28).

And

Tract B:

The Easterly Three Hundred Eighteen (318) feet of the Northerly Three Hundred (300) feet of said Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ of SE $\frac{1}{4}$) of Section Thirty-two (32), Township Thirty-four (34), Range Twenty-eight (28).

And

Tract C:

See Exhibit A.

2. That the orderly annexation area consists of approximately 38.55+/- acres, the population in the area is 0, and the land use type is Municipal and Agricultural.
3. That Becker Township and the City of Becker, by submission of this joint resolution to the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, confers jurisdiction upon the Administrative Law Judge so as to accomplish said orderly annexation in accordance with the terms of this resolution. In the event that there are errors, omissions or any other problems with the legal description, mapping, or tax reimbursement provided in the attached Exhibits, the parties agree to make such corrections and file any additional documentation, including a new Exhibit(s) making the corrections requested or required by the Office of Administrative Hearings, Boundary Adjustments as necessary to make effective the annexation of said area in accordance with the terms of this Joint Resolution, without the necessity of re-adopting this Joint Resolution.
4. **Municipal Reimbursement.** Minnesota Statutes § 414.036.
 - a. Revenue Sharing. Within the orderly annexation area, the parties agree to a rebate of property taxes formerly paid to the Township on any taxable parcel which is annexed. For each of the five years following annexation, the City

shall rebate to the Town portion of the amount equal to the ad valorem taxes paid to the Town by the parcel owners in the year preceding annexation as follows:

Year	Amount
One	90 percent
Two	70 percent
Three	50 percent
Four	30 percent
Five	10 percent
Six (and thereafter)	0 percent

- b. Assessments and Debt. That pursuant to Minnesota Statutes § 414.036 with respect to any special assessment assigned by the Township to the annexed property and any portion of debt incurred by the Township prior to the annexation and attributable to the property to be annexed, but for which no special assessments are outstanding, for the area legally described (herein or attached exhibit) there are no special assessments or debt.
5. The City of Becker and Becker Township agree that upon receipt of this resolution, passed and adopted by each party, the Administrative Law Judge may review and comment, but shall within thirty (30) days, order the annexation in accordance with the terms of the resolution.

Adopted by affirmative vote of all the members of the Becker Township Board of Supervisors this 21st day of November 2022.

Brian Kolbinger aye

Luke Babler aye

Brad Wilkening aye

Robin Boros aye

Joe Danielson aye

BECKER TOWNSHIP

By: Bj 146
Chairperson, Board of Supervisor

ATTEST:

By: Lucinda Messman
Township Clerk

Adopted by affirmative vote of the City Council of the City of Becker this 6th day of December 2022.

Tracy Bertram yes

Rick Hendrickson yes

Robin Dingmann yes

Mike Doering Absent

Becky Olmscheid Absent

CITY OF BECKER

By: [Signature]
Mayor

ATTEST:

By: [Signature]
City Clerk

Approved this 16th day of December 2022

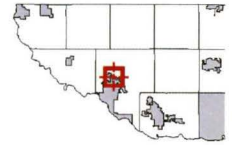
Exhibit A

The SE1/4 of the NW1/4 of Section 25, Township 34 North, Range 29 West, excepting therefrom the east 297.05 feet of the N1/2 of said SE1/4 of the NW 1/4, and except the road conveyed by Instrument No. 98139, Section 25, Township 34, Range 29, Sherburne County, Minnesota.

Exhibit B-1



Overview



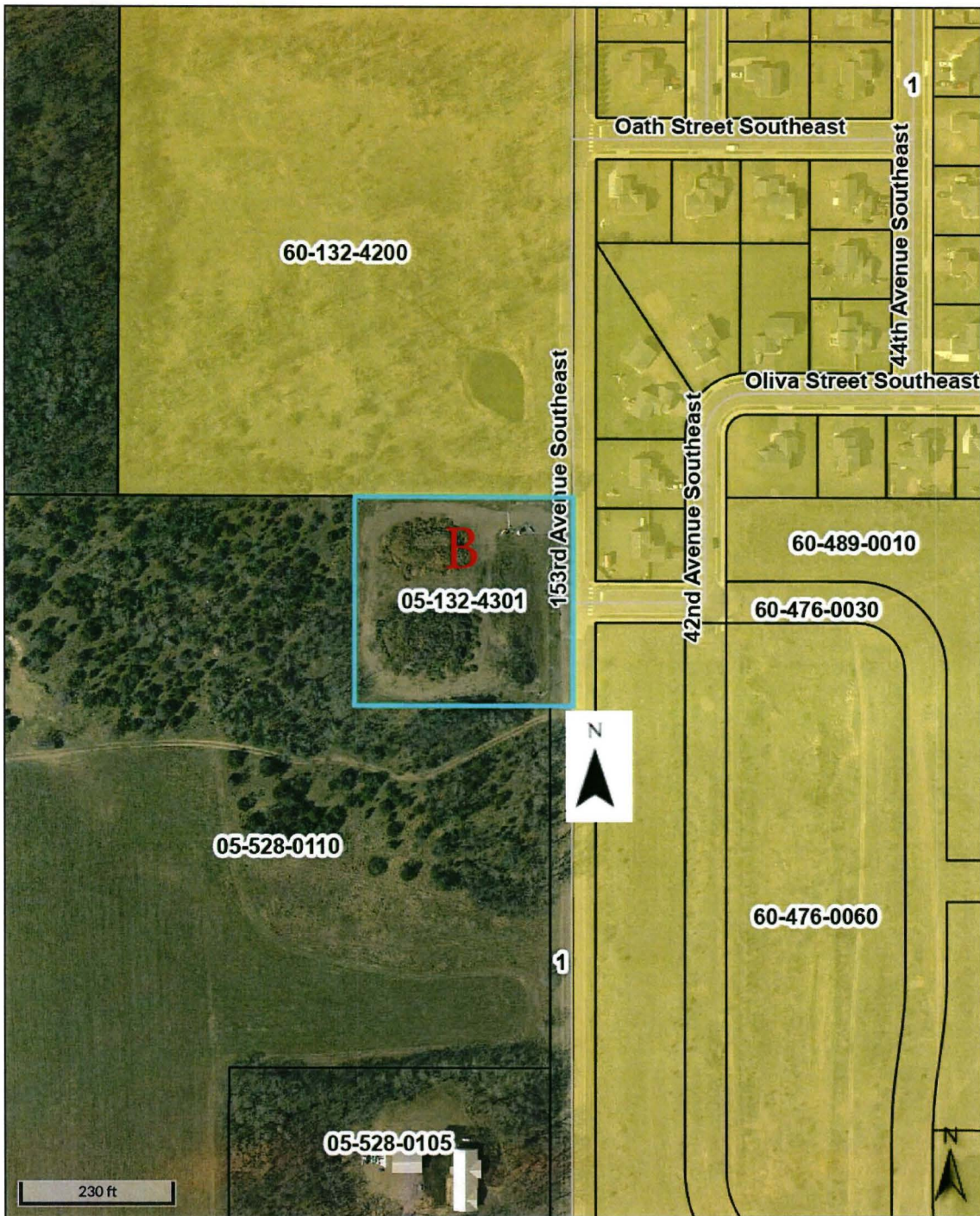
Legend

- Roads
- Parcels
- City Limits

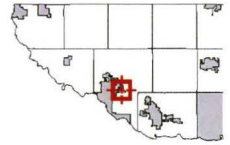


Parcel ID	05-119-3105	Alternate ID	n/a	Owner Address	VILLAGE OF BECKER DUMP
Sec/Twp/Rng	19-34-28	Class	776-Municipal - All Other		
Property Address		Acreage	1.13		
District	BECKER				
Brief Tax Description	n/a				
	(Note: Not to be used on legal documents)				

Exhibit B-2



Overview



Legend

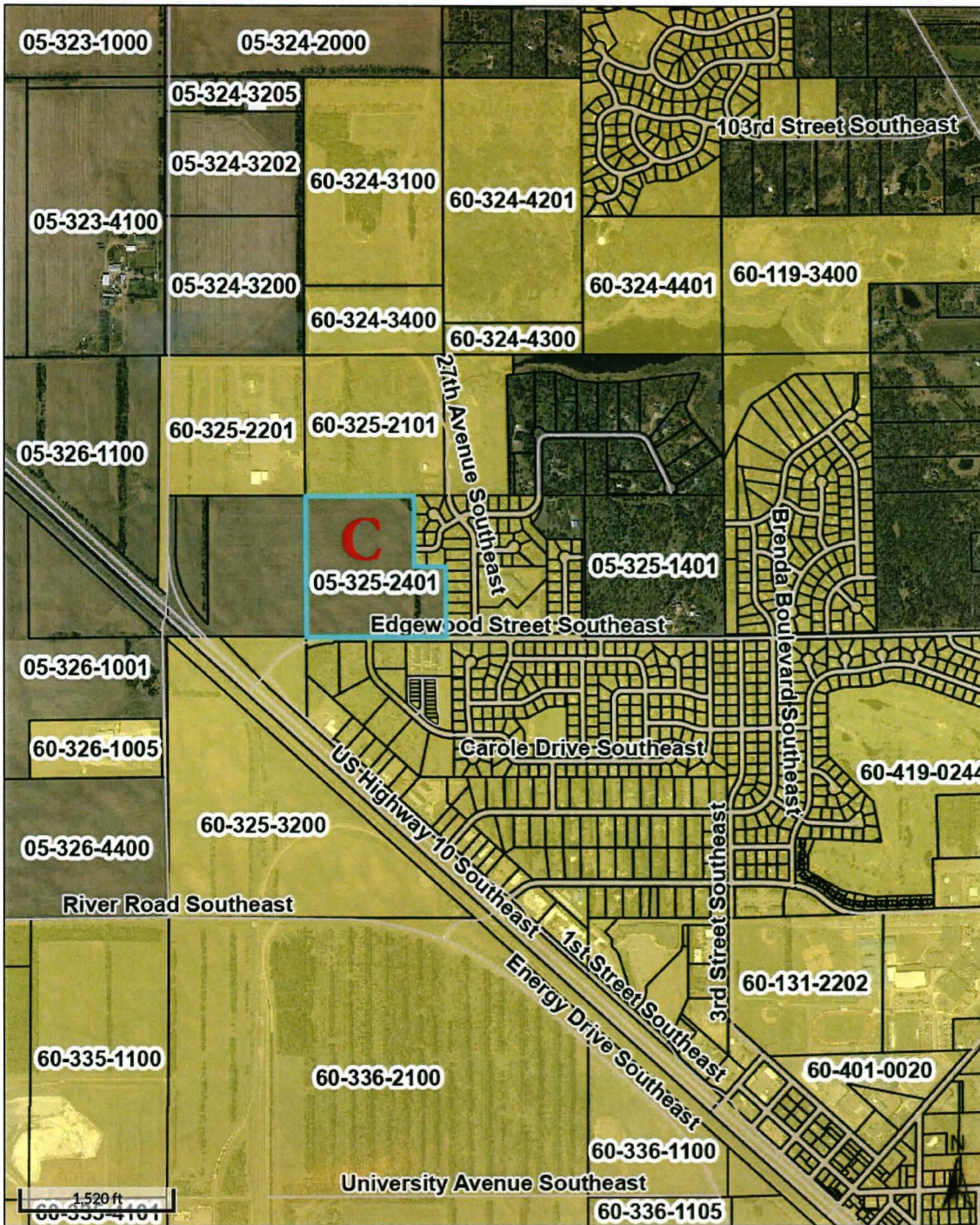
- Roads
- Parcels
- City Limits

N

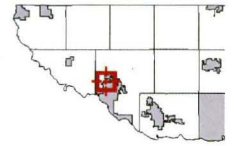


Parcel ID	05-132-4301	Alternate ID	n/a	Owner Address	VILL OF BECKER GRAVEL PIT
Sec/Twp/Rng	32-34-28	Class	776-Municipal - All Other		
Property Address	12456 153RD AVE SE BECKER	Acreage	2		
District	BECKER				
Brief Tax Description	n/a				
	(Note: Not to be used on legal documents)				

Exhibit B-3



Overview

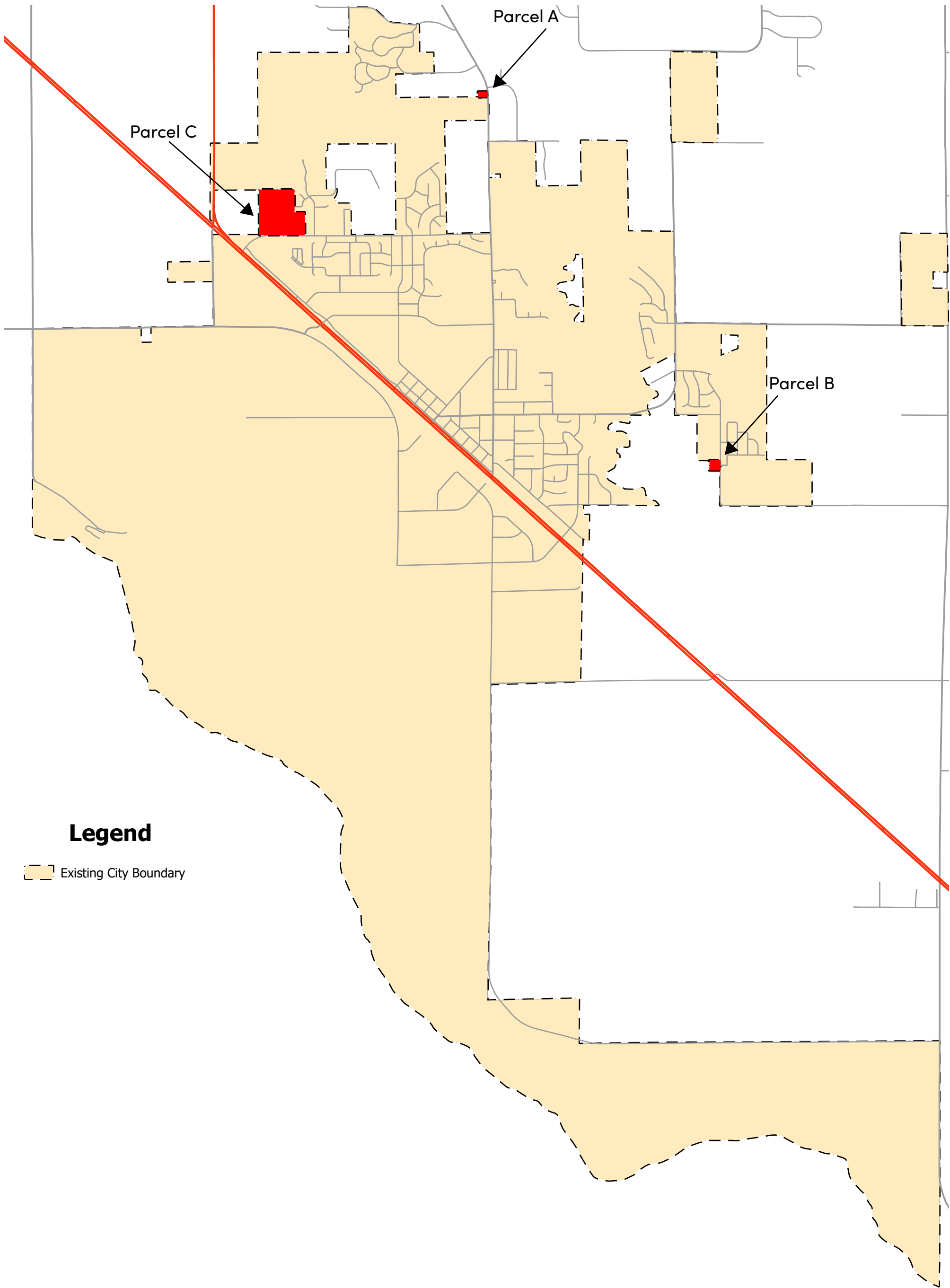


Legend

- Roads
- Parcels
- City Limits



Parcel ID	05-325-2401	Alternate ID	n/a	Owner Address	RO-LIZ LLC
Sec/Twp/Rng	25-34-29	Class	101-Agricultural		C/O ROSALIE SCHOMMER KOSMAS
Property Address		Acreage	35.42		17881 GEORGE MORAN DR
					EDEN PRAIRIE MN 55347
District	BECKER				
Brief Tax Description	n/a				
	(Note: Not to be used on legal documents)				




Parcel C

Parcel A

Parcel B

Legend

 Existing City Boundary

Annexation Map - 12.19.2022

